

**Item 7.****Development Application: 960A Bourke Street and 6 Geddes Avenue, Zetland - D/2022/548**

File No.: D/2022/548

**Summary**

<b>Date of Submission:</b>	23 June 2022.  Amended plans and documentation were submitted on 21 October 2022, 15 February 2023 and 5 May 2023.
<b>Applicant/ Developer:</b>	Mirvac Green Square Pty Ltd
<b>Architect/ Designer:</b>	Mirvac Design
<b>Owner:</b>	Landcom (960A Bourke Street, Zetland)  Minister for Public Works & Services & Landcom (6 Geddes Avenue, Zetland).
<b>Planning Consultant:</b>	Ethos Urban
<b>Cost of Works:</b>	\$37,424,472.00
<b>Zoning:</b>	The site is located within the MU1 - Mixed Use zone under the Sydney Local Environmental Plan (Green Square Town Centre) 2013. The proposed development is permissible with consent in the zone.
<b>Proposal Summary:</b>	Approval is sought for site preparation works, excavation, soil treatment works and civil works in undertaking an integrated soil management remediation strategy involving Sites 7, 8C, 8D, 17, 18, 19A and 19B of the Green Square Town Centre (GSTC).  The application is referred to the Local Planning Panel for determination as it is classified as Designated Development.  The application is classified as Designated Development pursuant to Schedule 3, Clause 20 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation), as it involves the treatment and storage of more than 30,000 cubic metres of contaminated soil.

The application is also classified as Integrated Development, pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1979, as it seeks approval under:

- Schedule 1, Clause 15 of the Protection of the Environment Operations Act 1997. The NSW Environmental Protection Authority (EPA) provided General Terms of Approval on 15 May 2023.
- The Water Management Act 2000, as dewatering is anticipated to be required during the excavation process. The Department of Planning and Environment - Water advised that for the purposes of the Water Management Act 2000, a controlled activity approval is not required for the proposed works and no further assessment was necessary.

The application was notified for a period of 28 days between 30 June and 29 July 2022. No submissions were received.

The Environmental Impact Statement adequately addresses the Secretary's Environmental Assessment Requirements (SEARs) and the proposed development generally complies with the planning controls that apply to the site.

Subject to the recommended conditions provided in Attachment A, including the General Terms of Approval provided by NSW EPA, the proposed development will have acceptable impacts on the site and its surroundings.

The proposal is in the public interest as it is consistent with the relevant planning controls for the site and will enable future development on the site in accordance with the submitted Remediation Action Plan.

**Summary Recommendation:** The development application is recommended for approval, subject to conditions.

**Development Controls:**

- (i) Environmental Planning and Assessment Act 1979
- (ii) Environmental Planning and Assessment Regulation 2021
- (iii) Protection of the Environment Operations Act 1997
- (iv) Water Management Act 2000

- (v) Sydney Local Environmental Plan (Green Square Town Centre) 2013
- (vi) Green Square Town Centre Development Control Plan 2012
- (vii) State Environmental Planning Policy (Resilience and Hazards) 2021
- (viii) State Environmental Planning Policy (Transport and Infrastructure) 2021

**Attachments:**

- A. Recommended Conditions of Consent
- B. Selected Drawings

## **Recommendation**

It is resolved that consent be granted to Development Application Number D/2022/548 subject to the conditions set out in Attachment A to the subject report.

## **Reasons for Recommendation**

The application is recommended for approval for the following reasons:

- (A) The proposal satisfies the objectives of the Environmental Planning and Assessment Act 1979 in that, subject to conditions of consent, it achieves the objectives of the planning controls for the site for the reasons outlined in this report to the Local Planning Panel.
- (B) The development is permissible in the zone in accordance with the requirements of the Sydney Local Environmental Plan (Green Square Town Centre) 2012. The proposed earthworks are consistent with the objectives of the MU1 - Mixed Use zone.
- (C) The development satisfies the objectives of the Green Square Town Centre Development Control Plan 2012.
- (D) The proposal has provided sufficient information to address the Secretary's Environmental Assessment Requirements.
- (E) All other issues have been addressed by recommended conditions of consent.

## Background

### The Site and Surrounding Development

1. The proposed development relates to two sites within the Green Square Town Centre (GSTC), known as 960A Bourke Street (Lot 6 in Deposited Plan 1199427) and 6 Geddes Avenue, Zetland (Lot 12 DP 1225135).



**Figure 1:** Map of Green Square Town Centre, with subject sites outlined in green

2. The site at 960A Bourke Street is irregularly shaped and has an area of approximately 5,217sqm. It adjoins Ebsworth Street to the north-east, Green Square Plaza to the south, Paul Street to the south-east and Tweed Place to the north-west. The site is also known as Sites 7, 17 and 18 within the Green Square Town Centre (GSTC).
3. The site at 6 Geddes Avenue, Zetland is irregularly shaped and has an area of approximately 9,187sqm. The site has frontages to Green Square Plaza to the north, Paul Street to the east and Geddes Avenue to the south. To the west of the site is 411 Botany Road, also known as Sites 8A and 8B of the GSTC.
4. It is noted that the applicant describes the northern site at 960A as 'Stage 3' and the southern side at 6 Geddes Avenue as 'Stage 4' in the submitted documentation.

5. Both sites have been cleared and currently contain hoardings along their boundaries.
6. The surrounding area is characterised by a mixture of land uses within Green Square Town Centre, including commercial, residential and community uses. The two sites are separated by the Green Square Library and Plaza.
7. The site is not a heritage item and is not located within a heritage conservation area.
8. Photos of the site and surrounds are provided below.



**Figure 2:** Aerial view of site and surrounds



Figure 1: 'Stage 3' site viewed from Green Square Plaza, looking north-east



Figure 4: 'Stage 3' site viewed from the corner of Green Square Plaza and Paul Street, looking west



Figure 5: 'Stage 4' site viewed from Green Square Plaza, looking south



Figure 6: 'Stage 4' site viewed from Green square Plaza at Paul Street, looking south



## History Relevant to the Development Application

### Development Applications

9. The following applications are relevant to the current proposal:

#### **Sites 7 and 17 GSTC**

- **D/2017/564** - A Deferred Commencement development consent was granted on 20 June 2019 for a mixed use development on Site 7 and 17 within GSTC comprising one 16 storey and one 13 storey building with retail, commercial, entertainment (cinema) and residential uses, and use of an integrated basement for car parking spaces (construction of the basement is subject of a separate development application). The deferred commencement conditions are yet to be satisfied. The consent required the deferred commencement conditions to be satisfied within 24 months of the date of determination and this was extended by two years under changes to the Environmental Planning and Assessment Act 1979 introduced by the COVID-19 Legislation Amendment (Emergency Measures - Attorney General) Act 2020 ('Miscellaneous Act'). The consent appears to have lapsed.
- **D/2017/564/A** - On 10 January 2022, Mirvac lodged a Section 4.55(1A) modification application for various design changes and seeking to satisfy the deferred commencement conditions. The application was subsequently withdrawn on 29 May 2023.



**Figure 7:** Photomontage of the approved development at Sites 7 and 17 GSTC, viewed from Green Square Plaza looking north

**Site 18 GSTC**

- **D/2017/503** - A Deferred Commencement development consent was granted on 20 June 2019 for construction of a 20-storey mixed use residential building comprising 103 residential apartments over levels 2-20, retail uses on Level 1 (ground) and Level 2, communal facilities on the rooftop and Level 2 and a three storey basement, the partial fit-out of the basement, site remediation, and landscaping. The deferred commencement conditions are yet to be satisfied. The consent required the deferred commencement conditions to be satisfied within 24 months of the date of determination and this was extended by two years under changes to the Environmental Planning and Assessment Act 1979 introduced by the COVID-19 Legislation Amendment (Emergency Measures - Attorney General) Act 2020 ('Miscellaneous Act'). The consent appears to have lapsed.
- **D/2017/503/A** - On 10 January 2022, Mirvac lodged a Section 4.55(2) modification application for various design changes to the building and the basement and to satisfy the deferred commencement conditions. The application is under assessment at the time of writing this report, however as noted above it appears that the original consent has lapsed.



**Figure 8:** Photomontage of the approved development at Site 18, viewed from the Drying Green looking north-west

**Sites 8C, 8D, 19A and 19B GSTC**

- **D/2016/1557** - Stage 1 (Concept) development consent was granted on 30 November 2017 for four building envelopes ranging in height from 4-24 storeys.



**Figure 9:** Approved building envelopes at Site 8C, 8D, 19A and 19B

**Amendments**

10. Following a preliminary assessment of the proposed development by Council officers, a request for additional information was sent to the applicant on 16 August 2022.
11. The following information was requested:
  - (a) A plan to demonstrate the proposed extent of early works and the location of new roads to be dedicated to the City.
  - (b) A statement demonstrating compliance with Council's requirements relating to the future construction of new roads.
  - (c) The submitted Civil drawings were preliminary only and were based on an outdated survey plan. Amended Civil Plans were requested.
  - (d) A Public Domain Survey to show the existing road levels and infrastructure surrounding the site.
  - (e) The proposal should clearly assess the risk of flooding to the site and propose measures to manage that risk.

- (f) A Concept Stormwater Plan.
12. In addition to the above information requested by the City, the NSW EPA requested the following additional information which was included in Council's letter dated 16 August 2022:
- (a) Water advice
- EPA advised that the EIS did not adequately address the SEARs and potential impacts of discharges on the environment. Further details regarding the discharge frequency, quality and impacts were requested.
- (b) Contaminated land
- Copies of the interim audit advice Remedial Action Plan (RAP) and overarching RAP were requested.
- (c) Hydrogeology
- Detailed information on the treatment options and protective constraints to limit migratory risks of contaminants was requested.
- (d) Chemical storage
- Details of all fuels, chemicals, dangerous goods to be stored on site were requested.
13. The applicant responded to the request on 21 October 2022 and submitted the requested additional information.
14. On 22 November 2022, the NSW EPA advised Council officers that, based on the information provided, it was unable to issue an environmental protection license in its current form and therefore could not provide General Terms of Approval (GTAs) for the proposal. Details of this letter are provided under the 'Assessment' section below.
15. On 22 November 2022, Council officers provided the applicant with a copy of the letter from NSW EPA. In addition, Council officers raised the following outstanding issues:
- (a) Flooding - The flood report must provide PMF level/s for the future basement parking on the site.
- (b) Stormwater/ dewatering - The amended submission must clearly divide the dewatering of the site during the excavation and remediation works from the site's drainage for the post construction stage, where water will be required to be drained from the excavation.
16. On 6 December 2022, a meeting was held between NSW EPA officers, Council officers and Mirvac representatives. At that meeting, it was agreed that Mirvac would provide additional information to address the issues raised by NSW EPA, so that GTAs could be provided.
17. On 15 February 2023, Mirvac submitted a written response to NSW EPA's refusal letter and an updated Construction Environmental Management Plan. General Terms of Approval were subsequently provided by NSW EPA on 15 May 2023.

18. Throughout the assessment, various meetings were held between Council's Public Domain and the applicant to discuss the outstanding flooding and stormwater issues that were raised by Council on 22 November 2022. Issues relating to the Public Domain are outlined further in the Discussion section below.

### **Proposed Development**

19. The application seeks consent for site preparatory works, excavation, soil treatment works and civil works in undertaking an integrated spoil management remediation strategy for Stages 3 and 4 of the GSTC.

### **Background**

20. The future development of Stages 3 and 4 will require significant excavation to be undertaken. Some of the soil and groundwater to be excavated are contaminated and therefore remediation of these sites is required. The Stage 3 site contains 46,200 cubic metres of impacted material and Stage 4 contains approximately 24,200 cubic metres of impacted material.
21. A Remediation Action Plan (RAP) was previously approved for the Stage 3 site under the detailed DA for the site (D/2017/503). This RAP proposed a 'dig and dump' method, which involves removal and disposal of the impacted material at an off-site landfill facility.
22. The proponent now seeks to remediate Stage 3 collectively with Stage 4 under a new RAP to reduce the amount of waste material being placed in an off-site landfill.

### **Proposal**

23. The new remediation strategy involves storing the impacted material from both sites within the Stage 4 site, which is to be covered by a concrete slab as a permanent physical barrier. The future basement of the development of the Stage 4 site would then sit above the slab (details subject to a future DA).
24. In summary, the proposal seeks consent for the following works to remediate the sites:
  - construct a piled basement perimeter retention system within the Stage 4 site;
  - transfer the impacted material from Stage 3 to Stage 4;
  - store the impacted material from both sites within the Stage 4 site; and
  - establish a binding slab on top of the impacted materials.
25. The proposed remediation strategy includes the following phases:
  - **Phase 1 - Retention Piling.** This involves:
    - construction of the perimeter retention piling system in the Stage 4 site; and
    - excavation of piling impacted material and stockpile.

- **Phase 2** - Bulk Earthworks. This involves:
    - excavation of impacted and natural material;
    - stockpile of limited impacted material; and
    - installation of retention piling systems to the south-eastern corner of the Stage 4 site.
  - **Phase 3** - Remediation Works. This involves:
    - the transfer of all impacted material from the Stage 3 site to Stage 4 via Ebsworth Street;
    - backfilling and spreading of impacted material within the void; and
    - returning stockpiled impacted material and insitu impacted material in the south-eastern corner within the void.
  - **Phase 4** - Containment and Dewatering. This involves:
    - grading above the remediation void and installation of a concrete binding slab; and
    - ongoing dewatering of the site.
26. The proposed works are to be carried out under a Remedial Action Plan (RAP).
27. Plans and elevations of the proposed development are provided at Attachment B.

### **Assessment**

28. The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

### **Water Management Act 2000**

29. The application is classified as Integrated Development, pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1979, as it seeks approval under the Water Management Act 2000. This was sought as dewatering was anticipated to be required during the excavation process.
30. On 4 October 2022, the Department of Planning and Environment - Water advised that for the purposes of the Water Management Act 2000, a controlled activity approval is not required for the proposed development and no further assessment by the agency was necessary.

### **Protection of the Environment Operations Act 1997**

31. The application is also Integrated Development under Schedule 1, Clause 15 of the Protection of the Environment Operations Act 1997, requiring approval from the NSW EPA.

32. On 22 November 2022, the NSW EPA advised that the proposal was not able to be supported due to concerns relating to the proposed reuse of more than 10 tonnes of asbestos waste and proposed transportation and land application of waste between the two sites.
33. On 6 December 2022, a meeting was held between NSW EPA officers, Council officers and Mirvac representatives. At that meeting, it was agreed that the applicant would provide further information to address the issues raised by the NSW EPA.
34. The applicant responded to the concerns raised by the NSW EPA on 15 February 2023 by providing a written response to the issues raised and an amended Construction Environmental Management Plan.
35. In summary, the applicant submitted that:
  - The proposed works will involve the on-site management of asbestos within a single premises, which is consistent with the overarching RAP for the site from 2013. As the asbestos waste is being stored onsite, the proposal does not involve the reuse of any asbestos waste.
  - The works are to be completed within a single premises, with impacted material being consolidated and contained, consistent with the overarching RAP for the site.
36. General Terms of Approval were granted by NSW EPA on 15 May 2023. These are included in the recommended conditions of consent.

## **State Environmental Planning Policies**

### **State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4**

#### **Remediation of Land**

32. The aim of SEPP (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.
33. Previous site investigations have identified fill material to be impacted to varying degrees with heavy metals, total recoverable hydrocarbons/ total petroleum hydrocarbons, polycyclic aromatic hydrocarbons and asbestos. These require remediation to make the sites suitable for the proposed development.
34. A Remedial Action Plan (RAP) was previously prepared and approved for the Stage 3 site under D/2017/503. That RAP recommended removal of contaminated soil and placement in an off-site landfill.
35. Since that RAP was approved, the proponent has reconsidered the proposed remediation strategy to address various sustainability objectives. Given the amount of fill requiring disposal to landfill under the existing RAP for Stage 3, a new RAP has been prepared that includes the onsite retention of contaminated soil for both sites within the Stage 4 site.
36. The proposed RAP has been prepared in accordance with an overarching RAP (prepared by JBS 2013) for the entire GSTC.

37. The Council's Health Unit has reviewed the information provided and has recommended conditions of consent to ensure compliance with the remediation measures outlined and requiring Council to be notified should there be any changes to the strategy for remediation.
38. The Council's Health Unit is satisfied that, subject to conditions, the site can be made suitable for the proposed use.

### **State Environmental Planning Policy (Transport and Infrastructure) 2021**

39. The provisions of SEPP (Transport and Infrastructure) 2021 have been considered in the assessment of the development application.

### **Division 5, Subdivision 2: Development likely to affect an electricity transmission or distribution network**

#### **Clause 2.48 Determination of development applications – other development**

40. The application is subject to Clause 2.48 of the SEPP as it involves excavation nearby existing Ausgrid infrastructure.
41. On 6 July 2022, Ausgrid provided recommended conditions of consent relating to existing network assets and activities within or near to the electricity easement. These conditions are included in Attachment A.

### **Division 17, Subdivision 2: Development in or adjacent to road corridors and road reservations**

#### **Clause 2.119 – Development with frontage to classified road**

42. The application is subject to Clause 2.119 of the SEPP due to the proximity of the site to Botany Road which is a classified road.
43. Transport for NSW reviewed the submitted documentation and raised no objection, subject to conditions of consent which are included in Attachment A.

## **Local Environmental Plans**

### **Sydney Local Environmental Plan (Green Square Town Centre) 2013**

44. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 is provided in the following sections.

#### **Part 2 Permitted or prohibited development**

<b>Provision</b>	<b>Compliance</b>	<b>Comment</b>
2.3 Zone objectives and Land Use Table	Yes	The site is located in the MU1 Mixed Use zone.  The proposed activities are categorised as earthworks which is permissible with consent in the zone.



Provision	Compliance	Comment
		The proposal generally meets the objectives of the zone.

#### Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	N/A	As no above ground building works are proposed, the height of buildings control is not relevant to the subject application.
4.4 Floor space ratio	N/A	No new floor space is proposed.

#### Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is not a heritage item and is not located in a heritage conservation area. The works will not adversely impact any nearby heritage items.
5.15 Flood planning	Yes, subject to conditions	The site is identified as being located within a flood planning area. The issue of floodings is outlined further in the 'Discussion' section below.

#### Part 6 Additional local provisions

Provision	Compliance	Comment
6.1 Acid sulfate soils	Yes	The submitted Remediation Action Plan states that based on the results of previous investigations, the site is located within an area classified as "no known occurrence of acid sulfate soils".

### Development Control Plans

#### Green Square Town Centre Development Control Plan 2012

45. An assessment of the proposed development against the relevant provisions within the Green Square Town Centre Development Control Plan 2012 is provided in the following sections.

## Section 2.1 – Locality Statement

46. The proposed development is in keeping with the Green Square Town Centre Locality Statement as it will allow future development on the site to contribute to the residential, commercial, retail and cultural centre for the area.

Provision	Compliance	Comment
3.4 Flooding and stormwater management	Yes	<p>The DCP requires development to assist in the management of stormwater to minimise flooding and to ensure that new development is not subjected to undue flood risk.</p> <p>The issue of flooding and stormwater management is outlined in the Discussion section below.</p>

## Discussion

### Flooding and stormwater management

47. The site is identified as being located within a flood planning area in the Alexandria Canal Catchment Flood Study (2014).
48. In the original Request for Information sent to the applicant on 16 August 2022, Council officers advised that the proposal should clearly assess the risk of flooding to the site and propose measures to manage this risk. A Concept Stormwater Plan was also requested.
49. The applicant subsequently submitted a Civil Response Letter which stated that flood waters within the site are not linked to overland/ flood flow paths but are from major storm events which would be managed via dewatering. The letter also noted that the stormwater management plan only addresses works required as part of the temporary works and a future DA would consider more permanent stormwater arrangements.
50. On 22 November 2022, Council officers requested further information, including:
- The flood report must provide PMF levels for the future basement.
  - Further details regarding stormwater and dewatering were requested.
51. The applicant responded to the above request on 5 May 2023 and noted the following:
- The concrete slabs proposed under this DA are blinding slabs only. This slab will remain under the future construction of the basement and towers on the site, where it will be integrated into the pavement profile of the final structure. Therefore, the applicant proposed that no PMF assessment for the future basement parking is warranted at this stage.
  - Further details were provided in relation to stormwater and dewatering.
52. Overall, the information provided is supported by Council's Public Domain unit, subject to conditions outlined below.

53. With regard to flooding, it is accepted that the blinding slab proposed under this DA is part of the capping required under the RAP and that a future detailed DA will seek consent for the basement above this slab. However, it is noted that the City is currently updating the existing Flood Study for the Alexandria Canal Catchment, which is yet to be completed. Therefore, the levels required under the future Flood Study cannot be incorporated into the current proposal, which in turn will relate to the required levels of the future basement.
54. To avoid conflict in the levels based on different Flood Studies being utilised, a condition of consent is recommended that requires an updated Flood Assessment to be provided that considers the City's future updated Flood Study, prior to the blinding slab being constructed. This means that if the future Flood Study indicates that the levels need to be amended, this can be resolved prior to construction.
55. With regard to stormwater management, conditions are recommended to ensure water is discharged appropriately in this interim period of development on the site.

### **Traffic and transport**

56. A Construction Pedestrian and Traffic Management Plan prepared by PTC was submitted with the application.
57. The Plan includes proposed construction vehicle routes, including the movement of trucks between the site as they transfer impacted material from Stage 3 to Stage 4.
58. Trucks are proposed to travel between the sites via Ebsworth Street and Paul Street. Trucks not going between the sites are to leave via Geddes Avenue to Botany Road.
59. As Botany Road is a classified road, the application was referred to Transport for NSW (TfNSW) for comment. TfNSW did not object to the proposed development, subject to conditions which are included in Attachment A.
60. A condition of consent is recommended requiring a final Construction Management Plan to be approved by Council prior to the issue of a Construction Certificate.

### **Visual impact**

61. Both sites currently contain hoarding along the site boundaries and have been cleared of all structures. The remediation works are proposed to be undertaken behind the existing hoarding and will therefore not be visible from the public domain. The proposal is therefore not anticipated to result in adverse visual impacts compared to the existing condition of the site.
62. At completion of the proposed development, the hoarding will remain for the construction of future development on both sites.

### **Consultation**

#### **Internal Referrals**

63. The application was discussed with Council's Environmental Health unit and Public Domain unit who advised that the proposal is acceptable subject to conditions. These conditions are included in the Notice of Determination.

## External Referrals

### Ausgrid

64. Pursuant to Section 2.48 of the SEPP (Transport and Infrastructure) 2021, the application was referred to Ausgrid for comment.
65. A response was received raising no objections to the proposed development. Conditions recommended by Ausgrid are included in Attachment A.

### Transport for NSW

66. Pursuant to Clause 2.119 of the SEPP (Transport and infrastructure) 2021, the application was referred to Transport for NSW (TfNSW) for comment.
67. Transport for NSW reviewed the submitted documentation and raised no objection, subject to conditions of consent which are included in Attachment A.

### Water NSW

68. The application is classified as Integrated Development, pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1979, as it seeks approval under the Water Management Act 2000. This was sought as dewatering was anticipated to be required during the excavation process.
69. On 4 October 2022, the Department of Planning and Environment - Water advised that for the purposes of the Water Management Act 2000, a controlled activity approval is not required for the proposed development and no further assessment by the agency was necessary.

### NSW Environmental Protection Authority

70. The application is Integrated Development under Schedule 1, Clause 15 of the Protection of the Environment Operations Act 1997.
71. General Terms of Approval were granted by NSW EPA on 15 May 2023. These are included in the recommended conditions of consent.

## Advertising and Notification

72. In accordance with the City of Sydney Community Participation Plan 2019, the application was notified for a period of 28 days between 30 June and 29 July 2022. No submissions were received.

## Relevant Legislation

73. Environmental Planning and Assessment Act 1979
74. Environmental Planning and Assessment Regulation 2021
75. Protection of the Environment Operations Act 1997
76. Water Management Act 2000

## Conclusion

77. Approval is sought for site preparation works, excavation, soil treatment works and civil works in undertaking an integrated spoil management remediation strategy involving Sites 7, 8C, 8D, 17, 18, 19A and 19B of the Green Square Town Centre.
78. The proposal meets the objectives of the MU1 - Mixed Use zone under the Sydney Local Environmental Plan (Green Square Town Centre) 2013.
79. The Environmental Impact Statement adequately addresses the Secretary's Environmental Assessment Requirements and the proposed development generally complies with the planning controls that apply to the site.
80. The submitted Remediation Action Plan is satisfactory and concludes that the site can be made suitable for the proposed use, in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021.
81. Environmental impacts such as flooding, noise and traffic impacts have been adequately addressed in the proposal and can be managed through conditions of consent.
82. No public submissions were received.
83. The proposal is generally consistent with the objectives, standards and guidelines of the relevant planning controls and is recommended for approval, subject to conditions.

## ANDREW THOMAS

Executive Manager Planning and Development

Samantha Kruize, Senior Planner