



NSW GOVERNMENT
Department of Planning

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Our ref: MP 08_0056, 08_0057, 08_0090,
08_0091, 08_0092 & 08_0093.

JBA Urban Planning
Claire Wright
Level 7, 77 Berry Street,
North Sydney, NSW 2060

Dear Ms Wright,

Director General's Requirements for the Environmental Assessment of Proposed Darling Walk project Applications MP 08_0056, 08_0057, 08_0090, 08_0091, 08_0092 & 08_0093.

The Department has received your applications for the proposed Darling Walk Redevelopment (Major Projects: MP08_0056, 08_0057, 08_0090, 08_0091, 08_0092 & 08_0093.)

I have attached a copy of the Director-General's requirements (DGR's) for environmental assessment of the Project Applications. There are two sets, one for MP08_0056, 08_0090, & 08_0091 and one set for 08_0057, 08_0092 & 08_0093. These requirements have been prepared in consultation with the relevant government agencies including Council.

The project applications should not be lodged prior to Concept Plan determination as this may raise requirements for future stages, or possibly obviate some processes.

Project application MP08_0057 for excavation should be combined with proposals for works to at least ground floor level in order to ensure that the development is finished to a certain level that does not result in an unfinished excavated hole should the development not proceed beyond that stage, or be suspended for a period of time.

It should be noted that the Director-General's requirements have been prepared based on the information provided to date. Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit the Environmental Assessment for the project to determine:

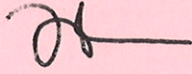
- the fees applicable to the application;
- consultation and public exhibition arrangements that will apply.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGR's. The Department may consult with other relevant government agencies in making this decision. If the Director-General considers that the Environmental Assessment does not adequately address the DGR's, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

While not forming part of the DGRs, a copy of the submissions received from agencies/public authorities is attached for your information.

If you have any enquiries about these requirements, please contact Josephine Wing on 9228 6528 or via e-mail at Josephine.Wing@planning.nsw.gov.au.

Yours sincerely



Jason Perica
Executive Director
Strategic Sites and Urban Renewals

9/5/08

CC SHFA



Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	MP 08_0056/ MP 08_0090/ MP 08_0091
Project	Demolition, infrastructure works and remediation of the site. It is proposed that four separate Major Project Applications (MP) for the above work will be submitted for approval. MP 08_0056 – Demolition of existing buildings. MP 08_0090 – Major Stormwater services diversion & Infrastructure services enabling works. MP 08_0091 – Remediation of the site and associated piling.
Location	Darling Walk, Darling Harbour
Proponent	Lend Lease Development
Date issued	09/05/08
	If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
Key issues	<p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> 1. Relevant EPI's policies and Guidelines to be Addressed Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> • Darling Harbour Development Plan 1; • State Environmental Planning Policy (Major Projects) 2005; • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; • State Environment Planning Policy (Infrastructure) 2007; and • State Environmental Planning Policy No.55 – Remediation of Land. • Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance; and • Concept Plan (MP06_0054). 2. Concept Plan (All MPs) The EA must demonstrate consistency with the Concept Plan (MP06_0054). 3. Traffic Impacts (Demolition & Construction) The EA shall provide a Traffic Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments, considering traffic generation, any required road / intersection upgrades, access, loading dock(s) and car parking arrangements. The EA must address the following: <ul style="list-style-type: none"> • Likely impacts from works and works traffic on surrounding areas, major arterial and local road networks, local public transport, including impacts on cyclists; • Details of anticipated truck routes including originals and destinations of major movements to and from the site; • Opportunities to maintain pedestrian access and safety adjacent to the subject site during the period of works; and • An assessment of the potential increase in toxicity levels of loads transported on arterial and local roads and, if indicated by such assessment, the preparation of an incident management strategy for accidents. • Details of the proposed accesses and the adequacy of the parking provisions associated with the proposed development including subsequent compliance with the requirements of the relevant

Australian Standards (ie: turning paths, sight distance requirements, aisle widths, etc.

4. Remediation of Site

The EA must address and/or provide the following:

- Contamination on the site;
- A Remediation Action Plan (RAP) in accordance with SEPP 55; and a
- Environmental Management Plan.

The EA must demonstrate that appropriate remediation of the site to relevant standards will be undertaken prior to subsequent stages of site development. The proponent must have the RAP audited by an accredited site auditor on the appropriateness of the works undertaken to meet the project objectives.

5. Waste Management Plan

The EA must provide a Waste Management Plan which addresses the following:

- Waste Materials that may be generated from the proposed works, including identification and likely quantities of the types of waste materials including hazardous;
- Best practices for safe handling and disposal in accordance with Work Cover's Occupational Health and Safety requirements and EPA guidelines (Environmental Guidelines: Assessment, Classification and Management of Liquid Wastes (EPA 1999).
- Details of on-site and off-site recycling; and
- A Hazard and Emergency Management Plan which addresses handling, transport and storage of hazardous materials, including spill requirements and fire water management.

6. Air Quality

The EA shall provide an appropriate level of air quality impact assessment prepared in accordance with Approved Methods for Modelling and Assessment of Air Pollutants in NSW (EPA 2005), and provide management strategies to address the following:

- Emissions of dust and fumes generated by the proposed works;
- Greenhouse gas emissions;
- Wind erosion from exposed surfaces and stockpiles; and
- Impact of exhaust emissions from vehicles and other motorised equipment.

7. Water Quality

An integrated soil and water management plan should be developed to prevent an increase in pollutant, loads being exported from the site during the proposed works. The EA must also address and/or provide the following:

- Identify, describe and quantitatively assess the potential impacts of the proposed works on water quality, including stormwater and ground water during the proposed works; and
- Proposed contingency measures that would remediate, reduce or manage potential impacts.

8. Drainage

The EA shall address drainage/flooding issues associated with the development/site, including: stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.

9. Environmental Management Plan

An environmental management plan shall be submitted as part of the EA, it should contain, however not be limited to, the following:-

- Noise Management Plan;
- Acid Sulphate Management Plan;

	<ul style="list-style-type: none"> • Erosion and Sediment Control Plan; • Air Pollution Control Management Plan; • Hazardous Materials Management Plan. <p>10. Utilities In consultation with relevant agencies, the EA shall address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works.</p> <p>11. Infrastructure The EA must address impacts on and proposed mitigation measures for existing infrastructure and the supply of services to the site and surrounding areas.</p> <p>12. Heritage The EA must provide a Heritage Impact Statement for proposed works by a qualified Heritage consultant including policies to avoid any negative impacts on heritage items on and adjacent to the site. An Archaeological Assessment must be prepared detailing potential impacts given the sites close location to the original shoreline.</p> <p>13. Works Management The EA must provide a Works Management Plan which addresses mitigation measures for activities associated with the proposed works. It must also address health and safety in accordance with WorkCover requirements.</p> <p>14. Consultation Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>.</p>
Deemed refusal period	60 days

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	MP 08_0057/ MP 08_0092/ MP 08_0093
Project	Bulk excavation and construction of new buildings and associated domain works and road works. It is proposed that three separate Major Project Applications (MP) will be submitted for approval. MP 08_0057 – Bulk excavation and construction of basement structure. MP 08_0092 – Construction of buildings. MP 08_0093 – Public Domain works, construction of roads.
Location	Darling Walk, Darling Harbour.
Proponent	Lend Lease Development
Date issued	09/05/08
	If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
Key issues	<p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> 1. Relevant EPI's policies and Guidelines to be Addressed <ul style="list-style-type: none"> • Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> • Darling Harbour Development Plan 1; • State Environmental Planning Policy (Major Projects) 2005; • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; • State Environment Planning Policy (Infrastructure) 2007; and • State Environmental Planning Policy No.55 – Remediation of Land. • Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance; and • Concept Plan (MP06_0054). 2. Concept Plan The EA shall address compliance with all relevant aspects of the Concept Plan. 3. Built Form The EA shall address the height, bulk and scale of the proposed development within the context of the locality. 4. Excavation and Construction The EA shall address the requirement for the excavation stage of the proposal to be combined with construction to at least ground floor level, with hoardings. 5. Urban Design The EA shall address the design quality with specific consideration of the façade, massing, setbacks, building articulation, use of appropriate colours, materials/finishes, landscaping, safety by design and public domain. 6. Heritage The EA shall provide a Heritage Impact Statement should be prepared in accordance with the NSW Heritage Office publication "Statements of Heritage Impact.

7. Safety/Public Domain/Landscaping

Demonstrate how the proposal will:-

- Maximise safety and security, activity and surveillance within the public domain and basement car park and show consistency with 'Safer by Design' principles.
- Minimise potential for vehicle and pedestrian conflicts.
- Ensure access for people with disabilities.

8. Environmental and Residential Amenity

The EA must address solar access, acoustic privacy, visual privacy, view loss and wind impacts and achieve a high level of environmental and residential amenity.

9. Car parking / Traffic Impacts (Construction and Operational)

- The EA must demonstrate the provision of sufficient on-site car parking for the proposal having regard to local planning controls and RTA guidelines.
- The EA shall also provide a Traffic Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments, considering traffic generation, any required road / intersection upgrades, access, loading dock(s), car parking arrangements, measures to promote public transport usage and pedestrian and bicycle linkages.
- The EA shall provide detailed excavation plans for any works in the vicinity of the piers for the Western Distributor and associated infrastructure.
- The EA must include a report reviewing the proposals to ensure that any new structures do not introduce a security risk to the Western Distributor and associated infrastructure.

9. Environmental Management Plan

An environmental management plan shall be submitted as part of the EA, it should contain, however not be limited to, the following:-

- Noise and Vibration Management Plan;
- Acid Sulphate Management Plan;
- Erosion and Sediment Control Plan;
- Air Pollution Control Management Plan;
- Hazardous Materials Management Plan.

10. Ecologically Sustainable Development (ESD)

The EA shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development.

11. Contributions

The EA shall address provision of public benefit, services and infrastructure having regard to the applicable Section 94 Contribution Plan and/or details of any Voluntary Planning Agreement.

12. Drainage

The EA shall address drainage/flooding issues associated with the development/site, including: stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.

13. Flooding

Provide an assessment of any flood risk on site in consideration of any relevant provisions of the NSW Floodplain Development Manual (2005) including the potential effects of climate change, sea level rise and an increase in rainfall intensity.

14. Groundwater

The EA must identify groundwater issues and potential degradation to the groundwater source.

Where potential impact/s are identified the EA must identify limits to the level of impact, and contingency measures that would remediate, reduce or manage potential impacts to the existing

groundwater resource, and any dependent groundwater environment or water users.

15. Infrastructure

In consultation with relevant agencies the EA must address impacts on and proposed mitigation measures for the existing infrastructure and the supply of utility services to the site and surrounding areas.

16. Consultation

Undertake an appropriate and justified level of consultation in accordance with the Department's *Major Project Community Consultation Guidelines October 2007*.

Deemed
refusal period

60 days

Plans and Documents to accompany the Application

<p><u>General</u></p>	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. A thorough site analysis including site plans, areal photographs and a description of the existing and surrounding environment; 3. A thorough description of the proposed development; 4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed; 5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project; 6. The plans and documents outlined below; 7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; 8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Projects SEPP; and 9. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest. 10. A detailed account of the staging of all proposed works in the context of the entire development of the site, from preparation to construction and occupation.
<p><u>Plans and Documents</u></p>	<p>The following plans, architectural drawings, diagrams and relevant documentation shall be submitted;</p> <ol style="list-style-type: none"> 1. An existing site survey plan drawn at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of the land, boundary measurements, area (sq.m) and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; and • location and height of adjacent buildings and private open space. • all levels to be to Australian Height Datum. 2. A Site Analysis Plan must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc). 3. A locality/context plan drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as parks, community facilities and open space and heritage items; • the location and uses of existing buildings, shopping and employment areas; • traffic and road patterns, pedestrian routes and public transport nodes. 4. Architectural drawings at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land; • detailed floor plans, sections and elevations of the proposed buildings; • elevation plans providing details of external building materials and colours proposed; • fenestrations, balconies and other features; • accessibility requirements of the Building Code of Australia and the Disability Discrimination Act;

	<ul style="list-style-type: none"> • the height (AHD) of the proposed development in relation to the land; • the level of the lowest floor, the level of any unbuilt area and the level of the ground; • any changes that will be made to the level of the land by excavation, filling or otherwise;. <p>5. Other plans (to be required where relevant):</p> <ul style="list-style-type: none"> • Stormwater Concept Plan - illustrating the concept for stormwater management; • Erosion and Sediment Control Plan – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site; • Geotechnical Report – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons; • View Analysis - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas; • Landscape plan - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site. • Shadow diagrams showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.
<p><u>Documents to be submitted</u></p>	<ul style="list-style-type: none"> • 1 copy of the EA, plans and documentation for the Test of Adequacy; • 12 hard copies of the EA (once the EA has been determined adequate); • 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and • 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.