

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*
 Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD-10294
Project Name	Sydney Metro Victoria Cross OSD – Stage 2
Location	155-167 Miller Street, 181 Miller Street, 187-189 Miller Street, & part of 65 Berry Street, North Sydney in North Sydney LGA
Applicant	LENDLEASE (VICTORIA CROSS) PTY LIMITED
Date of Issue	06/05/2019
General Requirements	<p>The environmental impact statement (EIS) must be prepared in accordance with, and meet the minimum requirements of, clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> (the Regulation).</p> <p>Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.</p> <p>Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> • adequate baseline data • consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed); and • measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment • justification of impacts <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; • an estimate of jobs that will be created during the construction and operational phases of the proposed development; and • certification that the information provided is accurate at the date of preparation.

Key issues

The EIS must address the following specific matters:

1. Statutory and Strategic Context

Address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including:

- State Environmental Planning Policy (State & Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 (Remediation of Land)
- State Environmental Planning Policy No. 64 (Advertising and Signage)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Draft State Environmental Planning Policy (Environment)
- North Sydney Local Environmental Plan 2013.

Address the relevant planning provisions, goals and strategic planning objectives in the following:

- NSW State Priorities
- Greater Sydney Region Plan
- North District Plan
- Future Transport Strategy 2056 and supporting plans
- Better Placed – an integrated design policy for the built environment of NSW 2017
- Development Near Rail Corridors and Busy Roads Interim Guideline
- Noise Policy for Industry
- Guide to Traffic Generating Development (RMS)
- NSW Planning Guidelines for Walking and Cycling
- North Sydney Section 94 Development Contributions Plan
- Sydney Metro Planning Study 2016 (North Sydney Council)
- North Sydney Centre Capacity and Land Use Strategy 2016
- Draft North of Centre / Ward Street Precinct Masterplan
- Relevant North Sydney Council policies, codes and guidelines (where required pursuant to relevant Local Environmental Plan).

2. Consistency with Stage 1 Concept Approval

The EIS shall:

- address the consistency of the proposal with the approved Concept Application (SSD 8874) conditions and building envelope
- provide details of consistency with any modification(s) to the Concept Application if sought concurrently
- include a detailed analysis of the proposal's compliance with the Victoria Cross Design Guidelines and Design Excellence Strategy.

	<p>3. Land Use and Gross Floor Area</p> <p>The EIS shall:</p> <ul style="list-style-type: none"> • include a table identifying the proposed land uses including a floor-by-floor breakdown of gross floor area (GFA) and total GFA • include details of the proposed uses and/or operational details for the development, including but not limited to: <ul style="list-style-type: none"> ○ fit-out and operational details ○ preliminary operational management plan. <p>4. Built Form and Urban Design</p> <p>The EIS shall:</p> <ul style="list-style-type: none"> • describe the design process leading to the proposal • include an urban design analysis demonstrating how the orientation, height, setbacks, street walls and articulation of the proposal will fit within the context of the site and the existing and future desired future character of North Sydney CBD. <p>5. Design excellence</p> <p>The EIS shall:</p> <ul style="list-style-type: none"> • document how advice and feedback from the Sydney Metro Design Review Panel (DRP) and Design Excellence Evaluation Panel (DEEP) has been incorporated into the proposal. This must include the project team's response to feedback from these Panels including justification where advice has not been adopted • include details of the review and endorsement of the Sydney Metro DRP against the Design Excellence Strategy principles, benchmarks and Design Guidelines • confirm the design process is in accordance with the endorsed Victoria Cross Design Excellence Strategy. <p>6. Integration with Sydney Metro Infrastructure</p> <p>The EIS shall:</p> <ul style="list-style-type: none"> • distinguish the extent of the proposal that is SSD from the Critical State Significant Infrastructure works (CSSI 7400), while noting any interrelationships and dependencies • demonstrate how the SSD will integrate with the CSSI infrastructure such as structural design, detailed architectural approach, access, wayfinding and public domain. This must include consideration of pedestrian capacities around the site and pedestrian comfort and safety, for example, consider weather protection where needed and potential conflict points with vehicles • address how the development supports the design objectives, principles and standards of the Station Design Precinct Plan and Interchange Access Plan under the CSSI • describe the coordination of, timing and implementation of access, landscape and public domain works associated with the CSSI and OSD development
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	<ul style="list-style-type: none"> • detail any design approaches or solutions within the SSD proposal that will benefit the amenity of the station below, such as in relation to pedestrian access or solar access • identify any modifications or design development to the CSSI which has influenced the SSD design. <p>7. Ecologically Sustainable Development (ESD) The EIS shall:</p> <ul style="list-style-type: none"> • demonstrate how ESD principles (as defined in clause 7(4) Schedule 2 of the EP&A Regulation 2000) will be incorporated in the design, construction and ongoing operation of the development • include a framework for how the proposed development will reflect best practice sustainable building principles to improve environmental performance, including energy and water efficient design and technology and use of renewable energy. This shall include commitments to relevant ESD benchmarks • outline any specific sustainability initiatives that will minimise/reduce the demand for drinking water, including any alternative water supply and its use, water sensitive urban design and any water conservation measures proposed. <p>8. Transport and Accessibility The EIS shall:</p> <ul style="list-style-type: none"> • describe consultation undertaken with the owners of the MLC Building regarding basement vehicle access via shared connection or future breakthrough panel • include a Transport and Traffic Impact Assessment that provides, but is not limited to, the following: <ul style="list-style-type: none"> • accurate details of the current daily and peak hour vehicle, public transport, point to point transport services, pedestrian and bicycle movements from existing buildings/uses on the site using the adjacent and surrounding road network • forecast total daily and peak hour trips likely to be generated by the proposed development including vehicle, public transport, point to point transport services, pedestrian and bicycle trips, including an indication of whether related to the station or OSD, together with cumulative impacts of existing, proposed and approved developments in the area and any transport/traffic upgrade • an assessment of impacts of the development on the operation of existing and future transport networks, in particular bus corridors, including the public transport capacity and its ability to accommodate the forecast number of trips to and from the development • detailed assessment of the existing and future performance of key intersections providing access to the site, supported by appropriate modelling and analysis to the satisfaction of RMS and TfNSW
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	<ul style="list-style-type: none"> • measures to mitigate impacts of the proposed development on the operation of existing and future traffic, public transport, pedestrian and bicycle networks • measures to be implemented, including a Green Travel Plan, to encourage users of the development to make sustainable travel choices, including walking, cycling, public transport and car sharing, such as the integration with rail and bus infrastructure and provision of adequate bicycle parking and end of trip facilities • proposed car and bicycle parking provision for workers and visitors, including consideration of the availability of public transport and the requirements of the relevant parking codes and Australian Standards • modelling and analysis of pedestrian and cyclist access to the development in consultation with TfNSW, together with an assessment of pedestrian and cyclist safety and consideration of the relationship with design and operation of the station • proposed vehicle access arrangements, including for service and loading activities, including an assessment of any potential impacts such as potential pedestrian, cyclist and transport conflicts, and measures to mitigate impacts • adequacy of the loading dock servicing and management arrangements. • provide a draft Construction Pedestrian and Traffic Management Plan to demonstrate the proposed management of impacts during construction. The Plan shall include: <ul style="list-style-type: none"> • vehicle routes, peak hour and daily truck movements, hours of operation, access arrangements (including swept path analysis) and traffic control measures for all demolition/construction activities including management of light commercial vehicles attending the site • an assessment of road safety at key intersections and locations subject to pedestrian / vehicle / bicycle conflicts • details of temporary cycling and pedestrian access and end of trip facilities during construction • an assessment of the impacts associated with any required road / lane closures and diversions, on bus and 'point to point' transport, pedestrian and cycle movement, and taking into account other construction activities within the precinct, and other stations along the Sydney Metro City and Southwest. <p>9. Heritage The EIS shall:</p> <ul style="list-style-type: none"> • include a detailed Heritage Impact Statement that identifies and addresses the extent of heritage impact of the proposal on the surrounding heritage items including the listed MLC Building and the Rag and Famish Hotel.
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10. Amenity

The EIS shall:

- include detailed solar access analysis for relevant LEP protected public domain areas and private land. The analysis must include, at a minimum, shadow diagrams at hourly intervals in mid-winter and sun's eye views of impacts on relevant publicly accessible spaces. The analysis must include a comparison of the existing situation, the proposed modified building envelope and the proposal
- outline the proposal's response to view sharing from the adjoining Alexander Apartments to the east including a comparison of existing views, views arising from the proposed modified building envelope and views arising from the proposal. This must include consideration of the Land and Environment Court's view sharing principles
- provide a view analysis to and from the site from key vantage points and streetscape locations including photomontages or perspectives of the proposal
- provide wind analysis, including wind tunnel testing, outlining the impacts to existing and proposed public domain areas and any terraces or useable outdoor space within the proposal
- provide a reflectivity analysis identifying possible adverse glare conditions affecting users of the public domain and occupants of neighbouring buildings.

11. Noise and Vibration

The EIS shall:

- identify any sensitive receivers to noise in the vicinity of the site, particularly child care centres and schools
- identify the main noise and vibration generating sources and activities at all stages of construction, and any noise and vibration sources during operation
- consider cumulative noise and vibration impacts with the approved CSSI works
- outline measures to minimise and mitigate the potential noise and vibration impacts on surrounding occupiers of land.

12. Utilities

The EIS shall identify the existing capacity of the site to service the proposal and any augmentation required for utilities.

13. Public Benefit and Contributions

The EIS shall:

- outline the application of the North Sydney Section 94 Development Contributions Plan 2013
- any additional public benefit, land dedication, services or infrastructure
- describe any proposed Voluntary Planning Agreement or other binding agreement with public authorities for any 'works in kind' or other public benefit.

	<p>14. Prescribed Airspace for Sydney Airport The EIS shall identify any impacts of the proposal on the prescribed airspace for Sydney Airport.</p> <p>15. Biodiversity The EIS shall provide an assessment of the proposal's biodiversity impacts in accordance with the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report where required under the Act.</p>
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>EP&A Regulation 2000</i>. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> • survey plans showing existing levels, location and heights of existing and adjacent structures and buildings • architectural drawings (to a usable scale at A3) • schedule of proposed gross floor area, per land use and in total • architectural and urban design report • landscape drawings (to a usable scale at A3) and landscape design statement • subdivision plans, if sought • physical model in accordance with North Sydney Council's requirements • shadow diagrams at hourly intervals in midwinter for affected residential premises and in diagram and sun's eye view perspectives for sun access planes protecting public domain areas • Clause 4.6 variation requests • ESD statement • heritage impact assessment • wind impact assessment • access impact statement • stormwater management plan • waste management plan • acoustic and vibration impact assessment • transport and traffic impact assessment • visual impact analysis and photomontages • view impact analysis • construction management plan • services and infrastructure report • schedule of materials and finishes • pre-submission consultation statement • details of all proposed signage
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p>

	<p>You must consult with North Sydney Council, Sydney Coordination Office within Transport for NSW and the Office of the NSW Government Architect.</p> <p>The EIS must describe the consultation process and the issues raised and identify where the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	<p>If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.</p>
References	<p>The assessment of the key issues listed above must consider relevant guidelines, policies, and plans as identified.</p>