

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-10343
Project Name	Kellyville Station Precinct Concept Proposal
Location	<p>Lot 1 in DP 1066762 – Old Windsor Road</p> <p>Lots 2 – 3 in DP 1201591 – Lewis Jones Drive</p> <p>Lots 1 – 8 in DP 1184376 – Old Windsor Road</p> <p>Lots 12 and 13 in DP 1184376 – Old Windsor Road</p> <p>Lot 11 in DP 1063682 – Old Windsor Road</p> <p>Lot 11 in DP 1201592 – Lewis Jones Drive</p> <p>Lot 181 in DP 1248401 – No specific address</p> <p>within The Hills Shire</p>
Applicant	Landcom on behalf of Sydney Metro
Date of Issue	11/09/2019
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 Environmental Planning and Assessment Regulation 2000 (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. 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"> o adequate baseline data o consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed) o measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment

	<ul style="list-style-type: none"> o 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"> o 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 o an estimate of jobs that will be created during the construction and operational phases of the proposed development o certification that the information provided is accurate at the date of preparation
<p>Key issues</p>	<p>The EIS must address the following specific matters:</p> <p>1. Statutory and Strategic Context</p> <p>Address the statutory provisions applying to the development contained in all relevant Environmental Planning Instruments, policies and guidelines including:</p> <p>The relevant statutory provisions applying to the site contained in the relevant EPIs, including:</p> <ul style="list-style-type: none"> o State Environmental Planning Policy (State and Regional Development) 2011 and exhibited draft Sydney Metro Northwest SRD SEPP amendment o State Environmental Planning Policy (Infrastructure) 2007 o State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 o State Environmental Planning Policy (Urban Renewal) 2010 o State Environmental Planning Policy (Affordable Rental Housing) 2009

- o State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- o State Environmental Planning Policy No. 55 – Remediation of Land
- o State Environmental Planning Policy No. 64 – Advertising and Signage
- o State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide
- o State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)
- o State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- o Sydney Regional Environment Plan No. 20 – Hawkesbury Nepean River
- o Draft State Environmental Planning Policy (Environment)
- o Draft State Environmental Planning Policy (Remediation of Land)
- o The Hills Local Environmental Plan 2012 (THLEP)
- o Any exhibited Planning Proposal or draft State Environmental Planning Policy related to the land.

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

- o NSW State and Premier Priorities
- o A Metropolis of Three Cities
- o Central City District Plan
- o Towards our Greater Sydney 2056
- o Future Transport Strategy 2056

- o State Infrastructure Strategy 2018
- o Sydney's Walking Future
- o Sydney's Cycling Future
- o Sydney's Bus Future
- o Development near Rail Corridors and Busy Roads – Interim Guideline, Rail Infrastructure Noise Guideline, and relevant noise and vibration guidelines
- o Guide to Traffic Generating Developments, Roads and Maritime Services
- o Heritage Council Guideline on Heritage Curtilages 1996
- o Heritage Council Guideline, Design in Context – guidelines for infill development in the Historic Environment, 2005
- o Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW 2011)
- o Better Placed – an integrated design policy for the built environment in NSW 2017 and relevant policy documents published by the Government Architect NSW
- o Director General's Design Excellence Guidelines 2011 or Government Architect NSW's Design Excellence Competition Guidelines once adopted
- o Draft Contaminated Land Planning Guidelines
- o Relevant Council policies, codes and guidelines (where required pursuant to relevant Local Environmental Plan)
- o Healthy Urban Development Checklist, NSW Health
- o NSW Aquifer Interference Policy (2012), Guidelines for Controlled Activities on Waterfront Land (2018), and any relevant Water Sharing Plans

- o Planning for Bush Fire Protection (2006).

2. Land Use and Strategy

The EIS must:

- o include a detailed description and analysis for the proposed land uses and floor space
- o provide plan(s) illustrating street layout, open space, building envelopes (setbacks and heights) and floor space
- o demonstrate how the proposed distribution of development density, open space, dwellings, road layout and land uses contribute to the overall strategic planning objectives for the Kellyville and Bella Vista Stations Precincts. This may include illustration of how the site fit within any masterplan for the whole of the Kellyville and Bella Vista Station Precincts
- o assess the permissibility of the proposal, including consultation with the relevant acquisition authority with respect to any land identified for local drainage, road and other infrastructure.

3. Integration with Sydney Metro Station infrastructure

The EIS must:

- o identify the extent of the proposal that is State Significant Development (SSD) and how this relates to the approved Critical State Significant Infrastructure (CSSI) applications and any modifications
- o identify any specific requirements of the CSSI approval that has influenced the design
- o illustrate a site design which is responsive to the existing and/or proposed land uses with linkages to key destination points such as station entrance, community facilities, and recreation areas.

- o show how the proposal will integrate with the Sydney Metro station infrastructure such as design, access, way finding and activation.

4. Staging

The EIS must:

- o outline the proposed stages of the concept development application, including built form, land uses and approval pathways
- o detail alternative design and staging options considered for the redevelopment of the site
- o interim activation strategy for the site with respect to the Metro Station and the Precinct
- o the implementation of infrastructure, public domain works, and services required to support the development and relationship to the staging of the proposal.

5. Subdivision

The EIS shall include a draft Plan of Subdivision which:

- o identifies all lots proposed to be created across the site
- o illustrate how the proposed lots will be serviced and any proposed covenants, easements, land dedication and public right of way
- o identify works already constructed as part of the CSSI approval such as the North West Rapid Transit Roads.

6. Built Form, Urban Design and Public Domain

The EIS shall:

- o describe the design process leading to the proposal including an urban design analysis demonstrating how the proposed built forms, typologies, orientation, heights, setbacks and bulk will fit within the

context of the site and the desired character of the Kellyville and Bella Vista Station Precincts

- o provide indicative design plans illustrating potential built forms within the proposed building envelopes, including demonstration of feasibility of proposed development density and design excellence
- o provide comparative analysis of proposed built forms with respect to applicable development standards and development controls
- o demonstrate built forms will facilitate appropriate transition of building scale to surrounding developments and the wider area
- o include options analysis of the proposed built envelopes illustrating the consideration of the benefits and potential impacts of each option
- o consider the relevant design guidelines and the Kellyville and Bella Vista Structure Plan (DPE, November 2017) and how the proposed development will integrate with future developments including but not limited to infrastructure delivery and public domain and landscaping design for the Kellyville and Bella Vista Station Precincts
- o include design quality guidelines for the future stage(s) of development and built forms with specific guidance on:
 - o integration with the Metro station and design to support the use of active transport
 - o heritage conservation and interpretation, where appropriate
 - o ecologically sustainable design, including opportunities for water reuse and renewable energy features
 - o environmental considerations, such as contamination and climate change
 - o riparian corridor management
 - o building articulation, materials, massing and setbacks
 - o connectivity, including any through site links

- o public domain, open space and landscaping
- o street activation
- o microclimate conditions
- o overshadowing
- o public art
- o land uses
- o building entrances
- o parking, loading and servicing arrangements.

7. Design Excellence

The EIS must demonstrate the proposed built form is capable of achieving design excellence in accordance with the requirements of THLEP 2012.

This must include a design excellence strategy for the future stage(s) of the development which demonstrates how design excellence will be achieved.

The strategy must be prepared in consultation with the Government Architect NSW and must include details on:

- o any required competitive design excellence processes
- o a schedule for regular design review throughout the planning process by the State Design Review Panel or alternative endorsed by the Government Architect NSW, including an outline of how feedback will be documented and addressed
- o draft design brief for a competitive design process and/or terms of reference for any design review process
- o consideration of approval pathways for subsequent applications.

The strategy must be supported by evidence of consultation with the GA NSW, including a record of the issues raised during the consultation and how the proposed strategy responds to those issues.

8. Visual Impacts and View Impacts

The EIS shall:

- o identify important sight lines and visual connectivity to and through the site
- o provide a view analysis to and from the site from adjoining developments, key vantage points and streetscape locations including photomontages or perspectives of the proposed development. The view locations and methodology for the analysis must be prepared in consultation with the Department and Council
- o provide a visual impact assessment to identify the visual changes and impacts on the site and its surrounds when viewed from key vantage points (see plans and documents section).

9. Amenity

The EIS shall:

- o demonstrate consistency with the requirements of SEPP 65 and the Apartment Design Guide
- o address the following in relation to the surrounding area including neighbouring properties/buildings and the public domain. This includes neighbouring buildings within the proposal and future stages adjacent:
 - o solar access / overshadowing
 - o acoustic impacts
 - o visual privacy
 - o views and visual impacts
 - o reflectivity

- o noise and vibration impacts.
- o include a detailed solar access and overshadowing analysis outlining impacts on adjoining developments and the public domain, including future stages. The analysis must include, at a minimum, shadow diagrams at hourly intervals in mid-winter and additional diagrams to detail impacts on any affected public open space and private open space
- o consider impacts from servicing requirements including waste management, mechanical plant and vehicle accesses
- o provide wind analysis outlining the impacts, in particular any impacts to existing and proposed public domain areas and open space. The wind impact assessment must identify the existing wind characteristics of the site and its locality, significant locations for wind sensitivity and mitigating measures
- o identify any potential sources of air emissions from surrounding land uses and a description and appraisal of any mitigation and monitoring measures, where required
- o provide a Crime Prevention Through Environmental Design Report.

10. Noise and Vibration

The EIS shall include a noise impact assessment identifying:

- o measures to minimise and mitigate potential noise and vibration impacts of the proposal on surrounding developments.
- o the impacts of likely noise and vibration from surrounding land uses, such as noise from the operation of the rail line and surrounding road networks and mitigation measures to protect amenity.

11. Heritage and Archaeology

The EIS shall:

- o provide a detailed heritage impact statement (HIS) that identifies and addresses the extent of heritage impact of the proposal on the site, site curtilage and surrounding area, including any built and landscape items, conservation areas, views and settings, and in particular the impact of the proposal on heritage items of local and State significance
- o consider any endorsed conservation management plans for heritage items and conservation areas near the site and the surrounding area
- o include a heritage interpretation strategy
- o considers any archaeological impacts if relevant.

12. Aboriginal Heritage

The EIS shall:

- o provide a detailed Aboriginal heritage impact statement (AHIS) that identifies and addresses the extent of Aboriginal heritage impacts of the proposal on the site and the surrounding area, including objects, places or features (including biological diversity) of cultural value within the landscape. If Aboriginal Cultural Heritage is found at the site, a full Aboriginal Cultural Heritage Assessment Report together with document of required consultation must be provided.

13. Traffic, Transport Access

The EIS must include a Transport and Traffic Impact Assessment that provides, but is not limited to, the following:

- o the projected additional yields and traffic volumes for the whole of the Kellyville and Bella Vista Stations Precincts and assess the cumulative impacts of the proposal in its developing context
- o accurate details of the current daily and peak hour vehicle, public transport, point to point transport services, pedestrian and bicycle movements from existing or former buildings/uses on the site using

the adjacent and surrounding road network

- o details on any proposed cycling and pedestrian paths, and shared paths and how these will interact with Old Windsor Road
- o 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, together with cumulative impacts of existing, proposed and approved developments in the area and any transport/traffic upgrades
- o 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, TfNSW and Council
- o illustrate how the proposal fits within the proposed road network for the Kellyville and Bella Vista Stations Precincts, including any relevant masterplan
- o measures to mitigate impacts of the proposed development on the operation of existing and future traffic, public transport, pedestrian and bicycle networks including any required upgrades, with consideration of any required crossing over Elizabeth Macarthur Creek
- o measures 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
- o proposed car and bicycle parking provision, including consideration of the availability of public transport and the requirements of the relevant parking codes and Australian Standards
- o proposed provision of bus service infrastructure and pedestrian connections to support the bus/rail interchange function of the metro station, including an assessment of the public domain surrounding

the site to accommodate the future pedestrian demands safely and adequately and mitigation measures identified

- o proposed vehicle access arrangements, including for service and loading activities and measures to mitigate impacts to bus services and passengers interchanging between bus and rail.
- o describe preliminary construction traffic arrangements and management measures, including consideration of the cumulative construction traffic impacts from infrastructure works in the surrounding road/transport network.

14. Ecologically Sustainable Development

The EIS shall identify 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 operation of the development, including commitments to relevant industry benchmarks and best practice in waste and water management strategy.

15. Soils and Contamination

The EIS shall:

- o address the requirements of SEPP 55
- o demonstrate the suitability of the site for the development having regard to the site's geotechnical characteristics including erosion potential subsidence, salinity and acid sulphate soils.

16. Flooding and Stormwater

The EIS shall:

- o undertake a concept flood study and flood management plan to inform a detailed flood impact assessment in accordance with the NSW Floodplain Development Manual (2005) and demonstrate

consideration of existing flood studies for the catchment area.

- o identify minimum floor levels for buildings and recommend flood management and/or evacuation plan as relevant to the concept proposal
- o include a stormwater management strategy which considers the relevant Council stormwater management policy and Water Sensitive Urban Design Principles.

1. 17. 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 (BDAR) where required under the Act.

18. Water Sources and Riparian Corridor

The EIS shall:

- o assess the proposal's impact on surface and ground water sources (both quality and quantity) including impacts to related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts
- o detail the method of treating stormwater runoff before discharging it into the riparian corridor
- o identify any surface and groundwater monitoring activities and methodologies
- o consult with Council and Sydney Water on any required integration between the proposal, the Kellyville and Bella Vista Station Precincts and the landscaping and management of Elizabeth Macarthur Creek.

	<p>19. Utilities</p> <p>The EIS shall identify the existing capacity of the site to service the development proposed and any augmentation requirements for utilities, including arrangements for electrical network requirements, telecommunications, gas, drinking water, wastewater and recycled water.</p> <p>20. Contributions and Public Benefits</p> <p>The EIS shall address the applicable s94 Contribution Plan and the provision of public benefit, land dedication, services and infrastructure in consultation with key stakeholders and provide details of any voluntary planning agreement (VPA) or other legally binding instrument agreed between relevant public authorities and the applicant.</p>
<p>Plans and Documents</p>	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation. 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"> o clause 4.6 variation written request (if required) o site title diagrams and survey plan, showing existing levels, location and heights of existing and adjacent structures/ buildings and boundaries o site analysis plan o subdivision plan o schedule of proposed gross floor area per land use and per lot o building envelopes showing the relationship with the precinct, (including envelope efficiency) o indicative architectural drawings (to a useable scale at A3) including north point, RLs, scale bar and key dimensions o architectural and urban design statement

	<ul style="list-style-type: none"> o physical model (if required by Council) and virtual model (illustrative images to be included in EIS) o design guidelines and design excellence strategy o visual and view impact analysis and photomontages from key vantage points o staging plan and preliminary construction management statement o heritage impact assessment o transport traffic and parking assessment o solar access analysis report and diagrams o wind impact assessment (if required) o air quality report (if required) o flood impact assessment/storm water management strategy including any geotechnical assessment o soil and contamination report o ESD statement (incorporating a sustainability framework) o access / DDA impact statement o services and utilities impact assessment o signage details (if proposed) o noise and vibration report o CPTED assessment o pre-submission consultation report o bush fire assessment report
<p>Consultation</p>	<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. In particular you must consult with:</p> <ul style="list-style-type: none"> o The Hills Shire Council o Blacktown City Council

	<ul style="list-style-type: none"> o Government Architect NSW o NSW Roads and Maritime Services o Transport for NSW o NSW Environment Protection Authority o NSW Police o NSW Rural Fire Service o Fire & Rescue NSW o Department of Planning, Industry and Environment – Lands and Water o NSW Office of Environment and Heritage o Office of Strategic Lands o Sydney Water o NSW Department of Education o Endeavour Energy o Surrounding residents and businesses, including the Norwest Association o Relevant community groups including local aboriginal community and cultural groups o Relevant special interest or recreational groups. <p>The EIS must describe the consultation process and the issues raised and identify where the design of 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	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.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

ATTACHMENT A

Government Authority Responses to Request for Key Issues
For Information Only