

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-10379
Project Name	Sutherland Entertainment Centre and Peace Park
Location	22 and 30 Eaton Road Sutherland, Lot 1 DP1253156 and Lot 7 DP 46/802
Applicant	Sutherland Shire Council
Date of Issue	8 November 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.</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); · measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment; and · a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues. <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. The report shall be prepared on company letterhead and indicate applicable GST component of the CIV; · 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	<p>The EIS must address the following specific matters:</p> <p>1. Statutory and Strategic Context</p> <p>The EIS shall address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including:</p> <ul style="list-style-type: none"> · State Environmental Planning Policy (State and Regional Development) 2011 · State Environmental Planning Policy (Infrastructure) 2007 · State Environmental Planning Policy No 55 – Remediation of Land

- Draft Environment SEPP
- State Environmental Planning Policy No 64 – Advertising and signage
- Sutherland Local Environmental Plan 2015

Permissibility

Detail the nature and extent of any prohibitions that apply to the development.

Development Standards

Identify compliance with the development standards applying to the site and provide justification for any contravention of the development standards.

The EIS shall address the relevant planning provisions, goals and strategic planning objectives in the following:

- Greater Sydney Region Plan
- South District Plan
- Future Transport Strategy 2056 and supporting plans
- Better Placed – an integrated design policy for the built environment of NSW 2017
- NSW Planning Guidelines for Walking and Cycling
- Interim Construction Noise Guidelines (DECCW, 2009)
- Crime Prevention Through Environmental Design Principles
- Guide to Traffic Generating Developments (Roads and Maritime Services)
- Healthy Urban Development Checklist 2009
- Sutherland Shire Council Plan of Management Parks 2009
- Sutherland Community Strategic Plan 2017
- Sutherland Shire Local Strategic Planning Instrument 2019
- Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH 2010)
- Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW 2011 (DECCW)
- Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW).

2. Social

The EIS shall include a social impact statement which:

- identifies any social impacts and any concerns or aspirations people may have about how the proposal might affect their surroundings, way of life, health and wellbeing, or their access to and use of infrastructure, services, and facilities
- considers social impacts (positive and negative) from the points of view of community stakeholders and how they expect to experience the proposal (i.e. using primary research and outcomes of engagement)
- investigates the extent to which any group in the community may disproportionately benefit or experience negative impacts.

3. Design Excellence

The EIS shall detail:

- a design excellence strategy, developed in consultation with the Government Architect NSW detailing the design competition process, and an ongoing process to ensure design integrity through the planning, detailed design and delivery of the development
- demonstrate how the design has responded to the comments and recommendations made by the competition jury.

4. Built Form and Urban Design

The EIS shall:

- address the height, bulk and scale of the proposed development within the context of the locality, with specific consideration of the overall site layout, open spaces, interface with the public domain, facades, massing, setbacks, building articulation, solar access and overshadowing, materials, colours, signage or signage envelopes
- detail how services, including but not limited to, waste management, loading zones, and mechanical plant are integrated into the design of the development to minimise impacts on the public domain.

5. Public domain and landscaping

The EIS shall

- demonstrate how ground level of the building will be configured to provide safe and active street frontages and provide visual interest to the public domain
- identify and integrate key pedestrian and cycle links between the site and the surrounding street network
- address impacts on existing trees, including opportunities to retain and integrate existing trees
- identify any native trees or shrubs to be removed, retained or transplanted
- include details on the native vegetation community (or communities) that occur, or once occurred on site, with a list of local provenance species (trees, shrubs and ground covers) to be used for landscaping
- specify that any landscaping will use a diversity of local provenance species (trees, shrubs and ground covers) from the native vegetation community (or communities) that occur, or once occurred, on the site to improve biodiversity.

6. Environmental Amenity

The EIS shall:

- detail the impacts of the development on views, sunlight/overshadowing, wind impacts, reflectivity, visual and acoustic privacy to achieve a high level of environmental amenity
- include shadow diagrams demonstrating any potential overshadowing to adjoining properties
- detail any external lighting or illumination and consider the impacts of this lighting/illumination to surrounding properties and the public domain.

7. Ecologically Sustainable Development (ESD)

The EIS shall:

- detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design, construction and ongoing operation of the development
- demonstrate how the proposed development responds to sustainable building principles and best practice, and improves environmental performance through energy efficient design, technology and renewable energy
- include a description of the measures that would be implemented to minimise consumption of resources, water and energy
- demonstrate how the climate change projections of the NSW Government's Regional Climate Modelling (NARClIM) are used to inform the building design and asset life of the project.

8. 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, except where a waiver for preparation of a BDAR has been granted.

9. Stormwater

The EIS shall:

- detail drainage associated with the proposal, including stormwater, and drainage infrastructure.
- include an integrated water management strategy that considers water, wastewater and stormwater. The strategy must include alternative water supply, proposed end uses of potable and non-potable water, outline opportunities for the use of integrated water cycle management practices and principles and demonstrate water sensitive urban design (WSUD) and any water conservation measures.

10. Noise and Vibration

The EIS shall:

- assess the noise impacts on the proposed development from all surrounding land uses,
- identify appropriate noise mitigation measures and management practices to be adopted
- identify the main noise and vibration generating sources and activities at all stages of construction, and any noise sources during operation, outlining measures to minimise and mitigate potential noise and vibration impacts on surrounding occupiers of land.

11. Transport and Accessibility (Operation)

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

- analysis of the future daily and peak hour vehicle, public transport, pedestrian and bicycle movements likely to be generated by the proposed development and assessment of the impacts on the local road network, including key intersection capacity and any potential need for upgrading or road works (if required)
- an assessment of the accessibility of the development by public and active transport, including measures to promote travel choices for employees and visitors that support the achievement of State Plan targets, such as implementing a location-specific sustainable travel plan and provision of end of trip facilities for staff.
- details of the proposed access, bicycle and car parking provision and end of trip facilities associated with the proposed development including compliance with the relevant parking codes and Australian Standards
- details of servicing vehicle movements and site access arrangements including vehicle types and likely arrival and departure times of service vehicles, loading dock provision and access.

12. Construction

The EIS shall include a Construction and Pedestrian and Traffic Management Plan addressing:

- details of peak hour and daily construction and servicing vehicle movements and access arrangements and cumulative impact from surrounding development sites, on the local road network, public transport services and parking (including the temporary loss of parking on the site)
- road safety at key intersections and locations subject to heavy vehicle movements and high pedestrian activity
- details of access arrangements for workers to/from the site, emergency vehicles and service vehicle movements
- details of temporary cycling and pedestrian access during construction demonstrating that pedestrian and bicycle rider movements along footways and

	<p>cycleways are maintained at all times during construction activities. Should the development require closure of either facility, adequate safety measures and diversion measures to limit time delay and detour distances should be detailed.</p> <ul style="list-style-type: none"> · assessment of traffic and transport impacts during construction and how these impacts will be mitigated for any associated traffic, pedestrians, cyclists and public transport operations · potential impacts of the construction on surrounding areas including the public realm with respect to noise and vibration, air quality and odour impacts, dust and particle emissions, water quality, storm water runoff, groundwater seepage, soil pollution and construction waste. <p>13. Servicing and Waste The EIS shall:</p> <ul style="list-style-type: none"> · identify, quantify and classify the likely waste streams to be generated during construction and operation of the development and describe the measures to be implemented to minimise, manage, reuse, recycle and safely dispose of this waste with reference to relevant guidelines · identify appropriate servicing arrangements (including but not limited to, waste management, loading zones and mechanical plant) for the site. <p>14. Heritage (including Aboriginal Heritage) The EIS shall:</p> <ul style="list-style-type: none"> · include a Heritage Impact Statement (HIS), prepared by a suitably qualified Heritage Consultant identifying any state and local heritage items and conservation areas within the site and vicinity, documenting any impacts and proposed mitigation measures · include an Aboriginal Cultural Heritage Assessment Report (ACHAR) identifying cultural heritage values, impacts and mitigation measures. <p>15. Utilities The EIS shall:</p> <ul style="list-style-type: none"> · address the existing capacity and future requirements of the development for the provision of utilities, including staging of infrastructure in consultation with relevant agencies · detail impacts to any existing infrastructure assets of utility stakeholders from demolition/construction and any proposed mitigation/protection measures. <p>16. Staging</p> <ul style="list-style-type: none"> · The EIS shall provide details regarding the staging of the proposed development (if proposed). <p>17. Public Benefit and Contributions</p> <ul style="list-style-type: none"> · The EIS shall provide confirmation of the public benefit to be derived from the proposal.
Plans and Documents	<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"> · high quality files of maps and figures of the subject site and proposal · site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings · site analysis plan · architectural drawings

	<ul style="list-style-type: none"> · public domain and landscape plan · urban design report · heritage impact statement · overshadowing analysis · schedule of materials and finishes · Social impact Statement · noise impact assessment · access impact statement · arborist report · aboriginal cultural heritage report · ESD report · Building Code of Australia report · consultation summary report · traffic and transport impact assessment · preliminary construction management plan, inclusive of a Construction and pedestrian traffic management plan · demolition plan <ul style="list-style-type: none"> · stormwater management plan · geotechnical and structural report · contamination assessment, including remedial action plan and site audit statement (if required) <ul style="list-style-type: none"> · integrated water management plan · servicing and operational waste management plan.
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>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	<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>