

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-10441
Project Name	Amending Concept DA - Waterloo Metro Quarter OSD
Location	59-101 Botany Road, 107-121 Botany Road, 136 Raglan Street, 124-144 Cope Street, 156-160 Cope Street, and 170-174 Cope Street, Waterloo within City of Sydney
Applicant	WL DEVELOPER PTY LTD
Date of Issue	09/04/2020
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	The EIS must address the following specific matters:

1. Environmental Planning Instruments, Policies and Guidelines

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

- State Environmental Planning Policy (State and 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
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development and accompanying Apartment Design Guide (SEPP 65)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- Draft State Environmental Planning Policy (Environment)
- Draft State Environmental Planning Policy (Remediation of Land)
- Sydney Local Environmental Plan 2012
- Any exhibited Planning Proposal or draft State Environmental Planning Policy related to the land

The EIS shall address the provisions, goals and objectives of the relevant policies referred to in **Attachment A**.

2. Amending Concept Proposal

The EIS shall:

- describe how the existing Concept Approval (SSD 9393) will be amended by the proposed Amending Concept scheme.
- address any changes to the land use mix and associated floor space and justify the proposed amendments.
- illustrate the amendments sought to the existing Concept Proposal, including comparative analysis on building envelopes, floor spaces, uses and any relevant conditions of consent.
- include a staging and delivery plan for the coordinated delivery of public domain, car parking and other common facilities and any public benefits such as social and affordable housing.
- address the relevant site-specific provisions for the Waterloo Metro Quarter in Division 5 of Part 6 of the Sydney Local Environmental Plan 2012.

3. Integration with Sydney Metro Station infrastructure

The EIS shall:

- describe any changes made to how the State Significant Development component will relate to the approved Critical State Significant Infrastructure (CSSI 7400) and any modifications to the CSSI.
- address how the amended development supports the design objectives, principles and standards of the Station Design Precinct Plan and Interchange Access Plan under the CSSI.

4. Design Excellence and Built Form

The EIS shall:

- Demonstrate the Amending Concept Proposal exhibits design excellence with respect to:
 - o requirements of Sydney Local Environmental Plan 2012
 - o approved design excellence strategy of Concept Approval (SSD 9393)
 - o adopted Design Guidelines of Concept Approval (SSD 9393) and any required amendments to the Guidelines
- illustrate how the orientation, height, bulk, scale, massing, articulation, and materials of the proposed development will integrate with the Concept Approval (SSD 9393).

5. Visual and Amenity Impacts

The EIS shall:

- describe any reductions or additional impacts in relation to visual privacy, noise and vibration impacts and reflectivity to the surrounding area, including neighbouring properties and the public domain as a result of the Amended Concept Proposal.
- Identify any reduction (s) or increase in solar access and overshadowing impact(s) having particular regard to the impact of the amended envelope on solar access to Alexandria Park and Alexandria Heritage Conservation Area. This shall include a statement on the benefits and impacts of design options with respect to shadow impact to Alexandria Park.
- provide a revised visual and view impact assessment, addressing any changes to the view / visual impacts arising from the amended envelope when viewed from adjoining developments, key vantage points and streetscape locations including photomontages or perspectives of the proposed development.
- provide a revised wind analysis report outlining any changes arising from the amended envelope to wind flow and wind impacts, in particularly any impacts to existing and proposed public domain areas and open space.
- identify any other potential impacts of the Amending Concept Proposal on the amenity of surrounding land uses and the public domain.

6. Heritage

The EIS shall:

- include a revised heritage impact statement (HIS) that identifies, considers and addresses any potential impact(s) of the Amending Concept Proposal to surrounding heritage items, including any built and landscape items, conservation areas, heritage views and settings, having particular regard to the impact of the proposal on adjoining Waterloo Congregational Church.

7. Ecologically Sustainable Development (ESD)

The EIS shall:

- Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the EP&A Regulation 2000) will be met by the Amending Concept Proposal.
- include a framework for how the proposed development will reflect national best practice sustainable building principles to improve environmental performance, including energy and water efficient design and technology, use of renewable energy and best practice in waste management strategy.

8. Traffic, parking and access

The EIS shall:

- include a traffic, public transport, point to point transport, pedestrian, bicycle parking, freight, servicing and access assessment
- identify any changes or additional impacts of the Amending Concept Proposal on the traffic and transport network and pedestrian and cyclist safety and amenity when compared to the existing approved Concept Approval (SSD 9393). Any associated mitigation / management measures are to be included in the EIS.

9. Utilities

The EIS shall:

- identify the existing capacity to service the existing Concept Proposal and any augmentation requirements for utilities to service the Amending Concept Proposal in consultation with relevant agencies.

10. Biodiversity

The EIS shall provide an assessment of the proposal's biodiversity impacts in accordance with Section 7.9 the Biodiversity Conservation Act 2016, the Biodiversity Assessment Method and document the findings in a Biodiversity Development Assessment Report (BDAR) where required under the Act.

11. Public benefits, contributions and/or voluntary planning agreement

The EIS shall identify the provision of public benefit, services and contributions in consultation with key stakeholders, such as the Department, Council and TfNSW, and provide details of allocation or voluntary planning agreement (VPA) or other legally binding instrument agreed between a relevant public authority and the

	<p>Applicant.</p> <p>12. Prescribed airspace for Sydney Airport</p> <p>The EIS shall identify impacts (if any) of the Amended Concept Proposal on the prescribed airspace for Sydney Airport.</p> <p>13. Pre-submission consultation statement</p> <p>The EIS must include a report describing pre-submission consultation undertaken, including a record of the stakeholders consulted, the issues raised during the consultation and how the proposal responds to those issues.</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"> - site title diagrams and survey plan, showing existing levels, location and height of existing and adjacent structures/buildings - physical and 3D digital model (in accordance with the City of Sydney specifications) - plans and schedules showing compliance with the Sydney LEP 2012 - schedule of proposed gross floor area, per level and allocation according to the SSD or CSSI - architectural drawings (to a usable scale at A3), clearly identifying where approval is sought as an Amending Concept Proposal, those components approved in the Stage 1 DA, SSD 9393 and approved in CSSI 7400. - architectural and urban design statement - visual and view impact analysis and photomontages - shadow / solar access report and diagrams, and verification: View from the sun diagrams are to be provided between 9am and 3pm during the winter solstice at 15 minute intervals - wind assessment - ESD statement (incorporating a sustainability framework) - heritage impact statement - revised traffic and parking assessment - services and utilities infrastructure report - reflectivity analysis - noise and vibration report

	<ul style="list-style-type: none"> - revised airspace assessment (where relevant) - staging plan/ preliminary construction management statement - revised flood/stormwater management plan (where relevant) - DDA/access assessment (where relevant) - CPTED/security assessment (where relevant) - waste management plan (where relevant) - air quality assessment (where relevant) - signage details (if proposed) - pre-submission consultation statement
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>In particular you must consult with:</p> <ul style="list-style-type: none"> - City of Sydney Council - Transport for NSW - Sydney Trains - Sydney Metro - Sydney Coordination Office within Transport for NSW - Surrounding residents and businesses including the Waterloo Congregational Church - Relevant community groups - Relevant special interest or recreational groups <p>The EIS must describe the consultation process and the issues raised and identify where the design or proposed outcomes 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 Planning Secretary in relation to the preparation of the EIS.</p>
References	<p>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.</p>

ATTACHMENT A

Technical and Policy Guidelines

The following guidelines may assist in the preparation of the environmental impact statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

- NSW State and Premier Priorities
- A Metropolis of Three Cities
- Eastern City District Plan
- Towards our Greater Sydney 2056
- Future Transport Strategy 2056
- State Infrastructure Strategy 2018
- Sustainable Sydney 2030
- Development near Rail Corridors and Busy Roads – Interim Guideline
- Guide to Traffic Generating Developments, Roads and Maritime Services
- Heritage Council Guideline on Heritage Curtilages 1996
- Heritage Council Guideline, Design in Context – guidelines for infill development in the Historic Environment, 2005
- City of Sydney’s Environmental Action 2016 – 2021 Strategy and Action Plan
- NSW Government Climate Change Policy Framework
- NSW Government’s Draft Climate Change Fund Strategic Plan and A Plan to Save NSW Energy and Money
- Better Placed – an integrated design policy for the built environment in NSW 2017 and relevant policy documents published by the Government Architect NSW
- Draft Contaminated Land Planning Guidelines
- Sydney Development Control Plan 2012
- City of Sydney Guidelines for Waste Management in New Developments
- City of Sydney Interim Floodplain Management Policy
- City of Sydney Interim Guidelines for Public Art in Private Developments
- City of Sydney Landscape Code Volume 2
- City of Sydney Public Domain Manual
- City of Sydney Light Design Code
- City of Sydney Street Tree Masterplan
- City of Sydney Technical Streets Specification and Street Design Code
- Other relevant Council policies, codes and guidelines (where required pursuant to relevant Local Environmental Plan)