

Planning Secretary's Environmental Assessment Requirements

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

Application Number	SSD-13852803
Project Name	Crows Nest OSD Site C
Description	Design and construction of a nine-storey commercial office building above the Crows Nest Metro Station
Location	14 Clarke Street, Crows Nest within North Sydney Local Government Area (Lot 1 in DP1123850)
Applicant	Sydney Metro
Date of Issue	24/02/2021
General Requirements	<p>A development application (DA) for State significant development (SSD) must include all relevant information and documents specified in Part 1 of Schedule 1 of the Regulation, including an environmental impact statement (EIS) (section 4.12(8) of the Act and clause 2(1)(e) of Schedule 1 of the Regulation).</p> <p>The DA must be lodged on the NSW planning portal (clause 50(1)(d) of the Regulation).</p> <p>The form and content of the EIS must be prepared in accordance with clauses 6 and 7 of Schedule 2 of the Regulation. Any document adopted or referenced in the EIS will form part of the EIS (clause 9(1) of Schedule 2 of the Regulation).</p>
Key issues to be addressed	<p>The EIS must:</p> <ol style="list-style-type: none"> 1. Statutory and strategic context <ul style="list-style-type: none"> · Address all relevant legislation, Environmental Planning Instruments (EPIs) (including drafts), plans, policies and guidelines. · Identify compliance with applicable development standards and provide a detailed justification for any non-compliances. · Address the requirement of any approvals applying to the site, including any concept approval or recommendation from any Gateway determination. 2. Capital Investment Value and Employment <ul style="list-style-type: none"> · Provide a detailed calculation of the capital investment value (CIV) of the development, prepared by a qualified quantity surveyor. · Provide an estimate of the retained and new jobs that would be created during the construction and operational phases of the development,

including details of the methodology to determine the figures provided.

3. Consistency with the concept approval

- Demonstrate the proposal is consistent with the Crows Nest Over Station Development Concept Approval (SSD 9579) and provide details of consistency with any modification(s) to the concept approval if sought concurrently.

4. Integration with Sydney Metro station infrastructure

- 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 to the CSSI.
- Address how the development supports the design objectives, principles and standards of the Station Design Precinct Plan and Interchange Access Plan under the CSSI.
- Show how the SSD will integrate with the CSSI infrastructure such as structural design, detailed architectural approach, access, wayfinding, public domain works and construction management.

5. Design excellence

- Demonstrate compliance with the endorsed Design Excellence Strategy and submit a Design Integrity Report in accordance with the requirements of the Concept Approval.
- Demonstrate compliance with the endorsed Design and Amenity Guidelines, dated January 2021 or any subsequent endorsed revision of the guidelines.
- Demonstrate consistency with the design excellence requirements under the North Sydney Local Environmental Plan 2013.
- Detail the measures to ensure design integrity is maintained in subsequent stages of the planning process (such as post approval and any modifications).

6. Built form and urban design

- Explain and illustrate the proposed built form, including a detailed site and context analysis to justify the proposed site planning and design approach.
- Demonstrate how the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality.
- Demonstrate how the building design will deliver a high-quality development, including consideration of façade design, articulation, activation, roof design, materials, finishes, colours, any signage and

integration of services.

- Assess how the development complies with the relevant accessibility requirements.

7. Public Space

- Demonstrate how the development maximises the amount, access to and quality of public spaces (including open space, public facilities and streets/plazas within and surrounding the site), reflecting relevant design guidelines and advice from the local council and the Department.
- Demonstrate how the development:
 - o ensures that public space is welcoming, attractive and accessible for all.
 - o maximises permeability and connectivity.
 - o ensures public spaces have excellent amenity, suitable for their intended use, such as through adequate facilities, solar access, shade and wind protection.
 - o maximises street activation.
 - o minimises potential vehicle, bicycle and pedestrian conflicts.
- Address how Crime Prevention through Environmental Design (CPTED) principles are to be integrated into the development, in accordance with Crime prevention and the assessment of development applications.

8. Environmental Amenity

- Address how good levels of internal and external environmental amenity would be achieved, including access to natural daylight and ventilation, pedestrian movement throughout the site, access to landscape and outdoor spaces.
- Assess amenity impacts on the surrounding locality, including lighting impacts, solar access, visual privacy, visual amenity, view loss and view sharing, overshadowing, wind impacts and acoustic impacts. A high level of environmental amenity for any surrounding residential land uses must be demonstrated.
- Provide a solar access analysis of the overshadowing impacts of the development within the site, on surrounding buildings and public spaces (during summer and winter solstice and spring and autumn equinox) at hourly intervals between 9am and 3pm, when compared to the existing situation and a compliant development (if relevant).

9. Visual Impacts

- Provide a visual analysis of the development, including photomontages or perspectives illustrating potential visual and view loss impacts associated with the proposal when compared to the existing situation and concept approval, when viewed to and from key vantage points, including from

existing and future Hume Street park extensions and from nearby affected residences.

- Where the visual analysis has identified potential for significant visual impact, provide a visual impact assessment that addresses the impacts of the development on the existing catchment.

10. Landscaping

- Provide a landscape plan, that:
 - o details the proposed planting, including location, number and species of plantings, heights of trees at maturity and proposed canopy coverage.
 - o demonstrates how the proposed development would:
 - § contribute to long term landscape setting in respect of the site and streetscape.
 - § mitigate the urban heat island effect and ensure appropriate comfort levels on-site.
 - § contribute to objective to increase urban tree canopy cover.

11. Transport, traffic, parking and access (operation and construction)

- Prepare a traffic impact assessment, which provides:
 - o accurate details of the current daily and peak hour vehicle, public transport, pedestrian and bicycle movements in the vicinity of the site.
 - o the predicted transport mode share split for the proposed development.
 - o an analysis of the existing traffic network, including the road hierarchy, current daily and peak hour vehicle movements and existing performance levels of nearby intersections.
 - o a forecast of additional daily and peak hour vehicle movements as a result of the proposal (using SIDRA modelling or as agreed by TfNSW) and identification of potential traffic impacts on road capacity, intersection performance and road safety (including pedestrian and cycle conflict).
 - o proposals to mitigate any traffic impacts, including intersection upgrades to achieve acceptable performance
 - o a vehicular servicing and management plan providing details of proposed vehicular access and service arrangements for off-street loading, deliveries and servicing of the development and any proposed infrastructure improvements or measures to reduce potential conflicts with pedestrians and cyclists.

- o proposals to improve walking and cycling, such as connections into existing walking and cycling networks, high quality end-of-trip facilities and adequate bicycle parking for visitors, employees and residents (provided in accordance with the relevant rates, specifications and standards).
- o measures to promote sustainable travel choices for employees, residents or visitors, such as minimising car parking provision, encouraging car share and public transport, cycling and walking, implementing a green travel plan and providing end of trip facilities.
- o a draft Construction Traffic Management Plan providing details of predicted construction traffic movements, routes and access arrangements, and outline how construction traffic impacts on existing traffic, public transport, pedestrian and cycle networks would be appropriately managed and mitigated and how cumulative construction traffic impacts with the Sydney Metro project and other surrounding development would be managed and mitigated.

12. Ecologically Sustainable Development (ESD) and climate change

- identify how ESD principles (as defined in clause 7(4) of Schedule 2 of the Regulation) will be incorporated into the design, construction and ongoing operation of the proposed development.
- demonstrate how the future building will meet or exceed the relevant industry recognised building sustainability and environmental performance standards.
- detail measures to be incorporated to reduce carbon emissions, reflecting the Government's goal of net zero emissions by 2050, and the consumption of resources, water (including through water sensitive design principles and water re-use) and energy.
- estimate the likely greenhouse gas emissions from the development, including construction and operation, having regard to the [Greenhouse Gas Protocol for Project Accounting](#), and measures to be incorporated to reduce greenhouse gas emissions.

13. Heritage and archaeology

- Provide a statement of significance and an assessment of the impact on the heritage significance of any heritage items, or conservation areas, on and adjacent to the site prepared in accordance with the relevant guidelines.
- Address any archaeological potential and significance on the site and the impacts the development may have on this significance.

14. Aboriginal Cultural Heritage

- Provide an Aboriginal Cultural Heritage Assessment Report prepared in accordance with relevant guidelines, identifying, describing and assessing

any impacts for any Aboriginal cultural heritage values on the site.

15. Contamination and remediation

- Assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable for the proposed use in accordance with SEPP 55.

16. Biodiversity

- Assess any biodiversity impacts associated with the proposal in accordance with the Biodiversity Conservation Act 2016 and the Biodiversity Assessment Method 2020, including the preparation of a Biodiversity Development Assessment Report, unless a waiver is granted.

17. Noise and vibration (operation and construction)

- Provide a noise and vibration assessment in accordance with the relevant EPA guidelines. This assessment must detail construction and operational noise and vibration impacts on nearby sensitive receivers and outline the proposed management and mitigation measures that would be implemented.

18. Aviation

- Assess any potential impacts of the development on the aviation operations of any nearby airports and affected flight paths of any existing Helicopter Landing Site.

19. Waste Management

- Identify, quantify and classify the likely waste to be generated during construction and operation
- Describe measures to be implemented to minimise, reuse, recycle and safely dispose of this waste
- Identify appropriate servicing arrangements.

20. Stormwater

- Provide an Integrated Water Management Plan for the development that:
 - o is prepared in consultation with the local council and any other relevant drainage authority.
 - o details the proposed drainage design for the site including on-site detention facilities, water quality measures and the nominated discharge points.
 - o demonstrates compliance with the local council or other drainage authority requirements and avoid adverse impacts on any downstream properties.
- Where drainage infrastructure works are required that would be handed over to the local council, provide full hydraulic details and detailed plans and

specification of proposed works that have been prepared in consultation with the local council and comply with the local council's relevant standards.

21. Flooding

- Identify any flood risk on-site having regard to adopted flood studies for the development site, consideration of any relevant provisions of the NSW Floodplain Development Manual and the potential effects of climate change, sea level rise and an increase in rainfall intensity.
- Assess the impacts of the development, including any changes to flood risk on-site or off-site, and detail design solutions to mitigate flood risk where required.

22. Infrastructure and utilities

- Consider the existing capacity of the site to service the proposed development
- Identify any required utility augmentation to accommodate the proposed development
- Address any requirements of the Infrastructure SEPP in relation to development on or adjacent to utilities and infrastructure.

23. Contributions and Public Benefit

- Prepare Voluntary Planning Agreement(s) (VPA) between Sydney Metro (or its nominated entity) and North Sydney Council in accordance with the commitments contained within the public benefit offer titled 'Sydney Metro – Crows Nest over station development VPA' reference SM-20-00094429, prepared by Sydney Metro and dated 1 September 2020, including:
 - o a lump sum prepayment of monetary contribution in lieu of Section 7.11 contribution requirements (as agreed with Council); and
 - o a \$2 million monetary contribution for public domain improvements.
- Address the requirements of any other relevant contribution plan(s), voluntary planning agreement or EPI requiring a monetary contribution, dedication of land and/or works-in-kind and include details of any proposal for further material public benefit.

24. Consultation

- Detail consultation undertaken consistent with the Undertaking Engagement: Guidance for State Significant Projects, including any issues raised and feedback provided, and how the development has considered and responded. In particular, applicants must consult with:
 - o any relevant local councils.

	<ul style="list-style-type: none"> o any relevant agencies. o the community (proportionate to the scale, likely impacts and likely level of community interest in the development). o if the development would have required an approval or authorisation under another Act but for the application of section 4.41 and 4.42 of the EP&A Act, the agency relevant to that approval or authorisation. o if the development meets any threshold for referral or concurrence under SEPP (Infrastructure) 2007, the agency relevant to that referral or concurrence.
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams, lists, certificates and any other documentation required under Schedule 1 of the Regulation. In particular, the EIS must include a detailed schedule and plans showing proposed gross floor area and floor space ratio, and a report demonstrating compliance with relevant requirements of the Building Code of Australia.</p> <p>If the Department identifies any other document required to be included in the EIS before the DA is lodged, those documents must also be included in the EIS.</p>
Further consultation after 2 years	<p>You must lodge a DA and EIS within 2 years of the date of this SEARs. If you do not lodge a DA and EIS within 2 years of the date of this SEARs, you must consult with the Planning Secretary in relation to the preparation of the EIS.</p>