

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

Part 8 of the *Environmental Planning and Assessment Regulation 2021*

Application Number	SSD-46246713
Project	Hunter Street East Over Station Development
Location	28 O'Connell Street, Sydney within City of Sydney
Proponent	Sydney Metro
Date of Issue	8 August 2022
General Requirements	<p>The Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8 of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation) and must have regard to the <i>State Significant Development Guidelines</i>.</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 AIQS Certified Quantity Surveyor or RICS Chartered Quantity Surveyor providing:</p> <ul style="list-style-type: none"> - a detailed calculation of the capital investment value (CIV) (as defined in Schedule 7 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

<p>Key issues</p>	<p>The EIS must address the following specific matters:</p> <p>1. Statutory and Strategic Context</p> <p>Address all relevant legislation, environmental planning instruments (EPIs) (including drafts), plans, policies and guidelines.</p> <p>Identify compliance with applicable development standards and provide a detailed justification for any non-compliances.</p> <p>2. Design Quality and Design Excellence</p> <p>Demonstrate how the development will achieve:</p> <ul style="list-style-type: none"> o design excellence in accordance with the Sydney LEP o good design in accordance with the objectives for good design in <i>Better Placed</i> <p>Where required by an environmental planning instrument, demonstrate how the development would be subject to a competitive design process or a Design Excellence Strategy as endorsed by the NSW Government Architect and Planning Secretary.</p> <p>Detail measures to ensure design integrity is maintained in subsequent stages.</p> <p>3. Built Form and Urban Design</p> <p>Explain and illustrate the proposed built form, including a detailed site and context analysis to justify the proposed site planning and design approach.</p> <p>Demonstrate how the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscapes, heritage items within and adjacent to the site and existing and future character of the locality.</p> <p>Demonstrate how the building design will deliver a high-quality development, including considerations of facade design, articulation, access, activation, roof design, materials, finishes, colours, any signage and integration of services.</p> <p>Assess how the development complies with the relevant accessibility requirements.</p> <p>Demonstrate how the landscape design can be integrated into the building design, contributing to design excellence and greening of the site.</p> <p>Demonstrate how the building envelope includes all building elements at all levels, including fins, external sun shading devices, architectural features, screens, signs, awnings, etc.</p>
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4. Environmental Amenity

Address how good internal and external environmental amenity is 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 reflectivity, solar access, visual privacy, visual amenity, view loss and view sharing, overshadowing, wind impacts and outlook. A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated.

Provide a solar access analysis of the overshadowing impacts of the development within the site, on surrounding properties 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.

5. Visual Impact

Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development.

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.

6. Public Space

Illustrate the integration between station infrastructure and the development including:

- o any impact of the SSD on surrounding public domain, any existing or proposed connections to adjoining sites and the station
- o public domain works that are needed to support the uses of the SSD (e.g. access, flood mitigation, open space, etc)
- o any Crime Prevention Through Environmental Design mitigation measures required that are related to the SSD.

Demonstrate how the development maximises 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.

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 Guidelines.

7. Trees and Landscaping

Provide a site-wide concept landscape plan, that:

- o details the proposed site planting approach
- o considers available opportunities for greening and tree planting on any proposed rooftop and open space terrace areas

	<ul style="list-style-type: none"> o demonstrates how the proposed development would: <ul style="list-style-type: none"> ▪ contribute to a long term landscape setting in respect of the site and streetscape ▪ mitigate urban heat island effect and ensure appropriate comfort levels on-site ▪ contribute to the objective of increased urban tree canopy cover ▪ maximise opportunities for green infrastructure, consistent with Greener Places ▪ integrate landscape design into the building design, contributing to design excellence, greening for a responsive Ecologically Sustainable Development and meeting the recreation needs of workers. <p>8. Ecologically Sustainable Development (ESD)</p> <p>Identify how ESD principles (as defined in the EP&A Regulation) are incorporated in the design and ongoing operation of the development.</p> <p>Demonstrate how the development will meet or exceed the relevant industry recognised building sustainability and environmental performance standards</p> <p>Demonstrate how the development achieves net zero greenhouse gas emissions (reflecting the Government’s goal of net zero emissions by 2050 and the City of Sydney’s net zero energy planning controls) and consumption of energy, water (including water sensitive urban design) and material resources.</p> <p>9. Traffic, Transport and Accessibility</p> <p>Provide a transport and accessibility impact assessment, which includes:</p> <ul style="list-style-type: none"> o an analysis of the existing and future transport network, including the road hierarchy and any pedestrian, bicycle or public transport infrastructure, current daily and peak hour vehicle and pedestrian movements, and existing performance levels of nearby intersections o details of the proposed development, including pedestrian and vehicular access arrangements (including swept path analysis of the largest vehicle and height clearances), parking arrangements and rates (including bicycle and end-of-trip facilities), drop-off/pick-up-zone(s) and bus bays (if applicable), and provisions for servicing and loading/unloading (including indicative layout) o justification for any private parking proposed on a needs-basis that considers the proximity to public transport o analysis of the impacts of the proposed development (including justification for the methodology used), including predicted modal split, a forecast of additional daily and peak hour multimodal network flows as a result of the development (using industry standard modelling), distribution of these flows, identification of potential impacts on intersection performance and road safety (for all users but particularly people walking and cycling) and any cumulative impact from surrounding approved developments o measures to mitigate any impacts on people walking, cycling and using public transport, including details of any new or upgraded infrastructure to achieve acceptable performance and safety, and the timing, viability and mechanisms of delivery (including proposed
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	<p>arrangements with local councils or government agencies) of any infrastructure improvements in accordance with relevant standards</p> <ul style="list-style-type: none"> o proposals to promote sustainable travel choices for employees, residents, guests and visitors, such as connections into existing walking and cycling networks, minimising car parking provision, encouraging car share and public transport, providing adequate bicycle parking and high quality end-of-trip facilities, and implementing a Green Travel Plan which would include monitoring. <p>Provide a Construction Traffic Management Plan detailing predicted construction vehicle movements, routes, access and parking arrangements, coordination with other construction occurring in the area, and how impacts on existing traffic, pedestrian and bicycle networks would be managed and mitigated.</p> <p>10. Biodiversity</p> <p>Unless a waiver is granted, assess any biodiversity impacts associated with the development in accordance with the <i>Biodiversity Conservation Act 2016</i> and the Biodiversity Assessment Method 2020, including the preparation of a Biodiversity Development Assessment Report (BDAR).</p> <p>11. Noise and Vibration</p> <p>Provide a noise and vibration assessment prepared in accordance with the relevant NSW Environment Protection Authority (EPA) guidelines. The assessment must detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the proposed management and mitigation measures that would be implemented.</p> <p>12. Stormwater and Wastewater</p> <p>Provide an Integrated Water Management Plan for the development that:</p> <ul style="list-style-type: none"> o is prepared in consultation with the local council and any other relevant drainage or water authority o details the proposed drainage design for the site including any on-site treatment, reuse and detention facilities, water quality management measures, and the nominated discharge points o demonstrates compliance with the local council or other drainage or water authority requirements and avoids adverse impacts on any downstream properties <p>13. Flooding Risk</p> <p>Identify any flood risk on-site relating to the SSD scope of works having regard to adopted flood studies, the potential effects of climate change, and any relevant provisions of the NSW Floodplain Development Manual.</p> <p>Assess the impacts of the development, including any changes to flood risk on-site or off-site, and detail design solutions and operational procedures to mitigate flood risk in accordance with the City of Sydney Interim Floodplain Management Policy, where required.</p>
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14. Contamination and Remediation

In accordance with SEPP Resilience & Hazards, assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development.

15. Waste Management

Include a framework for how the proposed development will incorporate circular economy and zero waste principles advocated for in the NSW Circular Economy Policy Statement into the design, construction and operation of the development.

16. Aboriginal Cultural Heritage

Where there is potential for direct or indirect impacts, 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.

17. Environmental Heritage

Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.

18. Social Impact

Provide a Social Impact Assessment prepared in accordance with the *Social Impact Assessment Guideline* and developed in consultation with the City of Sydney.

Include an analysis of social and cultural infrastructure within the local area and identify if there is a need to provide spaces for community and cultural uses.

19. Infrastructure Requirements and Utilities

In consultation with relevant service providers:

- o assess the impacts of the development on existing utility infrastructure and service provider assets surrounding the site.
- o identify any infrastructure upgrades required on-site and off-site to facilitate the development and any arrangements to ensure to upgrades will be implemented on time and be maintained.
- o provide an infrastructure delivery and staging plan, including a description of how infrastructure requirements would be coordinated, funded and delivered to facilitate the development.
- o address any requirements in respect of designated state public infrastructure.

	<p>20. Construction, Operation and Staging</p> <p>If staging is proposed, provide details of how construction and operation would be managed and any impacts mitigated.</p> <p>21. Contributions and Public Benefits</p> <p>Address the requirements of any relevant contributions plan, 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.</p> <p>Where the development proposes alternative public benefits or a departure from an existing contributions framework, the local council, the Department and relevant State agencies are to be consulted prior to lodgement and details, including how comments have been addressed, are to be provided.</p>
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Part 8 of the Regulation. Provide these as part of the EIS rather than as separate documents.
Engagement and 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 ○ any relevant agencies. ○ if the development would have required an approval or authorisation under another Act but for the application of s4.41 of the EP&A Act, or requires an approval or authorisation under another Act to be applied consistently by s4.42 of the EP&A Act, the agency relevant to that approval or authorisation. <p>The EIS must detail the engagement undertaken and demonstrate how it was consistent with the <i>Undertaking Engagement Guidelines for State Significant Projects</i>. The EIS must detail how issues raised and feedback provided have been considered and responded to in the project.</p>
Expiry Date	If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry date.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified.