



Contact: Mark Schofield
Phone: 02 9228 6362
Fax: 02 9228 6455
Email: mark.schofield@planning.nsw.gov.au

Our ref: SSD 6069

Mrs Marianna Preston
Arts NSW
Level 5, 323 Castlereagh St
SYDNEY NSW 2000

2 September 2013

Dear Mrs Preston

DGRs for Walsh Bay Arts Precinct (SSD 6069)

The Department has reviewed your request for Director General's environmental assessment requirements (DGRs) for the above development.

I have attached a copy of the DGRs for the preparation of an Environmental Impact Statement (EIS) for the development. These requirements have been prepared in consultation with relevant government authorities. I have also attached a copy of the government authorities' comments for your information. The Department did not receive any comments from Roads & Maritime Services, Sydney Harbour Foreshore Authority, Barangaroo Delivery Authority, Sydney Ports or Sydney Ferries. Should comments be forthcoming from any of these authorities, I will forward them to you under separate correspondence.

The DGRs have been prepared based on the information you have provided to date. Please note that under Clause 3(5) of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*, the Director-General may alter these requirements at any time. If you do not lodge a DA and EIS for the development within 2 years, the DGRs will expire.

Prior to exhibiting the EIS that you submit for the development, the Department will review the document to determine if it addresses the requirements in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*. The Department may consult with other relevant government authorities in making this decision. Please provide 2 hard copies and 1 electronic copy of the EIS to assist this review.

If the Department considers that the EIS does not address the requirements in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*, you may be required to submit an amended EIS. Once the Department is satisfied that the requirements have been addressed, you will be contacted regarding arrangements for public exhibition.

If your development is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of Sustainability, Environment, Water, Population and Communities to determine if an approval under the EPBC Act is required for your development (<http://www.environment.gov.au> or 6274 1111).

Your contact officer for this proposal, Mark Schofield, can be contacted on 9228-6362 or via email at mark.schofield@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely



Heather Warton
Director
Industry, Social Projects and Key Sites

Director-General's Environmental Assessment Requirements

Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 13_6069
Development	Walsh Bay Arts Precinct
Location	Lot 11 - DP 1138931 (Pier 2/3), Lot 24 - DP 1071597 (Pier 2/3 Shore Sheds), Lot 65 DP – 1048377 (Wharf 4/5) and Lot 12 DP 1138931 (Part waters Sydney Harbour)
Applicant	Arts NSW
Date of Issue	2 September 2013
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum requirements in Schedule 2 the <i>Environmental Planning and Assessment Regulation 2000</i>, specifically: • form specifications in clause 6; and • content specifications in clause 7.
Key issues	The EIS must address the following specific matters: 1. Environmental Planning Instruments (EPIs) Address the relevant statutory provisions applying to the site contained in all relevant EPIs, including: • <i>State Environmental Planning Policy 55 - Remediation of Land</i>; • <i>State Environmental Planning Policy (Infrastructure) 2007</i>; • <i>State Environmental Planning Policy (State and Regional Development) 2011</i>; • <i>Sydney Regional Environmental Plan No. 16 – Walsh Bay</i>; and • <i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i>. <i>Permissibility</i> Detail the nature and extent of any prohibitions that apply to the development. <i>Development Standards</i> Identify the development standards applying to the site. Justify any development standards not being met. <i>Contamination</i> Demonstrate that the site is suitable for the proposed use in accordance with SEPP 55. → <i>Relevant Policies and Guidelines:</i> • <i>Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land (DUAP)</i>. 2. Policies, Guidelines and Planning Agreements Address and detail how the development promotes or is consistent with the relevant planning provisions, goals and strategic planning objectives of the following documents: • NSW 2021;

- Metropolitan Plan for Sydney 2036
- NSW Long Term Transport Master Plan;
- The Sydney City Draft Sub-Regional Strategy;
- Sustainable Sydney 2030;
- Development Near Rail Corridors and Busy Roads-Interim Guideline;
- Planning Guidelines for Walking and Cycling;
- NSW Bike Plan 2010;
- Integrating Land Use and Transport Policy Package;
- Cycle Strategy and Action Plan 2007 – 2017;
- Heritage Council Guidelines Assessing the Significance of Archaeological Sites and Relics; and
- Crime Prevention Through Environmental Design Principles.

3. Built Form and Urban Design

- Address design quality, with specific consideration of the overall site layout, axes, vistas and connectivity, open spaces and edges, primary elements, gateways, façade, rooftop, mechanical plant, massing, setbacks, building articulation, materials and colours.
- Address all aspects of the public domain within the precinct, including open spaces, public art and lighting.

4. Ecologically Sustainable Development (ESD)

Detail how ESD principles (as defined in clause 7(4) Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*) will be incorporated in the design, construction and ongoing operation of the development.

5. Amenity

Address and demonstrate a high level of environmental amenity in respect of solar access, acoustic and visual privacy, servicing requirements (including waste management, loading zones, mechanical plant), access to views, and wind impacts, particularly regarding the impacts of the outdoor amphitheatre.

6. Noise

Identify the main noise sources during operation. Outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.

→ *Relevant Policies and Guidelines:*

- *NSW Industrial Noise Policy (EPA)*

7. Transport and Accessibility

Demonstrate the provision of sufficient on-site car parking for the development. Provide accurate details of daily vehicle movements and assess the impacts of proposed traffic generation on the local road network and intersection capacity, having regard to local planning controls and planned and approved developments in the area, in particular Barangaroo. Identify public transport links to and from the site, including ferry, bus, bicycle and pedestrian links and outline disabled access to the site.

→ *Relevant Policies and Guidelines:*

- *Guide to Traffic Generating Developments (RTA).*

	8. Impacts on Harbour uses • Address the impacts on all users of Sydney Harbour. 9. Environment • Detail the potential impacts of the development on terrestrial and marine environments, including the seabed, marine ecology and biodiversity. 10. Heritage and archaeology • Address the impacts of the proposal on the heritage significance of the site and adjacent area, including any heritage items, places or relics significant to Aboriginal or European culture or history. 11. Drainage, Flooding, Climate Change and Sea Level Rise • Provide a drainage concept for the site incorporating water sensitive urban design. • Address the potential risks from flooding and sea level rise on the development and the potential impacts on groundwater and detail any proposed mitigation measures. 12. Utilities • Address the existing capacity of the site and any augmentation requirements for utilities, including staging of infrastructure arising from the development in consultation with relevant agencies.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation (as part of the EIS not separate documents) required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>.
Consultation	During the preparation of the EIS, you must consult with relevant local, State and Commonwealth authorities, service providers, community groups and affected landowners, particularly the following agencies: • Office of Environment and Heritage; • Sydney Harbour Foreshore Authority; • City of Sydney Council; • Environment Protection Authority; • Roads and Maritime Services; • Transport for NSW; • Heritage Council of NSW; • Sydney Ports Corporation; • NSW Police; and • Fisheries NSW (Department of Primary Industries). The EIS must describe the consultation process and any issues raised by agencies, and identify where the design of the development has been amended in response to those issues. Provide a short explanation where amendments have not been made to address an issue.
Further consultation after 2 years	If you do not lodge an EIS for the development within 2 years of the issue date of these DGRs, you must re-consult with the Director-General in relation to the requirements for lodgement.