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Our ref: SSD 6626 and SSD 6633

Dear Mr Cella

**SEARs for Mixed Use Residential Developments at the North East and
South East Plots, Darling Square, Darling Harbour
(SSD 6626 and SSD 6633)**

Please find attached a copy of the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the mixed use residential developments at the North East and South East Plots, Darling Square. These requirements have been prepared in consultation with relevant government agencies based on the information you have provided to date. I have also attached a copy of the government authorities' comments received to date for your information. Please note that the Secretary may alter these requirements at any time.

If you do not lodge a DA and EIS for the development within 2 years, you must consult further with the Secretary in relation to the preparation of the EIS.

Prior to exhibiting the EIS that you submit for the development, the department will review the document in consultation with the relevant agencies to determine if it addresses the requirements in Schedule 2 of the Environmental Planning and Assessment Regulation 2000.

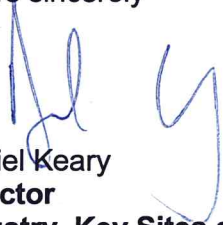
I would appreciate it if you would contact the department at least two weeks before you propose to submit your EIS. This will enable the department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- determine the number of copies (hard-copy and CD-ROM) of the EIS that will be required for reviewing purposes.

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 (<http://www.environment.gov.au> or 6274 1111).

Your contact officer, Matthew Rosel, can be contacted on 02 9228 6213 or at matthew.rosel@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely


Daniel Keary
Director
Industry, Key Sites and Social Projects
as delegate for the Secretary

19/8/14

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 6633
Proposal Name	Mixed Use Residential Development (South East Plot)
Location	South East Plot, Darling Square as part of the Sydney International Convention, Exhibition and Entertainment Precinct
Applicant	Lend Lease (Haymarket) Pty Ltd
Date of Issue	19 August 2014
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 the <i>Environmental Planning and Assessment Regulation 2000</i>. Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development. Where relevant, the assessment of the key issues below, and any other significant issues identified in the risk assessment, must include: • adequate baseline data; • consideration of potential cumulative impacts due to other development in the vicinity; and • measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment.
Key issues	The EIS must address the following specific matters: 1. Statutory and Strategic Context – including: Address the relevant statutory provisions applying to the site contained in all relevant EPIs, including: • the Environmental Planning & Assessment Act 1979; • State Environmental Planning Policy (State & Regional Development) 2011; • State Environmental Planning Policy No. 55 - Remediation of Land; • State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development & accompanying Residential Flat Design Code; • State Environmental Planning Policy (Infrastructure) 2007; • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004; • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; and • Darling Harbour Development Plan No 1. Address the relevant planning provisions, goals and strategic planning objectives in the following: • Draft Metropolitan Strategy for Sydney to 2031; • Metropolitan Plan for Sydney 2036; • NSW Long Term Transport Master Plan; • Sydney City Draft Sub-Regional Strategy;

- Sustainable Sydney 2030;
- Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines;
- City of Sydney Chinatown Public Domain Plan;
- Development Near Rail Corridors and Busy Roads-Interim Guideline;
- Planning Guidelines for Walking and Cycling;
- Integrating Land Use and Transport Policy Package;
- Sydney City Centre Access Strategy;
- Sydney's Cycling Future;
- Sydney's Walking Future;
- Healthy Urban Development Checklist;
- Waste Classification Guidelines (DECC 2008);
- Heritage Council Guidelines Assessing the Significance of Archaeological Sites and Relics; and
- Crime Prevention Through Environmental Design (CPTED) Principles.

2. Concept Proposal

The EIS shall demonstrate that the proposal is consistent with the Concept Plan approval SSD 5878 dated 5 December 2013 for The Haymarket precinct.

3. Built Form and Design Excellence

The EIS shall:

- address the height, bulk and scale of the proposed development within the context of the locality;
- address visual impact when viewed from the public domain and key vantage points surrounding the site;
- address design quality, with specific consideration of the overall site layout, siting and design, orientation, vistas and connectivity, street activation, open spaces and edges, façades, massing, setbacks and building articulation;
- include documentary evidence that the independent Design Review Panel appointed by Infrastructure NSW to oversee the design of the SICEEP project has reviewed the detailed design and their recommendations have been addressed;
- address the Urban Design and Public Realm Guidelines, prepared by Infrastructure NSW for the SICEEP;
- address wrapping/screening of above ground car parking when visible from the public domain;
- address any building overhang or encroachment over the public domain and justify the inclusion of any such arrangement; and
- identify how the podium roof provides greening and the function / use of this space;

4. Public Domain and Urban Design

The EIS shall:

- address all aspects of the public domain such as open spaces within the precinct and footpath, road paving, cycleways, tree planting, footway dining, public art and lighting;
- address Water Sensitive Urban Design opportunities within the public domain and landscaping;
- address the CPTED for the design of the public domain;
- identify the status of the proposed markets within the undercroft overland flow path along Hay Street;
- confirm means of activating and enlivening the Hay Street frontage, especially when the proposed markets are not operating; and
- address the Urban Design and Public Realm Guidelines, prepared by Infrastructure NSW for the SICEEP.

5. 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 phases of the development;
- address the potential for sustainable technologies and/or renewable energy; and
- provide an integrated Water Management Plan including alternative water supply, proposed end uses of potable and non-potable water, water sensitive urban design and water conservation measures.

6. Amenity

The EIS shall:

- address solar access, acoustic impacts, visual privacy, view loss, wind impacts, reflectivity and overshadowing impacts to the surrounding area. A high level of environmental amenity must be demonstrated.
- demonstrate consistency with SEPP 65 and the Residential Flat Design Code recommendations to achieve a high level of environmental and residential amenity. Any alternate solutions to provide amenity shall be fully documented and justified.

7. Noise and Vibration

The EIS shall identify the main noise and vibration generating sources and activities at all stages of construction (including demolition), and any noise sources during operation. Outline measures to minimise and mitigate the potential noise impacts to the surrounding area.

Relevant Policies and Guidelines:

- *NSW Industrial Noise Policy (EPA, 2000)*
- *Interim Construction Noise Guideline (DECC, 2009)*
- *Assessing Vibration : A Technical Guideline (DEC, 2006)*
- *Environmental Criteria for Road Traffic noise (EPA, 1999)*

8. Transport and Accessibility (Construction and Operation)

The EIS shall:

- address the impact of traffic and pedestrian volumes on the surrounding road network including intersections using appropriate traffic modelling analysis based on the worst case cumulative traffic impacts including a sensitivity analysis;
- provide details of any upgrading or road improvement works required to accommodate the proposed development;
- address any impacts on the Light Rail corridor;
- justify the level of car parking provided on the site;
- provide details of measures to encourage sustainable transport measures, including end of trip cyclist facilities, pedestrian and cycle connections and travel plans;
- address the impacts from construction traffic to the surrounding area and public transport services in the vicinity including the cumulative impact of construction activities from other sites in the locality;
- provide details of the parking provision and arrangements during the demolition/construction period;
- provide details of the pedestrian and cyclist connections to the surrounding area, including public transport linkages; and
- address road safety at key intersections and locations subject to heavy vehicle movements and high pedestrian activity.

Relevant Policies and Guidelines:

- *Guide to Traffic Generating Developments (RMS);*
- *Planning Guidelines for Walking and Cycling;*
- *NSW 2021;*
- *Sydney's Light Rail Future;*
- *Development Near Rail Corridors and Busy Roads – Interim Guideline (2008);*
- *Sydney City Centre Access Strategy;*
- *Sydney's Cycling Future;*
- *Sydney's Walking Future;*
- *Austrroads Guide to Traffic Management Part 12: Traffic Impacts of Development; and*
- *City of Sydney Chinatown Public Domain Plan.*

9. Drainage, Flooding, Climate Change and Sea Level Rise

The EIS shall:

- provide a drainage concept for the site incorporating water sensitive urban design; and
- address the likely groundwater, flooding and sea level rise risks on the site and measures to ameliorate any impacts.

10. Heritage

The EIS shall:

- provide an archaeological assessment which includes consideration of Aboriginal and non-Aboriginal and maritime heritage and shall include appropriate mitigation strategies;
- provide an Heritage Impact Statement which address the impacts of the proposal on:
 - heritage significance of the site and adjacent area including any built and landscape heritage items;
 - places, items or relics of significance to Aboriginal people; and
- include an outline of a heritage interpretation plan which address opportunities/avenues for appropriate and innovative public understanding and appreciation of heritage as part of the completed development.

11. Utilities

The EIS shall:

- in consultation with relevant agencies, identify the existing capacity and any augmentation requirements of the development for the provision of utilities including staging of infrastructure; and
- provide details of how infrastructure assets of various utility stakeholders will be protected during the demolition and construction phase of the project.

12. Staging

The EIS shall provide details regarding the staging of the proposed development including timing of public domain works, including the 'Haymarket Square' and opportunities for interim land uses on sites awaiting redevelopment, including the North Plot.

13. Contributions

The EIS shall address the provision of public benefit, services, infrastructure and any relevant contributions requirements.

	14. Water Quality The EIS shall: • address water quality impacts during construction including details of the source, volume, frequency and on-going monitoring methods; and • provide mitigation and management measures to minimise soil and stormwater impacts to the surrounding area. <i>Relevant Guidelines:</i> • <i>Managing Urban Stormwater: soils and construction, vol 1 (Landcom 2004)</i> • <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000)</i> 15. Construction Impacts The EIS shall: • address potential impacts to the surrounding area from noise and vibration, air quality and odour impacts, water quality and construction waste management during demolition and construction; • address traffic management during construction including cumulative impact from surrounding development sites and details of vehicle routes, numbers of trucks, hours of operation, access arrangements, traffic control measures, crane locations and swing path of cranes; • address community notification and complaints handling, impacts of construction on adjoining development and the public domain; and • insofar as excavation is proposed, provide details of the annual volume of material to be extracted, processed or stored on site during construction and how the extracted material will be disposed of or reused. 16. Consultation 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. In particular you must consult with City of Sydney Council, Roads and Maritime Services and Transport for NSW. 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.
Further consultation after 2 years	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.
References	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.