

Office of the Secretary

Ref No. SSD 6689

Ms Jenny Watt
GL Investment Co Pty Ltd
Suite 1501, Level 15, 14 Martin Place
Sydney NSW 2000

Dear Ms Watt

Secretary's Environmental Assessment Requirements for Change of Use of the Upper Floors of the Sheraton Four Points Hotel, Darling Harbour (SSD 6689)

Thank you for your request for Secretary's Environmental Assessment Requirements (SEARs) for the above development.

Please find attached a copy of the SEARs for the preparation of an Environmental Impact Statement (EIS). 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 for your information. Please note that I 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 Department 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.

I wish to emphasise the importance of effective and genuine community consultation and the need for proposals to proactively respond to community's concerns. Accordingly, a comprehensive, detailed and genuine community consultation and engagement process must be undertaken during preparation of the EIS.

Your contact officer for this proposal, Andrew Hartcher, Senior Planner at the Department of Planning and Environment can be contacted on (02) 9228 6503 or via email at andrew.hartcher@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CA McNally', with a stylized flourish at the end.

Carolyn McNally
Secretary

10.11.14

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 6689 - 2014
Proposal Name	Change of Use of the Upper Floors of the Sheraton Four Points Hotel from Commercial to Residential
Location	161 Sussex Street, Sydney, NSW, 2000 (Lot 101 DP 1009697 and Lot 102 DP 1009697)
Applicant	GL Investment Management Co Pty Ltd
Date of Issue	10 - 11 - 14.
General Requirements	<p>The Environmental Impact Statement (EIS) must address the <i>Environmental Planning and Assessment Act 1979</i> and meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 the <i>Environmental Planning and Assessment Regulation 2000</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 the key issues below, and any other significant issues identified in the assessment, must include:</p> <ul style="list-style-type: none"> • 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. <p>The EIS must 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 (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; • An estimate of the jobs that will be created by the development during the construction and operational phases of the development; and • Certification that the information provided is accurate at the date of preparation.
Key issues	<p>The EIS must address the following specific matters:</p> <p>1. Environmental Planning Instruments, Policies and Guidelines</p> <ul style="list-style-type: none"> • Address the relevant statutory provisions applying to the site contained in the relevant EPIs, including: <ul style="list-style-type: none"> ○ <i>State Environmental Planning Policy (State and Regional Development) 2011</i>; ○ <i>State Environmental Planning Policy No. 55 – Remediation of Land</i>; ○ <i>State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development</i>; ○ <i>State Environmental Planning Policy (Infrastructure) 2007</i>; ○ <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>;

- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*; and
 - *Darling Harbour Development Plan No. 1*.
 - Address the relevant provisions, goals and strategic objectives in the following:
 - *NSW 2012*;
 - *Draft Metropolitan Plan for Sydney 2031*;
 - *Draft Sydney Sub-Regional Strategy NSW*.
 - *Planning Guidelines for Walking & Cycling*;
 - *Sydney City Centre Access Strategy*; and
 - *Sydney's Cycling Future*.
- 2. Strategic Land Use and Justification**
- Detailed justification for the proposed development, in particular:
 - strategic justification for the proposed change of use; and
 - justification for the proposed total Gross Floor Area (GFA), including a floor by floor breakdown of GFA and a comparison of proposed GFA with the total GFA of the approved Four Points Hotel Expansion Project (SSD 4972) as modified.
- 3. Urban Design and Built Form**
- Demonstrate how the proposed development will achieve design excellence including:
 - a high standard of architectural design, materials, treatments and finishes and detailing appropriate to the tower building;
 - the form and external appearance of the tower building and how it will improve the quality and amenity of the public domain; and
 - the sustainable design principles incorporated into the development in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security, resources, and water and energy efficiency.
- 4. Environmental and Residential Amenity**
- Demonstrate how the proposal will achieve a high level of environmental and residential amenity. Detail solar access, acoustic impacts, visual privacy, servicing requirements (including waste management, loading zones, mechanical plant), overshadowing and wind impacts.
- 5. Traffic, Parking and Access**
- The EIS must include a Traffic Impact Assessment (TIA) that evaluates:
 - daily and peak traffic movements likely to be generated by the project;
 - safety and performance of the surrounding road network;
 - access arrangements for workers to/from the site, emergency vehicles and service vehicle movements;
 - proposed transportation of materials to/from the site including haulage routes, type of vehicles accessing the site and proposed locations for handling materials;
 - cumulative impacts associated with other construction activities within the vicinity of the site;
 - demonstration of the provision of sufficient car parking in accordance with the relevant guidelines/standards and/or justification for any inconsistencies; and
 - mitigation measures for the impacts identified in the TIA.
- Relevant Policies and Guidelines
- *Guide to Traffic Generating Development (RMS)*
 - *EIS Guidelines – Road and Related Facilities (DoPI)*
 - *NSW Planning Guidelines for Walking and Cycling*

- *Sydney City Centre Access Strategy*
- *Development Near Rail Corridors and Busy Roads – Interim Guideline (2008)*
- *Sydney Local Environmental Plan 2012 car parking rates*

6. Infrastructure Impacts

- Assessment of any impacts on the Western Distributor and future CBD Rail Link Corridor in consultation with Transport for NSW during construction and operation.

7. Visual impacts

- Identify and assess the visual impacts of the proposal, particularly on nearby sensitive receivers.

8. Waste Management

- Identify all potential sources of liquid waste and non-liquid wastes as defined in the EPA's *Waste Classification Guidelines 2008*. The EIS should identify any waste that will be stored, separated or processed on the site and identify the procedures to be adopted to minimise, manage, dispose of this waste in accordance with the relevant standards and guidelines.

9. Heritage

- Prepare a statement of heritage impact which identifies:
 - All heritage items (state and local) including built heritage, landscapes and archaeology, and detailed mapping of these items, and why the items and site(s) are of heritage significance; and
 - What impact the proposed works will have on their significance including the Corn Exchange and other State Heritage Register items located along Sussex Street.
- Prepare an archaeological assessment of the likely impacts of the proposal on any Aboriginal cultural heritage, European cultural heritage and other archaeological items and outline proposed mitigation and conservation measures.
- Prepare an interpretation strategy that includes the provision for interpretation of any archaeological resources uncovered during the works.

→ *Relevant Policies and Guidelines*

- *NSW Heritage Manual*
- *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation 2005*
- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*

10. Construction Impacts

- Identify measures to ameliorate potential construction impacts including traffic, access, noise and vibration, air quality, erosion and sediment control, water quality and waste management.

→ *Relevant Policies and Guidelines:*

- *Assessing Vibration: A Technical Guideline 2006 (DEC)*
- *Interim Construction Noise Guideline 2009 (DECC)*

11. Infrastructure Servicing

- Detail the existing infrastructure on site and identify possible impacts on any such infrastructure from the proposal;
- Detail measures to mitigate the impacts of the proposal on any infrastructure items, including proposed relocation/augmentation; and

	<ul style="list-style-type: none"> • Details of water supply, consideration of water sensitive urban design and water conservation measures. <p>12. Water, Drainage and Stormwater</p> <ul style="list-style-type: none"> • Prepare a Stormwater and Drainage Assessment to assess the impacts of the proposal on surface and groundwater hydrology and quality. • Identify appropriate water quality management measures focussing on the management of the impacts from the proposed works on Darling Harbour. • Prepare a Water Management Plan. This should include stormwater and wastewater management, including any re-use and disposal requirements, details of any proposed alternative water supply, proposed end uses of potable and non-potable water, demonstration of water sensitive urban design and any water conservation measures. <p>13. Building Code of Australia</p> <ul style="list-style-type: none"> • Prepare a BCA and access report demonstrating compliance with the Building Code of Australia. <p>14. Environmental, Construction and Site Management Plan</p> <ul style="list-style-type: none"> • The EA shall provide an Environmental and Construction Management Plan for the proposed works, and is to include: <ul style="list-style-type: none"> ○ community consultation, notification and complaints handling; ○ impacts of construction on adjoining development and proposed measures to mitigate construction impacts; ○ noise and vibration impacts on and off site; ○ air quality impacts on the neighbourhood; ○ odour impacts; ○ water quality management for the site; and ○ construction waste classification, transportation and management methods in accordance with DECCW's <i>Know Your Responsibilities: Managing Waste from Construction Sites Guideline</i>. <p>15. Staging</p> <ul style="list-style-type: none"> • Provide an outline on the staging of the works. <p>16. Ecologically Sustainable Development</p> <ul style="list-style-type: none"> • Identify how the development will incorporate ESD principles in the design and construction phases of the development. • Demonstrate compliance with the relevant provisions of <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>. <p>17. Strata Subdivision</p> <ul style="list-style-type: none"> • Details of strata subdivision and a subdivision plan of the proposed development. <p>18. Consultation</p> <ul style="list-style-type: none"> • Undertake an appropriate level of consultation with council and State government agencies. • Provide details on the Community Engagement Framework to guide the public consultation process.
<p>Consultation</p>	<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;

	<ul style="list-style-type: none"> • Transport for NSW; • Roads and Maritime Services; • Sydney Trains; • Office of Environment and Heritage; • Heritage Council of NSW; • Sydney Harbour Foreshore Authority; • Ausgrid; and • Other relevant government authorities. <p>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.</p>
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.

Plans & Documents

<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 Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include the following:</p> <ol style="list-style-type: none"> 1. An existing site survey plan drawn at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of the land, boundary measurements, area (sq.m) and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; • location and height of adjacent buildings and private open space; and • all levels to be to Australian Height Datum (AHD). 2. A locality/context plan drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as parks, community facilities and open space and heritage items; • the location and uses of existing buildings, shopping and employment areas; and • traffic and road patterns, pedestrian routes and public transport nodes. 3. Drawings at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land; • detailed plans, sections and elevations including all temporary and permanent structures; • architectural design statements and documentation; • the height (AHD) of the proposed development in relation to the land; and • any changes that will be made to the level of the land by excavation, filling or otherwise.
<p>Documents to be submitted</p>	<ul style="list-style-type: none"> • 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition; • 13 hard copies and 13 electronic copies of the documents and plans (once the application is considered acceptable); and • 1 copy of all the documentation and plans on CD-ROM (PDF format), not exceeding 5Mb in size.

Attachment 1 – Government Authority Comments