

Draft Secretary's Environmental Assessment Requirements

Section 78A (8A) of the *Environmental Planning and Assessment Act 1979*
 Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 7388
Proposal Name	Redevelopment of the IMAX Theatre, Darling Harbour
Location	31 Wheat Road, Sydney
Applicant	Grocon (Darling Harbour) Developments Pty Ltd
Date of Issue	11 December 2015
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 risk 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 (CIV) (as defined in clause 3 of the <i>EP&A 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 future 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 The EIS shall address the statutory provisions applying to the site contained in all relevant environmental planning instruments (EPIs), including:</p> <ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011; • State Environmental Planning Policy No.55 – Remediation of Land; • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; State Environmental Planning Policy (Infrastructure) 2007; and • Darling Harbour Development Plan No.1. <p>The EIS shall address the relevant planning provisions, goals and strategic planning objectives in the following:</p> <ul style="list-style-type: none"> • A Plan for Growing Sydney; • NSW Long Term Transport Master Plan; • Sustainable Sydney 2030; • Sydney Development Control Plan 2012;

- Sydney City Centre Access Strategy;
- SICEEP Urban Design and Public Realm Guidelines;
- Darling Harbour draft Public Domain Manual;
- Development Near Rail Corridors and Busy Roads - Interim Guideline;
- Guide to Traffic Generating Developments;
- Guide to Traffic Management – Part 12: Traffic Impacts of Development;
- NSW Planning Guidelines for Walking and Cycling;
- Interim Construction Noise Guideline; and
- Crime Prevention through Environmental Design Principles.

2. Ecologically Sustainable Development (ESD)

The EIS shall:

- detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the *EP&A Regulation 2000*) will be incorporated in the design, construction and ongoing operation of the development;
- demonstrate how the proposed development responds to sustainable building principles and improves environmental performance through energy efficient design, technology and renewable energy in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security, resources, water and energy efficiency; and
- detail how potential heat loading from the north will be addressed.

3. Land use

The EIS shall address the proposed land use mix, compliance with the objectives of the *Darling Harbour Development Plan No.1* and demonstrate that the proposal will enhance the tourist, recreational, entertainment, cultural and commercial character of Darling Harbour.

4. Design Excellence and Built Form

The EIS shall:

- demonstrate how the footprint and scale of the proposed building is well integrated into the context of the surrounding area of Darling Harbour, SICEEP and Pyrmont, including consideration of the 'valley concept' (which characterises the existing development pattern of Darling Harbour);
- demonstrate how the proposal achieves design excellence in terms of design quality of the building and the public realm, with specific consideration of the overall site layout and adjacent public domain, including activation, defined public and private spaces, orientation, connectivity, façades, massing, building articulation, materials, setbacks, footway dining, public art, street furniture, lighting, landscaping, safer by design principles, signage, solar access and overshadowing, and rooftop and mechanical plant;
- address the visual impact (including photomontages and perspectives) of the proposed building when viewed from the public domain and from key locations including Hickson Road, Kent Street, Shelley Street, Lime Street, Pyrmont and East Balmain, Darling Harbour, Blues Point and Millers Point;
- provide an assessment of short and long distance views from Western Distributor (both directions), Darling Harbour (north and south), Cockle Bay, Pyrmont Bridge, Tumbalong Park, Harbour / Day Streets and Druiitt Street pedestrian bridge; and
- demonstrate that the residential amenity provided in the serviced apartments is capable of meeting the amenity requirements for apartments in accordance with the *Apartment Design Guide*.

5. Public Domain

The EIS shall:

- address the relationship of the proposal with Darling Harbour and the Sydney International Convention, Exhibition and Entertainment Precinct (SICEEP) and demonstrate a seamless transition in terms of public domain, design, materials, finishing and levels;

- include details of active building frontages onto the public domain;
- identify and integrate key pedestrian desire lines to the surrounding area and critical pedestrian and cycle links between Darling Harbour, Pyrmont and the Sydney CBD; and
- identify proposed open space, public domain and linkages with other public domain spaces, including Tumbalong Park and the waterfront.

6. Heritage

The EIS shall:

- provide a detailed Heritage Impact Statement (HIS) that identifies and addresses the impacts of the proposal:
 - on any archaeology protected under the *Heritage Act 1977*
 - on the heritage significance of the site and adjacent area, including any built and landscape heritage items, conservation areas, views or settings
 - on places, items or relics of significance to Aboriginal and non-Aboriginal people
 - against any endorsed conservation management plans for heritage items in the vicinity of the site
- address opportunities for heritage interpretation within the public domain.

7. Transport and Accessibility (Operation)

The EIS shall include a traffic and transport impact assessment that includes:

- traffic modelling and analysis of the total daily and peak hour vehicle, public transport, pedestrian and cycle movements likely to be generated by the proposed development and the likely impact on existing traffic and transport capacity, such as on Wheat Street and Harbour Street;
- assessment of the existing and future performance of key intersections providing access to the site, and any upgrades or road improvements required to accommodate the proposed development;
- assessment of the cumulative impact of traffic volumes from the proposal together with existing, known proposed and approved developments in the area and potential conflict with existing traffic movements in the area;
- existing and proposed vehicular access, including arrangements for taxis, coaches and vehicle pick up / drop off;
- service vehicle movements and site access arrangements, including loading dock arrangements, vehicle type and likely arrival / departure times;
- car parking arrangements, including queuing analysis for the proposed car parking system and car parking provision in accordance with the *Sydney Development Control Plan 2012* and relevant Australian Standards;
- demonstrate the measures to be implemented to encourage employees and visitors of the development to make sustainable travel choices, including public transport usage, walking and bicycle, including integration with existing networks and provision of end of trip facilities, and work place travel plans; and
- detailed pedestrian modelling to demonstrate that the proposal will not have adverse impacts on pedestrian movement and facilities in the precinct; and
- road safety assessment of any proposed signage, lighting displays and reflectivity visible on roads.

8. Construction

The EIS shall include:

- a draft construction management plan setting out details of peak hour and daily construction and servicing vehicle movements and access arrangements, and the likely impacts of this traffic and the cumulative impact from surrounding development sites on the local road network and potential conflicts with other road users, and measures to mitigate these impacts. This plan is to include details of vehicle routes, number of tracks,

hours of operation, access arrangements and traffic control measures for all demolition/construction activities;

- address road safety at key intersections and locations subject to heavy vehicle movements and high pedestrian activity, and details of temporary cycling and pedestrian access;
- details of access arrangements for workers to/from the site, emergency vehicles and service vehicles;
- identify potential impacts of the construction on surrounding areas including adjoining development and the public domain, noise and vibration, air quality and odour impacts, dust emissions, water quality, stormwater runoff, groundwater seepage, soil pollution and construction waste; and
- insofar as excavation and/or remediation is proposed, provide details of the annual volume of materials to be extracted, processed or stored on site during construction and how the extracted material will be disposed of or reused.

9. Environmental Amenity

The EIS shall

- address how the proposal achieves a high level of environmental amenity including solar access, acoustic impacts, visual privacy, view loss, outlook, lighting and wind impacts, reflectivity, overshadowing on surrounding buildings and areas of open space (including children's playground in Darling Harbour and Tumbalong Park at Darling Quarter); noise and vibration impacts to the surrounding area;
- assess the impacts of the Cross City Tunnel stack emissions on the proposed development and demonstrate that the proposal achieves acceptable air quality for future occupants of the building; and
- assess the impacts of the new building on the Cross City Tunnel stack plume behaviour and pollution levels at ground level.

10. Geotechnical

The EIS shall address the impact of construction activities including excavation / rock anchors on the structural stability of the harbour foreshore and Western Distributor including concept design drawings and geotechnical investigations for any site excavation and support structures.

11. Western Distributor

The EIS shall:

- detail the impact of construction activities including excavation / rock anchors on the structural stability of the Western Distributor, including monitoring the existing carriageway structure for movement;
- details of vertical and horizontal clearances between the proposed structures and the Western Distributor; and
- demonstrate the clear zones for maintenance and emergency access to the Western Distributor will be maintained during construction and post construction.

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

The EIS shall:

- identify the potential flood risk from groundwater, wastewater, stormwater and sea level rise on the site;
- include proposals to mitigate any potential impacts, such as opportunities for water sensitive urban design within the public domain and landscaping and any other water conservation measures; and
- provide an integrated Water Management Plan including and assessment on water demand, alternative water supply, proposed end uses of potable and non-potable water, water sensitive urban design and water conservation measures.

	<p>13. Utilities The EIS shall:</p> <ul style="list-style-type: none"> • in consultation with relevant agencies, address the existing capacity and any augmentation requirements of the development for the provision of utilities, including staging of infrastructure; • address residential waste servicing access to the site in consultation with the City of Sydney's Waste Services Unit; and • provide details of how infrastructure assets of various utility stakeholders will be impacted and/or protected during the demolition and construction of the project. <p>14. Contributions and/or Voluntary Planning Agreement The EIS shall address the provision of public benefit, services, infrastructure and any relevant contribution requirements.</p> <p>15. Subdivision The EIS shall include details of the proposed subdivision and title arrangements for the hotel and serviced apartments.</p>
<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 <i>EP&A Regulation 2000</i>. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> • site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings; • architectural drawings; • site analysis plan; • solar access and shadow diagrams; • urban design report; • heritage impact statement; • access impact statement; • photomontages and perspectives; • model (physical and electronic); • visual impact assessment; • view loss assessment; • wind assessment; • ESD report; • Consultation summary report; • air quality assessment; • reflectivity report; • stormwater concept plan; • sediment and erosion control plan; • public domain plans, including landscaping works; • signage strategy, including commercial signage / building name signage (if proposed); • traffic and transport impact assessment; • Cross City Tunnel stack report; • Western Distributer interface diagrams; • pedestrian access management plan; • wayfinding signage strategy; • preliminary construction impacts and management plan, including a construction traffic management plan, construction noise and vibration management plan, construction waste management plan and cumulative impact of construction activities on other nearby sites; • geotechnical and structural report; • utilities and services statement; and • schedule of materials and finishes.

Consultation	<p>During the preparation of the EIS, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, the SICEEP Design Review Panel and community groups in accordance with the Department's Major Project Community Consultation Guidelines (October 2007).</p> <p>The EIS must also describe the pre-submission consultation process, issues raised and how the proposed development has been amended in response to these issues. A short explanation should be provided where amendments have not been made to address an issue.</p>
Further consultation after 2 years	<p>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.</p>