

Alexander Scott

From: Natasha Ridler <NRidler@cityofsydney.nsw.gov.au>
Sent: Thursday, 7 April 2016 4:23 PM
To: Alexander Scott
Cc: Christopher Corradi
Subject: RE: SSD 7561 - Request for SEARs Wharf 4/5 Walsh Bay

Hi Alexander,

I refer to your letter dated 24 March 2016 where you sought Council's input on the draft Secretary's Environmental Assessment Requirements (SEARs) for the proposed upgrade of theatre facilities at Wharf 4/5, Walsh Bay (SSD 7561).

The City has reviewed the information and the draft SEARs and recommends the inclusion of additional planning considerations and documents as outlined below.

Built Form, Urban Design and Public Domain

- The proposal should specifically address/include the following:
 - o all aspects of the public domain within the proposal including public art, lighting and open space.

Heritage

- The Heritage Impact Statement should specifically include an assessment of:
 - o the structural impact of proposed works on the building;
 - o the impact of BCA compliance on the building.

Traffic, Parking and Access

- The Traffic Impact Assessment should specifically address the interface between and relationship to the site and the wider Walsh Bay Precinct and Barangaroo, including pedestrian connectivity and wayfinding.

Building Code of Australia / Fire Engineering

- A Fire Engineering Report is to be submitted that details the proposed alternative fire engineering solutions, as a result of the removal of the existing fire tunnel.

Consultation

- The applicant should consult directly with Fire and Rescue NSW regarding removal of the existing fire tunnel and any proposed alternative solutions to meet the performance requirements of the BCA.

Please do not hesitate to contact me should you require further information.

Regards,

Natasha Ridler
Senior Planner
Planning Assessments



Telephone: 02 9246 7720
cityofsydney.nsw.gov.au

From: Alexander.Scott@planning.nsw.gov.au [<mailto:Alexander.Scott@planning.nsw.gov.au>]
Sent: Thursday, 24 March 2016 4:00 PM
To: DAMajorprojects <DAMajorprojects@cityofsydney.nsw.gov.au>
Cc: Christopher Corradi <ccorradi@cityofsydney.nsw.gov.au>
Subject: SSD 7561 - Request for SEARs Wharf 4/5 Walsh Bay

Please see attached letter inviting comment on draft SEARs and accompanying documentation. The Department requests comments by **Friday 8 April 2016**.

Kind regards,

Alexander Scott

Senior Planning Officer – Key Site Assessments

Department of Planning and Environment | GPO Box 39 | Sydney NSW 2001

T 02 9228 2096 E alexander.scott@planning.nsw.gov.au



**Planning &
Environment**

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Our reference: DOC16/162146-01
Contact: Ibrahim Muharrem 9995 5893

Mr Cameron Sargent
Team leader – Key Sites Assessments
Department of Planning & Environment GPO Box 39
SYDNEY NSW 2001

Dear Mr Sargent,

The Environment Protection Authority (“EPA”) refers to your email received on 24 March 2016 requesting input for the Secretary’s Environmental Assessment Requirements (SEARs) for the Upgrade of Theatre Facilities at Wharf 4/5, Walsh Bay (SSD 7561).

On the basis of the information provided, the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act). The EPA does not consider that the proposal will require an Environment Protection Licence (EPL) under the POEO Act.

The EPA has however, identified a range of potential environmental issues which need to be considered in the Environmental Impact Statement (EIS). The EPA also notes that the types of work to be undertaken for the project and their proximity to a large number of sensitive receivers will present particular challenges. Accordingly, the EPA recommends that the EIS includes comprehensive consideration of the following for both the construction and operation phase:

- air quality management during the construction phase;
- soil and water management during the construction phase;
- noise management;
- waste management;
- appropriate classification, storage and handling of hazardous material and dangerous goods; and
- incident risks and contingency practices.

Further comments are outlined in Attachment A.

Should you have any further questions please contact Ibrahim Muharrem 9995 5893 for assistance.

Yours sincerely,

A handwritten signature in purple ink, appearing to read 'James Goodwin'.

8 April 2016

James Goodwin
Acting Manager Sydney Industry
Environment Protection Authority

Attachment A

Request for Secretary's Environmental Assessment Requirements – Upgrade of Theatre Facilities at Wharf 4/5, Walsh Bay (SSD 7561)

Environment Protection Licence

At present the current outlined activities do not demonstrate a need for an Environment Protection Licence under the current *Protection of the Environment Operations Act* ("POEO Act").

Contamination Management

Sampling and analysis for potentially contaminated areas should be prepared in accordance with the *National Environment Protection (Assessment of Site Contamination) Amendment Measure 2013 (No. 1)*. Investigation reports should be prepared in accordance with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 2011). The guidelines are available at <http://www.environment.nsw.gov.au/resources/clm/20110650consultantsqlines.pdf>.

The potential impacts from acid sulfate soils during project activities must be assessed and managed in accordance with the relevant guidelines in the *Acid Sulfate Soils Manual* (Stone et al. 1998) and the *Acid Sulfate Soils Laboratory Methods Guidelines* (Ahern et al. 2004).

Air Quality Management

Air quality management from construction activities, must be taken into specific consideration given the proximity to the large number of sensitive receivers located near the site. An Air Quality Impact Assessment ("AQIA") should be undertaken for the project and should consider the requirements of the *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (2005)*. This should include all potential air emissions and dust impacts from construction, including details of air quality impacts, mitigation, management and monitoring measures for preventing and/or minimising both point and fugitive emissions.

Soil and Water Management

Soil and water impacts and associated management measures from each activity/section of the proposed works will need to be identified. Each proposed activity/zone may vary in requiring management methodologies that are more suited in order to achieve the EPA's discharge expectation of meeting the water quality objectives for the receiving environment. ANZECC water quality triggers should be adopted for all activities including potential discharges.

To ensure minimal impacts to soil and water quality, the proponent should thoroughly assess their activities and associated controls. When reviewing current controls and performance the proponent should consider the following:

- How sediment and other potential pollutants will be managed to prevent water quality impacts especially during construction activities;
- How any fuel, hydraulic oils, paints, chemicals, etc involved with the project will be managed to prevent/manage spillage;
- How well management practices/operating procedures perform in reducing water quality impacts;
- How any issues around soil and water quality are detected and promptly acted upon/rectified to prevent impacts;
- If discharges are required into the receiving environment at any stage, how these are to be managed to prevent adverse effects; and
- If required, how the use of flocculants/coagulants or other water treatment measures associated with the water quality improvement processes are selected and managed to prevent water quality impacts from these additives.

Noise Impact Management

This project has the potential to impact a number of sensitive receivers surrounding the premises. A Noise Impact Assessment should be undertaken which considers construction and operational noise across the project, and must include the following:

- Operational noise from stationary aspects of the project (such as the staging area) should be assessed using the *NSW Industrial Noise Policy* (EPA, 2000).
http://www.epa.nsw.gov.au/resources/noise/ind_noise.pdf
- Construction noise associated with the project should be assessed using the *Interim Construction Noise Guideline* (EPA, 2009).
<http://www.environment.nsw.gov.au/noise/constructnoise.htm>
- Vibration from any construction activities to be undertaken on the premises should be assessed using the guidelines contained in the *Assessing Vibration: a technical guideline* (EPA, 2006).
<http://www.environment.nsw.gov.au/noise/vibrationguide.htm>

Waste Management

The proponent must provide details of liquid waste and non-liquid waste management, including:

- details of the quantities and classification of waste and wastewater to be generated on site;
- the transportation, assessment and handling of waste generated at the site;
- the methods for storage and disposal of all waste materials including stockpiling of wastes at the site;
- any waste processing related to the project including on-site treatment;
- the proposed controls for managing the environmental impacts of these activities; and
- details of the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2007*.

Wastes generated from the proposed works must be classified within the EPA Waste Classification Guidelines; Part 1: Classifying Waste, November 2014 found online at

<http://www.epa.nsw.gov.au/resources/wasteregulation/140796-classify-waste.pdf>

Dangerous Goods/Chemical Management

The proponent must ensure that environmental risks associated with the storage, procession and handling of hazardous materials and dangerous goods are reviewed appropriately. Storage and handling of any dangerous goods must be undertaken in accordance with The Storage and Handling of Dangerous Goods Code of Practice, 2005 which can be viewed online at -

http://www.workcover.nsw.gov.au/_data/assets/pdf_file/0019/17074/storage-handling-dangerous-goods-1354.pdf

The type, quantity and location of all dangerous goods, chemicals and wastes needs to be easily identified by site personnel and included in management plans/documentation for the premises.

Effective controls need to be implemented and maintained in the storage, procession and handling of chemicals at the premises. These controls should also include operating and maintaining bunds or spill containment systems where necessary to minimise the risk of pollution from potential spills and leaks. Information on bunding and spill management can be found online at -

<http://www.epa.nsw.gov.au/mao/bundingspill.htm>

General Advice

The proponent needs to be aware of the strict liability provisions of the POEO Act, in particular s120 – pollution of waters. All site personnel must be aware of the details of the any works plans, environmental legislation/guidelines and associated pollution controls before any works commence and during the undertaking of relevant activities.

The proponent should note and be aware of its responsibility to notify each relevant authority of any pollution incident, in accordance with Section 148 of the Protection of the Environment Operations Act 1997 (POEO Act). Incident triggers and notification protocols need to be detailed so that compliance with section 148 of the POEO Act is achieved.



Our File No: SF16/15706
Our Ref: DOC16/154124
Your ref: SSD 7561

Cameron Sargent
Team Leader – Key Site Assessments
Department of Planning & Environment
23-33 Bridge Street
SYDNEY NSW 2000

Sent by e-mail to: Alexander Scott <alexander.scott@planning.nsw.gov.au>

Dear Mr Sargent

Request for Secretary's Environmental Assessment Requirements (SEARs) for Upgrade of Theatre Facilities at Wharf 4/5, Walsh Bay, The Walsh Bay Wharves Precinct. (SSD 7561)

Reference is made to your correspondence received on 24 March 2016 requesting SEARs input from the Heritage Council of NSW (the Heritage Council) for the above proposal. It is noted that the proposed State Significant Development (SSD) is located within The Walsh Bay Wharves Precinct, listed on the State Heritage Register (SHR no. 559).

It is recommended that the following SEARs are adopted as modified:

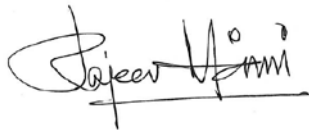
The EIS shall include a Heritage Impact Assessment which:

- *describes the heritage significance of all heritage items on the site (including external, internal and moveable heritage features) and those surrounding the site;*
- *assesses potential impacts of the proposal on Aboriginal cultural heritage values and, where Aboriginal cultural heritage values are identified, includes measures to avoid, conserve or mitigate against the impact and consult with the Aboriginal people to identify the significance of the cultural heritage values;*
- *describes the potential impact of the proposal (including the adaptive reuse, fit out, operation and National Construction Code compliance) **on the heritage significance of Pier 4/5 and Walsh Bay Precinct**, measures to mitigate any impacts and reasons when a more sympathetic solution is not viable;*
- ***assesses how the proposal relates to the wider Arts Precinct proposal by Arts NSW;***
- *considers consistency with the endorsed Conservation Management Plan for the building, addressing the proposed adaptive reuse and measures to minimise impacts on the buildings, including moveable heritage items;*
- *includes a detailed historical and Aboriginal archaeological assessment carried out by a suitably qualified and experienced historical archaeologist, which discusses the likelihood of significant archaeology on the site, how this may be impacted by the project and mitigation measures to ameliorate the impact of the proposed works; and*

- *proposes opportunities to interpret the site's heritage significance, and archaeology and historical association.*

If you have any questions regarding the above matter, please contact Nina Pollock, Heritage Assets Officer, at the Heritage Division, Office of Environment and Heritage on (02) 9873 8520 or nina.pollock@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rajeev Maini', with a horizontal line underneath.

Rajeev Maini
Acting Manager Conservation
Heritage Division
Office of Environment & Heritage
As Delegate of the Heritage Council of NSW
12 April 2016



**Transport
for NSW**

Mr Cameron Sargent
Team Leader
Key Sites Assessments
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Alexander Scott

**Request for SEARs for Upgrade of Theatre Facilities at Wharf 4/5
Walsh Bay (SSD 7561) – Trim Ref S076158**

Dear Mr Sargent

Thank you for your letter dated 24 March 2016 requesting Transport for NSW (TfNSW) to provide input to the draft SEARs for the subject development.

The suggested additions and changes to the SEARs are provided in track changes in the attached draft SEARs for the above development application.

If you require further clarification regarding this matter, please don't hesitate to contact Para Sangar, Senior Transport Planner on 8202 2672.

Yours sincerely

8/4/16

Mark Ozinga
**Principal Manager, Land Use Planning and Development
Freight, Strategy and Planning**

CD16/04175

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 7561
Proposal Name	Refurbishment of Wharf 4/5
Location	Wharf 4/5 Hickson Road, Walsh Bay
Applicant	Sydney Theatre Company
Date of Issue	
General Requirements	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>. 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 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. The EIS must be accompanied by a report from a qualified quantity surveyor providing: • a detailed calculation of the capital investment value (CIV) (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	The EIS must address the following specific matters: 1. Relevant EPIs, Policies and Guidelines The EIS shall address the relevant planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: • State Environmental Planning Policy (State and Regional Development) 2011; • State Environmental Planning Policy No 55 - Remediation of Land; • Sydney Regional Environmental Plan No 16 - Walsh Bay

- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; and
- Sydney Local Environmental Plan 2012.

Address the relevant planning provisions, goals and strategic planning objectives in the following:

- NSW State Priorities;
- A Plan for Growing Sydney;
- NSW Long Term Transport Master Plan;
- Guide to Traffic Generating Development (RMS);
- NSW Planning Guidelines for Walking and Cycling;
- Sustainable Sydney 2030;
- Sydney Development Control Plan 2012;
- Planning Guidelines for Walking & Cycling;
- Sydney City Centre Access Strategy;
- Sydney's Cycling Future; and
- Sydney's Walking Future.

2. Built form, Urban Design and Public Domain

The EIS shall:

- address design quality with consideration of the site layout, vistas, connectivity, open spaces and edges, primary elements, gateways, façade, building articulation, materials and colours; and
- address impacts on the adjoining public domain.

3. Heritage

The EIS shall include a Heritage Impact Assessment which:

- describes the heritage significance of all heritage items on the site (including external, internal and moveable heritage features) and those surrounding the site;
- assesses potential impacts of the proposal on Aboriginal cultural heritage values and, where Aboriginal cultural heritage values are identified, includes measures to avoid, conserve or mitigate against the impact and consult with the Aboriginal people to identify the significance of the cultural heritage values;
- describes the potential impact of the proposal (including the adaptive reuse, fit out, operation and National Construction Code compliance) on any heritage item, measures to mitigate any impacts and reasons when a more sympathetic solution is not viable;
- considers consistency with the endorsed Conservation Management Plan for the building, addressing the proposed adaptive reuse and measures to minimise impacts on the buildings, including moveable heritage items;
- includes a detailed historical and Aboriginal archaeological assessment carried out by a suitably qualified and experienced historical archaeologist, which discusses the likelihood of significant archaeology on the site, how this may be impacted by the project and mitigation measures to ameliorate the impact of the proposed works; and
- proposes opportunities to interpret the site's heritage significance, and archaeology and historical association.

4. Noise and Vibration

The EIS shall include a noise and vibration assessment prepared by a suitably qualified acoustic consultant that:

- assesses construction noise and vibration impacts, consistent with the *Interim Construction Noise Guideline* (Department of Environment, Climate Change and Water 2009), and *Assessing Vibration: a technical guideline* (Department of Environment and Conservation 2006). This assessment must consider cumulative noise and vibration impacts in the event of concurrent construction associated with other works within the Walsh Bay precinct, where relevant information is available;
- assesses operational noise from the use of the theatre and related activities, and any food and drink premises within the building. This must include impacts on other tenants within Wharf 4/5 and other Walsh Bay wharves, and external receivers;
- assesses any operational vibration from the use of the premises. This must include impacts on other tenants within Wharf 4/5 and other Walsh Bay wharves, and external receivers; and
- discusses available mitigation and management measures.

The noise and vibration assessment must consider impacts on other tenants within Wharf 4/5 and the Walsh Bay precinct and external to the precinct.

5. Traffic, Parking and Access (Construction and Operation)

The EIS shall include a Traffic Impact Assessment (TIA) relating to construction and operational impacts that includes, **but is not limited to, the following:**

Construction

- **assessment of cumulative impacts associated with other construction activities including the construction of the Sydney Light Rail project;**
- details of construction vehicle routes, peak hour and daily truck movements, hours of operation, access arrangements **at all stages of construction** and traffic control measures for all demolition / construction activities;
- assessment of construction road safety at key intersections and locations subject to pedestrian / vehicle / bicycle conflicts;
- details of any required temporary cycling and pedestrian access during construction;
- **details of access arrangements for workers to/from the site, emergency vehicles and service vehicle movements;**
- **~~available mitigation and management measures;~~ assessment of traffic and transport impacts during construction and how these impacts will be mitigated for any associated traffic, pedestrians, cyclists, harbour vessel movements and public transport operations, including the preparation of a draft Construction Traffic Management Plan to demonstrate the proposed management of impact. This Plan needs to include vehicle routes, number of**

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

Operation

- accurate details of the current daily and peak hour vehicle, public transport, pedestrian and bicycle movements and existing traffic and transport facilities provided on the road network located adjacent to the proposed development;
- assessment of the operation of existing and future transport networks including the light rail, ferry and bus networks and the Sydney Light Rail and their ability to accommodate the forecast number of trips to and from the development;
- details of ~~the current and likely~~ estimated future daily and peak hour vehicle, public transport, pedestrian and bicycle movements from the site;
- the adequacy of public transport, pedestrian and bicycle provisions to meet the likely future demand of the proposed development;
- an assessment of the impact of the proposal on existing traffic and transport performance and safety at key intersections in the area, and likely impact of the proposal on bus operations (stops, routes and parking) and taxi parking in the surrounding streets;
- assessment of the cumulative impacts of traffic volumes from the proposal together with existing and approved developments in the area and potential conflict with traffic movements generated by existing uses;
- an indication of any road/intersection upgrades required as a result of the development, supported by appropriate modelling and analysis, and any other measures to mitigate impacts of the development;
- details of the existing and any proposed vehicle, bicycle, motorcycle, taxi, bus and coach parking, and justification of proposed parking against relevant guidelines/standards and Australian Standards; demonstrate appropriate provision, design and location of on-site bicycle parking, and how bicycle provision will be integrated with the existing bicycle network;
- details of service vehicle movements and site access arrangements (including vehicle type and likely arrival and departure times of service vehicles);
- assessment of proposed loading dock and servicing provisions and access arrangements to loading docks;
- details of existing and proposed vehicular access, taxi and car parking arrangements for workers and visitors (cars, coaches/buses & taxi ranks), including compliance with parking codes and Australian Standards;
- details of sustainable travel initiatives for workers and visitors, particularly for the provision of end-of-trip facilities, pedestrian and cyclist facilities in secure, convenient, accessible areas close to main entrances, incorporating lighting and passive surveillance;
- proposals to encourage employees and guests to make sustainable travel choices, such as walking, cycling, public transport and car sharing, in particular provision of, green travel plans and wayfinding strategies and

	- proposals for safe and efficient access to loading, deliveries and servicing of the development; and - assessment of impacts on harbour vessel movements. Relevant Policies and Guidelines: <i>Guide to Traffic Generating Developments (Roads and Maritime Services)</i> <i>Sydney City Centre Access Strategy</i> <i>EIS Guidelines – Road and Related Facilities (DoPI)</i> <i>NSW Planning Guidelines for Walking and Cycling</i> <i>Guide to Traffic Management – Part 12: Traffic Impacts of Development (AUSTROADS)</i> 6. Construction management The EIS shall assess construction related impacts (in addition to the noise and vibration and traffic and transport impact requirements detailed above) including: - potential environmental impacts on Sydney Harbour and measures to reduce potential impacts; - potential impacts on use and availability of Sydney Harbour for other harbour users - an assessment of other potential impacts of the construction on surrounding buildings and the public domain, including air quality and odour impacts, dust emissions, water quality, stormwater runoff, groundwater seepage, soil pollution and construction waste; and - available mitigation and management measures. 7. Ecologically Sustainable Development (ESD) Identify how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development, and include innovative and best practice proposals for environmental building performance.
Consultation	During the preparation of the EIS, you shall consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular you shall consult with City of Sydney Council, Roads and Maritime Services, Heritage Council of NSW, Sydney Light Rail and the CBD Coordination Office within 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.

Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>. Provide these as part of the EIS rather than as separate documents. In addition, the EIS must include the following: • Site survey plan drawn at an appropriate scale; • Locality/context plan drawn, including significant local features such as heritage items; • Detailed plans, sections and elevations including all temporary and permanent structures at A3 illustrating; • Heritage impact statement; • Conservation management plans; • Aboriginal and historical archaeological impact assessment; • Access impact statement; • Photomontages and perspectives (showing before / after); • Visual impact assessment; • ESD report; • Building Code of Australia statement; • Consultation summary report; • Air quality assessment; • Noise impact assessment; • Signage strategy, including commercial signage / building name signage (if proposed); • Traffic and transport impact assessment; • Construction impacts and management plan, including a construction noise and vibration management plan, construction waste management plan and cumulative impact of construction activities on other nearby sites; • Utilities and services statement; and • Schedule of materials and finishes.
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