

Our ref: Mixed-use development with in-fill affordable housing - Cecil Avenue and Roger Avenue, Castle Hill (SSD-78156221)

Mr Justin Epstein
Director
GEMI 168 PTY LTD
Level 6/4 Martin Place
Sydney NSW 2000

29 November 2024

Subject: Planning Secretary's Environmental Assessment Requirements – Industry Specific

Dear Mr Epstein

Please find attached a copy of the Planning Secretary's environmental assessment requirements (SEARs) for the Mixed-use development with in-fill affordable housing - Cecil Avenue and Roger Avenue, Castle Hill (SSD-78156221).

Based on the information provided in your application, industry-specific SEARs have been issued for your project.

Please contact the department as soon as possible if your project changes, such that consultation is required with public authorities (under Part 8 of the EP&A Regulation). Your SEARs may need to be reissued and a scoping report may also be required.

If required, the Planning Secretary may modify your SEARs to ensure the environmental assessment of the project covers all relevant matters and is consistent with contemporary assessment practice.

Your SEARs will expire two years from the date of issue (or the date they were last modified) unless the Planning Secretary has granted an extension. If you would like to seek an extension, you should contact the department at least three months prior to the expiry date.

If your application is not submitted within two years (or by the agreed extension date), you will need to make a new application for SEARs to progress your project.

Additional assessment requirements

The department has identified assessment requirements additional to those attached. These requirements, in addition to the industry-specific SEARs, are provided below and should be taken to be the collective SEARs for the project.

1. Provide a table which demonstrates how each apartment, including affordable apartments, addresses the key Apartment Design Guide (ADG) design criteria to inform the assessment of the overall development, against the Design Quality Principles within *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) and the Apartment Design Guide.
2. Provide consideration of the proposal against the site-specific development control plan (The Hills DCP, Part D Section 21 93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill), where relevant.

Preparing your EIS

Your environmental impact statement (EIS) must be prepared having regard to the department's *State Significant Development Guidelines* including the *Preparing an Environmental Impact Statement Guideline*. All relevant guides for State significant projects that are referenced in the SEARs are available at <https://www.planning.nsw.gov.au/policy-and-legislation/planning-reforms/rapid-assessment-framework/improving-assessment-guidance>.

During the preparation of your EIS, you are required to consult with various parties, including the department and any relevant agencies, in accordance with the *Undertaking Engagement Guidelines for State Significant Projects*. For more information, please visit the [Prepare EIS page](#) on the NSW planning portal. Agency contact details can be found at <https://www.planningportal.nsw.gov.au/major-projects/assessment/guide-agency-directory>.

You will need a Registered Environmental Assessment Practitioner (REAP) to declare that your EIS meets certain standards in relation to its completeness, accuracy, quality and clarity before it is submitted to the department, as per Division 5 of Part 8 of the Environmental Planning and Assessment Regulation 2021. A pro forma declaration can be found in [Appendix B of the *Preparing an Environmental Impact Statement Guideline*](#).

Biodiversity Development Assessment Report

Any development application that is required to be submitted with a Biodiversity Development Assessment Report must use the template available at: <https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidance-for-the-biodiversity-development-assessment-report-template>.

Lodging your development application (DA)

Once you submit your EIS, we will check it for completeness to confirm it addresses the requirements in Part 8 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation). We will also notify you of the DA fee for your project.

Please note that your DA is not taken to be lodged until the DA fee has been paid.

To minimise delays, please contact the department at least two weeks before you submit your EIS to confirm fee determination information and payment arrangements. This will give us sufficient time to ensure your DA fee can be determined quickly.

Information needed to determine the DA fee

Your application will need to be accompanied by an Estimated Development Cost (EDC) Report supporting the estimated development cost for your project. You must ensure that the information in the report is consistent with the information provided in your DA form.

Once you submit your EDC Report, we will check it for completeness against the requirements of the EP&A Regulation and the relevant Planning Circular.

If your project involves marinas, extractive industries or any subdivision of land, you must also ensure that your report includes a breakdown of estimated costs for any other component of your project.

Public exhibition requirements

When you contact us regarding the applicable DA fee, we will also advise whether hard and/or electronic copies of the DA and EIS will be required for public exhibition.

Matters of National Environmental Significance

Any development likely to have a significant impact on matters of National Environmental Significance will require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to approvals required under NSW legislation.

It is your responsibility to contact the Australian Government Department of Climate Change, Energy, the Environment and Water to determine if you need approval under the EPBC Act (<https://www.dcceew.gov.au/> or 6274 1111).

If you have any questions, please contact John Martinez on 02 5852 6828 or via email at john.martinez@dpie.nsw.gov.au.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'AWatson'.

Amy Watson
Director
Social and Affordable Assessments
as delegate for the Planning Secretary

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In-fill Affordable Housing

Development details

Application number	SSD-78156221
Project name	Mixed-use development with in-fill affordable housing - Cecil Avenue and Roger Avenue, Castle Hill
Location	93-107 Cecil Avenue and 9-10 Roger Avenue, Castle Hill within The Hills Shire
Applicant	GEMI 168 PTY LTD
Date of issue	29 November 2024

Content and guidance

Any Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and the *State Significant Development Guidelines*.

Relevant policies and guidelines can be found at <https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines>.

Key issues and documentation

Issue and Assessment Requirements	Documentation
1. Statutory Context - Address all relevant legislation, environmental planning instruments (EPIs) (including drafts), plans, policies, guidelines and planning circulars. - Identify compliance with applicable development standards and provide a detailed justification for any non-compliances. - Provide an explanation of how the development as described in the EIS is consistent with the development as was described in the request for SEARs (including any components that were not SSD) and provide a justification for any differences. - Address the requirements of any approvals applying to the site, including any concept approval, any endorsed or draft master plan, precinct plan or any recommendation from aa Gateway determination. - Provide an accurate summary of the detailed assessment of the impacts of the project and integrate the findings and recommendations of technical	Address in EIS

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Issue and Assessment Requirements	Documentation
reports into the justification and evaluation of the project as a whole. Provide documentation that a registered community housing provider will manage the affordable housing component of the development for 15 years (after issue of Occupation Certificate).	
2. Estimated Development Cost and Employment - Provide the estimated development cost (EDC) of the development prepared in accordance with the relevant planning circular using the Standard Form of EDC Report. - The EDC Report must specify the EDC of the residential component of the development. - Provide an estimate of the retained and new jobs that would be created during the construction and operational phases of the development, including details of the methodology to determine the figures provided.	EDC Report
3. Design Quality - Demonstrate how the development will achieve: - design excellence in accordance with any applicable EPI provisions. - good design in accordance with the seven objectives for good design in <i>Better Placed</i>. - Demonstrate that the development: - where required by an EPI or concept approval, or where proposed, has been subject to a competitive design process, carried out in accordance with an endorsed brief and Design Excellence Strategy; or - in all other instances, has been reviewed by the State Design Review Panel (SDRP) where required under the <i>NSW SDRP: Guidelines for Project Teams</i>. - Recommendations of the jury and Design Integrity Panel (where a competitive design process has been held) or the SDRP are to be addressed prior to lodgement.	- Design Excellence Strategy (where design excellence is required by an EPI) - Competition Report (where a competitive design process has been held) - Design Review Report (where the project has been reviewed by the SDRP)
4. Built Form and Urban Design - Explain and illustrate the proposed built form, including a detailed site and context analysis to justify the proposed site planning, design approach and application of the height and floor space bonuses under the Housing SEPP. - Demonstrate how the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality. - Demonstrate how the building design will deliver a high-quality development, including consideration of façade design, articulation, activation, roof design, materials, finishes, colours, any signage and integration of services.	- Architectural drawings - Design Report - Survey Plan - Building Code of Australia Compliance Report - Accessibility Report

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Issue and Assessment Requirements	Documentation
- Assess how the development complies with the relevant accessibility requirements. - Provide a floorplan outlining the gross floor area and units that are dedicated as affordable housing.	
5. Environmental Amenity - Address how good internal and external environmental amenity is achieved, including access to natural daylight and ventilation, pedestrian movement throughout the site, access to landscape and outdoor spaces. - Assess amenity impacts on the surrounding locality, including lighting impacts, reflectivity, solar access, visual privacy, visual amenity, view loss and view sharing, overshadowing and wind impacts. A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated. - Provide a solar access analysis of the overshadowing impacts of the development within the site, on surrounding properties and public spaces (during summer and winter solstice and spring and autumn equinox) at hourly intervals between 9am and 3pm, comparing the proposed development, existing situation and a development with no bonuses applied.	- Shadow Diagrams - Design Verification Statement - Chapter 4 Housing SEPP Assessment (ADG) - View Analysis - Pedestrian Wind Environment Assessment
6. Visual Impact - Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development. - Where the visual analysis has identified potential for significant visual impact, provide a visual impact assessment that addresses the impacts of the development on the existing catchment.	- Visual Analysis - Visual Impact Assessment
7. Public Space - Demonstrate how the development maximises the amount, access to and quality of public spaces (including open space, public facilities and streets/plazas within and surrounding the site), reflecting relevant design guidelines and advice from the local council and the Department. - Demonstrate how the development: - ensures that public space is welcoming, attractive and accessible for all. - maximises permeability and connectivity. - maximises the amenity of public spaces in line with their intended use, such as through adequate facilities, solar access, shade and wind protection. - maximises street activation. - minimises potential vehicle, bicycle and pedestrian conflicts.	- Public Space Plan (as part of the Design Report) - CPTED Report

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Issue and Assessment Requirements	Documentation
Address how Crime Prevention through Environmental Design (CPTED) principles are to be integrated into the development, in accordance with <i>Crime Prevention and the Assessment of Development Applications Guidelines</i>.	
8. Trees and Landscaping - Assess the number, location, condition and significance of trees to be removed and retained and note any existing canopy coverage to be retained on-site. - Provide a detailed site-wide landscape plan, that: - details the proposed site planting, including location, number and species of plantings, heights of trees at maturity and proposed canopy coverage (as a percentage of the site area). - provides evidence that opportunities to retain significant trees have been explored and/or informs the plan. - demonstrates how the proposed development would: - contribute to long term landscape setting in respect of the site and streetscape. - mitigate the urban heat island effect and ensure appropriate comfort levels on-site. - contribute to the objective of increased urban tree canopy cover. - maximise opportunities for green infrastructure, consistent with <i>Greener Places</i> and having regard to any bush fire risk.	- Arboricultural Impact Assessment - Landscape Plan
9. Ecologically Sustainable Development (ESD) - Identify how ESD principles (as defined in section 193 of the EP&A Regulation) are incorporated in the design and ongoing operation of the development. - Demonstrate how the development will meet or exceed the relevant industry recognised building sustainability and environmental performance standards. - Demonstrate how the development minimises greenhouse gas emissions (reflecting the Government's goal of net zero emissions by 2050) and consumption of energy, water (including water sensitive urban design) and material resources.	- ESD Report - BASIX Certificate
10. Traffic, Transport and Accessibility - Provide a transport and accessibility impact assessment, which includes: - an analysis of the existing transport network, including the road hierarchy and any pedestrian, bicycle or public transport infrastructure, current daily and peak hour vehicle movements, and existing performance levels of nearby intersections.	- Transport and Accessibility Impact Assessment - Construction Traffic Management Plan - Green Travel Plan or equivalent

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Issue and Assessment Requirements	Documentation
○ details of the proposed development, including pedestrian and vehicular access arrangements (including swept path analysis of the largest vehicle and height clearances), parking arrangements and rates (including bicycle and end-of-trip facilities), drop-off/pick-up-zone(s) and bus bays (if applicable), and provisions for servicing and loading/unloading. ○ analysis of the impacts of the proposed development during construction and operation (including justification for the methodology used), including predicted modal split, a forecast of additional daily and peak hour multimodal network flows as a result of the development (using industry standard modelling), identification of potential traffic impacts on road capacity, intersection performance and road safety (including pedestrian and cyclist conflict) and any cumulative impact from surrounding approved developments. ○ measures to mitigate any traffic impacts, including details of any new or upgraded infrastructure to achieve acceptable performance and safety, and the timing, viability and mechanisms of delivery (including proposed arrangements with local councils or government agencies) of any infrastructure improvements in accordance with relevant standards. ○ proposals to promote sustainable travel choices for employees, residents, guests and visitors, such as connections into existing walking and cycling networks, minimising car parking provision, encouraging car share and public transport, providing adequate bicycle parking and high quality end-of-trip facilities, and implementing a Green Travel Plan. ● Provide a Construction Traffic Management Plan detailing predicted construction vehicle routes, access and parking arrangements, coordination with other construction occurring in the area, and how impacts on existing traffic, pedestrian and bicycle networks would be managed and mitigated.	
11. Biodiversity ● Assess any biodiversity impacts associated with the development in accordance with the <i>Biodiversity Conservation Act 2016</i> and the <i>Biodiversity Assessment Method 2020</i>, including the preparation of a Biodiversity Development Assessment Report (BDAR), unless a waiver is granted, or the site is on biodiversity certified land. ● If the development is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification.	● Biodiversity Development Assessment Report or BDAR Waiver
12. Noise and Vibration ● Provide a noise and vibration assessment prepared in accordance with the relevant NSW Environment Protection Authority (EPA) guidelines. The assessment must detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the	● Noise and Vibration Impact Assessment

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Issue and Assessment Requirements	Documentation
proposed management and mitigation measures that would be implemented.	
13. Ground and Water Conditions - Assess potential impacts on soil resources and related infrastructure and riparian lands on and near the site, including soil erosion, salinity and acid sulfate soils. - Provide a Surface and Groundwater Impact Assessment that assesses potential impacts on: - surface water resources (quality and quantity) including related infrastructure, hydrology, dependent ecosystems, drainage lines, downstream assets and watercourses. - groundwater resources in accordance with the relevant <i>Groundwater Guidelines</i>.	- Geotechnical Assessment - Surface and Groundwater Impact Assessment - Salinity Management Plan and/or Acid Sulfate Soils Management Plan
14. Water Management - Provide an Integrated Water Management Plan for the development that: - is prepared in consultation with the local council and any other relevant drainage or water authority. - outlines the water-related servicing infrastructure required by the development (informed by the anticipated annual and ultimate increase in servicing demand) and evaluates opportunities to reduce water demand (such as recycled water provision). - details the proposed drainage design (stormwater and wastewater) for the site including any on-site treatment, reuse and detention facilities, water quality management measures and nominated discharge points. - demonstrates compliance with the local council or other drainage or water authority requirements and avoids adverse downstream impacts. - Where drainage infrastructure works are required that would be handed over to the local council, or other drainage or water authority, provide full hydraulic details and detailed plans and specification of proposed works that have been prepared in consultation with, and comply with the relevant standards of, the local council or other drainage or water authority.	Water Management Plan
15. Flood Risk - Identify the flood planning level as set out in the relevant council LEP or SEPP and identify any: - flood risks on site having regard to adopted flood studies - the potential effects of climate change, and - any relevant provisions of the <i>NSW Flood Risk Management Manual</i>. - Where the development is occurring on flood prone land a flood impact and	Flood Impact Risk Assessment

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risk assessment (FIRA) must be prepared having regard to the <i>Flood Impact and Risk Assessment Guideline - LU01</i> (FIRA guide). When determining the scope and category of the FIRA the requirements outlined in the FIRA guide must be considered. Detail any flood risk management measures that are to be incorporated as part of the development having regard to relevant guidelines (including any design solutions, flood modification measures, property modification measures, operational procedures or Flood Emergency Response Plan).Detail any flood risk management measures that are to be incorporated as part of the development having regard to relevant guidelines (including any design solutions, flood modification measures, property modification measures, operational procedures or Flood Emergency Response Plan).	
16. Contamination and Remediation In accordance with Chapter 4 of SEPP (Resilience and Hazards) 2021, assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development.	- Preliminary Site Investigation If required: - Detailed Site Investigation - Remedial Action Plan - Preliminary Long-term Environmental Management Plan
17. Waste Management - Identify, quantify and classify the likely waste streams to be generated during construction and operation. - Provide the measures to be implemented to manage, reuse, recycle and safely dispose of waste in accordance with any council waste management requirements. - Identify appropriately sited waste storage areas, collection access paths/roads, and appropriate servicing arrangements for the site. - If buildings are proposed to be demolished or altered, provide a hazardous materials survey.	- Waste Management Plan - Hazardous Material Survey
18. Aboriginal Cultural Heritage Provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts to any Aboriginal cultural heritage sites or values associated with the site.	Aboriginal Cultural Heritage Assessment Report
19. Environmental Heritage	Statement of

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Issue and Assessment Requirements	Documentation
Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.	- Heritage Impact - Archaeological Assessment
20. Social Impact - Provide a Social Impact Assessment that: - is prepared in accordance with the <i>Social Impact Assessment Guidelines for State Significant Projects</i>. - is targeted and proportionate to the project's context and likely impacts.	Social Impact Assessment
21. Infrastructure Requirements and Utilities - In consultation with relevant service providers: - assess the impacts of the development on existing utility infrastructure and service provider assets surrounding the site. - identify any infrastructure required on-site and off-site to facilitate the development and any arrangements to ensure that the upgrades will be implemented on time and be maintained. - provide an infrastructure delivery and staging plan, including a description of how infrastructure requirements would be co-ordinated, funded and delivered to facilitate the development.	Infrastructure Delivery, Management and Staging Plan
22. Bush Fire Risk If the development is on mapped bush fire prone land, or a bush fire threat is identified on or adjoining the site, provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with <i>Planning for Bush Fire Protection</i>.	Bush Fire Assessment
23. Aviation - If the development proposes a helicopter landing site (HLS), assess its potential impacts on the flight paths of any nearby airport, airfield or HLS. - If the site contains or is adjacent to a HLS, assess the impacts of the development on that HLS.	Aviation Report
24. Construction, Operation and Staging If staging is proposed, provide details of how construction and operation would be managed and any impacts mitigated.	Address in EIS
25. Contributions and Public Benefit	Address in EIS

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- Address the requirements of any relevant contribution plan(s), planning agreement or EPI requiring a monetary contribution, dedication of land and/or works-in-kind and include details of any proposal for further material public benefit. - Where the development proposes alternative public benefits or a departure from an existing contributions framework, the local council, the Department and relevant State agencies are to be consulted prior to lodgement and details, including how comments have been addressed, are to be provided.	
26. Engagement - Detail engagement undertaken and demonstrate how it was consistent with the <i>Undertaking Engagement Guidelines for State Significant Projects</i>. Detail how issues raised, and feedback provided have been considered and responded to in the project. In particular, applicants must consult with: - the relevant Department assessment team. - any relevant local councils. - any relevant agencies. - the community. - if the development would have required an approval or authorisation under another Act but for the application of s 4.41 of the EP&A Act or requires an approval or authorisation under another Act to be applied consistently by s 4.42 of the EP&A Act, the agency relevant to that approval or authorisation.	Engagement Report