

Appendix A – SEARs Compliance Summary

Table 36 SEARs Compliance Table

Key Issues and Documentation	Location in EIS	Technical Study
Issues and Assessment Requirements	EIS Section	Technical Study
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 Gateway determination. - Provide an accurate summary of the detailed assessment of the impacts of the project and integrate the findings and recommendations of technical reports into the justification and evaluation of the project as a whole. - If affordable housing is being proposed, provide the name and ABN of the registered community housing provider that will be responsible for managing the affordable housing component, along with documentation confirming the provider's agreement to this responsibility.	Section 6.0	Appendix G
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. - As applicable, the EDC Report must separately specify the EDC of: - the residential component of the development. - the tenant component of the built-to-rent development. - the seniors housing component of the development.	Section 6.0	Appendix F
3. Contributions and Public Benefit - Address the requirements any relevant contribution plan(s), planning agreement or EPI requiring a monetary contribution, dedication of land and/or works-in-kind agreement. and include details of any proposal for further material public benefit. - Where a voluntary planning agreement is proposed, prepare a draft planning agreement in accordance with the <i>Planning agreements – Practice note- February 2021</i>.	Section 6.0	N/A
4. Engagement - Demonstrate that engagement and consultation activities have been undertaken in accordance with the <i>Undertaking Engagement Guidelines for State Significant Projects</i> and identify how issues raised, and feedback received have been considered in the design of the project. - 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 must be consulted.	Section 7.0	Appendix H
5. 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 Better Placed. - 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 NSW SDRP: Guidelines for Project Teams. - 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.	Section 6.0 Section 8.2.1	Appendix K Appendix L Appendix M
6. Built Form and Urban Design	Section 5.6	Appendix L

Key Issues and Documentation	Location in EIS	Technical Study
- 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. Where relevant explain and illustrate the application of any bonuses under an EPI. - If relevant, provide an assessment of the development against: - the design principles for seniors housing set out in Schedule 8 of <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP) and the <i>Seniors Housing Design Guide</i>. - the design principles for residential apartment development set out in Schedule 9 of the Housing SEPP and the <i>Apartment Design Guide</i> (ADG). This should include a table which demonstrates how each dwelling (including affordable dwellings) performs against the ADG design criteria. - If affordable housing is proposed, provide a floorplan outlining the gross floor area and dwellings that are provided as affordable housing.	Section 5.8 Section 8.2.2 Section 8.2.3	Appendix M
7. Environmental Amenity - Assess amenity impacts on the surrounding locality, including solar access, visual privacy, view loss and view sharing, as well as wind, lighting and reflectivity 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 winter solstice) at hourly intervals between 9am and 3pm, comparing the proposed development, existing situation and where applicable, a development with no bonuses applied.	Section 8.2.4	Appendix L Appendix M Appendix P Appendix Q
8. Visual Impact - Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development. - If the proposal would result in significant visual impact not anticipated by the planning controls, provide a visual impact assessment that addresses the visual impacts of the development on the existing catchment.	Section 8.2.5	Appendix R
9. Transport - Provide a Transport Impact Assessment (TIA) in accordance with the processes and methodology recommended in the <i>Guide to Transport Impact Assessment</i> (GITA) published by TfNSW. - If the construction of the development would cause interruptions to regular pedestrian and transport routes (including public transport, active transport or general traffic), a preliminary Construction Traffic (or Transport) Management Plan (CTMP) should be prepared as part of the TIA to mitigate any such impacts.	Section 8.2.7	Appendix S Appendix T Appendix U
10. Noise and Vibration Provide a noise and vibration impact 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 proposed management and mitigation measures that would be implemented.	Section 8.2.9	Appendix V
11. Water Management - Detail the proposed drainage design and servicing infrastructure to be incorporated as part of the development (stormwater and wastewater). - Demonstrate how the development complies with council's drainage requirements and identify proposed stormwater treatment and water quality management measures to minimise adverse environmental impacts.	Section 8.2.10	Appendix W Appendix X
12. Ground and Groundwater Conditions - Assess potential impacts on soil resources and related infrastructure and riparian lands on and near the site and including soil erosion. - Where required provide a Groundwater Impact Assessment in accordance with relevant Groundwater Guidelines. If the proposed development is on land identified as having high salinity or acid sulfate soil potential in an EPI provide a Salinity Management Plan or Acid Sulfate Soil Management Plan that includes appropriate management measures and strategies.	Section 8.2.11	N/A
13. Contamination and Remediation In accordance with Chapter 4 of the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>, assess and quantify any soil and groundwater contamination and	Section 8.2.11	Appendix Y

Key Issues and Documentation	Location in EIS	Technical Study
demonstrate that the site is suitable (or will be suitable, after remediation) for the development.		
14. Trees and Landscaping - Provide a 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 inform the plan. - If the proposal involves impacts to trees, provide an Arboricultural Impact assessment that assesses the number, location, condition and significance of trees to be removed and retained including: - any existing canopy coverage to be retained on-site. - tree root mapping, if the proposal involves significant impacts to tree-protection zones of retained trees identified as being significant	Section 5.9 Section 8.2.6	Appendix Z Appendix AA
15. 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. - Where relevant, provide an assessment of the development against the standards for non-residential development set out in Chapter 3 of <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>.	Section 8.2.13	Appendix BB Appendix CC Appendix EE Appendix FF
16. Biodiversity - Unless a waiver has been granted, provide a Biodiversity Development Assessment Report (BDAR) that assesses any biodiversity impacts associated with the development in accordance with the <i>Biodiversity Conservation Act 2016 and the Biodiversity Assessment Method 2020</i>. OR - 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.	Section 6.0 Section 8.2.14	Appendix II Appendix JJ
17. Waste Management - Provide the measures to be implemented to manage, reuse, recycle and safely dispose of waste, including 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.	Section 8.2.15	Appendix KK Appendix LL
18. Social Impact The EIS must consider social impacts and, should any significant social impacts be identified, a Social Impact Assessment must be prepared in accordance with the <i>Social Impact Assessment Guideline for State Significant Projects</i>.	Section 8.2.16	Appendix MM
19. Flood Risk - Identify the flood planning area and level as set out in the relevant EPI and other supporting documents to determine; - The flood extent and velocity up to the Probable Maximum Flood and risk on-site having regard to adopted flood studies and, floodplain risk management studies and plans - The site access and egress routes - The potential effects of climate change, - Any relevant provisions of the <i>NSW Flood Risk Management Manual</i>, and any other relevant guidelines. - Where the development is occurring on flood prone land a flood impact and risk assessment (FIRA) must be prepared having regard to the <i>Flood Impact and Risk Assessment – Flood Risk Management Guide LU01</i>. 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).	Section 8.2.17	Appendix X
20. Bush Fire Risk	N/A	N/A

Key Issues and Documentation	Location in EIS	Technical Study
If the development is on mapped bush fire prone land, or a bush/grass 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>.		
21. Aboriginal Cultural Heritage - Where there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site demonstrate that impacts have been adequately investigated and assessed by: - Identifying that an appropriate prior planning process has already considered these impacts, e.g. a rezoning or development application, or - Providing an initial assessment of the potential impacts. - If potential impacts are significant, provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) which: - Identifies, describes and assesses any impacts to Aboriginal cultural heritage sites or values associated with the site. - Is prepared in accordance with relevant guidelines.	Section 8.2.18	Appendix PP
22. Environmental Heritage Where there is potential for direct or indirect impacts on environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (where required), in accordance with the relevant guidelines.	Section 8.2.19	Appendix QQ
23. Public Space - If public space is proposed as part of the development, 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. - provides accessible public space. - 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.	Section 5.9 Section 8.2.6	Appendix Z Appendix AA
24. Hazards and Risks - If the development is affected by above ground dangerous goods storages from the surrounding developments and/or underground high-pressure dangerous goods pipelines in the vicinity of proposal location: - Report on any consultation outcomes with operators - Consider whether the development would cause these storages non-compliance with <i>Australian Standards</i>. - Where applicable, provide a Hazard Analysis in line with relevant guidelines and planning circular.	N/A	N/A

Table 37 SEARs Compliance Table – DPHI Additional Requirements

Key Issues and Documentation	Location in EIS	Technical Study
Department of Planning, Housing and Infrastructure		
2 x pre-lodgement reviews by the State Design Review Panel (SDRP) and an outline of how the development has responded to SDRP advice;	Section 8.2.1	Appendix K
Demonstration of how the public authority comments attached have been considered;	N/A	Appendix A
Written and visual analysis of the relationship between the existing development consents applicable to the site, the works commenced on-site and the proposed development, including the interrelationship between the proposed development and the historic consents;	Section 1.5.3 Section 5.0	N/A
Crime Risk Assessment including analysis to Crime Prevention Through Environmental Design;	Section 8.2.4.3	Appendix OO
Public Art strategy;	Section 5.10	Appendix RR
Signage strategy;	N/A	N/A

Key Issues and Documentation	Location in EIS	Technical Study
Aviation Impact Assessment;	N/A	Appendix SS
Confirmation whether the previously approved retaining wall design under DA2022/00448 requires further revision, with any necessary details included in the EIS;	N/A	Appendix YY
A Green Travel Plan (GTP) identifying site-specific measures that promote and maximise the use of more sustainable modes of transport, such as walking, cycling, public transport, and carpooling. In particular, the GTP should demonstrate how travel demand management measures will be implemented to maximise utilisation of the Newcastle Interchange. The preparation of the GTP should align with the principles and requirements outlined in Transport for NSW's Travel Demand Management framework (Travel Demand Management I nsw).	Section 8.2.7	Appendix T
The following matters must be addressed in the submitted Transport Impact Assessment: - Identify the requirements for parking for each mode of transport (GTIA Section 8.3 & 8.5) Document the number of parking spaces by mode proposed by the development. If statutory parking requirements are not satisfied, the assessment must provide justification. - Detail the safety and functionality of the development's proposed multimodal access arrangements and internal road/parking layout, including service and parking areas for all user groups (e.g. freight and servicing, general traffic, visitor parking, disabled parking, car share and car charging), and pedestrians and cyclists. The design must address Council's waste access requirements as specified in Newcastle DCP 2023. Any proposed shared use of the loading dock must be supported by a detailed operational plan. - The provision of well-designed active transport connections both within the site and linking to the surrounding area and key destinations such as Newcastle Interchange, the Honeysuckle Precinct and the local park is essential. To support the best practice design, please refer to the following guidance documents: - Cycleway Design Toolbox (2020) - Walking Space Guide (2020) - Relevant Council Public Domain Guide or Strategy including Wickham Community Infrastructure Plan, Wickham Master Plan and Wickham Public Domain Plan. - A statement by a chartered / registered engineer for any bicycle, car, commercial vehicle or mobility parking spaces that they parking spaces comply with AS2890 and that any new or modified driveway has sufficient sight distance and appropriate dimensions for the design vehicle (refer GTIA Section 7.3.1). If the facilities do not comply with standards, deficiencies should be documented and justified. Swept path plans must be provided as required to demonstrate the compliance.	Section 8.2.7	Appendix S Appendix T Appendix U

Table 38 Rezoning Requirements Compliance Table

Key Issues and Documentation	Location in EIS	Technical Study
Transport for NSW Comments	EIS Section	Technical Study
1. Rezoning proposal - Site description - Local context - Proposed development	Section 2.0 Section 5.0	Appendix L Appendix M
2. Proposed Amendments - Address all relevant legislation, environmental planning instruments (EPIs) (including drafts), plans, policies, guidelines and planning circulars. - Identify compliance with applicable development standards and provide an explanation of proposed amendments. - Land application - Land use zoning - Height of buildings - Floor space ratio - Minimum allotment sizes (if applicable) - Provision of affordable housing - Site specific provisions - Development Control Plan (DCP) (if applicable) - State Environmental Planning Policies (SEPPs)	Section 4.0	N/A

Key Issues and Documentation	Location in EIS	Technical Study
- Contributions - State contributions - Local contributions		
3. Strategic and Site-Specific Merit - Regional Plans and strategies - Local strategic documents (e.g. LSPS, Housing Strategy)	Section 8.1	
4. Relevant Issues Including, but not limited to the following: - Connecting with Country - Environmental - Flooding - Bushfire - Biodiversity - Contamination - Heritage - Social and Economic - Urban Design - Affordable housing - Public benefit - Infrastructure funding and delivery - Transport - Utilities	Section 8.2 Section 9.0	Refer to Appendix List
5. Consultation	Section 7.0	Appendix H
6. Annexures Proposed statutory maps.	N/A	N/A

Table 39 SEARs Compliance Table – Agency Advice

Key Issues and Documentation	Location in EIS	Technical Study
Transport for NSW Comments	EIS Section	Technical Study
1. TfNSW requests that a Transport Impact Assessment (TIA) be prepared by suitably qualified person/s in accordance with the TfNSW Guide to Transport Impact Assessment, 2024, Austroads Guide to Traffic Management Part 12 and the complementary TfNSW Supplement. In particular, the TIA should demonstrate how travel demand management measures will be implemented to maximise utilisation of the Newcastle Interchange.	Section 8.2.7	Appendix S
The Scoping Report provides that resolved design and infrastructure elements from approved DA2022/00448 will be retained and integrated into the current SSD proposal, enabling an expedited planning process by building upon established assessments, approvals, and early works. It is noted that the installation of temporary ground anchors under Stewart Avenue / Hannell Street were approved under Section 138 of the Roads Act 1993 in conjunction with DA2022/00448. TfNSW concurrence to these works was granted for the following plans: - Keller Proposed Bowline Development at 10 Dangar St, Wickham Shoring Wall Design Report Rev. B Date 2/11/21 - Keller Drawing 05026-DWG-013-C - Keller Drawing 05026-DWG-014-B - TfNSW 10 Dangar Street Wickham – Revised Retaining Wall Design Review – Closed out HZ 20 January 2022 It is unclear whether a revised retaining wall design will be prepared for the proposed architectural plans. The Environmental Impact Statement (EIS) should clarify how infrastructure elements approved under DA2022/00448 will be retained.	N/A	Appendix YY
Newcastle City Council		
Bulk and scale	Section 8.2.2	Appendix L Appendix M

Key Issues and Documentation	Location in EIS	Technical Study
CN has concerns about substantial departures from key building height and FSR controls under the Newcastle Local Environmental Plan (NLEP2012) or the Wickham Masterplan 2021. CN has completed strategic planning and urban design analysis to inform the heights and density, this included comprehensive community engagement. Height has been structured within the precinct to transition to Wickham and the Village Hub.		
Development Control Plan 2023, Wickham Master Plan and Wickham Public Domain Plan While it is acknowledged under the State planning legislation that a development control plan does not apply to State Significant Development (SSD), we are aware that in the absence of other appropriate standards, DPHI has previously used the requirements of the Newcastle Development Control Plan 2023 (NDCP 2023), Wickham Master Plan and Wickham Public Domain Plan, in the assessment of SSDs. Furthermore, we consider it appropriate that the SR consider the relevant requirements of the NDCP 2023 given the nature of the development and the planning history of the site.	Section 6.0	Appendix E
Development applications history and existing works According to the SR(p4), 'Key resolved design and infrastructure elements from this approval (DA2018/01197, as modified) will be retained and integrated into the current SSD proposal, enabling an expedited planning process by building upon established assessments, approvals, and early works.' CN is concerned that insufficient information has been provided regarding the existing development consent, the extent work carried out on site and their legal and design relationships with the proposed development. As indicated in the SR(p7), two previous development applications (DA2018/01197 and DA2022/00448) for a mixed-use development on the site have been granted conditional approval. However, no mention was made of the modification applications subsequently approved for each development consent. The latest application (MA2023/00397) was approved on 9 August 2024. This application modified Development Consent DA2022/0448. It addressed an oversight that had occurred in the coordination of the development. Specifically, a capping beam has been constructed along the length of the southern setback at ground level in accordance with the approved plans of the Modified Development Consent (DA2018/0197.02) but which was inconsistent with the subsequently approved Development Application (DA 2022/00448). To rectify this construction oversight, the MA proposed a raised slab area with landscaping bed over the protruding capping beam having the effect of reducing the southern setback at ground level compared to that approved under DA2022/00448. It is recommended a detailed survey plan be submitted which confirms that the existing works are contained within the boundaries of the site and do not encroach onto adjoining Transport for NSW (TfNSW) and/or CN land. CN recommends the Environmental Impact Statement (EIS) and architectural plans detail the relationship between the previous development consents, as modified, the works commenced on the site and the proposal. The interrelationship between the historic consents and the future application must also be addressed in the EIS.	N/A	N/A
Planning Agreement and contributions CN entered into a Voluntary Planning Agreement in connection with DA2022/00448 and MA2023/00397. Under the Planning Agreement the developer of the site, Dangar St Wickham Pty Ltd, agrees to a monetary contribution of \$1,587,976.50 (plus indexation) be paid to CN in connection to the development approved under the DA2022/00448 development consent. This monetary contribution will be used toward the provision of local public amenities or infrastructure that supports the implementation of the Wickham Masterplan (WMP) 2021 Update (July 2022). A condition of consent was imposed on the consent requiring the planning agreement to be registered on the title of the land. It is CN's expectation that a planning agreement be entered into with the developer that reflects the existing agreement and is amended to account for any additional increases in the building height and floor space ratio included in the proposed development. This is to be consistent with the rates in the Wickham Community Infrastructure Plan and clause 7.9 and 7.9A of the Newcastle Local Environmental Plan 2012. In addition, a S7.11 contribution is required under CN's S7.11 Development Contributions Plan and CN's Draft Affordable Housing Contributions Scheme will be in place and apply to any future development.	Section 6.0	N/A

Key Issues and Documentation	Location in EIS	Technical Study
Supporting technical studies		
The below listed technical studies are recommended to accompany the EIS and be included in the SEARs given the scale of the proposed development:		
Stormwater Management Plan with hydrological and hydraulic modelling	Section 8.2.10 Section 8.2.11	Appendix W
Water Cycle Management Plan		
Details of stormwater discharge connections and associated works		
Stormwater maintenance plan		
Sediment and stormwater controls for the demolition and construction phases		
Contamination Assessment, noting existing site excavations and remediation action plan	Section 8.2.12	Appendix Y
Site-specific Flood Impact and Risk Assessment report	Section 8.2.17	Appendix X
Social Impact Assessment	Section 8.2.16	Appendix MM
Social Infrastructure Demand Assessment	N/A	Appendix NN
Crime Prevention Through Environmental Design Assessment	Section 8.2.4.3	Appendix OO
Community Engagement Outcomes Report	Section 7.0	Appendix H
Access and Inclusion Assessment	Section 8.2.20	Appendix WW
Acoustic Impact Assessment	Section 8.2.9	Appendix V
BCA Assessment Report addressing construction and fire safety	Section 8.2.20	Appendix VV Appendix XX
Wind Effects Report	Section 8.2.4.2	Appendix P
Visual Impact and View Impact Assessment	Section 8.2.5	Appendix R
Signage strategy	N/A	N/A
Aboriginal Cultural Heritage Assessment Report	Section 8.2.18	Appendix PP
Traffic and Parking Impact Assessment	Section 8.2.7	Appendix S
Green Travel Plan	Section 8.2.7	Appendix T
Construction Traffic and Pedestrian Management Plan	Section 8.2.7	Appendix U
Waste Management Plan, demonstrating ability for CN to service on-site with a Heavy Rigid Vehicle	Section 8.2.15	Appendix KK Appendix LL
Demonstrated compliance with the Wickham Master Plan and NDCP 2023	N/A	Appendix E
Public Art Strategy	Section 5.10	Appendix RR
Design Excellence Strategy	Section 8.2.1	N/A
Detailed design of public domain noting the location of the site and requirements of the Wickham Master Plan and Public Domain Plan	Section 8.2.6	Appendix Z Appendix AA
Aviation Impact Assessment	N/A	Appendix SS