

Secretary's Environmental Assessment Requirements

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

Application Number	SSD 8999
Proposal Name	Mixed use development including commercial/ retail uses and residential apartments
Location	35 Honeysuckle Drive, Newcastle (Part PT2000 of DP1145678)
Applicant	Doma Group
Date of Issue	15 January 2018
General Requirements	The Environmental Impact Statement (EIS) must 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 risk assessment, must include: • adequate baseline data • consideration of potential cumulative impacts due to other development in the vicinity • 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>EP&A Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived • a detailed cost report prepared in accordance with Newcastle Section 94A Development Contributions Plan 2009 • an estimate of the jobs that will be created by the future development during the construction and operational phases of the development • certification that the information provided is accurate at the date of preparation.
Key issues	The EIS must address the following specific matters: 1. Statutory and Strategic Context Address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including: • State Environmental Planning Policy (State & Regional Development) 2011 • State Environmental Planning Policy 55 – Remediation of Land • State Environmental Planning Policy 65 – Design Quality of Residential Flat Development & Accompanying Apartment Design Guide • State Environmental Planning Policy (Building Sustainability Index BASIX) 2004 • State Environmental Planning Policy (Urban Renewal) 2010 • State Environmental Planning Policy (Infrastructure) 2007

- Draft State Environmental Planning Policy (Coastal Management) 2016
- Newcastle Local Environmental Plan (LEP) 2012.

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

- NSW State Priorities
- NSW 2021 (State Plan)
- Hunter Regional Plan 2036
- Draft Greater Newcastle Metropolitan Plan
- Draft Future Transport Strategy 2056 and supporting plans
- Draft Greater Newcastle Future Transport Plan
- Newcastle Urban Renewal Strategy 2014
- Better Placed – an integrated design policy for the built environment of NSW 2017
- Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)
- Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010
- Guide to Traffic Generating Developments (RMS, 2002)
- Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development
- Interim Construction Noise Guidelines (DECCW, 2009)
- Newcastle Section 94A Development Contributions Plan 2009
- Port of Newcastle Port Development Plan (PDP) 2015
- Aquifer Interference Policy (2012).

2. Built Form and Urban Design

- Provide a rigorous justification of any development standards not being met in accordance with clause 4.6 of the Newcastle LEP 2012
- Address design quality, with specific consideration of bulk and scale, overall site layout, axis, vistas and connectivity, open spaces and edges, ground floor activation, primary elements, façade, rooftop, mechanical plant, massing, setbacks, building articulation, materials and choice of colours
- Consider and address the relevant sections of the Newcastle Development Control Plan 2012
- Provide a detailed landscape design that demonstrates how the proposal provides pedestrian access and amenity along the foreshore
- Provide design approaches to mitigate any potential flooding.

3. Design Excellence

- Describe the design process leading to the concept design
- Provide a design excellence strategy, including opportunities for design review throughout the planning process, for the detailed design and subsequent delivery of the development which demonstrates how design excellence will be achieved in accordance with the requirements of clause 7.5 of the Newcastle LEP 2012, in consultation with the Government Architect NSW.

4. Residential Amenity

Demonstrate consistency with SEPP 65 and the Apartment Design Guide (ADG) recommendations to achieve a high level of environmental and residential amenity.

5. Ecologically Sustainable Development (ESD)

- Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be

incorporated in the design, construction and ongoing operation phases of the development

- Demonstrate how the proposed development responds to sustainable building principles and best practice, and improves environmental performance through energy efficient design, technology and renewable energy
- Include a description of the measures that would be implemented to minimise consumption of resources, water and energy, including an Integrated Water Management Plan which details any proposed alternative water supplies, proposed end uses of potable and non-potable water, and water sensitive urban design.

6. Noise

- Identify the likely noise impacts and any acoustic measures required to ensure acceptable residential amenity noting the proximity to the operational areas of the Port of Newcastle
- Identify the main noise generating sources and activities at all stages of construction, and any noise sources during operation. Outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.

7. Transport and Accessibility (Construction and Operation)

- Prepare a Construction and Traffic Management Plan that:
 - details access arrangements at all stages of construction and measures to mitigate any associated transport impacts including an assessment of pedestrian movements through and around the site and if necessary identify an appropriate alternative route for pedestrians during construction
 - address construction impacts on the proposed light rail and other proposed developments in the area.
- Detail existing pedestrian and cycle movements within the vicinity of the site and determine the adequacy of the proposal to meet the likely future demand for increased public transport and pedestrian and cycle access
- Describe the measures to be implemented to promote sustainable means of transport, including public transport use (including the proposed light rail), pedestrian and bicycle linkages including addressing the potential for implementing a location specific sustainable travel plan
- Demonstrate the provision of appropriate on-site car parking having regard to the availability of public transport
- Prepare a Traffic and Transport Impact Assessment that satisfies the methodology of Transport for NSW, Roads and Maritime Services and Sydney Trains. A pre-methodology meeting should be requested with the above referenced agencies to determine the study requirements.
- Details of service vehicle provision, access, delivery and loading arrangements and estimated service vehicle movements (including vehicle type and the likely arrival and departure times).

8. Flooding

The EIS is to include an assessment of any potential flood risk on site in accordance with any relevant provisions of the NSW Floodplain Development Manual (2005), The Cottage Creek Flood Management Plan 1999 and the Newcastle Floodplain Risk Study 2012 including an:

- assessment of existing flood behaviour and impact of sea level rise, climate change, and ecosystem migration
- assessment of potential flood impacts on the proposed development and measures to mitigate any potential flooding
- assessment of potential impacts of the proposed development on flood behaviour at the site and impacts on adjacent land, and measures to mitigate any potential flooding

- emergency management measures and evacuation
- consistency with any floodplain risk management plans
- compatibility with the flood hazard of the land
- assessment of whether the proposal will significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses
- detailed consideration of the proposed drainage associated with the proposal, including stormwater and drainage infrastructure.

9. Water Quality

- Assessment of existing site hydrogeology, groundwater quality and levels and licensing requirements (including details of groundwater dewatering required during the construction phase and for ongoing water take following completion of the project)
- Details of any structural works due to potential subsidence impacts and whether such activity will cause displacement of groundwater to surface
- Assessment of any potential cumulative impacts on water resources, and any proposed options to manage the cumulative impacts.

10. Mine Subsidence

- Provide a Geotechnical Investigation and Report (prepared by a recognised professional in consultation with the Mine Subsidence Board) which addresses potential subsidence risks, stabilisation works required/undertaken and confirms suitability of the site for the proposal.

11. Heritage

The EIS shall:

- identify if there are any listed or potential heritage items and conservation areas within or in the vicinity of the site. If any listed or potential heritage items and areas are likely to be affected, a Heritage Impact Statement (HIS) must be prepared in accordance with the Heritage Council of NSW guidelines. The HIS must identify the level of significance of any listed or potential heritage items and conservation areas, the likely impact due to the proposal and measures to avoid adverse impacts to heritage resources such as significant buildings, structures, natural heritage areas, gardens, landscapes, trees, plantings, streetscapes and views.
- identify if there are any areas with historical archaeological potential within the proposed project area that could be impacted by the works. If impact on potential archaeology is identified, a historical archaeological assessment should be prepared by a suitably qualified historical archaeologist in accordance with the Heritage Council Guidelines for Archaeological Assessment (1996) and Assessing Significance for Historical Archaeological Sites and 'Relics' (2009). This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations.
- identify and describe the Aboriginal cultural heritage values that exist across the whole area to be affected and document these in the Aboriginal Cultural Heritage Assessment Report (ACHAR)
- address Aboriginal Heritage in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW 2011 and Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010

	12. Biodiversity The EIS shall provide an assessment of the proposal's biodiversity impacts in accordance with the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report where required under the Act, except where a waiver for preparation of a BDAR has been granted. 13. Sediment, Erosion and Dust controls (Construction and Excavation) The EIS shall: • identify measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and fine particles • provide an assessment of presence of acid sulfate soils on the site and any mitigation measures required. 14. Utilities In consultation with relevant agencies, ascertain existing capacity and licensing requirements for ongoing water supply and any additional electricity works and or boosted water supply (including need for hydraulic plans) are adequately addressed for the provision of utilities including staging of infrastructure. 15. Public Benefit and Contributions Provide confirmation of the public benefit offer to be derived from the proposal and address Council's Section 94A Contribution Plan and/ or details of any Voluntary Planning Agreement. 16. Servicing and Waste Identify, quantify and classify the likely waste streams to be generated during construction and operation and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. Identify appropriate servicing arrangements (including but not limited to, waste management, loading zones, mechanical plant) for the site.
Plans and documents	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. In addition, the EIS must include the following: • architectural drawings (to a usable scale at A3) • architectural design statement • a report tabling a summary record of Design Review Panel recommendations and how the proposal responds to those recommendations • landscape drawings (to a usable scale at A3) • landscape design statement • site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings • site and context analysis • shadow diagrams • ESD statement • pre-submission consultation statement • heritage impact assessment • archaeological impact assessment • access impact statement • traffic and parking assessment • visual and view impact analysis and photomontages • stormwater concept plan • flood risk assessment • sediment and erosion control plan

	• operational management plan • preliminary construction 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 • services and infrastructure report • contamination assessment • schedule of materials and finishes.
Consultation	During the preparation of the EIS, you are required to consult with the relevant local, State or Commonwealth Government authorities, service providers, and the local community. You must consult with the City of Newcastle Council, the Office of the Government Architect, Transport for NSW, Roads and Maritime Services and Sydney Trains. The EIS must 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.
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.