

Secretary's Environmental Assessment Requirements
Section 4.12(8A) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application No.	SSD 9334
Proposal name	Overseas Passenger Terminal – Shade structures to Tenancy 5
Location	Overseas Passenger Terminal (Tenancy 5), Circular Quay Way, The Rocks (Lots 1-3 DP 876516)
Applicant	Jimmy's On The Mall Pty Ltd
Date of issue	4 June 2018
General requirements	The Environmental Impact Statement (EIS) must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> (the regulation). 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 (completed, underway or proposed) • measures to avoid, minimise, and if necessary, offset the predicted impacts, including detailed contingency plans for managing 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) of the development (as defined in clause 3 of the Regulation), 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 construction and operation • verification that the CIV was accurate on the date that it was prepared.
Key issues	The EIS must address the following specific matters: 1. Environmental Planning Instruments, Policies & Guidelines • The relevant statutory provisions applying to the site, contained in the relevant EPIs, including: ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ Sydney Cove Redevelopment Authority Scheme ○ State Environmental Planning Policy 55 - Remediation of Land ○ Draft Remediation State Environmental Planning Policy ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy 64 – Advertising and Signage ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 ○ Draft State Environmental Planning Policy – Environment ○ State Environmental Planning Policy (Coastal Management) 2018. • Any variation to the Sydney Cove Redevelopment Authority (SCRA) Scheme, including the <i>Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999</i>.

- The relevant provisions, goals and objectives in the following:
 - *NSW State Priorities*
 - *Towards our Greater Sydney 2056*
 - *Greater Sydney Region Plan*
 - *Eastern City District Plan*
 - *Sustainable Sydney 2030*
 - *NSW Long Term Transport Master Plan 2012 and, the Future Transport 2056 Strategy.*
- 2. Built form and urban design**
- Outline the design process leading to the shade structures and any specific design features, including, materials, finishes and colours. This is to include detail of any design alternatives that were considered as part of the design process.
 - Consider the site, the outdoor seating area, layout, architectural design, materials, detailing, amenity, views and vistas, open space, public domain, connectivity and street activation.
 - Clearly outline the proposed additions compared to the previously approved works.
- 3. Heritage**
- Prepare a Heritage Impact Statement (HIS) (in accordance with the guidelines in the NSW Heritage Manual) which identifies:
 - all heritage items (state and local) within, and in the vicinity of, the site, including built heritage, landscapes and archaeology, and detailed mapping of these items, and why the items and site(s) are of heritage significance
 - detailed mitigation measures to offset potential impacts on heritage items
 - compliance with the policies of any relevant Conservation Management Plan, including the '*The Rocks Heritage Management Plan*' (2010).
 - The HIS is to assess heritage impacts of:
 - the proposed works on the heritage significance of the site
 - the visual impacts of the proposed development on views to and from surrounding heritage items with specific reference to the Sydney Opera House and the buffer zone, the Sydney Harbour Bridge, Campbell's Stores, the Australian Steam Navigation Building and the Metcalfe Bond Stores
 - the proposed materials and finishes.
 - The HIS must be supported by detailed drawings to illustrate the impact assessment. In addition, photographs of the existing site and photo montages showing the proposed, are also required.
 - If the HIS identifies potential impact on archaeology, an historical archaeological assessment should be prepared by a suitably qualified and experienced historical archaeologist in accordance with the Heritage Division, Office of Environment and Heritage Guidelines '*Archaeological Assessment*' 1996 and '*Assessing Significance for Historical Archaeological Sites and Relics*' 2009. This assessment is to identify the following;
 - the relics, if any, that are likely to be present, assess their significance and consider the impacts from the proposal on this potential resource
 - appropriate mitigation strategies where harm is likely to occur
 - in the event that harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations.
- 4. Building use**
- Outline the current use and operational details for the tenancy, including but not limited to:
 - hours of operation
 - patron capacity (indoor and outdoor)
 - extent and use of outdoor areas, including outdoor seating (numbers of tables and chairs)

	○ details of any music to be provided on the premises and location of any proposed speakers in the outdoor dining area ○ details of weather protection devices. • Provide an updated Plan of Management where required in accordance with the relevant City of Sydney Council guidelines. • Provide details on how the awnings will be maintained and kept clean on an ongoing basis. 5. Visual and view impacts • Identify important sight lines and visual connectivity to and from the site. • Provide a visual impact assessment to identify the visual changes and impacts on the site and its surrounds when viewed from key public domain areas, the Sydney Opera House and the harbour foreshore. This is to include photomontages of the existing and proposed development. 6. Public domain and access • Provide detail on the interface of the development (e.g. outdoor seating) and the public domain, street activation, the harbour foreshore and other surrounding development. • Provide detail of the proposals relationship with the proposed public domain works at Campbell's Cove (refer to SSD 7246). 7. Amenity • Outline and address the proposed development's impacts in terms of safety and security, including consideration of Crime Prevention through Environmental Design principles. • Provide detail any external lighting or illumination and consider the impacts of this lighting/illumination to surrounding properties and the public domain. 8. Noise and vibration • Provide a noise and vibration assessment in accordance with the relevant EPA guidelines. This assessment must detail noise impacts on nearby noise sensitive receivers and outline proposed noise mitigation and monitoring procedures. 9. Transport and accessibility (Construction) • Provide information on traffic and transport during construction including: ○ assessment of cumulative impacts associated with other construction activities ○ an assessment of road safety at key intersection and locations subject to heavy vehicle construction traffic movements and high pedestrian activity ○ details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process ○ details of anticipated peak hour and daily construction vehicle movements to and from the site ○ details of construction vehicle parking and access arrangements, including haulage routes ○ details of temporary cycling and pedestrian access during construction, in particular any establishment of work zone required on public domain ○ details of any potential impacts to general traffic, public transport, cyclists and pedestrians within the vicinity of the site from construction vehicles during the construction of the proposed works, including mitigation measures 10. Signage • Provide detail on the location, size and content of any proposed signage. 11. Contamination • Demonstrate compliance with the requirements of SEPP 55.
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	12. Ecologically Sustainable Development (ESD) • Demonstrate that ESD principles (as defined in clause 7(4) Schedule 2 of the EP&A Regulation 2000) will be incorporated in the design, construction and operation of the development. 13. Construction, Environmental Management Plan • Provide an Construction, Environmental Management Plan and site management plan for the proposed works, and include: ○ community consultation, notification and complaints handling ○ impacts of construction on adjoining development and proposed measures to mitigate construction impacts ○ noise and vibration impacts on and off site ○ dust control measures ○ construction waste classification, transportation and management methods in accordance with <i>DECCW's Know Your Responsibilities: Managing Waste from Construction Sites Guideline</i> ○ identification, handling, transport and disposal of any asbestos waste, lead-based paint and PCBs that may be encountered during demolition, site preparation and construction ○ practical opportunities to minimise consumption of potable water and energy efficiency measures, including passive solar design. 14. Infrastructure • Identify the existing infrastructure on-site and any possible impacts of the construction and operation of the proposal on this infrastructure. 15. Biodiversity • Provide an assessment of the proposal's biodiversity impacts in accordance with the requirements of the <i>Biodiversity Conservation Act 2016</i>, including the preparation of a Biodiversity Development Assessment Report where required under the Act.
Consultation	During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular, consultation is required for the following agencies: • City of Sydney Council • Transport for NSW including the Sydney Coordination Office • NSW Office of Environment and Heritage – Heritage Division • NSW Office of Environment and Heritage • Environmental Protection Authority • Roads and Maritime Services • Port Authority of New South Wales. 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 consider the relevant guidelines, policies, and plans. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

Plans & Documents

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>. These are to be provided as part of the EIS rather than as separate documents. In addition, the EIS must include the following: 1. An existing site survey plan drawn at an appropriate scale illustrating: • The location of the land, boundary measurements, area and north point. • The existing levels of the land in relation to buildings and roads. • Location and height of existing structures on the site. • Location and height of adjacent buildings. • All levels to be to Australian Height Datum (AHD). 2. A locality/context plan drawn at an appropriate scale indicating: • Significant local features such as parks, community facilities, open space, heritage items and the harbour foreshore. • The location and uses of existing buildings, shopping and employment areas. • Traffic and road patterns, pedestrian routes and public transport nodes. 3. Drawings at an appropriate scale illustrating: • Scaled plans, sections, elevations, floor plans to 1:00 showing the existing and proposed development. • Details of proposed materials, fixings, colours and features. • A detailed signage plan showing the location, size and content of each sign. • The height (AHD) of the proposed development in relation to the land. • A schedule of materials and finishes. 4. Details of proposed SCRA variation including: • Drawings of the existing and any proposed changes to SCRA Building Site Control Drawing XLVI and any other supporting information. 5. Visual Impact Assessment: • The visual impact assessment, including focal lengths, must be done in accordance with Land and Environment Court requirements.
Documents to be submitted	• 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition. • 3 hard copies and 3 electronic copies of the documents and plans (once the application is considered acceptable). Electronic copies of the documentation must be on a USB with documents in PDF format with file sizes not exceeding 5Mb. The hard copies should include plans printed in A3. One additional A1 set of plans may also be provided.