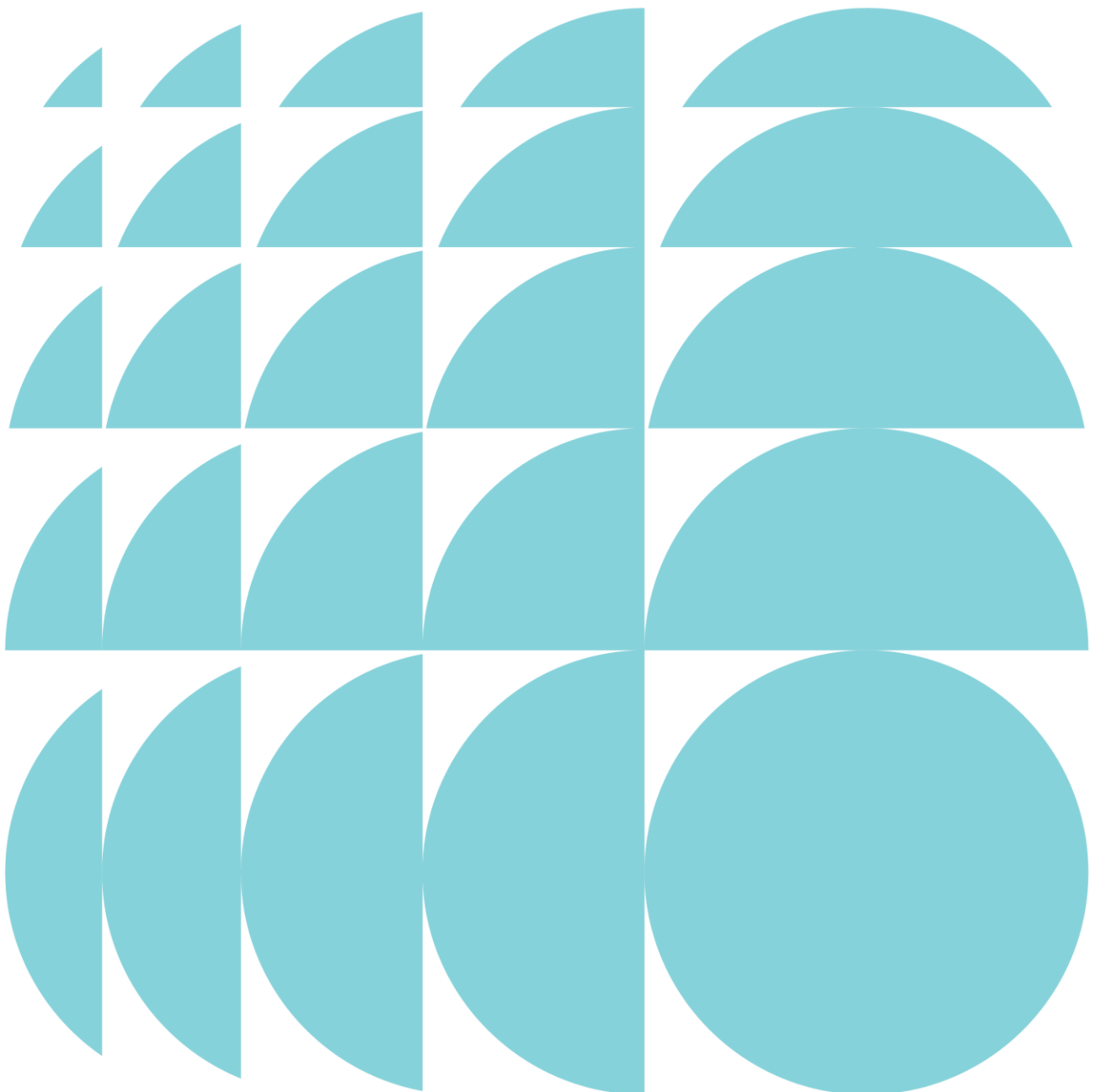


Environmental Impact Statement

Barangaroo South
Stage 1B (Fourth Stage) Subdivision (SSD 9758)

Submitted to Department of Planning, Industry
and Environment
On behalf of Lendlease (Millers Point) Pty Limited

30 August 2019 | 10051



CONTACT

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Statement of Validity

Development Application Details	
Applicant name	Lendlease (Millers Point) Pty Limited
Applicant address	Level 14, Tower 3, International Towers Sydney Exchange Place, 300 Barangaroo Avenue, Barangaroo NSW 2000 Lot 214 in DP1221076, Lot 205 in DP1204948
Land to be developed	Lot 214 in DP 1221076
Proposed development	Staged stratum subdivision as described in Section 3.0 of this Environmental Impact Statement.
Prepared by	
Name	Samantha Miller
Qualifications	BPlan (Hons 1), MEnvMgmt
Address	173 Sussex Street, Sydney
In respect of	State Significant Development - Development Application
Certification	

I certify that I have prepared the content of this EIS and to the best of my knowledge:

it is in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000;

all available information that is relevant to the environmental assessment of the development to which the statement relates; and

the information contained in the statement is neither false nor misleading.

Signature



Name

Samantha Miller

Date

30/08/2019

Executive Summary

Purpose of this Report

This submission to the Department of Planning, Industry and Environment (the Department) comprises an Environmental Impact Statement (EIS) for a State Significant Development Application under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It relates to the fourth stage of stratum subdivision of Barangaroo South. The Barangaroo site is identified as a State Significant Site under Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). The subdivision of land at Barangaroo (other than strata title, community title or certain other types of minor subdivision) is State Significant Development (SSD) for the purposes of the EP&A Act. Therefore, as the proposed subdivision comprises stratum subdivision it is SSD for the purposes of the EP&A Act.

The Secretary's Environmental Assessment Requirements (SEARs) were issued on 17 December 2018. This EIS has been prepared in accordance with the Department's guidelines for SSD applications lodged under Part 4 of the EP&A Act, and addresses the issues raised in the SEARs. The EIS has been prepared in accordance with Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) with regards to requirements for an EIS.

Overview of the Project

The proposed subdivision seeks consent to create a new lot relating to the Crown Hotel Resort Sydney currently under construction in accordance with SSD 6957.

The SSD Application will seek consent for the staged subdivision of residual Lot 400 to create the following Stratum:

- Lot 501 – relating to Crown Hotel Resort Sydney; and
- Lot 500 – new residual lot.

No physical works are proposed to be carried out as part of this SSDA. The stratum subdivision will be carried out in a staged manner to reflect the ongoing development of Barangaroo, and in particular, Barangaroo South.

The Site

Barangaroo is located on the north western edge of the Sydney Central Business District, bounded by Sydney Harbour to the west and north, the historic precinct of Millers Point (for the northern half), The Rocks and the Sydney Harbour Bridge approach to the east and a range of new development dominated by large CBD commercial tenants to the south.

The Barangaroo site has been divided into three distinct redevelopment areas (from north to south) – the Barangaroo Reserve, Central Barangaroo and Barangaroo South, and has been subject to multiple investigations that detail the physical and natural characteristics of the site. The area of land which this stratum subdivision relates to is within Barangaroo South, the most southern of these three precincts.

Relevant Approvals

Two separate SSD consents have been granted in relation to the subdivision of Barangaroo and SEARs have been issued for a third stage, namely:

- SSD6381, identified as Stage 1 (approved 16 December 2014) for the:
 - Consolidation of lots 3, 5 and 6 in DP 876514;
 - Subdivision of the consolidated lots into Lot 100 (being Barangaroo South) and Lot 101 (being Barangaroo Central and the Headland Park); and

- Staged stratum subdivision of Lot 100 into nine allotments according with approved buildings and infrastructure within Stage 1A of Barangaroo South and a residual lot (Lot 214).
- SSD7478, identified as Stage 2 (approved 26 September 2017) for the:
 - Staged stratum subdivision of the residual lot (Lot 214) into seven allotments according with approved buildings and infrastructure within Stage 1A, future Sydney Metro allotments and a residue allotment (Lot 300) for the remainder of Barangaroo South.
- SSD8997, identified as Stage 3 (SEARs issued 15 January 2018) for the creation of the following stratus:
 - Lot 401 – subdivision of Residue Lot 300 to create a lot for proposed Building C1, including parking and end of trip facilities.
 - Lot 402 – subdivision of Residue Lot 300 and Lot 205 in DP 1204694 (bicycle and amenities lot) to adjust boundaries in response to proposed Building C1.
 - Lot 403 – subdivision of Residue Lot 300 and Lot 213 in DP 12210736 (Tower 1 lot) to adjust boundaries to allocate 12 basement car spaces for Tower 1 and basement plant room not included in previous subdivision.
 - Lot 400 – new residue allotment.

The approved and proposed lots in the above applications are progressively being registered as the works within the lots are completed in accordance with their respective consents.

With respect to the Crown Hotel Resort Sydney, development consent SSD6957 (approved 28 June 2016) and currently under construction, provides for:

- Site remediation, earthworks, excavation, structural and site preparation works;
- Construction and fit-out of a 71-storey (RL 275 metre) tower including podium;
- Construction of three basement levels;
- A total GFA of 77,500m², comprising;
 - 66 residential apartments;
 - Hotel use (350 hotel keys/rooms) and ancillary guest and visitor facilities;
 - 6,085m² restricted gaming facility GFA; and
 - 6,700m² retail GFA.
 - 610 on-site car parking spaces and 188 bicycle parking spaces;
- Public domain works and landscaping; and
- Business and building identification signage and signage zones.

A modification application to SSD6957 is currently under assessment.

Planning Context

Section 5.0 of the EIS considers all applicable legislation in detail. Subdivision is permissible with development consent under *State Environmental Planning Policy (State Significant Precincts) 2005*. The development is consistent with and complies with all the relevant strategic policies, environmental planning instruments, plans and guidelines, and the Barangaroo Concept Plan (as modified).

Environmental Impacts and Mitigation Measures

This EIS provides an assessment of the environmental impacts of the project in accordance with the SEARs and sets out the undertakings made by Lendlease (Millers Point) Pty Limited to manage and minimise potential impacts arising from the development. It demonstrates that the proposed development is consistent with the approved Concept Plan (as modified) and is satisfactory in relation to biodiversity and consultation.

The proposed development relates to stratum subdivision only. No physical works are proposed. In light of the proposed development, no adverse environmental impacts are expected to occur and as such, no mitigation measures are proposed.

Conclusion and Justification

Having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development, the proposed subdivision is justified for the following reasons:

- It is consistent with and complies with all the relevant strategic policies, environmental planning instruments, plans and guidelines, including the Concept Plan (as modified);
- It will assist in fulfilling the strategic vision established for Barangaroo, allowing for the orderly development and occupation of development plots and buildings within Barangaroo South;
- It will facilitate future developments which will have a wide range of positive social and economic benefits; and
- There are no adverse environment impacts associated with the proposed stratum subdivision.

1.0 Introduction

This Environmental Impact Statement (EIS) is submitted to the Department of Planning, Industry and Environment (the Department) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in support of an application for State Significant Development (SSD).

The Barangaroo site is identified as a State Significant Site under Schedule 2 of the *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). The subdivision of land at Barangaroo (other than strata title, community title or certain other types of minor subdivision) is State Significant Development (SSD) for the purposes of the EP&A Act.

The report has been prepared by Ethos Urban on behalf of Lendlease (Millers Point) Pty Limited (Lendlease), and is based on the Draft Plans of Subdivision prepared by Geostrata (**Appendix A**) and other supporting technical information appended to the report (see Table of Contents).

This EIS has been prepared in accordance with the requirements of Part 4 of the EP&A Act, Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), and the Secretary's Environmental Assessment Requirements (SEARs) issued 17 December 2018 for the preparation of the EIS, which are included at **Appendix D**.

1.1 Overview of Proposed Development

The proposed subdivision seeks consent to create a new lot relating to the Crown Hotel Resort Sydney currently under construction in accordance with SSD6957.

The SSD Application will seek consent for the staged subdivision of residual Lot 400 to create the following Stratum:

- Lot 501 – relating to Crown Hotel Resort Sydney; and
- Lot 500 – new residual lot.

1.2 Background to the Development

1.2.1 Approved Concept Plan

The Barangaroo Concept Plan (MP06_0162) was approved in February 2007. The Concept Plan covers urban design and policy initiatives and is the statutory planning approval that guides the development of Barangaroo. The approved Concept Plan has been modified seven times since it was approved, and the Statement of Commitments has been revised accordingly. The most recent modification is Concept Plan (MOD 8) and was approved on 28 June 2016.

The Concept Plan (as modified) provides for:

- A mixed use development with a maximum of 594,354m² gross floor area (GFA), including:
 - A maximum of 183,031m² of residential GFA, of which a maximum of 154,000m² will be in Barangaroo South; – A maximum of 76,000m² of GFA for tourist uses of which a maximum of 59,000m² will be in Barangaroo South;
 - A maximum of 34,000m² of GFA for retail uses of which a maximum of 30,000m² will be in Barangaroo South;
 - A maximum of 5,000m² of GFA for active uses in the public recreation, of which 3,500m² will be in Barangaroo South; and
 - A minimum of 12,000m² GFA for community uses.
- Approximately 11 hectares of new public open space and public domain, with a range of formal and informal open spaces serving separate recreational functions and including a 2.2-kilometre public foreshore promenade;
- Built form principles, maximum building heights and GFA for each development block within the mixed-use zone;

- Public domain landscape concept, including parks, streets and pedestrian connections;
- Alteration of the existing seawalls and creation of a portion of new shoreline to the harbour; and
- Construction, operation and maintenance of a concrete batching plant to supply concrete for construction of future development under this Concept Plan at Barangaroo South.

1.2.2 Relevant Development Applications

A range of approvals have been granted within Barangaroo South for preliminary site works including excavation and infrastructure servicing, as well as detailed approvals for stratum subdivision and the construction of new buildings. The key approvals most relevant to this application are detailed below.

SSDA 6381 – Stage 1A (First Stage) Subdivision, Barangaroo South

On 16 December 2014, the Department granted development consent to SSD 6381 for:

- Consolidation of Lots 3, 5, and 6 in DP876514 and subdivision of the consolidated lot into two (2) Torrens title lots being:
 - Lot 100 comprising Barangaroo South (Stages 1A and 1B); and
 - Lot 101 comprising Barangaroo Central and the Headland Park.
- Staged stratum subdivision of proposed Lot 100 into nine (9) lots for the approved buildings and infrastructure within the Stage 1A area and a residue lot for the public domain and the remainder of Stage 1A and Stage 1B.

SSDA 7478 – Stage 1A (Second Stage) Subdivision, Barangaroo South

On 26 September 2017, the Department granted development consent to SSD7478 for the stratum subdivision of Lot 214 into seven (7) lots. The seven stratum lots comprised:

- Lot 301 – Building R1;
- Lot 302 – Building R7;
- Lot 303 – Building C2 – retail;
- Lot 304 – Building C2 – commercial;
- Lot 305 – for the future Metro allotment Lot – A;
- Lot 306 – for the future Metro allotment Lot – B; and
- Lot 300 – residue allotment.

SSD 8997 – Stage 1A (Third Stage) Subdivision, Barangaroo South

On 15 January 2018, the Department issued SEARs for the Third Stage of Subdivision for Barangaroo South (SSD 8997). The SEARs sought consent for the following stratum lots. The EIS has been exhibited and notified and is currently under assessment.

- Lot 401 – subdivision of Residue Lot 300 (unregistered) to create a lot for proposed Building C1, including parking and shared end of trip facilities;
- Lot 402 – subdivision of Residue Lot 300 (unregistered) and Lot 205 in DP 1204948 (bicycle and amenities lot) to adjust boundaries in response to proposed Building C1;
- Lot 403 – subdivision of Residue Lot 300 (unregistered) and Lot 213 in DP 1221076 (Tower 1 lot) to adjust boundaries to allocate 12 basement car spaces for Tower 1 and basement plant room not included in previous subdivision; and
- Lot 400 – new residue allotment.

Crown Hotel Resort Sydney (SSD 6957)

On 28 June 2016, the Department gave consent to the Crown Hotel Resort Sydney, comprising:

- Site remediation, earthworks, excavation, structural and site preparation works;
- Construction and fit-out of a 71-storey (RL 275 metre) tower including podium;
- Construction of three basement levels;
- A total GFA of 77,500m², comprising;
 - 66 residential apartments;
 - Hotel use (350 hotel keys/rooms) and ancillary guest and visitor facilities;
 - 6,085 m² restricted gaming facility GFA;
 - 6,700 m² retail GFA;
 - 610 on-site car parking spaces and 188 bicycle parking spaces;
 - Public domain works and landscaping; and
- Business and building identification signage and signage zones.

A modification application to SSD6957 is currently under assessment.

1.2.3 Infrastructure NSW

On July 1 2019, the Barangaroo Delivery (BDA) was absorbed by Infrastructure NSW (INSW). The *Barangaroo Delivery Authority Act 2009* (NSW) was amended to become the *Barangaroo Act 2009 No 2*, providing Infrastructure NSW the role to manage the redevelopment of Barangaroo

Infrastructure NSW's role in Barangaroo reinforces the NSW Government's commitment to the delivery of Barangaroo in a coordinated and financially responsible manner. Infrastructure NSW is subject to the control and direction of the NSW Premier. The objects of the *Barangaroo Act 2009 No 2* are:

- To encourage the development of Barangaroo as an active, vibrant and sustainable community and as a location for national and global business.
- To create a high quality commercial and mixed-use precinct connected to and supporting the economic development of Sydney.
- To facilitate the establishment of Barangaroo Headland Park and public domain land.
- To promote the orderly and sustainable development of Barangaroo balancing social, economic and environmental outcomes.
- To create in Barangaroo an opportunity for design excellence outcomes in architecture and public domain design.

Under the *Barangaroo Act 2009 No 2* Barangaroo is defined as the land identified on the Barangaroo Delivery Authority Operational Area Map. Infrastructure NSW is the registered landowner of most of the Barangaroo site, including the development application site.

It is noted that small portions of the Barangaroo site are owned by other Government agencies including the Marine Ministerial Holding Corporation, the Roads and Maritime Services and the Crown. The area of Stage 1B (Fourth Phase) Subdivision is wholly under the landownership of Infrastructure NSW.

1.3 Objectives of the Development

The objectives of the proposed development are to:

- Continue to facilitate the future orderly and economic use of the use of land at Barangaroo South; and
- Create stratoms to facilitate the ongoing management and ownership of land within Barangaroo South in response to approved and proposed development within the precinct.

1.4 Summary of Approval Sought

This application seeks consent for the staged subdivision of residual Lot 400 to create the following Stratoms:

- Lot 501 – relating to Crown Hotel Resort Sydney; and
- Lot 500 – new residual lot.

The new lot created (being Lot 501) relates to the Crown Hotel Resort Sydney currently under construction in accordance with SSD 6957. No physical works are proposed to be carried out as part of this SSDA. The stratum subdivision will be carried out in a staged manner to reflect the ongoing development of Barangaroo, and in particular, Barangaroo South.

1.5 Analysis of Alternatives

1.5.1 Strategic need for the proposal

The redevelopment of the Barangaroo site is the result of a long-term strategic planning process which culminated in February 2007 when the (then) NSW Minister for Planning and Infrastructure approved a Concept Plan to guide the urban renewal of Barangaroo.

Barangaroo South is the southern 7.5 hectares of the Barangaroo site, which has become an advanced financial district and the first large scale carbon neutral precinct in Australia. With a mix of uses, including commercial, residential, retail and dining along with a new landmark hotel. On completion it will home about 2,000 residents, 23,000 office workers and more than 2.9 hectares of public open space.

The proposed staged stratum subdivision of the Barangaroo site will continue to facilitate the future uses envisaged on the site, in turn, enabling the strategic vision for the precinct. The success of Barangaroo relies on the orderly and logical use, ownership and management of the land, as proposed by this SSDA.

1.5.2 Alternative Options

Two options are available to Lendlease in responding to the identified need for the staged stratum subdivision of Barangaroo South.

Option 1: The Proposed Development

This option involves the stratum subdivision of the Barangaroo South site as proposed under this SSDA (described in **Section 3.0**). The proposal will continue to facilitate the future use of the Barangaroo site by creating separate stratoms for the functional operation of individual buildings and spaces, in particular the Crown Hotel Resort Sydney.

Option 2: Do Nothing

The redevelopment of Barangaroo and the ongoing operations of approved buildings is contingent on the ability for the individual buildings to be released to the market, critical in achieving the desired future outcome for Barangaroo South. Not creating the proposed stratoms would significantly hinder the establishment and operation of the Crown Hotel Resort Sydney.

1.6 Project Team

An expert project team has been formed to deliver the project and includes:

Proponent	Lendlease (Millers Point) Pty Limited
Urban Planning	Ethos Urban
Surveyor	Geostrata

1.7 Secretary's Requirements

In accordance with section 4.39 of the EP&A Act, the Secretary of the (former) Department of Planning and Environment issued the requirements for the preparation of the EIS on 18 December 2018 (refer to **Appendix D**).

Table 1 provides a detailed summary of the individual matters listed in the SEARs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

Table 1 - Secretary's Requirements

Requirement		Location in Environmental Assessment	
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 Environmental Planning and Assessment Regulation 2000.		Throughout	
Key Issues		Report / EIS	Technical Study
1. Environmental Planning Instruments, Policies and Guidelines - Address the relevant statutory provisions applying to the site contained in the relevant EPIs, including: - State Environmental Planning Policy (State & Regional Development) 2011; - State Environmental Planning Policy (State Significant Precincts) 2005; - State Environmental Planning Policy (Infrastructure) 2007; - Sydney Regional Environmental plan (Sydney Harbour Catchment) 2005; and Sydney Harbour Foreshores and Waterways Development Control Plan 2005 - Draft Environment SEPP; and - Sydney Local Environment Plan 2012. - Address the relevant provisions, goals and objectives of the following: - NSW State Priorities; - Eastern City District Plan; - Greater Sydney Region Plan – A Metropolis of Three Cities; - Future Transport Strategy 2056 and associated plans; and - Sydney Development Control Plan 2012.		Section 5.1	Appendix A-G
2. Consistency with the Barangaroo Concept Plan Demonstrate consistency with the Barangaroo Concept Plan (MP 06_0162 (as modified)).		Section 5.2	-
3. Plan of Subdivision - identifies all lots proposed to be created across the site - identifies the location of all servicing infrastructure across the site - details any covenants, easements, notations, rights of way or the like proposed to ensure appropriate access is provided to each service provider to enable the on-going maintenance of their assets - details any covenants, easements, notations, rights of way or the like to enable public access to the public domain areas across the site - includes a draft Section 88b instrument and a building management statement where relevant.		Section 3.0	Appendix A
4. Biodiversity		Section 5.3	Appendix F

Requirement	Location in Environmental Assessment	
Provide an assessment of the proposal's biodiversity impacts in accordance with the requirements of the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report where required under the Act.		
5. Utilities - Prepare an Infrastructure Management Plan in consultation with relevant agencies, detailing information on the existing capacity and any augmentation and easement requirements of the development for the provision of utilities including staging of infrastructure. - Identify any potential impacts of the proposed construction and operation on the existing utility infrastructure and service provider assets, and demonstrate how these will be protected or impacts mitigated.	Section 5.4	Appendix G
Plans and Documentation		
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: - An existing site survey plan drawn at an appropriate scale illustrating: - The location of the land, boundary measurements, area (m2) 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). - A locality/context plan drawn at an appropriate scale should be submitted indicating: - Significant local features such as parks, community facilities, the public domain and open space and heritage items. - The location and uses of existing buildings, shopping and employment areas. - Traffic and road patterns, pedestrian routes and public transport nodes. - Drawings at an appropriate scale illustrating: - The location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land.	This Report - Section 2.0 -	Appendix A Appendix B
Documents to be Submitted		
1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition. 4 hard copies and 5 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	-	Provided under separate cover
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 you must consult with: - City of Sydney Council; - Sydney Water; - Transport for NSW; - AusGrid; and - Local Aboriginal Land Council and Stakeholders. 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.	Section 4.0	

Requirement	Location in Environmental Assessment	
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.	-	-

2.0 Site Analysis

2.1 Site Location and Context

Barangaroo is located on the north-western edge of Central Sydney, bounded by Sydney Harbour to the west and north, the historic precinct of Millers Point (for the northern half), The Rocks and the Sydney Harbour Bridge approach to the east; and bounded to the south by a range of new development dominated by CBD commercial tenants.

The 22-hectare Barangaroo site is generally rectangular in shape and has a 1.4-kilometre harbour foreshore frontage, with an eastern street frontage to Hickson Road. The Barangaroo site has been divided into three distinct redevelopment areas (from north to south), comprising Barangaroo Reserve, Central Barangaroo and Barangaroo South (refer to **Figure 1**), and has been subject to multiple investigations that detail the physical and natural characteristics of the site.

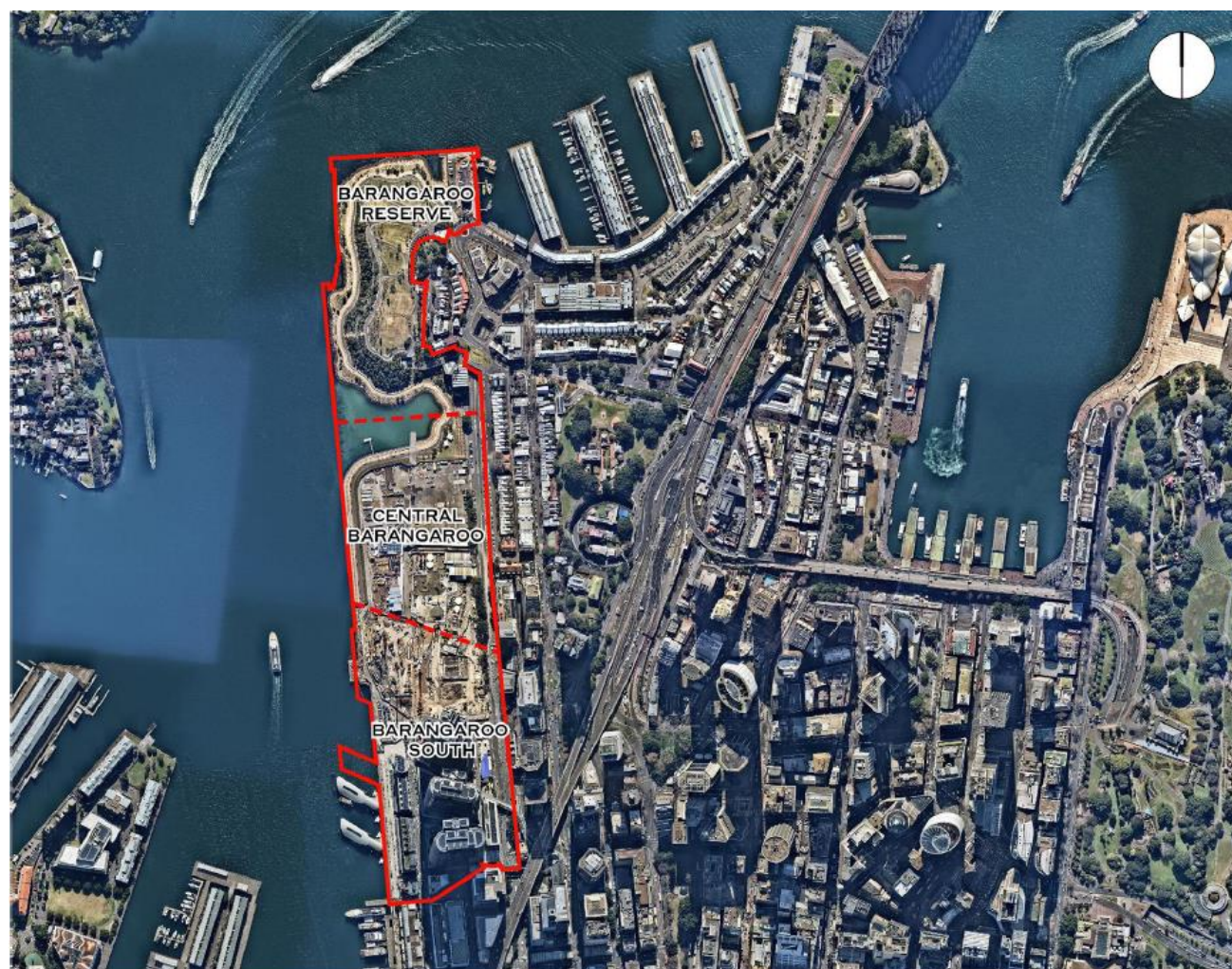
As detailed in **Figure 1**, Barangaroo has been divided into three distinct development areas, and has been the subject of multiple investigations that detail the physical and natural characteristics of the site. The area of land the subject of this SSDA is Barangaroo South.

2.2 Site Description

For the purpose of development and construction staging, Lendlease separated Barangaroo South into three areas, referred to as Stage 1A, Stage 1B and Stage 1C. This application relates to land within Barangaroo South. This application relates specifically to the residue lot of the SSD 8897 (Stage 1A (Third Phase) Subdivision), being Lot 400.

As Lot 400 has not been registered, the site is currently described as Lot 214, DP 1221076. The portions of the Barangaroo South site that this application relates to are highlighted in **Figure 2** below. The owner of the site is the Barangaroo Delivery Authority.

A Site Survey is located at **Appendix E**.



 The Site

Figure 1 - Locational Plan

Source: Nearmaps and Ethos urban

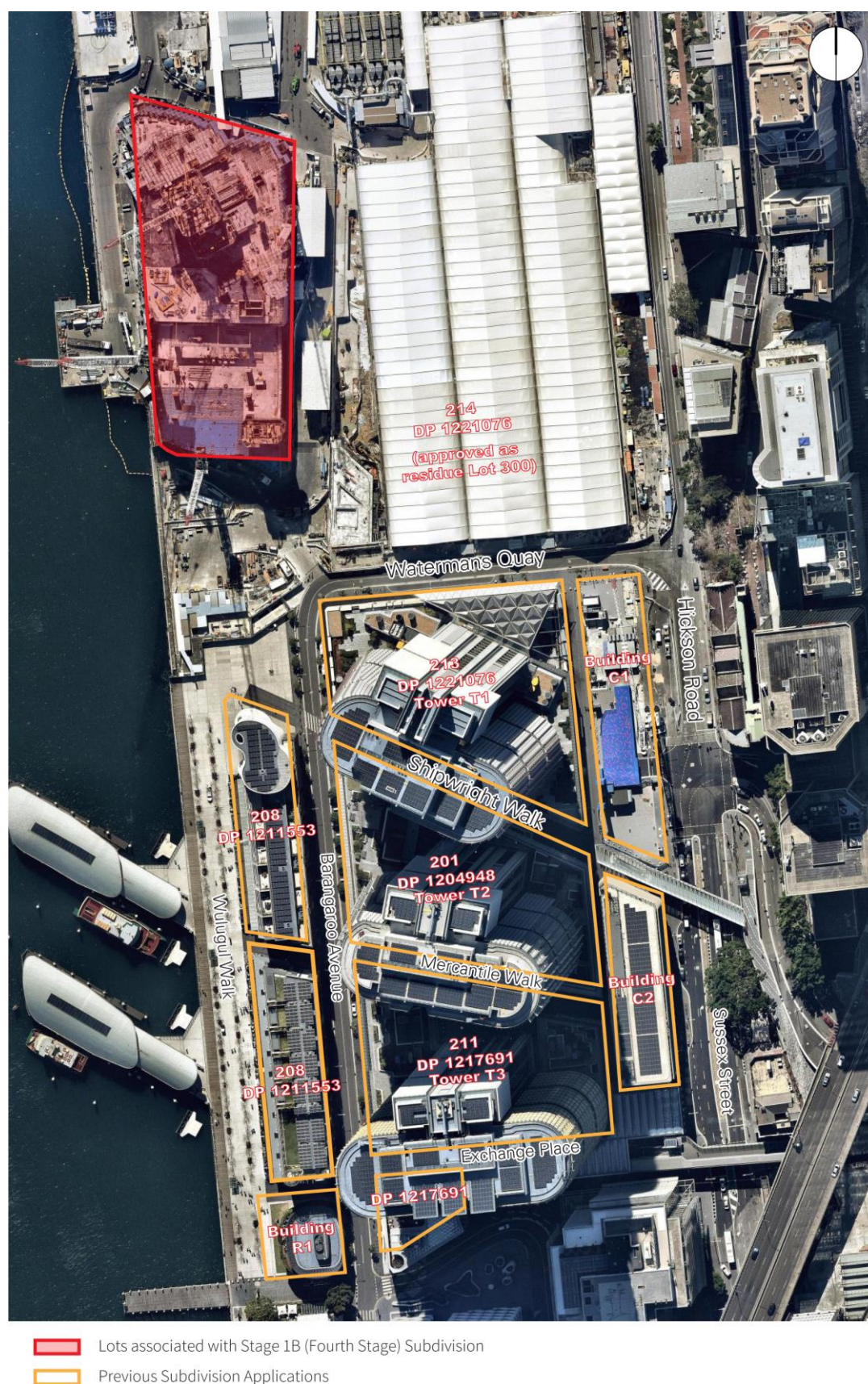


Figure 2 - Site Plan

Source: Ethos Urban, Nearmaps

2.3 Existing Development and Structures

2.3.1 Built Form

At the time of the initial Concept Plan approval, the Barangaroo site comprised an open concrete/bitumen apron largely reclaimed over water. Since the approval of the Concept Plan in February 2007, a number of planning applications have been approved for various components of development across all three precincts within Barangaroo.

As identified in **Section 1.0**, construction has commenced on the Crown Hotel Resort Sydney.

2.3.2 Infrastructure and Services

A range of infrastructure arrangements for the Crown Hotel Resort Sydney were granted consent as part of SSD6957 and are currently being delivered in accordance with this consent.

2.4 Surrounding Development

The site is surrounded by the following:

- The northern boundary of the Barangaroo South site adjoins Central Barangaroo, with Barangaroo Reserve located beyond to the north.
- To the east of the site lies Hickson Road, which is fronted by a mix of residential, commercial uses.
- To the south are several commercial buildings within Kings Street Wharf.
- Sydney Harbour is directly west of the site.

3.0 Description of the Development

3.1 Overview

The proposed subdivision seeks consent to create a new lot relating to the Crown Hotel Resort Sydney currently under construction in accordance with SSD 6957.

The SSD Application will seek consent for the staged subdivision of residual Lot 400 to create the following Stratums:

- Lot 501 – relating to Crown Hotel Resort Sydney; and
- Lot 500 – new residual lot.

The proposed stratums (at ground level) are illustrated in **Figure 3**. Plans of Subdivision for approval are provided in **Appendix A** and Plans of Subdivision overlayed with the Crown Hotel Resort are also provided for information (refer to **Appendix B**). A Draft Section 88B Instrument which sets out the terms of easement associated with the proposed subdivision is provided at **Appendix C**.

It is noted that the proposed allotment numbers used throughout this EIS are also indicative and subject to variation through the subdivision registration, post development consent.

Consistent with the approach adopted for the previous stages of subdivision at Barangaroo South, it is proposed that the SSDA will give development consent for staged subdivision. Staged subdivision consent will allow for the sequential creation / registration of all the allotments to occur as is required to fit with the construction and occupation program for Barangaroo South, without the need for separate ongoing subdivision applications. By necessity, the final sequencing of the creation / registration of allotments will need to be flexible, within the defined subdivision parameters of the approved development and subject to Infrastructure NSW approvals.

No physical works are proposed to be carried out as part of this SSDA. The stratum subdivision will be carried out in a staged manner to reflect the ongoing development of Barangaroo, and in particular, Barangaroo South.

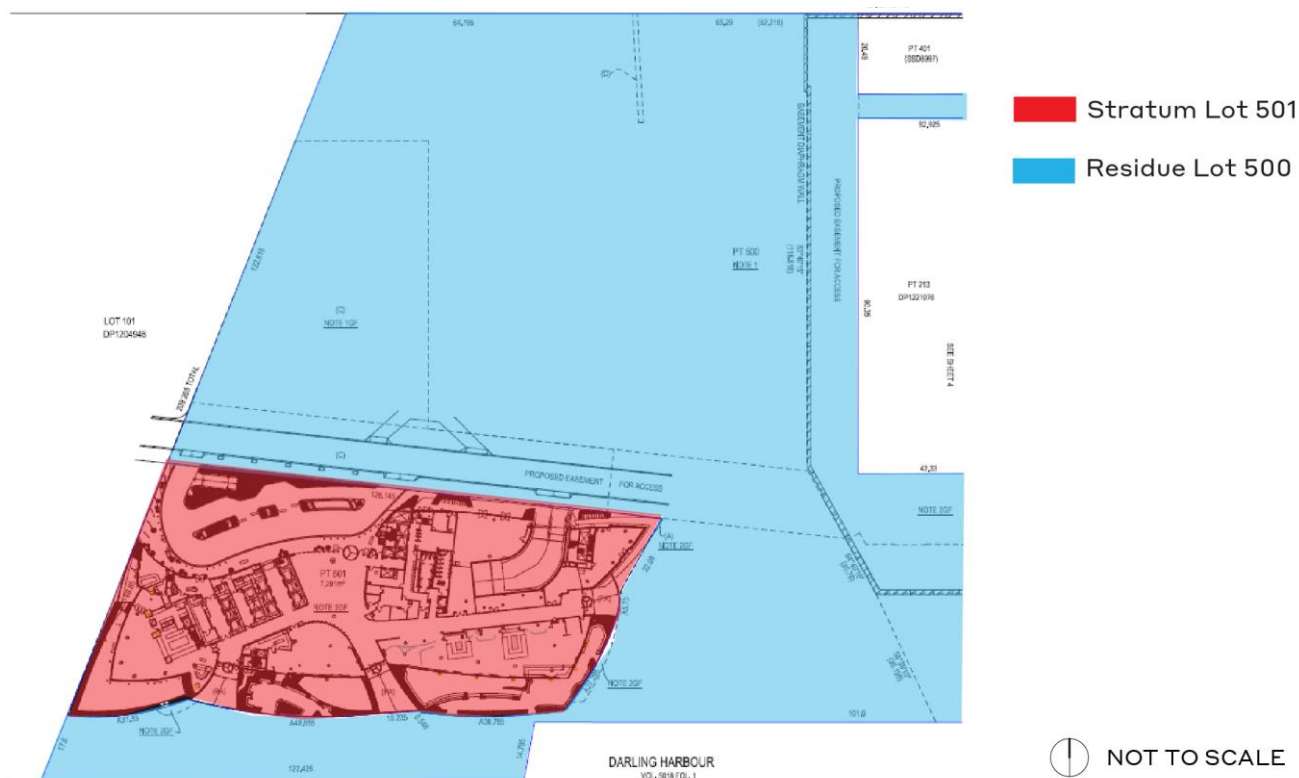


Figure 3 - Proposed stratum lots for ground level (north)

Source: GeoStrata

3.2 Future Subdivision Applications

The proposed residue lot (Lot 500) covering the remainder of Stage 1A area at Barangaroo South is shown on the Subdivision Plans provided at **Appendix A**. This lot will be subject to future subdivision applications.

3.3 Staged Registration

As outlined above, development consent is sought for the staged subdivision of stratum lots within Barangaroo South. It is noted that this SSDA is not proposed to be 'staged' in the manner outlined in Section 4.22 of the EP&A Act, but rather the development consent that allows for the staged registration of the subdivided lots.

The staged subdivision consent will allow for the sequential creation / registration of lots to occur as required to integrate with the construction and occupation program for Barangaroo South without the need for separate ongoing subdivision applications. By necessity, the final sequencing of creation / registration of the lots will be flexible, within the defined subdivision parameters of the approved development and subject to Infrastructure NSW approvals.

Further, lots proposed under the Stage 1A (Third Stage) subdivision are yet to be registered. The staging needs to provide for the registration of the Stage 1A (Third Stage) subdivision to occur prior to, concurrent with or after the Stage 1A (Second Stage) subdivision.

4.0 Consultation

In accordance with the requirements of the SEARs, consultation was undertaken with relevant public authorities and the City of Sydney Council. A summary of the consultation undertaken to date with Council, the community and relevant agencies is provided below.

In addition to consultation, the proposed development will be placed on public exhibition for 30 days in accordance with clause 83 of the *Environmental Planning and Assessment Regulation 2000*. During the public exhibition period Council, State agencies and the public will have an opportunity to make submissions on the project.

4.1 Council and Agency Consultation

Lendlease recognises the importance of positive relationships with Council and agencies and seeks to proactively engage with them over the duration of the project. Relevant stakeholder engagement has been undertaken to ensure all individuals and/or groups that have an interest in the SSDA are consulted with.

As part of the preparation of this SSDA, the proposed plans of subdivision were issued to The City of Sydney Council (Council), Ausgrid, Sydney Water, Transport for NSW and the Aboriginal Land Council. Ausgrid, Sydney Water, Transport for NSW and the Aboriginal Land Council did not provide any comment on the proposal.

The proposal was discussed with Council, during a meeting on 18 July 2019. Council's response was to provide comments to the Department that the consent should impose Council's subdivision conditions. These will be reviewed and responded to, once received following the formal agency notification stage of the proposal.

It is noted that further consultation will be undertaken with each of these authorities as required during the implementation of the proposed subdivision post obtaining development consent.

4.2 Community and Stakeholder Engagement

The proposal was raised at the Executive Committee Meeting of Building R8 and R9 on the 16th of July 2019. It was also raised with Executive Committee Representatives of 38 Hickson Road (Bond Apartments) on 1 August 2019. No major comments were raised at these meetings. Any subsequent submissions received during the public exhibition phase of the proposal will be responded to.

As part of on-going engagement, the proposal will also be raised with the Millers Point Resident Action Group.

5.0 Environmental Assessment

This section of the report assesses and responds to the environmental impacts of the proposed DA. It addresses the matters for consideration set out in the SEARs (see **Section 1.7**). Based on the environmental assessment below, no mitigation measures are required.

5.1 Relevant EPIs, Policies and Guidelines

The relevant strategies, environmental planning instruments, policies and guidelines as set out in the SEARs are addressed in **Table 2**.

Table 2 - Summary of consistency with relevant Strategies, EPIs, Policies and Guidelines

Instrument/Strategy	Comments
Strategic Plans	
NSW 2021	NSW 2021 is a 10-year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen our local environment and communities. The Barangaroo site has an important role in the NSW 2021 Plan as it will assist with achieving multiple goals set out in the Plan, including but not limited to improving the performance of the NSW economy, increasing the competitiveness of doing business in NSW, providing critical infrastructure and building liveable centres. As discussed in Section 1.2, the proposed subdivision will facilitate the delivery of development at Barangaroo. The subdivision of the Barangaroo Site will enable the orderly and economic use of the land, directly contributing to Barangaroo achieving the goals discussed above.
A Metropolis of Three Cities	The SSDA is consistent with the Plan for Growing Sydney as it will facilitate the delivery of the envisaged development at Barangaroo, which is identified as one of the key deliverables in achieving Goal 1 of the plan, for “A competitive economy with world-class services and transport”.
Eastern City District Plan	Barangaroo South is identified within the Eastern City District and identifies a number of key priorities and objectives focused on: • A productive city; • A liveable city; and • A sustainable city. The Sydney CBD is identified as a strategic centre of the Eastern City district and is a key location due to its concentration of knowledge and professional services jobs in close proximity to a range of public transport options. Relevant to the proposed development, the following priorities are identified for the Central District: • Enhancing the CBD’s role as a global leader; • Growing economic activity in centres; and • Improving 30-minute access to jobs and services. The Plan also identifies job targets being between 662,000 – 732,000 in the Eastern City District by 2036. The proposed development will assist in the functional operation of Crown, enabling ongoing employment opportunities to assist in achieving the abovementioned priorities.
Future Transport 2056 Strategy	The Future Transport 2065 Strategy is the 2017 update of the existing NSW Long Term Transport Masterplan. The Strategy sets the vision and strategic direction for Greater Sydney’s transport planning towards 2056. The proposed development remains consistent with Strategy as it: • Assist in the provision of commercial development in a location which benefits from strong connections to public transport; and • Will not impact on the ability of Transport for NSW to protect critical strategic growth and transport corridors identified in the Strategy.
State Legislation	
EP&A Act	The proposed development is consistent with the objects of the EP&A Act for the following reasons: • it reflects the future development of the Barangaroo site for the purpose of promoting the social and economic welfare of the community and a better environment; and • it will ensure the promotion and co-ordination of the orderly and economic use and development of land. The proposed development is consistent with Division 4.7 of the EP&A Act, particularly for the following reasons: • the development has been declared to have state significance; • the development is not prohibited by an environmental planning instrument; and

Instrument/Strategy	Comments																																		
	the development has been evaluated and assessed against the relevant heads of consideration under section 4.15(1). In accordance with Section 6.5, where an accredited certifier is identified as being able to issue subdivision certificates by an environmental planning instrument, a certifier is able to issue the subdivision certificate.																																		
EP&A Regulations	The EIS has addressed the specification criteria within clause 6 and clause 7 of Schedule 2 of the EP&A Regulation. Similarly, the EIS has addressed the principles of ecologically sustainable development through the precautionary principle (and other considerations), which assesses the threats of any serious or irreversible environmental damage (see Section 6.3). As required by clause 7(1)(d)(v) of Schedule 2, the following additional approvals will be required in order to permit the proposed development to occur. <table> <tr> <th>Act</th><th>Approval Required</th></tr> <tr> <td colspan="2">Legislation that does not apply to State Significant Development</td></tr> <tr> <td>Coastal Protection Act 1979</td><td>N/A</td></tr> <tr> <td>Fisheries Management Act 1994</td><td>N/A</td></tr> <tr> <td>Heritage Act 1977</td><td>N/A</td></tr> <tr> <td>National Parks and Wildlife Act 1974</td><td>N/A</td></tr> <tr> <td>Native Vegetation Act 2003</td><td>N/A</td></tr> <tr> <td>Rural Fires Act 1997</td><td>N/A</td></tr> <tr> <td>Water Management Act 2000</td><td>N/A</td></tr> <tr> <td colspan="2">Legislation that must be applied consistently</td></tr> <tr> <td>Fisheries Management Act 1994</td><td>No</td></tr> <tr> <td>Mine Subsidence Compensation Act 1961</td><td>No</td></tr> <tr> <td>Mining Act 1992</td><td>No</td></tr> <tr> <td>Petroleum (Onshore) Act 1991</td><td>No</td></tr> <tr> <td>Protection of the Environment Operations Act 1997</td><td>No</td></tr> <tr> <td>Roads Act 1993</td><td>No</td></tr> <tr> <td>Pipelines Act 1967</td><td>No</td></tr> </table>	Act	Approval Required	Legislation that does not apply to State Significant Development		Coastal Protection Act 1979	N/A	Fisheries Management Act 1994	N/A	Heritage Act 1977	N/A	National Parks and Wildlife Act 1974	N/A	Native Vegetation Act 2003	N/A	Rural Fires Act 1997	N/A	Water Management Act 2000	N/A	Legislation that must be applied consistently		Fisheries Management Act 1994	No	Mine Subsidence Compensation Act 1961	No	Mining Act 1992	No	Petroleum (Onshore) Act 1991	No	Protection of the Environment Operations Act 1997	No	Roads Act 1993	No	Pipelines Act 1967	No
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Protection of the Environment Operations Act 1997	No																																		
Roads Act 1993	No																																		
Pipelines Act 1967	No																																		
State Environmental Planning Policy – 55	The proposed subdivision does not seek the use of the land. Land to which the subdivision applies has already been considered suitable for development from a contamination perspective and has since been developed.																																		
SEPP (Infrastructure)	Two basement stratum lots approved under SSD 7478 are for the purpose of reservation of the CBD Metro corridor (Zone B), as shown on the interim rail corridor map. The proposed development will not impact the future rail corridor and the area to which this subdivision relates is located away from the CBD Metro corridor.																																		
State Environmental Planning Policy (State and Regional Development) 2011	The Barangaroo Site is identified as a State Significant Site in Schedule 2 of <i>State Environmental Planning Policy (State and Regional Development) 2011</i> . The subdivision of land at Barangaroo (other than strata title, community title or certain minor subdivision) is State Significant Development (SSD) for the purposes of the EP&A Act. The proposed subdivision, which comprises stratum subdivision is SSD for the purposes of the EP&A Act.																																		
State Environmental Planning Policy (State Significant Precincts) 2005	The Barangaroo site is listed as a State Significant site under Part 12 of Schedule 3 of the State Significant Precincts SEPP. In accordance with Section 16 under Part 12 of Schedule 3, subdivision is permitted within Barangaroo with development consent.																																		
Draft Environment SEPP	The Draft Environment SEPP relates to the protection and management of our natural environment and seeks to deliver a single planning instrument which will consolidate seven existing SEPPs related to the natural environment, including the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The proposed development does not propose any physical works capable of adversely impacting the Sydney Harbour Catchment and is consistent with the key aims of the SEPP which amongst other things, seek to better protect Sydney Harbour and its waterways.																																		

Instrument/Strategy	Comments	
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	Clause 20 General	The matters referred to in Division 2 are addressed below.
	Clause 21 Biodiversity, ecology and environment protection	No physical works are proposed as part of this application, therefore there will not be any impact on the Harbour's biodiversity, ecology or environment.
	Clause 22 Public access to, and use of foreshores and waterways	No physical works are proposed as part of this application. The proposed stratum subdivision will not affect the accessibility of the waterway for the public.
	Clause 23 Maintenance of a working harbour	The proposed subdivision supports the redevelopment of the wider Barangaroo site for mixed uses that was assessed as part of the Concept Plan for the site.
	Clause 24 Interrelationship of water and foreshore uses	The proposed development does not propose any physical works and will not have any adverse impacts on the use of waterway for maritime functions.
	Clause 25 Foreshore and waterways scenic quality	The proposed development does not propose any physical works and will not alter the scenic quality of the foreshore and waterways.
	Clause 26 Maintenance, protection and enhancement of views	The proposed development does not propose any physical works and will therefore not adversely impact any views and vistas.
	Clause 27 Boat storage facilities	N/A. No boat storage facilities are proposed.
Foreshores and Waterways DCP	The Foreshores and Waterways DCP does not apply to the Barangaroo site, however is generally consistent with the controls of the DCP which seek to protect ecological and landscape values of Sydney Harbour. Previous project applications for Barangaroo South, including the Stage 1A and Stage 1B Public Domain applications have demonstrated that development at Barangaroo South will have minimal impact on any ecological communities or landscape values. Notwithstanding, the proposed stratum subdivision will not have any adverse impact on any ecological communities and or landscape values.	
Local Planning Instruments and Controls		
Sydney Local Environmental Plan 2012	The Sydney Local Environmental Plan 2012 does not apply to Barangaroo.	
Sydney Development Control Plan 2012	The Sydney Development Control Plan 2012 does not apply to Barangaroo.	

5.2 Consistency with the Barangaroo Concept Plan (Mod 8)

The proposed subdivision is consistent with the Barangaroo Concept Plan (Mod 8). The staged stratum subdivision of Barangaroo South contemplated under this SSDA reflects the site layout as provided under separate development approvals. Each of these development approvals have been granted in accordance with the approved Concept Plan (Mod 8). As such, the proposed stratum subdivision is consistent with the approved Concept Plan (Mod 8).

5.3 Biodiversity

In accordance with the requirements of the SEARs, the Department has requested that the EIS *'provide an assessment of the proposal's biodiversity impacts in accordance with the requirements of the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report where required under the Act'*.

Notwithstanding, the Department has also advised that, in instances where such an application is not required, a waiver should be requested prior to the issue of the application. A waiver has been prepared and is provided at **Appendix F**. It demonstrates the proposed development has no significant adverse impact on biodiversity values.

5.4 Utilities

No physical works are proposed as part of this SSDA. All infrastructure and servicing provision for the existing and future development within the lots created have been and will be subject to separate approval, in particular SSD6957 relating to the Crown Hotel Resort Sydney. A Draft Infrastructure Management Plan is provided at **Appendix G**. The Plan satisfies the SEARs and provides an outline of the existing capacity, and any augmentation and easement requirements to support the provision of utilities including staging of infrastructure associated with the proposed development.

Lendlease will continue to obtain the necessary approvals for water supply, electrical supply, communications, sewer and stormwater connections from the relevant authorities, as required.

6.0 Justification of the Proposal

In general, investment in major projects can only be justified if the benefits of doing so exceed the costs. Such an assessment must consider all costs and benefits, and not simply those that can be easily quantified. As a result, the EP&A Act specifies that such a justification must be made having regard to biophysical, economic and social considerations and the principles of ecologically sustainable development.

This means that the decision on whether a project can proceed or not needs to be made in the full knowledge of its effects, both positive and negative, whether those impacts can be quantified or not.

The proposed development involves no physical works and comprises stratum subdivision to facilitate the future use and management of development at Barangaroo. The assessment must therefore focus on the identification and appraisal of the effects of the proposed subdivision on the Barangaroo site.

Various components of the biophysical, social and economic environments have been examined in this EIS and are summarised below.

6.1 Social and Economic

Barangaroo is Sydney's largest redevelopment project undertaken this century and is valued at over \$6 billion. The project will be undertaken over a period of more than 10 years and will provide in excess of \$1.5 billion into the NSW economy annually. The three precincts, South, Central and the Barangaroo Reserve, providing different roles in making Barangaroo a successful showcase of urban renewal.

The proposed stratum subdivision will facilitate the continued delivery and management of future and established buildings Barangaroo. As it will support the ongoing development of the Barangaroo site, the proposal will therefore provide positive social and economic impact for the large number of future visitors, residents and workers.

Specifically, the proposed subdivision of Barangaroo will:

- Assist in the continued delivery of future buildings (being Crown Hotel Resort Sydney), to attract workers and visitors to Barangaroo and providing a range of employment opportunities during construction;
- Allow for the on-going and proper management of existing and future buildings;
- Support the continued creation of a world class address;
- Assist in continuing the development of Barangaroo, therefore providing a range of employment opportunities during construction and operation.

There are no considered adverse social or economic impacts as result of the proposed development.

6.2 Biophysical

This SSDA does not propose any physical works. As such, there is no risk that the existing site conditions will be altered by the carrying out of the subdivision of the site. The stratum subdivision of Barangaroo will not result in any biophysical impacts.

6.3 Ecologically Sustainable Development

The EP&A Regulation lists four principles of ecologically sustainable development to be considered in assessing a project. They are:

- The precautionary principle;
- Intergenerational equity;
- Conservation of biological diversity and ecological integrity; and
- Improved valuation and pricing of environmental resources.

An analysis of these principles follows.

Precautionary Principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment.

This EIS has not identified any serious threat of irreversible damage to the environment and therefore the precautionary principle is not relevant to the proposal.

Intergenerational equity

Intergenerational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations.

The proposal has been designed to benefit both the existing and future generations by:

- Facilitating the future delivery of Barangaroo, allowing future generations to appreciate and enjoy the development; and
- Allowing for the logical redevelopment of Barangaroo, providing for recreation areas and employment near housing and other uses.

The overall Barangaroo development will integrate short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations.

The proposed subdivision does not pose any potential short or long term social, financial or environmental impacts.

Conservation of biological diversity and ecological integrity

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration.

This EIS has demonstrated that the proposed development will not have any effect on the biological diversity and ecological integrity of the Barangaroo site. The proposal does not involve any physical works; therefore, there are no potential impacts on biological diversity and the ecological integrity of the Barangaroo site.

Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources, which may be affected by a proposal, including air, water, land and living things. As no physical works are proposed as part of this SSDA, no environmental resources will be affected and therefore valuations, pricing and incentive mechanisms will not be altered.

7.0 Conclusion

This EIS has been prepared to consider the environmental, social and economic impacts of the proposed stratum subdivision of the Barangaroo South site. This application specifically seeks to create a new stratum lot in relation to the Crown Hotel Resort Sydney, currently under construction in accordance with SSD6957.

The EIS has addressed the issues outlined in the SEARs (**Appendix D**) and accords with Schedule 2 of the EP&A Regulation with regards to requirements for an environment impact assessment. Having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The proposed stratum subdivision will assist in fulfilling the strategic vision established for Barangaroo, allowing for the orderly development of future and existing buildings associated with Barangaroo South.
- The stratum subdivision is consistent with and complies with all the relevant strategic policies, environmental planning instruments, plans and guidelines, including the Barangaroo Concept Plan (Mod 8).
- The stratum subdivision of Barangaroo will assist existing and facilitate future developments, which will have a wide range of positive social and economic benefits.
- There are no adverse environmental, social or economic impacts associated with the subdivision.

Given the merits described above it is requested that the application be approved, with appropriate conditions of consent (as required).