

Planning Secretary's Environmental Assessment Requirements

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| Application Number | SSI-60563459 |
| Project | Circular Quay Renewal |
| Location | Circular Quay, Sydney |
| Proponent | Transport for NSW |
| Date of Issue | 22 December 2023 |
| Date of Expiration | 22 December 2025 |

1. General Standard SEARs

| Desired Performance Outcome | Requirement | Current Guidelines ¹ |
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| <p>1. Environmental Impact Assessment Process</p> <p>The process for assessment of the project is transparent, balanced, well focussed, and legal.</p> | <ol style="list-style-type: none"> 1. The Environmental Impact Statement (EIS) must be prepared in accordance with Part 8 of the <i>Environmental Planning and Assessment Regulation 2021</i> (the Regulation). 2. The EIS must be prepared having regard to the Department’s State Significant Infrastructure Guidelines and State Significant Project Technical Guidelines (together, the Guidelines), as relevant. 3. It is the Proponent’s responsibility to determine whether the project needs to be referred to the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) for an approval under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act). If DCCEEW has determined that an approval is required under the EPBC Act, supplementary environmental assessment requirements may need to be issued to ensure a streamlined assessment under an Accredited Assessment can be achieved. 4. Where the project requires approval under the EPBC Act and is being assessed under the Bilateral Agreement (pursuant to Amending Agreement No. 1) the EIS must include: <ol style="list-style-type: none"> (a) consideration of any Protected Matters that may be impacted by the development where the Commonwealth Minister has determined that the proposal is a Controlled Action. | <p>State Significant Infrastructure Guidelines (DPE)</p> <p>State Significant Project Technical Guidelines include –</p> <ul style="list-style-type: none"> • Undertaking Engagement Guidelines for State Significant Projects (DPE) • Social Impact Assessment Guideline (DPE) • Cumulative Impact Assessment Guidelines for State Significant Projects (DPE) |

¹ Guidelines listed are the current list of guidelines that may be applicable to a SSI project. It is the Proponents responsibility to identify, and justify, which guidelines have been applied to a specific project.

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| | <ul style="list-style-type: none"> (b) identification and assessment of those Protected Matters that are likely to be significantly impacted. (c) details of how significant impacts to Protected Matters have been avoided, mitigated and, if necessary, offset. (d) consideration of, and reference to, any relevant conservation advice, recovery plans and threat abatement plans. <p>5. The onus is on the Proponent to ensure legislative requirements relevant to the project are met.</p> | |
| <p>2. Environmental Impact Statement</p> <p>The project is described in sufficient detail to enable clear understanding that the project has been developed through an iterative process of impact identification and assessment and project refinement to avoid, minimise or offset impacts so that the project, on balance, has the least adverse environmental, social and economic impact, including its cumulative impacts.</p> | <p>1. The EIS must include, but not necessarily be limited to, the following:</p> <ul style="list-style-type: none"> (a) a summary of the project as a whole that has regards to the economic, environmental and social impacts of the proposal and the principles of ecologically sustainable development; (b) an introduction; (c) the strategic and project context, including but not limited to - <ul style="list-style-type: none"> i. relevant Government strategies, policies or plans which provide strategic support for the proposal, ii. regional and local land use planning context, iii. key features of the project area that could affect or be affected by the project including land uses, land ownership, important features in the natural and built environment, iv. an analysis of any feasible alternatives to the project and options within the | <p>Appendix B of the State Significant infrastructure guidelines – preparing an environmental impact statement (DPE).</p> |

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| | <p>project²; and</p> <ul style="list-style-type: none"> v. the project’s relationship with the Warrane (Circular Quay Renewal) State-Led Precinct and any Study Requirements or other documentation relating to the Precinct that is issued. <p>(d) a project description, including but not limited to –</p> <ul style="list-style-type: none"> i. project area, ii. physical layout and design, including an overview of the project in a table that captures the main elements of the project and all construction and operational mitigation measures, iii. uses and activities proposed, including a description of any related development or infrastructure that is required for the project or may be developed as a result of the project, but would be subject to a separate approval process, and iv. timing and sequencing, including details on staging (of construction and operation) and the relationship between project stages and the Warrane (Circular Quay Renewal) State-Led Precinct (if issued). <p>(e) the statutory context of the project;</p> <p>(f) the community, special interest group and agency engagement undertaken for the EIS (and outcomes), and to be undertaken for the project;</p> <p>(g) the assessment and mitigation of impacts, which provides a detailed summary of</p> | |

² Alternatives to a project are different projects which would achieve the same project objective(s) including the consequences of not carrying out the project. For example, alternatives to a road project may be a rail project in the same area and alternate routes for the road. Options within the project are variations of the same project. For example, options within a road project could be design of an intersection, the location or design of a bridge, or locations for a vent stack.

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| | <p>the results of the assessment of the potential impacts of the project (see Section 3);</p> <p>(h) the proposal justification and evaluation of the project.</p> | |
| <p>3. Assessment and Mitigation of Key Issues and Impacts</p> <p>Key issue and impacts are assessed objectively and thoroughly to provide confidence that the project will be constructed and operated within acceptable levels of impact or with appropriate management and offsets.</p> <p>Key impact issues are nominated by the Proponent in the SSI project application and by the Department in the SEARs. Key issues need to be reviewed throughout the preparation of the EIS to ensure any new key issues that emerge are captured. The key issues identified in this document are not exhaustive but are key issues common to most</p> | <ol style="list-style-type: none"> 1. The level of assessment of likely impacts must be proportionate to the significance of, or degree of impact on, the issue, within the context of the proposal location and the surrounding environment. The level of assessment must be commensurate to the degree of impact and sufficient to ensure that the Department and other government agencies are able to understand and assess impacts. 2. For each key issue, the EIS must include a summary of the results of the assessment of the potential impacts of the proposal undertaken in detailed studies, including: <ol style="list-style-type: none"> (a) the condition of the existing environment; (b) a summary of the key findings of the detailed technical studies in the appendices of the EIS, using suitable cross-referencing to reduce repetition between the two parts of the EIS; (c) description of the scale and nature of the predicted impacts, including any cumulative impacts, and whether these impacts will comply with the relevant statutory requirements, standards or performance measures; (d) demonstrated ability to avoid, mitigate or offset the impacts of the project, having regards to – <ol style="list-style-type: none"> i. mitigation measures incorporated into the design of the project (e.g. changes to the project area, project layout and design, key uses and activities carried out on the site, timing), ii. other mitigation measures that will be implemented, and | <p>State Significant Infrastructure Guidelines (DPE)</p> <p>Appendix B of the State Significant infrastructure guidelines – preparing an environmental impact statement (DPE).</p> <p>Cumulative Impact Assessment Guidelines for State Significant Projects (DPE)</p> <p>Undertaking Engagement Guidelines for State Significant Projects (DPE)</p> <p>Social Impact Assessment Guideline (DPE)</p> |

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| transport infrastructure SSI projects. | <ul style="list-style-type: none"> iii. any negotiated agreements or offsets proposed to address residual impacts of the proposal following mitigation. (e) detailed reasons justifying any predicted exceedances of relevant standards or performance measures; (f) identification of key uncertainties associated with the assessment and what action will be taken to address these uncertainties; and (g) highlight any key linkages between the assessment of different matters or likely cumulative impacts of the proposal. | |
| 4. Key Appendices | <ul style="list-style-type: none"> 1. The EIS must include the following appendices: <ul style="list-style-type: none"> (a) a SEARs table, identifying the sections and subsections where the SEARs have been addressed in the EIS and in the specialist assessment reports; (b) a statutory compliance table, identifying where the relevant statutory requirements have been addressed in the EIS; (c) a community engagement table, identifying where the issues raised by the community during engagement have been addressed in the EIS; (d) a table of the proposed mitigation measures for the proposal (excluding any mitigation measures that are built into the physical layout and design of the proposal and captured in the proposal description); and (e) any supporting information, including any detailed technical reports prepared by specialists. | |
| 5. Consultation The project is developed with | <ul style="list-style-type: none"> 1. The project must be informed by consultation, including with relevant local, State and Commonwealth government agencies, infrastructure and service providers, special | Undertaking Engagement Guidelines for State Significant |

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| <p>meaningful and effective engagement during project design and delivery.</p> | <p>interest groups, affected landowners, businesses, and the community. State agencies that must be consulted include, but are not limited to:</p> <ul style="list-style-type: none"> (a) DPI Fisheries; (b) Place Management NSW; (c) the Biodiversity and Conservation division of DPE (d) the EPA; (e) Heritage NSW; (f) Port Authority of NSW; and (g) Sydney Water. <p>2. The consultation process must be documented (including details of how the proposed out-of-hours work methodology has been consulted with the local community) and include information on how the project has responded to the inputs received.</p> <p>3. The timing and type of community consultation proposed during the design and delivery of the project must be described, including the mechanisms for community feedback, the mechanisms for keeping the community informed, and procedures for complaints handling and resolution.</p> | <p>Projects (DPE)</p> |

5. Key Issue SEARs

| Key Issue and Desired Performance Outcome | Requirement (Specific assessment requirements in addition to the general requirement above) | Current Guidelines |
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| <p>1. Aquatic Biodiversity</p> <p>The project design considers all feasible measures to avoid and minimise impacts on aquatic biodiversity.</p> <p>Offsets and/or supplementary measures are assured which are equivalent to any residual impacts of project construction and operation.</p> | <ol style="list-style-type: none"> 1. A threatened aquatic species assessment (under Part 7A <i>Fisheries Management Act 1994</i> (FM Act)) to address whether there are likely to be any significant impact on listed threatened species, populations or ecological communities under the FM Act. 2. The threatened aquatic species assessment must assess the impacts of water-based construction and operation activities and vessel movements, on aquatic biodiversity, including: <ol style="list-style-type: none"> (a) key fish habitat (including the seabed and structures such as piles, seawalls and artificial rocky reefs); (b) the nature and impact of underwater noise generating activities; and (c) proposed specific sound exposure and peak impulsive and continuous noise criteria for identified noise sensitive fauna. 3. The threatened aquatic species assessment must include: | <p>Policy and Guidelines for Fish Habitat Conservation and Management (DPI)</p> <p>Threatened Species Survey and Assessment Guidelines (DEC)</p> <p>Aquatic Ecology in Environmental Impact Assessment – EIA Guideline (Marcus Lincoln Smith)</p> <p>SA Underwater Piling Noise Guidelines (South Australian Department of Planning, Transport and Infrastructure).</p> <p>National Light Pollution Guidelines for Wildlife (DCCEEW)</p> <p>Fish Passage Requirements for Waterway Crossings and Policy (2003) and Guidelines for Fish Friendly Waterway Crossings (2003) (DPI)</p> |

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| | <ul style="list-style-type: none"> (a) methodologies and protocols for surveys of threatened species; (b) assessment of invasive species and relevant management measures; and (c) identification of whether the project, or any component of the project, would be classified as a Key Threatening Process (KTP) under the FM Act and the Commonwealth’s Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). | |
| <p>2. Climate Change Risk</p> <p>The project is designed, constructed and operated to be resilient to the future impacts of climate change.</p> | <ol style="list-style-type: none"> 1. An assessment of the risk and vulnerability of the project to climate change in accordance with the current guidelines. The assessment must include consideration of how the project would be designed to be resilient to future climate change risks. 2. Climate change risks must be quantified with reference to the NSW Government’s climate projections at 10km resolution (or lesser resolution if 10km projections are not available) or equivalent projection tool (such as the Climate Futures Tool from CSIRO and Bureau of Meteorology (attenuated for project region)) and specific adaptation actions incorporated in the design. 3. Consideration of the change in flood behaviour from sea level rise and extreme weather events. | <p>Climate Risk Ready NSW Guide (DPIE)</p> <p>AS/NZS 3100:2018 Risk Management – Principles and Guidelines</p> |
| <p>3. Design, Place and Movement</p> <p>The project is well-designed and enhances the environment where it is</p> | <ol style="list-style-type: none"> 1. A design led process that is informed, collaborative and iterative, which: <ul style="list-style-type: none"> (a) utilises good design processes, including review by the State Design Review Panel (SDRP); | <p>NSW State Design Review Panel (Government Architect NSW (GANSW))</p> <p>Better Placed (GANSW)</p> |

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| <p>located, including improved accessibility and connectivity for transport interchange users, communities, and public spaces.</p> <p>The proposal helps to support the health and wellbeing of Country by valuing, respecting, and being guided by Aboriginal people.</p> <p>The proposal contributes to greener places through the enhancement and provision of green infrastructure.</p> <p>The project results in improved built form outcomes that support the transport infrastructure within the precinct.</p> | <ul style="list-style-type: none"> (b) utilises design experts and multidisciplinary teams; (c) the design is connected with Country in accordance with relevant guidelines and frameworks; (d) demonstrates how design integrity will be maintained in subsequent stages of the assessment process; and (e) involves the community, user groups and other stakeholders. <p>2. Identify place principles that are reflective of the design objectives in Better Placed, including a focus on:</p> <ul style="list-style-type: none"> (a) fit – contextually, culturally, local and of its place; (b) performance – sustainable, adaptable and durable; (c) community – inclusive, welcoming, connected, accessible and diverse; (d) people – safe, comfortable and liveable and healthy (such as crime prevention through environmental design); (e) working- functional, efficient and fit for purpose; (f) value – creating and adding value; and (g) look and feel – engaging, inviting and attractive. <p>3. Include and illustrate place designs, outcomes and actions for the project that protect and facilitate improvements to the built environment and place, including in relation to:</p> | <p>Connecting with Country (GANSW)</p> <p>Greener Places (GANSW)</p> <p>NSW Movement and Place including the ‘Walking Space Guide: Towards Pedestrian Comfort and Safety’ and the ‘Cycleway Design Toolbox: Designing for Cycling and Micromobility’.</p> <p>War-ran-jain-ora Cultural Framework (City People, Peter White)</p> <p>Guidelines for Landscape and Visual Impact Assessment (Third edition)</p> <p>Healthy Urban Development Checklist (NSW Health, 2009), section 10</p> <p>Sydney Green Grid – Spatial Framework and Project Opportunities (Tyrrell Studio and Office of the Government Architect)</p> <p>AS 4910-2009 Protection of trees on development sites</p> |

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| | <ul style="list-style-type: none"> (a) built form (key proposal elements including how these elements responds to the existing Circular Quay Station and other modes of transport within the interchange, the site context, site characteristics, character of the locality; and amenity impacts on the surrounding environment); (b) public space (including the design and quantum of public open space, and how the general public use of that space can be maximised, access to and through these spaces, the quality of the space and how CPTED principles have been considered); (c) views and vistas (including an assessment of visual impact, and visual representations of the project from key locations to illustrate the project where visual impacts that are deemed greater than medium), including; <ul style="list-style-type: none"> i. a view analysis from key vantage points looking from and across the site (including from First Fleet Park, the northern platform of Circular Quay station and The Rocks Heritage Precinct); and ii. identification of any potential impacts on the surrounding built environment and landscape, including views to, through and from the site, and adjoining heritage items and measures to minimise those impacts. <p>This should address maintenance of infrastructure, place, landscaping and residual land.</p> <p>4. Demonstrate how the place designs, outcomes and actions have:</p> | |

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| | <ul style="list-style-type: none"> (a) been informed by site and context analysis; (b) been informed by, where relevant, the Circular Quay Renewal Strategic Framework; and (c) considered the recommendations of the State Design Review Panel (SDRP). <p>5. Identify Movement (accessibility and connectivity) principles, outcomes and actions for the project that facilitate improvements to movement, including in relation to:</p> <ul style="list-style-type: none"> (a) how the project considers the relationship between movement and place at the site, including connectivity and circulation, including east-west and north-south connections and how the project impacts these through encroachments by structures, public furniture and landscaping. <p>In particular, those associated with:</p> <ul style="list-style-type: none"> i. First Fleet Park, ii. Circular Quay Station Building, any new built form elements and outdoor dining areas, and iii. the promenades, including the area between Circular Quay Station and the wharves, and the areas adjoining Wharf 1 and First Fleet Park. | |

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| | <ul style="list-style-type: none"> (b) how any walking, cycling or public transport provided by the project integrates with wider active and public transport networks, access to and potential modal conflicts within public space; and (c) performance of key interchanges, intersections and footpaths for people walking or cycling within and to and from the Circular Quay Station and other forms of transport as applicable. <p>The EIS must demonstrate changes to:</p> <ul style="list-style-type: none"> (a) access to public space; (b) access to community facilities or areas providing services to the community; (c) active and public transport including local walking and cycling routes maintained or made more direct, safe and comfortable; and (d) pedestrian movement patterns during the day, night and event modes. <p>6. Identify green infrastructure design principles that are reflective of the principles in Greener Places and The Sydney Green Grid.</p> <p>7. Include and illustrate green infrastructure designs, actions and outcomes for the project including in relation to:</p> <ul style="list-style-type: none"> (a) green infrastructure, including enhancement of open space that supports recreation, biodiversity and waterway health; and (b) how the project will achieve a net increase in tree numbers and canopy within proximity of the impacted area. (This relates to the number of | |

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| | trees to be cleared by the project (a tree is defined by Australian Standard 4970) that will not be covered by a biodiversity offset strategy). | |
| <p>4. Economic</p> <p>The project minimises impacts to property and business and achieves appropriate integration with adjoining land uses, including maintenance of appropriate access to properties and community facilities, and minimisation of displacement of existing land use activities, dwellings and infrastructure.</p> | <p>1. Economic impacts on potentially affected properties, businesses and utilities, including property acquisitions/adjustments, access (including loading, servicing, drop-off and pick-up) and relevant statutory rights.</p> | |
| <p>5. Flooding</p> <p>The project minimises adverse impacts on existing flooding characteristics.</p> <p>Construction and operation of the project avoids or minimises the risk of, and adverse impacts from, infrastructure flooding and flooding hazards.</p> | <p>1. Changes to flood behaviour and flood risk during construction and operation for a full range of flood events up to the probable maximum flood (taking into account sea level rise and storm intensity due to climate change) must be assessed (and modelled where required) including:</p> <ul style="list-style-type: none"> (a) any detrimental increases in the potential flood affectation of other properties, assets and infrastructure; (b) consistency (or inconsistency) with applicable Council floodplain risk management plans; (c) compatibility with the flood hazard of the land; | <p>NSW Government's Flood Risk Management Manual (Department of Planning and Environment, 2023) and other supporting guides, including Flood Impact and Risk Assessment – Flood Risk Management Guideline LU01 (Department of Planning and Environment, 2023)</p> <p>PS 07-003 New guideline and changes to section 117 direction and EP&A Regulation on flood prone land</p> |

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| | <ul style="list-style-type: none"> (d) compatibility with the hydraulic functions of flow conveyance in flood ways and storage areas of the land; (e) impacts the development may have upon existing community emergency management arrangements for flooding. These matters must be discussed with the State Emergency Services and Council; and (f) any impacts the development may have on the social and economic costs to the community as consequence of flooding. <p>2. Flood management objectives and outcomes must be clearly identified and substantiated to address the characteristics of the environment and relevant legislative, management and guidance requirements.</p> | <p>Australian Rainfall and Runoff – A Guide to Flood Estimation (Commonwealth of Australia (Geoscience Australia), 2019)</p> |
| <p>6. Heritage – Aboriginal</p> <p>The design, construction and operation of the proposal facilitates, to the greatest extent possible, the long-term protection, conservation and management of the heritage significance of items of Aboriginal objects and places.</p> <p>The design, construction and operation of the proposal avoids or minimises impacts, to the greatest extent</p> | <p>1. Direct and/or indirect impacts to the heritage significance of:</p> <ul style="list-style-type: none"> (a) Aboriginal places, objects and cultural heritage values, as defined under the <i>National Parks and Wildlife Act 1974</i> and in accordance with the principles and methods of assessment identified in the current guidelines; and (b) Aboriginal places of heritage significance, as defined in the Standard Instrument – Principal Local Environmental Plan. <p>2. The Aboriginal cultural heritage assessment must:</p> <ul style="list-style-type: none"> (a) be informed by and include the outcomes of consultation with Registered Aboriginal Parties and a review of available records | <p>Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH)</p> <p>Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW)</p> <p>Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (DECCW)</p> |

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| <p>possible, on the heritage significance of Aboriginal objects and places.</p> | <p>(including oral history where available);</p> <p>(b) document and assess impacts to Aboriginal cultural heritage, including items or landscapes with identified Aboriginal heritage values (contemporary, historical and/or traditional) that are likely to be subject to direct or indirect harm by the project, including in the form of submerged terrestrial sites;</p> <p>(c) provide a discussion of alternative design options that have been considered to reduce impacts to Aboriginal places, objects and cultural heritage values; and</p> <p>(d) describe the management measures to avoid and minimise impacts to Aboriginal places, objects and cultural heritage values.</p> <p>3. Where archaeological investigations of Aboriginal objects are proposed these must be conducted by a suitably qualified archaeologist, in accordance with section 1.6 of the <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW</i> (DECCW 2010).</p> <p>4. Where impacts to Aboriginal objects and/or places are proposed, consultation must be undertaken with Aboriginal people in accordance with the current guidelines.</p> | <p>Skeletal Remains: Guidelines for Management of Human Remains (Heritage Office)</p> <p>Aboriginal Heritage Information Management System site registration form</p> <p>NSW Heritage Manual (Heritage Office and Department of Urban Affairs and Planning)</p> <p>Assessing Heritage Significance (NSW Heritage Office)</p> <p>Australia ICOMOS Charter for the Conservation of Places of Significance, Burra Charter</p> <p>Connecting with Country (GANSW)</p> |
| <p>7. Heritage – Environmental</p> <p>The design, construction and operation of the project facilitates, to the greatest extent possible, the long-term</p> | <p>1. Direct and/or indirect impacts to the heritage significance of:</p> <p>(a) environmental heritage, as defined under the <i>Heritage Act 1977</i> (including potential items of heritage value, conservation areas, open space heritage landscapes, built heritage landscapes and</p> | <p>Skeletal Remains: Guidelines for Management of Human Remains (Heritage Office)</p> |

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| <p>protection, conservation and management of the heritage significance of environmental heritage.</p> <p>The design, construction and operation of the project avoids or minimises impacts, to the greatest extent possible, on the heritage significance of environmental heritage value.</p> | <p>archaeology, including maritime archaeology);</p> <p>(b) items, places, and properties listed on the Local, State, Commonwealth, National, World Heritage and State Agency Section 170 Heritage and Conservation Registers or lists; and</p> <p>(c) heritage items and conservation areas identified in environmental planning instruments applicable to the project area.</p> <p>2. Where impacts to items, places, and properties listed under SEAR 7. 1(b) are identified, the environmental heritage assessment must:</p> <p>(a) include a significance assessment, a statement of heritage impact for all heritage items and a historical archaeological assessment;</p> <p>(b) provide a discussion of the design options that have been considered to reduce heritage impacts;</p> <p>(c) assess the consistency of the project against conservation policies of any relevant conservation management plan;</p> <p>(d) consider impacts to the item of significance caused by, but not limited to, vibration, demolition, archaeological disturbance, altered historical arrangements and access, visual amenity, landscape and vistas, curtilage, subsidence and architectural noise treatment, drainage infrastructure, contamination remediation and site compounds (as relevant);</p> | <p>Criteria for assessing Excavation Directors (NSW Heritage Council, 2019)</p> <p>NSW Heritage Manual (Heritage Office and Department of Urban Affairs and Planning)</p> <p>Assessing Heritage Significance (NSW Heritage Office)</p> <p>Australia ICOMOS Charter for the Conservation of Places of Significance, Burra Charter</p> <p>Assessing Significance for Historical Archaeological Sites and ‘Relics’ (Heritage Branch, Department of Planning)</p> <p>Altering Heritage Assets (Heritage Council)</p> <p>Better Placed - Design Guide for Heritage, GANSW & Heritage Council NSW, 2018</p> |

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| | <ul style="list-style-type: none"> (e) outline measures to avoid and minimise those impacts during construction and operation in accordance with the current guidelines; and (f) be undertaken by a suitably qualified heritage consultant(s) and/or historical archaeologist (note: where archaeological excavations are proposed the relevant consultant must meet the NSW Heritage Council’s Excavation Director criteria). | |
| <p>8. Noise and Vibration</p> <p>Construction noise and vibration (including airborne noise, ground-borne noise and blasting) are effectively managed to minimise adverse impacts on acoustic amenity, and adverse impacts on the structural integrity of buildings and items including Aboriginal places and environmental heritage.</p> <p>Increases in noise emissions and vibration affecting nearby properties and other sensitive receivers during operation of the project are effectively managed to protect the amenity and well-being of the community.</p> | <ol style="list-style-type: none"> 1. Construction and operational noise and vibration impacts in accordance with relevant NSW noise and vibration guidelines. 2. The assessment of construction noise and vibration must address: <ol style="list-style-type: none"> (a) the nature of land, water and under-water-based construction activities and related noise characteristics using typical and worst-case scenarios, including high noise generating activities; (b) the intensity and duration of noise (both air, ground and water-borne) and vibration impacts. This must include consideration of extended construction impacts associated with ancillary facilities (and the like) and construction fatigue; (c) the identification and nature of receivers, existing and proposed, during the construction period; (d) the structural integrity and significance of environmental heritage items, Aboriginal places and objects (including areas of archaeological sensitivity); | <p>Approved Methods for Measurement and Analysis of Environmental Noise (EPA)</p> <p>Interim Construction Noise Guideline (DECC)</p> <p>Noise Policy for Industry (EPA)</p> <p>Rail Infrastructure Noise Guideline (EPA)</p> <p>Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning)</p> <p>Assessing Vibration: a Technical Guideline (DEC)</p> <p>Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration (ANZEC)</p> |

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| <p>Increases in noise emissions and vibration affecting environmental heritage as defined in the <i>Heritage Act 1977</i> during operation of the project are effectively managed.</p> | <ul style="list-style-type: none"> (e) the nature of the impact and the sensitivity of receivers and level of impact including for out-of-hours works; (f) the need to balance timely conclusion of noise and vibration-generating works with periods of receiver respite, and other factors that may influence the timing and duration of construction activities (such as traffic management); (g) noise impacts of out-of-hours works (including utility works and works associated with the project including those undertaken under another assessment pathway), possible locations where out-of-hours works would be undertaken, the activities that would be undertaken, staging and the estimated duration of those activities and justification for these activities in terms of the <i>Interim Construction Noise Guideline</i> (DECC); (h) sleep disturbance (including the number of noise-awakening events); (i) a cumulative noise and vibration assessment inclusive of impacts from the proposal, including concurrent construction activities within the proposal and the construction of other relevant development in the vicinity of the proposal; (j) details and analysis of the predicted effectiveness of mitigation measures to adequately manage identified impacts, including impacts as identified in (h); (k) any potential residual noise and vibration impacts following application of mitigation measures; and | <p>German Standard DIN 4150-3: Structural Vibration - effects of vibration on structures</p> |

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| | <ul style="list-style-type: none"> (l) a description of how receiver feedback received during the preparation of the EIS has been taken into account (and would be taken into account post exhibition of the EIS) in the design of mitigation measures, including any tailored mitigation, management and communication strategies for sensitive receivers. The affected community must be engaged on out-of-hours works, including potential scope, duration, impact and mitigation measures. 2. The assessment of operational noise and vibration must consider the noise impacts from uses within the new structures on adjacent noise sensitive receivers. The process for community engagement should be included or referenced in the noise and vibration assessment as part of the mitigation strategy and assessment. | |
| <p>9. Protected and Sensitive Lands</p> <p>The project is designed, constructed and operated to avoid or minimise impacts on protected and sensitive lands.</p> <p>The project is designed, constructed and operated to avoid or minimise future exposure to coastal hazards and processes.</p> | <ul style="list-style-type: none"> 1. Impacts of the project on environmentally sensitive land and processes (and the impact of processes on the project) including, but not limited to: <ul style="list-style-type: none"> (a) land defined as a “coastal environment area” under State Environmental Planning Policy (Resilience and Hazards) 2021³; (b) coastal processes (including disruptions to wave direction, sediment movement etc.) associated with adopted risk mitigation actions; (c) safe public access to the foreshore; (d) protected areas (including land and water) managed by the former OEH and/or DPI Fisheries under the <i>National Parks and Wildlife Act</i> | <p>Planning circular PS 19-006: Planning for coastal hazards (DPE, 2019)</p> <p>Guidelines for Controlled Activities on Waterfront Land (DPE Water)</p> <p>Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010)</p> |

³ Reference to State Environmental Planning Policies is not a requirement for compliance with the policies; they are used here to define sensitive land only.

| Key Issue and Desired Performance Outcome | Requirement (Specific assessment requirements in addition to the general requirement above) | Current Guidelines |
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| | <p>1974 and the <i>Marine Estate Management Act 2014</i>;</p> <p>(e) Key Fish Habitat as mapped and defined in accordance with the <i>Fisheries Management Act 1994</i> (FM Act);</p> <p>(f) waterfront land as defined in the <i>Water Management Act 2000</i>;</p> <p>(g) land or waters identified as Critical Habitat under the FM Act or EPBC Act or areas of outstanding biodiversity value under the BC Act; and</p> <p>(h) biodiversity stewardship sites, private conservation lands and other lands identified as offsets.</p> | |
| <p>10. Social</p> <p>The project is designed to provide socially sustainable outcomes.</p> <p>The project will maximise the social and economic welfare of the community.</p> <p>The project will deliver better development outcomes by minimising negative social impacts and enhancing positive social impacts on affected communities.</p> | <ol style="list-style-type: none"> 1. Potential social impacts of the project from the points of view of the affected community and other relevant stakeholders (i.e., how they expect to experience the project). 2. How proposal activities, and environmental changes and impacts arising from the construction and operation of the proposal may affect: <ol style="list-style-type: none"> (a) way of life; (b) community; (c) accessibility; (d) culture; (e) health and wellbeing; (f) surroundings; (g) livelihoods; and | <p>Social Impact Assessment Guideline (DPE)</p> <p>Undertaking Engagement Guidelines for State Significant Projects (DPE)</p> <p>Cumulative Impact Assessment Guidelines for State Significant Projects (DPE)</p> |

| Key Issue and Desired Performance Outcome | Requirement (Specific assessment requirements in addition to the general requirement above) | Current Guidelines |
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| | (h) decision-making systems. | |
| <p>11. Soils and Contamination</p> <p>The environmental values of land, including soils, subsoils and landforms, are protected.</p> <p>Risks arising from the disturbance and excavation of land and disposal of soil are minimised, including disturbance to acid sulfate soils and site contamination.</p> | <ol style="list-style-type: none"> 1. Verify the risk of acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Risk Map) within, and in the area likely to be impacted by, the project. 2. The impact of the project on acid sulfate soils (including impacts of acidic runoff offsite) in accordance with the current guidelines. 3. Identify whether soil salinity is likely to be an issue and if so, determine the presence, extent and severity of soil salinity within the project area, and assess the impacts of the project on soil salinity and how it may affect groundwater resources and hydrology. 4. The impacts on soil and marine sediments (including erosion risk or hazard). Particular attention must be given to soil erosion and sediment transport consistent with the practices and principles in the current guidelines. 5. Identifying any mobilisation of sediments as a result of dredging, seabed profiling, re-profiling or leveling, and new structures such as piles and seawalls and an assessment of sediment migration in Circular Quay (including the Overseas Passenger Terminal berth box). 6. A Preliminary Site Investigation must be undertaken to determine the likelihood of land and seabed contamination. If required by the PSI, a Detailed Site Investigation must also be undertaken to provide information about the extent and degree of contamination, having regard to the ecological and human health risks posed by the contamination in the context of past, existing and future land uses. | <p>Acid Sulfate Soil Manual</p> <p>Guidelines on the Duty to Report Contamination (EPA)</p> <p>Planning Guideline SEPP 55 – Remediation of Land (EPA)</p> <p>National Environment Protection (Assessment of Site Contamination) Measure</p> <p>Managing Urban Stormwater: Soils and Construction (Landcom)</p> <p>Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom) and Volume 2 (A. Installation of Services; B. Waste Landfills; C. Unsealed Roads; D. Main Roads; E. Mines and Quarries) (DECC)</p> <p>Other guidelines made or approved under section 105 of the <i>Contaminated Land Management Act 1997</i></p> |

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| | <ol style="list-style-type: none"> 7. Where remediation is required, the EIS must identify how remediation would be managed in accordance with current guidelines. 8. Any Preliminary Site Investigation, Detailed Site Investigation, or other related reports on contamination, must be accompanied with an Interim Audit Advice or a Site Audit Statement from a NSW EPA accredited Site Auditor certifying the appropriateness of the assessments. Any risk rating of areas of environmental interest (or areas of environmental concerns or any other similar terminology) as well as the proposed mitigation measures for low, moderate and high to very high-risk sites must be also reviewed as appropriate by the accredited Site Auditor. | |
| <p>12. Sustainability</p> <p>The project reduces the NSW Government’s operating costs and ensures the effective and efficient use of resources.</p> <p>Conservation of natural resources is maximised.</p> | <ol style="list-style-type: none"> 1. The sustainability of the project in accordance with the Infrastructure Sustainability Council (ISC) <i>Infrastructure Sustainability Rating Tool</i> and recommend an appropriate target rating for the project. 2. Consider and assess the project against current guidelines including targets and strategies to improve Government efficiency in use of water, energy and transport. | <p>IS v2.1 (Design & As-Built) Technical Manual</p> |
| <p>13. Transport and Traffic</p> <p>The project improves the experience of walking, cycling and using public transport to, from and around the site.</p> <p>Network connectivity, safety and</p> | <ol style="list-style-type: none"> 1. Construction transport and traffic (vehicle, maritime vessels, public transport, pedestrian, and cyclists) impacts including, but not necessarily limited to: <ol style="list-style-type: none"> (a) a considered approach to route identification and scheduling of construction vehicle movements; | <p>Movement and Place Framework relevant guidance including the ‘Walking Space Guide: Towards Pedestrian Comfort and Safety (TfNSW)’ and the ‘Cycleway Design Toolbox: Designing for Cycling and Micromobility’ (TfNSW).</p> |

| Key Issue and Desired Performance Outcome | Requirement (Specific assessment requirements in addition to the general requirement above) | Current Guidelines |
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| <p>efficiency of the transport system in the vicinity of the project are managed to minimise impacts.</p> <p>The safety of transport system customers is maintained.</p> <p>Impacts on network capacity and the level of service are effectively managed.</p> <p>Works are compatible with existing infrastructure and future transport corridors/projects.</p> | <ul style="list-style-type: none"> (b) the indicative number, frequency and size of construction related vehicles (passenger, commercial and heavy vehicles, including water-based construction traffic); (c) consideration of the cumulative impacts of nearby construction (planned and underway); (d) construction worker parking; (e) the nature of existing traffic (types and number of movements) on construction access routes (including consideration of peak traffic times and sensitive road users and parking arrangements); (f) access constraints and impacts to private property, transport (infrastructure and services), pedestrians and cyclists; and (g) the need to close, divert or otherwise reconfigure elements of the road (including on-street parking), rail, light rail, ferry, maritime navigation, pedestrian and cycle network associated with construction of the project and the duration of these changes. <p>2. Operational transport impacts of the project, including:</p> <ul style="list-style-type: none"> (a) impacts to on-street parking, loading, servicing, and drop off and pick up, including to residents and businesses (including the Overseas Passenger Terminal); (b) diverted traffic and operational implications for public transport (particularly with respect to strategic ferry and bus corridors and routes) and consideration of opportunities to improve public transport. | <p>Guide to Traffic Management Part 3: Transport Studies and Analysis Methods (Austroads, 2020)</p> <p>Guide to Traffic Generating Developments Version 2.2 (RTA, 2002)</p> <p>Cycling Aspects of Austroads Guides (Austroads)</p> |

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| | <p>3. Operational marine traffic impacts including:</p> <ul style="list-style-type: none"> (a) navigational impacts of new infrastructure on the movement, berthing and operation of all vessels within Circular Quay; and (b) assessment of proposed lighting and material choices that may impact upon the operations of vessels within Circular Quay. | |
| <p>14. Waste</p> <p>All wastes generated during the construction and operation of the project are effectively stored, handled, treated, reused, recycled and/or disposed of lawfully and in a manner that protects environmental values.</p> | <ol style="list-style-type: none"> 1. Outline how circular economy and zero waste principles advocated for in the NSW Circular Economy Policy Statement have been incorporated into the design, and will be incorporated into the construction and operation of the development through product use and reuse. 2. Predicted waste generated from the project during construction and operation, including: <ul style="list-style-type: none"> a) classification of the waste in accordance with current guidelines; b) estimates / details of the quantity of each classification of waste to be generated during the construction of the project, including bulk earthworks and spoil balance; c) handling of waste including measures to facilitate segregation and prevent cross contamination; d) management of waste including estimated location and volume of stockpiles; e) waste minimisation and reuse; f) lawful disposal or recycling locations for each type of waste; and | <p>Waste Classification Guidelines (EPA) Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004) and Volume 2 (A. Installation of Services; B. Waste Landfills; C. Unsealed Roads; D. Main Roads; E. Mines and Quarries) (DECC, 2008)</p> |

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| | <ul style="list-style-type: none"> g) contingencies for the above, including managing unexpected waste volumes. 3. Potential environmental impacts from the excavation, handling, storage on site and transport of the waste particularly with relation to sediment/leachate control, noise and dust. | |

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| <p>15. Water - Quality</p> <p>The project is designed, constructed and operated to protect the NSW Water Quality Objectives where they are currently being achieved, and contribute towards achievement of the Water Quality Objectives over time where they are currently not being achieved, including downstream of the project to the extent of the project impact including estuarine and marine waters (if applicable).</p> | <p>1. Water Quality impacts, including:</p> <ul style="list-style-type: none"> (a) stating the ambient NSW Water Quality Objectives (NSW WQO) and environmental values for the receiving waters relevant to the project, including the indicators and associated trigger values or criteria for the identified environmental values; (b) identifying and estimating the quality and quantity of pollutants that may be introduced into the water cycle by source and discharge point and describe the nature and degree of impact that any discharge(s) may have on the receiving environment, including consideration of all pollutants that pose a risk of non-trivial harm to human health and the environment; (c) identifying the rainfall event that the water quality protection measures will be designed to cope with; (d) the impact of sediment plumes associated with the operation of the project on water quality (e.g. proximity of propellers to the seabed and proximity to sensitive environs); (e) the significance of any identified impacts including consideration of the relevant ambient water quality outcomes; (f) demonstrating how construction and operation of the project will, to the extent that the project can influence, ensure that: <ul style="list-style-type: none"> i. where the NSW WQOs for receiving waters are currently being met they will continue to be protected; and | <p>NSW Water Quality and River Flow Objectives</p> <p>Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC / ARMCANZ)</p> <p>Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG)</p> <p>Using the ANZECC Guidelines and Water Quality Objectives in NSW (DEC)</p> <p>Guidelines for Controlled Activities on Waterfront Land (DPE Water)</p> <p>Neutral or Beneficial Effect on Water Quality Assessment Guideline (WaterNSW)</p> <p>Managing Urban Stormwater: Soils and Construction (Landcom)</p> |

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| | <ul style="list-style-type: none"> ii. where the NSW WQOs are not currently being met, activities will work toward their achievement over time. (g) justifying, if required, why the WQOs cannot be maintained or achieved over time; (h) demonstrating that all practical measures to avoid or minimise water pollution and protect human health and the environment from harm are investigated and implemented; (i) identifying sensitive receiving environments (which may include estuarine and marine waters downstream) and develop a strategy to avoid or minimise impacts on these environments; and (j) identifying proposed monitoring locations, monitoring frequency and indicators of surface and groundwater quality. | |

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| <p>16. Other Issues</p> | <p>1. An assessment of the following issues must be undertaken in accordance with the commitments in Section 7 of the <i>Circular Quay Renewal – Scoping Report</i> (Transport for NSW):</p> <ul style="list-style-type: none"> (a) air quality; (b) public land and private property; (c) hazards, risks and land; and (d) terrestrial flora and fauna. | |