

# Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*  
Schedule 2 of the Environmental Planning and Assessment Regulation 2000

<b>Application Number</b>	SSD-10362
<b>Project Name</b>	Mixed Use Development
<b>Location</b>	338 Pitt Street, Sydney
<b>Applicant</b>	China Centre Development Pty Ltd
<b>Date of Issue</b>	19/08/2019
<b>General Requirements</b>	<p>The environmental impact statement (EIS) must be prepared in accordance with, and meet the minimum requirements of, clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation).</p> <p>Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.</p> <p>Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> <li>- adequate baseline data</li> <li>- consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed);</li> <li>- measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment.</li> </ul> <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>- a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate applicable GST component of the CIV;</li> <li>- an estimate of jobs that will be created during the construction and operational phases of the proposed development; and</li> <li>- certification that the information provided is accurate at the date of preparation.</li> </ul>
<b>Key issues</b>	<p>The EIS must address the following specific matters:</p> <p><b>1. Statutory and Strategic Context</b></p> <p>Address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including:</p>

- o State Environmental Planning Policy (State and Regional Development) 2011
- o State Environmental Planning Policy (Infrastructure) 2007
- o State Environmental Planning Policy No 55 – Remediation of Land (and Draft remediation of Land SEPP)
- o State Environmental Planning Policy No 64 – Advertising and Signage
- o State Environmental Planning Policy No 65 – Design Quality of Residential Development (including Apartment Design Guideline)
- o State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004
- o Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- o Draft State Environmental Planning Policy (Environment)
- o Sydney Local Environmental Plan 2012.

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

- o NSW State Priorities
- o Greater Sydney Region Plan and supporting District Plan
- o Better Placed – an integrated design policy for the built environment of NSW
- o Better Placed – Design Guide for Heritage
- o Future Transport Strategy 2056 and supporting plans
- o Guide to Traffic Generating Development (RMS)
- o EIS Guidelines – Road and Related Facilities (DoPI)
- o Cycling Aspects of Austroads Guides
- o NSW Planning Guidelines for Walking and Cycling
- o Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development
- o Standards Australia AS2890.3 (Bicycle parking facilities)
- o Development near Rail Corridors and Busy Roads – Interim Guideline
- o Sustainable Sydney 2030
- o Sydney Development Control Plan 2012.
- o Sydney's Cycling Future
- o Sydney's Walking Future
- o Legible Sydney
- o City Centre Access Strategy
- o City of Sydney Interim Floodplain Management Policy
- o City of Sydney Public Domain Manual

- o Making Sydney a Sustainable Destination
- o Sydney Landscape Code
- o Tourism Action Plan 2013
- o Retail Action Plan 2013
- o Sydney Landscape Code
- o City of Sydney Section 61 Contributions Plan 2013
- o City of Sydney Guidelines for Waste Management in New Development 2018.

## **2. Compliance with the Concept Approval**

The EIS shall demonstrate how the proposed development is consistent with the Concept Approval D/2016/1509, including the terms, conditions and future assessment requirements contained within the approval.

## **3. Design Excellence**

The EIS shall demonstrate that a design competition has been undertaken in accordance with the Concept Approval D/2016/1509. The EIS shall include the design competition brief, jury recommendations report and a design integrity process/strategy, prepared in consultation with the Government Architect and City of Sydney, demonstrating how the proposal will achieve design excellence in accordance with the design competition winning scheme.

## **4. Built form and urban design**

The EIS shall:

- o provide an analysis of the proposed built form against the applicable development standards and controls and concept approval D/2016/1509
- o include a table identifying the proposed land uses, including a floor by floor breakdown of gross floor area (GFA), total GFA and FSR and site coverage
- o provide a Visual Impact Assessment of the proposal, including before and after photomontages and perspectives for each elevation, showing:
  - elements and views of the proposal from key locations, vistas and view corridors from the public domain and residential buildings that may be impacted; and
  - an assessment of the view impacts and design considerations to mitigate any impacts.
- o include public domain details, including:
  - clear definition of any private use of the public domain
  - pedestrian movement patterns
  - street trees, associated landscaping, hardworks, street furniture, lighting, materials and surface finishes alignment levels and stormwater design
  - identify linkages with and between other public domain spaces, other

streets and lanes

- o consider opportunities to provide green roof, cool roof and/or green walls into the building design.

## **5. Amenity**

The shall EIS include:

- o a detailed assessment of amenity impacts for future occupants of the residential component of the development and any amenity impacts of the proposal on surrounding development and the public domain
- o a detailed analysis of overshadowing impacts of the development on key public spaces, including Harmony Park and Hyde Park, and existing residential dwellings in the vicinity
- o a Wind Impact Assessment, including wind tunnel testing of any wind impacts of the proposal on the public domain and all landscape areas on upper levels (using the assessment criteria for sitting)
- o an integrated landscape design for the hotel and residential towers, with consideration of green roofs, walls and facades
- o detailed design for a residential common open space, being a minimum 25% of the total site area and 6 metres wide
- o detail on the amenity and solar access in accordance with the Sydney DCP 2012 and Apartment Design Guide
- o measures to minimise potential overshadowing, noise, reflectivity, visual privacy, wind, daylight and view impacts.

## **6. Heritage**

The EIS shall include:

- o a Statement of Heritage Impact (SOHI), prepared by a suitably qualified heritage consultant in accordance with the guidelines in the NSW Heritage Manual. The SOHI is to address the impacts of the proposal on the heritage significance of the site and adjacent areas and is to:
  - identify all heritage items (state and local) within and near the site, including built heritage, landscapes and archaeology, include detailed mapping of these items, and an assessment of why the items and site(s) are of heritage significance
  - assess the proposal's impact on the heritage significance of heritage items or potential heritage items on, and near the development site
  - address the proposal's compliance with policies of relevant Conservation Management Plans for the affected sites
  - include a detailed visual impact assessment along with photomontages
  - provide detailed mitigation measures and strategies to avoid and mitigate any adverse impacts on heritage values of the affected sites.

- o a historical archaeological assessment (if the SOHI identifies a potential impact on historical archaeology) by a suitably qualified archaeologist in accordance with the Heritage Guidelines 'Archaeological Assessment' 1996 and 'Assessing Significance for Historical Archaeological Sites and Relics' 2009. This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential archaeological resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations or salvage programme
- o a strategy for any archaeological finds during the excavation and demolition to be interpreted and where possible displayed in the new building
- o an investigation and analysis of the quality of sandstone to be removed during the excavation, including consideration of contamination and an assessment of the suitability of the rock for removal by cutting into quarry blocks for use as high-quality building construction material.

#### **7. Aboriginal Cultural Heritage**

The EIS shall:

- o identify and describe Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). The identification of cultural heritage values must be conducted in accordance with the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH 2010) and the Guide to investigating, assessing and reporting on Aboriginal Cultural heritage in NSW (DECCW 2011)
- o ensure consultation has taken place with Aboriginal people and is documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW)
- o assess impacts on Aboriginal cultural heritage values and be documented in the ACHAR. This must demonstrate attempts to avoid impacts, identify any conservation outcomes and measures to mitigate impacts.

#### **8. Operation**

The EIS shall include details of the proposed use and operation of the development, including but not limited to:

- o any uses ancillary and/ or not ancillary to the hotel use
- o hours of operation
- o patron capacity
- o signage
- o the relationship between the proposed uses of the building
- o a Plan of Management.

## 9. Traffic, Transport Parking and Access (Construction and Operation)

The EIS shall include a Traffic and Transport Impact Assessment that includes, but is not limited to, the following:

- o details of the current and likely estimated future daily and peak hour vehicle, public transport network, point to point transport, taxis, pedestrian and bicycle movements to/ from the site
- o an assessment of the operation of existing and future transport networks including the rail, bus, Sydney Light Rail and Sydney Metro City and Southwest, pedestrian and bicycle networks and point-to-point transport and coach facilities and their ability to accommodate the forecast number of trips to and from the development
- o an assessment of the:
  - impact of the proposal on existing traffic and transport performance and safety at key intersections in the area, including but not limited to Pitt St/Liverpool Street/Bathurst Street, Castlereagh Street/Bathurst Street and Castlereagh Street/Liverpool Street. This must include specific reference to the impact of taxi trips to the performance of nearby intersections
  - likely impact of the proposal on bus operations (stops, routes and parking)
  - point to point parking in the surrounding streets
  - proposed temporary or permanent changes to transport and access on surrounding streets.
- o details of existing and proposed vehicular access, including for hotel drop off and pick up, coach and servicing, and an assessment of any potential impacts, such as potential pedestrian, cyclist and bus conflict. This must include how the access impacts on the pedestrian and bicycle amenity of the area given that the site is in an area with high numbers of pedestrians
- o details of any road/intersection upgrades required as a result of the development, supported by appropriate modelling and analysis, and any other measures to mitigate impacts of the development
- o details of the proposed vehicle, motorcycle, taxi, bus and coach parking, including compliance with parking requirements and justification for the level of parking on the site
- o details of the location of bicycle parking facilities (and end of trip facilities) as these need to be in secure, convenient, accessible areas close to main entries incorporating lighting and passive surveillance
- o details of emergency vehicle access arrangements
- o road and pedestrian safety adjacent to the proposed development and details of required road safety measures
- o proposals to encourage employees, guests and residents to make sustainable travel choices, such as walking, cycling, public transport and car

sharing and how these will be implemented

- o assessment of loading and servicing demand and details of the existing and proposed loading and servicing facilities, including safe and efficient access to loading, deliveries and servicing of the development.
- o a draft Construction Pedestrian and Traffic Management Plan that includes, but is not limited to, the following:
  - assessment of cumulative impacts associated with other construction activities including the construction of the Sydney Light Rail project and the Sydney Metro City and Southwest
  - assessment of road safety at key intersections and locations subject to heavy vehicle movements and high pedestrian activity
  - details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process
  - details of anticipated number of peak hour and daily truck movements to and from the site, vehicle routes, hours of operation, access arrangements and traffic control measures for all demolition/construction activities
  - details of access arrangements for workers to/from the site, emergency vehicles and service vehicle movements
  - details of temporary cycling and pedestrian access during construction
  - details of proposed construction vehicle access arrangements at all stages of construction
  - details of mitigation measures for traffic, pedestrian, cyclists, parking and public transport impacts to demonstrate the proposed management of the impact.

#### **10. Construction management**

The EIS shall include a draft construction management plan that includes:

- o an assessment of potential impacts of the construction on surrounding buildings and the public domain, including noise and vibration, air quality and odour impacts, dust emissions, water quality, stormwater runoff, groundwater seepage, soil pollution and construction waste, and details of measures to mitigate any impact
- o provide a Demolition and Construction Noise Vibration Management Plan in accordance with Condition 30 of the Stage 1 consent.

#### **11. Water, drainage and stormwater**

The EIS shall include:

- o a detail assessment of flooding hazard in accordance with City of Sydney Interim Floodplain Management Policy and the Environment, Energy and Science (EES) Group flooding comments
- o information on the required water and waste water services and any

augmentation to Sydney Water infrastructure that may be required for the proposed development

- o a stormwater management plan through the City's MUSIC link model.

## **12. Rail corridor**

The EIS shall detail the likely effect of the proposal on the Sydney Metro Corridor and Pitt Street North Station consistent with the Sydney Metro Underground Corridor Protection Technical Guidelines (available from [www.sydneymetro.info](http://www.sydneymetro.info)).

## **13. Ecologically Sustainable Development (ESD)**

The EIS shall:

- o identify how the development will incorporate ESD principles (as defined in Clause 7(4) of Schedule 2 of the Regulation) in the design, construction and ongoing operation phases of the development, and include innovative and best practice proposals for environmental building performance
- o include a framework for how the future development will be designed to consider and reflect national best practice sustainable building principles to improve environmental performance and reduce ecological impact. This should be based on a materiality assessment and include waste reduction design measures, future proofing, use of sustainable and low-carbon materials, energy and water efficient design (including water sensitive urban design) and technology and use of renewable energy
- o include certification that the residential component of the development achieves the BASIX scores set out in the Concept Approval D/2016/1509
- o investigate the use of third party ESD certification to achieve targets beyond those required under the concept approval and NCC
- o outline any sustainability initiatives that will minimise/ reduce the demand for drinking water, including alternative water supply and end uses of drinking and non-drinking water that may be proposed, demonstrate water sensitive urban design principles are used, and any water conservation measures that are likely to be proposed.

## **14. Utilities**

The EIS shall:

- o address the existing capacity of the site to service the proposed development and any augmentation requirements for utilities, including arrangements for electrical network requirements, drinking water, waste water and recycled water
- o identify the existing infrastructure on-site and any possible impacts of the construction and operation of the proposal on this infrastructure. The existing capacity and any augmentation requirements of the development for the provision of utilities, including staging of infrastructure and additional licence/approval requirements in consultation with relevant agencies
- o provide details on the location, construction and servicing of the waste/recycling collection facilities for the building.

	<p><b>15. Biodiversity</b></p> <p>The EIS shall:</p> <ul style="list-style-type: none"> <li>o provide an assessment of the proposal's biodiversity impacts in accordance with Section 7.9 of the <i>Biodiversity Conservation Act 2017</i>, the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report where required under the Act</li> <li>o include landscape plans that improve and accommodate biodiversity (see Section 3.5.1 of the Sydney Development Control Plan 2012). Landscaping is to give preference to using local native provenance species from the native vegetation community that once occurred in the locality, where appropriate.</li> </ul> <p><b>16. Contributions and/ or Voluntary Planning Agreement</b></p> <p>The EIS shall address the provision of public benefit, services, infrastructure and any relevant contribution requirements.</p>
<b>Consultation</b>	<p>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.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> <li>- City of Sydney Council</li> <li>- Government Architect of NSW</li> <li>- Transport for NSW (Roads and Maritime Services)</li> <li>- Heritage Council of NSW</li> <li>- Sydney Coordination Office within Transport for NSW</li> <li>- Sydney Trains</li> <li>- Sydney Metro</li> <li>- Sydney Airport/CASA</li> </ul> <p>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.</p>
<b>Further consultation after 2 years</b>	<p>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.</p>
<b>Plans and Documents</b>	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> <li>- high quality files of maps and figures of the subject site and proposal</li> </ul>

- architectural drawings (to a useable scale at A3) showing key dimensions, RLs, scale bar and north point, plans, sections and elevations of the proposal (including 1:20 scale detail plans where works affect heritage fabric) and illustrated materials schedule including physical or digital samples board
- site title diagrams and survey plan, showing existing levels, location and heights of existing and adjacent structures/ building
- locality/context plan drawn, including significant local features such as heritage items
- urban design report
- heritage impact statement
- Aboriginal and historical archaeological impact assessment
- access impact statement
- visual impact assessment
- solar access analysis report and diagrams
- public domain design statement and plans
- landscape design report and landscape design package, including plans, details and levels for hotel and residential components
- detailed green wall and green roof plans and details
- biodiversity development assessment report (or waiver)
- ESD statement (incorporating a sustainability framework) and BASIX Certificate
- geotechnical report
- Building Code of Australia statement
- consultation summary report
- noise impact assessment
- wind impact report, including wind tunnel testing for public domain areas and all landscaped terraces on upper levels
- reflectivity report
- flood study and stormwater concept plan
- Public Art Proposal in accordance with the adopted Public Art Strategy
- signage strategy, including commercial signage / building name signage (if proposed)
- traffic and transport impact assessment, including parking, access, loading dock

	strategy / management plan and a construction traffic management plan
-	a report demonstrating compliance with the Sydney Metro Underground Corridor Protection Guidelines
-	construction impacts and management plan, including a construction noise and vibration management plan, construction waste and recycling management plan and cumulative impact of construction activities on other nearby sites, including any impact to Rail services nearby
-	utilities and services statement
-	Detailed Environmental Site Investigation
-	Acoustic reports regarding: <ul style="list-style-type: none"> <li>o Demolition and Construction Noise Vibration Management Plan in accordance with Condition 30 of the Stage 1 consent</li> <li>o Noise impact assessment considering City's Acoustic Amenity requirements under DCP 2012 4.2.3.11 for residential apartments &amp; NSW EPA <i>Noise Policy for Industry</i> and NSW Department of Planning <i>Planning for Entertainment Guidelines 2009</i> for commercial plant and entertainment related noise associated with the proposed development</li> </ul>
-	Acid Sulphate Soils report
-	Crime Prevention through Environmental Design report
-	Physical and 3D CAD model as per Council requirements.