

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*

Application Number	SSD-10378
Project Name	Mixed use development including commercial / retail uses and hotel accommodation
Location	42 Honeysuckle Drive, Newcastle (Lot 22 DP 1072217)
Applicant	DOMA HOLDINGS (HONEYSUCKLE) PTY LTD
Date of Issue	6 November 2019
General Requirements	<p>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 <i>Environmental Planning and Assessment Regulation 2000</i>.</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 proposed development.</p> <p>Where relevant, the assessment of the key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> · adequate baseline data · consideration of potential cumulative impacts due to other development in the vicinity · measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment · justification of impacts. <p>The EIS must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> · a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the EP&A Regulation 2000) of the proposal, including details of all assumptions and components from which the CIV calculation is derived · a detailed cost report prepared in accordance with Newcastle Section 94A Development Contributions Plan 2009 · an estimate of the jobs that will be created by the future development during the construction and operational phases of the development · certification that the information provided is accurate at the date of preparation.
Key issues	<p>The EIS must address the following specific matters:</p> <p>1. Statutory and Strategic Context</p> <p>Address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including:</p> <ul style="list-style-type: none"> · State Environmental Planning Policy (State & Regional Development) 2011 · State Environmental Planning Policy (Coastal Management) 2018 · State Environmental Planning Policy (Infrastructure) 2007 · State Environmental Planning Policy 55 – Remediation of Land · Draft State Environmental Planning Policy – Remediation of Land · Newcastle Local Environmental Plan 2012.

Permissibility

Detail the nature and extent of any prohibitions that apply to the development.

Development Standards

Identify compliance with the development standards applying to the site and provide justification for any contravention of the development standards.

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

- NSW State Priorities
- Future Transport Strategy 2056 and supporting plans
- Better Placed – an integrated design policy for the built environment of NSW 2017
- NSW Planning Guidelines for Walking and Cycling
- Hunter Regional Plan 2036
- Newcastle Urban Renewal Strategy 2014
- Greater Newcastle Future Transport Plan
- Greater Newcastle Metropolitan Plan 2036
- Port of Newcastle Port Development Plan (PDP) 2015
- Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019
- Relevant City of Newcastle policies, codes and guidelines (where required pursuant to relevant Local Environmental Plan)
- Guide to Traffic Generating Development (RMS 2002)
- NSW Aquifer Interference Policy (2012)
- Guidelines for Controlled Activities on Waterfront Land (2018)
- Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW.

2. Building use

The EIS shall:

- include a table identifying the proposed land uses including a floor-by-floor breakdown of gross floor area (GFA), total GFA and site coverage
- include details of the proposed uses and/or operational details for the development, including but not limited to:
 - o fit-out and operational details
 - o preliminary operational management plan.

3. Design excellence

The EIS shall include a design excellence strategy prepared in consultation with the Government Architect NSW, demonstrating how the proposal will achieve design excellence. This strategy shall:

- identify the process to ensure that design excellence is achieved
- demonstrate how comments from the Government Architect NSW have been addressed.

4. Built Form and Urban Design

- Address design quality, with specific consideration of bulk and scale, overall site layout, axis, vistas and connectivity, open spaces and edges, ground floor activation, primary elements, gateways, façade, rooftop, mechanical plant, massing, setbacks, building articulation, materials and choice of colours
- Assess the potential amenity impacts of the proposal including overshadowing, noise, reflectivity, visual privacy, wind, and view loss impacts
- Demonstrate that the proposal addresses and provides amenity to the light rail corridor and existing developments to the south and the proposed

- pedestrian/cycle link to run adjacent to the Cottage Creek drainage channel
- Provide design approaches to mitigate any potential flooding.

5. Ecologically Sustainable Development (ESD)

- Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design, construction and ongoing operation phases of the development
- Demonstrate how the proposed development responds to sustainable building principles and best practice, and improves environmental performance through energy efficient design, technology and renewable energy
- Include a description of the measures that would be implemented to minimise consumption of resources, water and energy, proposed alternative water supplies, proposed end uses of potable and non-potable water, and water sensitive urban design.

6. Noise

The EIS shall:

- identify any sensitive receivers to noise in the vicinity of the site
- identify the main noise generating sources and activities at all stages of construction, and any noise sources during operation
- outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land
- identify the likely noise impacts and acoustic measures required to ensure acceptable internal amenity, noting the proximity to the operational areas of the Port of Newcastle.

7. Transport and Accessibility (Construction and Operation)

The EIS shall:

- include a traffic, parking, servicing and access assessment identifying any impacts of the proposed development on the traffic and transport network and pedestrian cyclist safety adjacent to the site. Any associated impacts and/or mitigation measures are to be included in the EIS
- assess the impacts of the traffic generated on the local road network, and surrounding intersections (including Hannell Street / Honeysuckle Drive intersections) using SIDRA or similar traffic model and any potential need for upgrading or road works (local and classified) to maintain existing levels of service
- address the impacts of the proposal having regard to the cumulative traffic impact of other proposed developments in the area and the impact of the Newcastle Light Rail project.

8. Mine Subsidence

Provide a Geotechnical Investigation and Report which addresses potential subsidence risks, stabilisation works required/undertaken and confirms suitability of the site for the proposed development.

9. Flooding

The EIS is to include an assessment of any potential flood risk on site in accordance with any relevant provisions of the NSW Floodplain Development Manual (2005), The Throsby, Cottage and CBD Flood Study 2004, the Newcastle Floodplain Risk Study 2012 and the Honeysuckle Redevelopment Area Flood Study including an:

- assessment of existing flood behaviour and impact of sea level rise, climate change, and ecosystem migration;

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

10. Drainage

Provide details of all drainage associated with the proposal, including stormwater and drainage infrastructure.

11. Water

The EIS shall:

- include an assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measure proposed to reduce and mitigate these impacts
- identify proposed surface and groundwater monitoring activities and methodologies.

12. Heritage

The EIS shall include a Heritage Impact Statement and an Aboriginal Cultural Heritage Report that considers any potential impact(s) of the proposed development.

13. Utilities

The EIS shall:

- address the existing capacity of the site to service the development proposed and any augmentation requirements for utilities, including arrangements for electrical network requirements, drinking water, waste water and recycled water
- 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.

14. Public Benefit and Contributions

The EIS shall including a detailed cost report prepared in accordance with Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019, to determine the contributions required for the proposal.

15. Biodiversity

The EIS shall provide an assessment of the proposal's biodiversity impacts in accordance with the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report (BDAR) where required under the Act, except where a waiver for preparation of a BDAR has been granted.

16. Servicing and Waste

	Identify, quantify and classify the likely waste streams to be generated during construction and operation and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. Identify appropriate servicing arrangements (including but not limited to, waste management, loading zones, mechanical plant) for the site.
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>EP&A Regulation 2000</i>. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> · architectural drawings (to a usable scale at A3) · architectural design statement · landscape drawings (to a usable scale at A3) · landscape design statement · site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings · site analysis plan · shadow diagrams · ESD statement · pre-submission consultation statement · heritage impact assessment · access impact statement · traffic and parking assessment, including SIDRA modelling files · visual and view impact analysis and photomontages · stormwater concept plan · operational management plan · operational waste management plan · preliminary construction management plan, including a construction traffic and pedestrian management plan, construction noise and vibration management plan, construction waste management plan and cumulative impact of construction activities on other nearby sites · geotechnical and structural report · services and infrastructure report · contamination assessment · schedule of materials and finishes.
Consultation	<p>During the preparation of the EIS, you are required to consult with the relevant local, State or Commonwealth Government authorities, service providers, and the local community. You must consult with the City of Newcastle and the Office of the Government Architect.</p> <p>The EIS must describe the pre-submission consultation process, issues raised and how the proposed development has been amended in response to these issues. A short explanation should be provided where amendments have not been made to address an issue.</p>
Further consultation after 2 years	If you do not lodge a DA and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.