

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-10382
Project Name	Student Accommodation
Location	90-102 Regent Street, Redfern
Applicant	Wee Hur Capital Pty Ltd
Date of Issue	27 November 2019
General Requirements	<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"> - adequate baseline data - consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed) - measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment - a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues. <p>The EIS must also 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 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 - an estimate of jobs that will be created during the construction and operational phases of the proposed 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. Environmental Planning Instruments, Policies and Guidelines</p> <ul style="list-style-type: none"> · The EIS shall address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including: <ul style="list-style-type: none"> o State Environmental Planning Policy (State & Regional Development) 2011 o State Environmental Planning Policy (State Significant Precincts) 2005 o State Environmental Planning Policy (Urban Renewal) 2010

- o State Environmental Planning Policy (Affordable Rental Housing) 2009
- o State Environmental Planning Policy (Infrastructure) 2007
- o State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- o State Environmental Planning Policy No 64—Advertising and Signage
- o State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development
- o State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.

The EIS shall consider the relevant provisions, goals and objectives in the following:

- o *NSW State Priorities*
- o *Future Transport Strategy 2056*
- o *Better Placed – An integrated design policy for the built environment of New South Wales*
- o *Guide to Traffic Generating Developments (RMS)*
- o *Development near Rail Corridors and Busy Roads – Interim Guideline*
- o *Greater Sydney Region Plan – A Metropolis of Three Cities*
- o *Eastern City District Plan*
- o *Towards our Greater Sydney 2056*
- o *Sydney Local Environmental Plan 2012*
- o *Sydney Development Control Plan 2012*
- o *Sustainable Sydney 2030*
- o *Central to Eveleigh Urban Transformation Strategy*
- o *Redfern-Waterloo Built Environment Plan (Stage One) August 2006*
- o *Redfern-Waterloo Development Contributions Plan 2006*
- o *Redfern-Waterloo Affordable Housing Contributions Plan 2006*
- o *Redfern Centre Urban Design Principles.*

2. Design Excellence

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

- the process to ensure that design excellence is achieved
- process of engagement with the State Design Review Panel (SDRP) Pilot including post approvals
- how comments from NSW Government Architect have been addressed

3. Built Form and Urban Design

The EIS shall:

- provide an urban design analysis with consideration of the proposed building form, height, bulk and scale, setbacks and interface of the proposal with the surrounding development and public domain.
- address the design quality of the proposal including consideration of building articulation, materials and finishes and street activation
- assess environmental amenity including access to natural daylight and ventilation, acoustic separation, access to landscape and outdoor spaces and future flexibility, for both occupants of the building and occupants of neighbouring developments, noting the size of the site and the fact that the land to the immediate west of the site is not a public road
- consider opportunities for public art in area visible from the streets or accessible to the public.

4. Building Use

The EIS shall provide:

- a table identifying the proposed land uses including a floor-by-floor breakdown of

- gross floor area (GFA), total GFA and site coverage.
- details of the proposed use and operational details for each component of the development, including but not limited to:
 - o hours of operation
 - o patron capacity
 - o details of any music to be provided on the premises
 - o proposed lighting and illumination
 - o the relationship between the proposed uses of the building
- a plan of management in accordance with the relevant City of Sydney Council (Council) guidelines where required.

5. Amenity

The EIS shall:

- detail the impacts of the development on view loss, sunlight/overshadowing, wind impacts, reflectivity, visual and acoustic privacy to achieve a high level of environmental amenity.
- demonstrate any potential overshadowing onto the adjoining open space and neighbouring residential properties with shadow diagrams, with the portions of the building creating any non-compliance to be identified and adequately justified.
- outline and address the potential safety and security impacts, including consideration of Crime Prevention through Environmental Design (CPTED) principles.
- detail any external lighting or illumination and consider the impacts of this lighting/illumination to surrounding properties and the public domain.
- demonstrate the appropriateness of the proposed tower and setbacks with respect to wind mitigation, supported by a wind study.

6. Visual Impacts

The EIS shall provide a visual impact assessment to identify the visual changes and view impacts of the development to/from key vantage points and surrounding land. Photomontages or perspectives should be provided showing the project. The visual impact assessment must consider the impact of the development on any existing and proposed developments, including any view loss.

7. Transport, Traffic, Parking and Access (Construction and Operation)

The EIS shall provide a transport and accessibility impact assessment prepared in accordance with the relevant guidelines identifying:

- Operational matters including:
 - o assess the traffic impacts of the development on the surrounding road network and specify any road upgrade works (local and classified) required to manage traffic impacts and maintain acceptable levels of service
 - o an assessment of the car parking, loading and servicing facilities for the proposed development and compliance with appropriate parking codes and justification for the amount of car parking, loading and servicing facilities provided on the site.
 - o access to, from and within the site from the road network including intersection locations, design and sight distance (i.e. turning lanes, swept paths, sight distance requirements)
 - o proposed access arrangements including vehicles access, drop off arrangements, service vehicles including waste, emergency vehicles and loading areas for the development
 - o sustainable travel initiatives for employees, students and visitors, particularly for the provision of, green travel plans and wayfinding strategies
 - o details of bicycles parking facilities as these facilities need to be provided in secure, convenient, accessible areas close to main entries incorporating

lighting and passive surveillance

- o the existing, proposed and any temporary pedestrian and bicycle routes as well as measures to maintain road and personal safety in accordance with CPTED principles
- o an assessment of predicted impacts on road safety
- o provisions for end of trip facilities and on-site bicycle parking in accordance with relevant RMS/Council guidelines and Australian Standards
- o demonstrating adequate provision for servicing of the site in relation to loading demands, size of waste storage and collection area and method of collection to/from and within the site ensuring all serving and loading occurs on-site and does not rely on kerbside controls.

Construction matters including:

- o an assessment of traffic and transport impacts during construction and how these impacts will be mitigated for any associated traffic, pedestrians, cyclists, including the preparation of a draft Construction Pedestrian Traffic Management Plan. This Plan shall include vehicle routes, truck numbers, indicative construction program, hours of operation, access arrangements and traffic control measures for all works
- o details of construction vehicle routes, peak hour and daily truck movements, work zone location, haulage routes, hours of operation, access arrangements at all stages of construction and traffic control measures for all works
- o an assessment of the likely construction traffic impacts, such as required road/lane closures and diversions, impacts on bus and 'point to point' transport, impacts on pedestrian and cycle movement, and taking into account other construction activities
- o details of proposed mitigation measures should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified
- o an assessment of construction impacts on road safety at key intersections and locations for potential pedestrian, vehicle and bicycle conflicts
- o an assessment of cumulative construction impacts of projects including Sydney Metro City and Southwest
- o details of any temporary cycling and pedestrian access during construction
- o details of access arrangements for workers, emergency services and the provision for safe and efficient access for loading and deliveries.

8. Signage

The EIS shall provide details on the location, size and content of any proposed signage and consider any signage as part of the overall built form and urban design of the development.

9. Heritage and Archaeology

The EIS shall provide:

- 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 any heritage significance of the site and adjacent areas and is to identify the following:
 - o all heritage items (state and local) within the vicinity of the site including built heritage, landscapes, heritage conservation areas, and archaeology, and provide detail on their heritage significance and location
 - o the impacts of the proposal on heritage items and heritage conservation areas
 - o heritage assessment of the buildings on site that are more than 50 years old and proposed to be demolished

- o compliance with the policies of any relevant Conservation Management Plan
- o potential visual impacts of the proposal on the heritage significance of heritage items and heritage conservation areas in the vicinity of the site
- o the attempts to avoid and/or mitigate the impact on the heritage significance or cultural heritage values of the site and the surrounding heritage items
- o any impacts of the proposal including vibration impacts on the heritage significant building at St. Luke's Presbyterian Church, 118 Regent Street to the south of the site.
- a historic archaeological assessment prepared by a suitable historical archaeologist in accordance with the relevant guidelines including but not limited to Archaeological Assessment 2009. The assessment is to demonstrate the following:
 - o the historical archaeological relics likely to be present within the site and their significance
 - o the likely impacts of the proposal on these relics
 - o opportunities for avoidance through careful consideration of redesign where state significant archaeological resources are identified
 - o appropriate mitigation strategies where harm is likely to occur. 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.

10. Aboriginal Cultural Heritage

The EIS shall identify and describe the 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). This may include the need for surface survey and test excavation. 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 guided by the Guide to investigation, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011). The ACHAR shall:

- include consultation with Aboriginal people and documented in accordance with the Aboriginal Cultural Heritage Consultation Requirements For Proponents 2010 (DECCW, 2010). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.
- an assessment of impacts on Aboriginal cultural heritage values. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH. It is noted that a due diligence is not an appropriate assessment, an ACHAR is required.
- include procedures to be followed if Aboriginal objects are found at any stage of the life of the development to formulate appropriate measures to manage unforeseen impacts.

11. Public Domain and Public Access

The EIS shall:

- detail the scope of public domain improvements, street activation, key pedestrian linkages with and between other public domain spaces, existing and proposed buildings and surrounding areas
- include details of the consultation with Council regarding the potential connection of William Lane through the site and any required setbacks to William Lane and Marion Street as required by the relevant Urban Design Study of Redfern Waterloo and other relevant strategies. The surrounding public

domain to the site will need to be upgraded to the requirements of the Council's Street Design code and any proposed through site link will need to consider the materials to be used in accordance with the Street Design code.

12. Noise and Vibration

The EIS shall include a noise and vibration assessment prepared in accordance with the relevant EPA guidelines. This assessment shall:

- detail construction and operational noise impacts on nearby noise sensitive receivers and outline proposed noise mitigation and monitoring procedures
- demonstrate compliance with the noise standards including the Noise Policy for Industry (NSW EPA, 2017)
- include a Demolition, Excavation, Construction Noise and Vibration Management Plan
- address the acoustic privacy between the residential rooms and the communal areas which share floors.

13. Air Quality, Odour and Waste

The EIS shall:

- address the potential air quality, odour and waste impacts during the construction and operation of the development and appropriate mitigation measures.
- detail any air quality control measures to be implemented into the Construction Management plan to reduce air quality impacts during demolition, excavation and construction.

14. Drainage and Flooding

- The EIS shall address the drainage and flooding issues associated with the site. This includes:

- o the submission of a stormwater management plan which considers the impact of the development on the existing storm water infrastructure both in terms of storm water quantity and quality impacts
- o an assessment of any flood risk in accordance with the guideline contained in the NSW Floodplain Development Manual (DIPNR, 2005) including potential effects of climate change and an increase in rainfall intensity. The sites frontage to William Lane is subject to flooding and as such any proposed access to a basement area needs to be above the probable maximum flood level. The ground floor retail space needs to be at or above the 1% annual exceedance probability flood level.

15. Soil and Water

The EIS shall:

- include details of erosion, sediment and stormwater management and controls during construction and management and mitigation measures for the prevention of potential water quality impacts during construction
- include details of any geotechnical issues (including acid sulphate soils) associated with the construction of the development
- outline opportunities for the use of integrated water cycle management practices and principles to optimise opportunities for sustainable water supply, wastewater and stormwater management across the development.

16. 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.

	<p>17. Ecologically Sustainable Development (ESD) The EIS shall detail how best practice ESD principles (as defined in clause 7(4) of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>) will be incorporated in the design, construction and ongoing operation phases of the development, including optimisation of renewable energy opportunities via roof top photovoltaic and/or solar water heating technology. If kitchenettes are proposed to the rooms, then BASIX applies and relevant BASIX documentation shall also be provided.</p> <p>18. Contamination The EIS shall:</p> <ul style="list-style-type: none"> · demonstrate compliance with the requirements of State Environmental Planning Policy No. 55 – Remediation of Land · include a Phase 1, Phase 2, and a Remedial Action Plan depending on the extent (if any) of contamination. <p>19. Developer Contributions The EIS shall include the scope of developer contributions proposed.</p> <p>20. Building Code of Australia and the <i>Disability Discrimination Act</i> The EIS shall include a BCA and Access Report demonstrating compliance with the Building Code of Australia and the <i>Disability Discrimination Act 1992</i>.</p> <p>21. Infrastructure The EIS shall:</p> <ul style="list-style-type: none"> · identify existing infrastructure on-site and future infrastructure (CBD Rail Link and Sydney Metro) and any possible impacts of the construction and operation of the proposal on this infrastructure and associated mitigation measures · include details of 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 · include a report demonstrating compliance with the Sydney Metro Underground Corridor Protection Guidelines. <p>22. Land Ownership and Tenure The EIS shall include details of the current landownership and proposed management of future ownership.</p>
Consultation	<p>During the preparation of the EIS, the applicant must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular, consultation is required for the following agencies:</p> <ul style="list-style-type: none"> · The City of Sydney Council · NSW Government Architect's Office · Sydney Coordination Office within Transport for NSW · Roads and Maritime Services · Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former Office of Environment and Heritage) · Heritage Division of the Department of Premier and Cabinet (former Heritage Division of the Office of Environment and Heritage) · Sydney Water · Sydney Trains · Sydney Metro · Sydney Airport · Adjoining sites and landowners.

	The EIS must describe the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.
Further consultation after 2 years	If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.
References	The assessment of the key issues listed above must 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.

Plans & Documents

Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>. These are to be provided as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include the following:</p> <ol style="list-style-type: none"> 1. An existing site survey plan drawn at an appropriate scale illustrating: <ul style="list-style-type: none"> the location of the land, boundary measurements, area (sqm) and north point the existing levels of the land in relation to buildings and roads location and height of existing structures on the site location and height of adjacent buildings all levels to be to Australian Height Datum (AHD). 2. A locality/context plan drawn at an appropriate scale indicating: <ul style="list-style-type: none"> significant local features such as parks, community facilities 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. 3. Drawings at an appropriate scale illustrating: <ul style="list-style-type: none"> detailed plans, sections and elevations of the development, including all temporary structures, communal open spaces, landscaping and public domain works, and site features and their relationship to adjoining sites (at a minimum scale of 1:200) the height (AHD) of the proposed development in relation to the land and any changes that will be made to the level of the land by excavation, filling or otherwise an integrated urban design and landscape plan including active transport and existing, proposed and potential footpaths and bicycle paths links to surrounding public transport, details of new and retained planting, shade structures and materials. The landscape plan is to give preference to local native tree, shrub and groundcover species where appropriate. a detailed signage plan showing the location, size and content of each sign. 4. Materials and finishes including: <ul style="list-style-type: none"> a materials and finishes schedule including elevation plans and a physical samples board an electronic model in accordance with the City of Sydney specifications. 5. Visual Impact Assessment including focal lengths, done in accordance with Land and Environment Court principles as follows: <p><u>Visual assessment methodology</u></p> <ul style="list-style-type: none"> the consultant's methodology should be explicit. This may include a flow-chart indicating how the analysis is to be undertaken, or a narrative description of the proposed sequence of activities. as part of the methodology, the consultant should provide, and explain, criteria for assessment relevant to the site, local context and proposed built form and public domain outcomes. A rationale should be provided for the choice of criteria. Criteria must include reference to the planning framework. visual catchment should be defined and explained (see below).
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- an assessment matrix should be produced including number of viewers, period of view, distance of view, location of viewer to determine potential visual impact - i.e. high, medium or low.

Visual catchment

- potential visual catchments and view locations, including contours (areas from which the development is visible) should be identified
- categories of views (e.g. from public open space, from key streets, from main buildings and from key heritage items) should be defined
- photos are required for representative view categories, plotted on a map.

Visual material

- reference to be made to site analysis
- provide key plan indicating where viewpoints are located and narrative explaining why these have been selected
- the built form should be illustrated in the context of the visual catchment to enable assessment of the visual impact
- the location of cross-sections should be clearly shown on a key plan and the choice of positions explained. The cross sections should be shown in the context of the visual catchment
- vertical exaggeration should provide an accurate rather than 'flattened' impression of buildings in the context of the visual catchment
- a key plan must be provided for photomontages. In addition, the choice of locations should be explained. Photomontages should be provided for close as well as distant views.
- assessment must benchmark against the existing situation with the proposed plans.
- photomontages to be provided for key viewpoints from all directions, and from several positions within the visual catchment.
- as above, support visual evidence such as cross sections to be drawn to realistic scales and shown in context.

A comparison of 'before' and 'proposed' is fundamental to a visual impact assessment, therefore the visual impact assessment (A3 in size) should be undertaken using human eye focal lengths (50mm at 35mm FX format and 46° angle of view) from long range, medium range and short range positions so that they can be assessed with respect to visibility, visual absorption capacity and visual impact rating.

6. Shadow diagrams showing solar access to the site and surrounding areas at summer solstice (21 December), winter solstice (21 June) and the equinox (21 March/21 September) at 9.00 am, 12.00 pm and 3.00 pm.

7. Design report demonstrating how design quality will be achieved in accordance with Key Issues, Built Form and Urban Design, Amenity, Heritage and Archaeology and Public Domain and Public Access including:

- an architectural design statement
- a landscape design statement
- a public domain package to include:
 - o public domain design statement, public domain plans showing key dimensions, RLs, scale bar and north point including:
 - o pedestrian movement patterns, through site link, street trees, associated landscaping, materials and surface finishes, street furniture, lighting.
- detailed site and context analysis
- an analysis of options considered including building envelope study to justify the proposed site planning and design approach
- a summary of feedback provided by NSW Government Architect And NSW SDRP

	and responses to this advice . a 3D CAD model as per Council requirements
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