



Mr Kirk Osborne
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Our ref: 11/18985
Your ref:
File:

Dear Mr Osborne

DGRs for Four Points By Sheraton Hotel Expansion, 161 Sussex Street, Sydney - 4972-2011

The Department has received your request for Director General's environmental assessment requirements (DGRs) for the above development.

I have attached a copy of the DGRs for the preparation of an Environmental Impact Statement (EIS) for the development. The DGRs have been prepared in consultation with relevant government authorities and copies of their comments are attached for your information.

The DGRs have also been prepared based on the information you have provided to date. Please note that under clause 3(5) Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), the Director-General may alter the DGRs at any time. If you do not lodge a DA and EIS for the development within 2 years, the DGRs will expire.

The Department will review your EIS prior to exhibition, to determine whether it addresses the requirements of Schedule 2 of the EP&A Regulation. The Department may consult with other relevant government authorities in doing so. Please provide 1 hard and 5 CD copies of the EIS to assist the review.

If the Department considers the EIS does not address the Schedule 2 EP&A Regulation requirements, you may be required to submit an amended EIS. Once the Department is satisfied that the requirements have been addressed, you will be advised of public exhibition arrangements.

If your development is likely to have a significant impact on matters of National Environmental Significance, approval will be required under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act). It is your responsibility to contact the Department of Sustainability, Environment, Water, Population and Communities to determine if such an approval is required (<http://www.environment.gov.au> or 6274 1111). The approval would be additional to any approvals required under NSW legislation.

Your contact officer for this proposal, Jane Flanagan, can be contacted on the above details. Please mark all correspondence regarding the proposal to Ms Flanagan's attention.

Yours sincerely

Anthony Witherdin
A/Director
Metropolitan and Regional Projects South

Director General's Environmental Assessment Requirements

Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	4972-2011.
Proposal Name	Four Points By Sheraton Hotel Expansion.
Location	Lots 101 and 102 DP1009697, 161 Sussex Street, Sydney.
Applicant	M&L Development Co Pty Ltd.
Date of Issue	24 November 2011.
General Requirements	<p>The Environmental Impact Statement (EIS) must meet the minimum requirements in Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>, specifically the:</p> <ul style="list-style-type: none"> • form specifications in clause 6; and • content specifications in clause 7.
Key issues	<p>The EIS must address the following specific matters:</p> <p>1. Environmental Planning Instruments (EPIs) Address the relevant statutory provisions applying to the site contained in all relevant EPIs, including:</p> <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Infrastructure) 2007; ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; and ○ Darling Harbour Development Plan No. 1. <p><i>Permissibility</i> Detail the nature and extent of any prohibitions that may apply to the development.</p> <p><i>Development Standards</i> Identify the development standards applying to the site and the surrounding area. Justify any development standards not being met.</p> <p><i>Contamination</i> Demonstrate that the site is suitable for the proposed use in accordance with SEPP 55.</p> <p>→ <i>Relevant Policies and Guidelines:</i></p> <ul style="list-style-type: none"> • <i>Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land (DUAP)</i> <p>2. Policies, Guidelines and Planning Agreements Address the relevant planning provisions, goals and strategic planning objectives and detail how the development promotes or is consistent with the provisions and strategic objectives of the following:</p> <ul style="list-style-type: none"> ○ Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005; ○ NSW State Plan, Metropolitan Plan for Sydney 2036 and the draft Sydney City Subregional Strategy; ○ Metropolitan Transport Plan 2010; ○ Development Near Rail Corridors and Busy Roads – Interim Guideline 2008; ○ NSW Groundwater Policy Framework Document – General; and ○ NSW Groundwater Quality Protection Policy. <p>3. Built Form and Urban Design</p> <ul style="list-style-type: none"> • Address the height, bulk and scale of the proposed development within the context of the locality, including its 'fit' with the existing hotel building

on the site, Darling Park Towers to the south, and the office buildings on the eastern side of Sussex Street.

- Detail the design quality and architectural form, with specific consideration of the overall site layout, vistas and connectivity, open spaces and edges, façade, rooftop, mechanical plant, massing, setbacks, building articulation, materials, choice of colours, safety by design, public domain, and compatibility with surrounding development particularly when viewed from Darling Harbour, Pyrmont Bridge and Pier 26.
- Undertake a view analysis, including photomontages and perspectives of:
 - each elevation;
 - key elements and views of the development from key locations (including Sussex, Market and Union Streets, Pyrmont Bridge and the Cockle Bay/Darling Harbour boardwalk areas and Pier 26);
 - key views, vistas and view corridors from the public domain and residential buildings that may be impacted as determined by the view analysis; and
 - design considerations aimed at mitigating any impacts.
- Address the long-standing gateway vistas to the Corn Exchange and the city from Pyrmont Bridge.

4. Heritage

- An heritage impact statement and a statement of significance of the likely impacts of the proposal on heritage and archaeological items, including:
 - the relationship to adjoining heritage items, the Corn Exchange and Dundee Arms Hotel and the impacts on the western elevation and setting of the Corn Exchange;
 - construction and operational impacts on adjoining heritage items;
 - assessment of the impacts on views to and from adjoining heritage listed buildings;
 - natural areas and places of Aboriginal, historic or archaeological significance and consideration of wider heritage impacts on the surrounding area; and
 - proposed conservation and mitigation measures.
 - Prepare a Conservation Management Plan for the Corn Exchange and the Dundee Arms Hotel complying with the standards of the NSW Heritage Council.
- *Relevant Policies and Guidelines:*
- *NSW Heritage Manual (1996).*
 - *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage, Department of Premier and Cabinet April 2011).

5. Ecologically Sustainable Development (ESD)

Detail how ESD principles will be incorporated in the design, construction and operational phases of the development. Address any relevant licence requirements of the Office of Environment and Heritage and/or IPART regarding any proposed co-generation, greywater recycling, stormwater or rainwater harvesting.

6. Amenity

- Demonstrate how the proposal will achieve a high level of environmental amenity. Detail solar access, acoustic impacts, visual privacy, servicing requirements (including waste management, loading zones, mechanical plant), overshadowing and wind impacts.
- Consider appropriate distances to any adjacent residential buildings, and road and rail infrastructure.

7. Noise

- Identify the main noise generating sources and activities at all stages of construction and during operation. Outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.
- Demonstrate that the development is of a type that is not sensitive to traffic noise or vehicle emissions, is appropriately located and designed,

or includes measures to ameliorate potential traffic noise or vehicle emission impact.

- Detail design strategies which incorporate the mitigation of road traffic noise from the Western Distributor by the use of durable materials.

→ *Relevant Policies and Guidelines:*

- *NSW Industrial Noise Policy (EPA);*
- *Interim Construction Noise Guideline (DECC); and*
- *Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning).*

8. Transport and Accessibility (Construction and Operation)

- Preparation of a Transport and Accessibility Impact Assessment that:
 - estimates the total trips generated for all purposes by the proposal;
 - assesses the impacts of additional traffic on the road network; and
 - identifies measures to manage travel demand that support the use of public and non-car transport modes;
 - assesses impacts regarding the proposed Haymarket to Circular Quay light rail corridor; and
 - provides for retention of the existing through-site pedestrian access across the Western Distributor to Darling Harbour, or an alternative through-site link.
- Consideration of the potential for sustainable travel initiatives for workers and visitors, particularly, the provision of end-of-trip facilities and on-site bicycle parking.
- Assessment and details of traffic impacts during construction and how these will be managed, including the preparation of a draft Construction Traffic Management Plan to demonstrate the proposed management approach.
- Assessment and details of the impacts on the Western Distributor, in consultation with Roads and Maritime Services, to ensure the development (during construction and operation) does not adversely impact on its safe and efficient operation.

→ *Relevant Policies and Guidelines:*

- *Guide to Traffic Generating Development (RTA); and*
- *NSW Planning Guidelines for Walking and Cycling.*

9. Rail corridor

- Detail the likely effect of the proposal on the practicability and cost of carrying out rail expansion projects on the land in the future, the structural integrity or safety of, or ability to operate, such rail projects, and the land acquisition costs and the costs of construction, operation or maintenance of such projects.
- Prepare, based on consultation with RailCorp, details of the interface between the proposal and the CBD Rail Link (CBDRL). Demonstrate how the following will be addressed:
 - allowance in the building design, construction and maintenance for the future construction and operation of railway tunnels in the vicinity of the land;
 - allowance for impacts from rail operations including stray currents, electrolysis, noise, vibration, and electromagnetic fields; and
 - provision of drawings, reports and other information to allow RailCorp to fully understand the interaction with the CBDRL.

10. Infrastructure

- Detail discussions with Ausgrid regarding the live 33kV and 11kV cable systems traversing the site.
- Demonstrate that site can be suitably serviced.

11. Sediment, Erosion and Dust Controls (Construction and Excavation)

Detail measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and fine particles.

→ *Relevant Policies and Guidelines:*

	<ul style="list-style-type: none"> • <i>Managing Urban Stormwater – Soils & Construction Volume 1 2004 (Landcom); and</i> • <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA).</i> <p>12. Groundwater</p> <ul style="list-style-type: none"> • Address whether the proposal is likely to intercept, use or affect groundwater. • Demonstrate that the proposal is consistent with NSW State groundwater policies, and does not detrimentally impact on groundwater quality or the health of groundwater dependent ecosystems.
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>. Provide these as part of the EIS rather than as separate documents.</p> <p>The EIS must also include the following:</p> <ul style="list-style-type: none"> • Plan of the location of the CBD Rail Link in relation to the land; • Plan of the location of the proposed Haymarket to Circular Quay light rail corridor; • Shadow diagrams; • A model of the proposal; and • Survey plan to AHD.
Consultation	<p>During preparation of the EIS, you must consult with 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"> • Sydney City Council; • RailCorp • Roads and Maritime Services; • Transport for NSW; • Ausgrid; • Heritage Council; • Office of Water; • Office of Environment and Heritage; • Sydney Harbour and Foreshore Authority; and • Any other relevant public authorities. <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 those issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	<p>If you do not lodge an EIS for the development within 2 years of the date of these DGRs, you must consult further with the Director-General in relation to requirements for lodgement.</p>
References	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the guidelines, policies, and plans listed above may be relevant to the environmental assessment of this project.</p>