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PO Box 375
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Our ref: SSD 7684

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Dear Mr Quartermain

**SEARs for the staged redevelopment of Cockle Bay Wharf
241 – 249 Wheat Road, Cockle Bay
Darling Harbour
[SSD 7684]**

As requested, please find attached the Secretary's environmental assessment requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above development. These requirements have been prepared in consultation with relevant public authorities based on the information you have provided to date. I have also attached a copy of the public authorities' comments for your information. Please note that the Secretary may alter these requirements at any time.

If you do not lodge the EIS for the development within two years, you must consult further with the Secretary in relation to the preparation of the EIS.

Prior to exhibiting the EIS, the Department will review the documentation in consultation with relevant authorities to determine if it addresses the requirements in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*. You will be required to submit an amended EIS if it does not adequately address the requirements.

The Department emphasises the importance of effective and genuine community consultation, where a comprehensive, detailed and genuine community consultation engagement process must be undertaken as early as possible in the preparation of the EIS. This process must ensure that the community is provided with a good understanding of what is proposed, description of any potential impacts and how they can actively engage in issues of concern to them. A report summarising the community consultation undertaken, issues raised and how these issues have been considered in the proposal must be included in the EIS.

Given the nature of the project in Darling Harbour, the Department is willing to arrange a planning focus meeting with relevant public authorities to discuss the proposal. Please contact the officer below to make arrangements for this meeting, if required.

Please contact the Department at least two weeks before you propose to submit your EIS. This will enable the Department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and

- determine the number of copies (hard-copy and CD/DVD) of the DA and EIS that will be required for reviewing purposes.

If your development is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Commonwealth Department of the Environment to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

If you have any questions, please contact Brendon Roberts, Acting Team Leader, on (02) 9228 6422 or via email at brendon.roberts@planning.nsw.gov.au

Yours sincerely



23/6/16

Cameron Sargeant
Acting Director
Key Sites Assessments
Planning Services
as delegate of the Secretary

Enclosed/Attached: SEARs
Submissions on draft SEARs

Secretary's Environmental Assessment Requirements
Section 78A (8A) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the Environmental Planning and Assessment Regulation 2000

Application Number	SSD 7684
Proposal Name	Demolition of existing structures and Stage 1 Concept Proposal for the development of retail and commercial buildings and upgrades to public domain.
Location	241 – 249 Wheat Road, Cockle Bay (Darling Harbour Precinct)
Applicant	DPT Operator Pty Ltd and DPPT Operator Pty Ltd
Date of Issue	23/6/16
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 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; and measures to avoid minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment. <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 <i>EP&A Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; an estimate of the jobs that will be created by the future development during the construction and operational phases of the development; and 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>The EIS shall address the statutory provisions applying to the site contained in all relevant environmental planning instruments (EPIs), including:</p> <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011; State Environmental Planning Policy (Infrastructure) 2007; State Environmental Planning Policy No.55 – Remediation of Land; Draft Sydney Environmental Planning Policy (Competition) 2010; Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; Darling Harbour Development Plan No.1; and Sydney Local Environmental Plan 2012. <p>The EIS shall address the relevant planning provisions, goals and strategic planning objectives in the following:</p> <ul style="list-style-type: none"> A Plan for Growing Sydney; NSW State Priorities;

- NSW Long Term Transport Master Plan;
- Sustainable Sydney 2030;
- Sydney Development Control Plan 2012;
- Sydney Streets Design Code and Sydney Streets Technical Specification;
- Infrastructure NSW SICEEP Urban Design and Public Realm Guidelines;
- Development Near Rail Corridors and Busy Roads - Interim Guideline;
- Sydney City Centre Access Strategy;
- The NSW Government Planning Guidelines for Walking and Cycling;
- Sydney's Light Rail Future, Sydney's Cycling Future and Sydney's Walking Future;
- NSW Bicycle Guidelines;
- Healthy Urban Development Checklist;
- City of Sydney Waste Minimisation in New Developments 2005;
- Waste Classification Guidelines;
- Interim Construction Noise Guideline; and
- Crime Prevention Through Environmental Design (CPTED) Principles.

2. Ecologically Sustainable Development (ESD)

The EIS shall:

- detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the *EP&A Regulation 2000*) will be incorporated in the design, construction and ongoing operation of the staged development;
- demonstrate how the proposed development responds to industry best practice sustainable building principles and improves environmental performance through energy efficient design, technology and renewable energy; and
- provide an integrated Water Management Plan, including an assessment of water demand, alternative water supply, and proposed end uses of potable and non-potable water, water sensitive urban design and water conservation measures.

3. Development staging

The EIS shall set out the staging of the proposed redevelopment including timing of public domain works and pedestrian connections to the CBD and interim land use opportunities on parts of the site awaiting development.

The EIS shall also set out those parts of the development subject to future applications, including works outside of the site boundaries and the Darling Harbour site identified in *State Environmental Planning Policy (State and Regional Development) 2011*.

4. Land Use

The EIS shall address the proposed land use mix, compliance with the objectives of the *Darling Harbour Development Plan No. 1* and demonstrate how the proposal will enhance the tourist, recreational, entertainment, cultural and commercial character of Darling Harbour.

5. Design Excellence, Built Form and Public Domain

The EIS shall:

- demonstrate the process for achieving design excellence and how the proposed envelope will deliver design excellence in the future stage/s;
- address design excellence of the building and public realm, with specific consideration of the overall site layout, siting and design, orientation, connectivity, activation, open spaces and edges, overshadowing, façades, massing, setbacks and building articulation;
- address the height, bulk and scape of the development within the context of the locality including a comprehensive options analysis for the built form, exploring a range of heights, tower locations and built forms, with justification of the selected option based on a thorough consideration of the benefits and potential impacts of each option;

	<ul style="list-style-type: none"> • address how the proposal fits with the existing context and current and future desired character of Darling Harbour through the development of urban design and public domain guidelines; • address and respond to comments and recommendations from SHFA's Design and Development Advisory Panel; • provide a framework for public domain and public access upgrades across the site and address opportunities to enhance connections with Darling Harbour, the Sydney CBD and Barangaroo; • address the relationship of the public domain with the renewal of marine structures being undertaken by SHFA, including opportunities and constraints; • demonstrate how the proposal identifies and is well integrated into key pedestrian desire lines to the surrounding area and critical pedestrian, tourist and commuter links between SICEEP, Darling Harbour, Barangaroo, Pyrmont and the Sydney CBD; and • provide a detailed visual impact analysis, which considers the impact of the proposal when viewed from the public domain and key vantage points surrounding the site, including the Sydney CBD, Pyrmont, Darling Harbour and Pyrmont Bridge, including an assessment of any view loss impacts. <p>6. Environmental Amenity The EIS shall examine and address solar access, acoustic impacts (construction and operational), reflectivity, overshadowing of public places (including The Boulevard, Tumbalong Green, the foreshore walk and the proposed Town Hall Square) and nearby existing and proposed residential uses, wind, view loss, visual privacy, emissions (including the Cross City Tunnel Vent Stack and Darling Park Tunnel), noise and vibration impacts to the surrounding area.</p> <p>7. Heritage The EIS shall:</p> <ul style="list-style-type: none"> • provide a detailed Heritage Impact Statement (HIS) that identifies and addresses the impacts of the proposal: <ul style="list-style-type: none"> ◦ on any archaeology protected under the <i>Heritage Act 1977</i> ◦ on the heritage significance of the site and adjacent area, including any built and landscape heritage items, conservation areas, views or settings, and in particular Pyrmont Bridge ◦ on places, items or relics of significance to Aboriginal and non-Aboriginal people ◦ against any endorsed conservation management plans for heritage items in the vicinity of the site • address opportunities for heritage interpretation within the public domain. <p>8. Transport and Accessibility (construction and operation) The EIS shall include a Traffic and Transport Impact Assessment providing an assessment of the following:</p> <ul style="list-style-type: none"> • current daily and peak hour vehicle, public transport, pedestrian and bicycle movements, together with the cumulative impacts of existing, proposed and approved developments in the area, and existing traffic and transport facilities provided on the road network located adjacent to the proposed development; • operation of existing and future transport networks including the light rail, ferry and bus networks and the CBD and South East Light Rail (CSELR) and their ability to accommodate the forecast number of trips to and from the development; • estimated total daily and peak hour trips likely to be generated by the proposed development, including vehicle, public transport, pedestrian and bicycle trips; • existing and future performance of key roads and intersections providing access to the site (including Harbour Street, Market Street and the Western Distributor), and any road/intersection upgrades required to accommodate the development. using modelling and analysis supported by RMS;
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- measures to be implemented to encourage users of the development to make sustainable travel choices, including walking, cycling, public transport and car sharing, such as the provision of end-of-trip facilities for workers and visitors;
- appropriate provision of on-site bicycle parking, and how bicycle provision will be integrated with the existing bicycle network;
- details and justification for the proposed number of car parking spaces addressing consistency with relevant parking codes;
- site access requirements;
- likely future servicing requirements;
- road safety assessment for any proposed advertising signage, and lighting displays and reflectivity in visible on roads; and
- likely peak hour construction and servicing vehicle movements and access arrangements and the impacts of this traffic and the cumulative impact from surrounding development sites on the local road network and potential conflicts with other road users.

9. Western Distributor

The EIS shall:

- provide an analysis and justification for the development over the Western Distributor (including the road reserve) and Wheat Road, including consideration of pedestrian desire lines between the CBD and Darling Harbour, benefits of providing an additional access point and potential impacts; and
- address the impact of development on the structural stability of the Western Distributor, horizontal and vertical clearances and the ability for Roads and Maritime Services to carry out improvement works.

10. Drainage, Flooding, Climate Change and Sea Level Rise

The EIS shall:

- identify and address the potential flood risk from groundwater, wastewater, stormwater, acid sulphate soils and sea level rise on the site; and
- include proposals to mitigate any potential impacts, such as opportunities for water sensitive urban design within the public domain and landscaping and any other water conservation measures.

11. Utilities

The EIS shall:

- in consultation with relevant agencies, address the existing capacity and any augmentation requirements of the development for the provision of utilities, including staging of infrastructure; and
- provide details of how infrastructure assets of various utility stakeholders will be protected or relocated during the demolition and construction of the project.

12. Construction Management

The EIS shall provide a preliminary construction management plan which:

- identifies if any cranes will be required to operate within the Obstacle Limitation for Sydney Airport and if any separate approval is required;
- identifies management measures for potential impacts of construction on surrounding areas, such as noise and vibration, air quality and odour impacts, dust emissions, water quality, stormwater runoff, groundwater seepage, soil pollution and construction waste; and
- outlines a community consultation, notification and complaints handling strategy.

13. Contributions and/or Voluntary Planning Agreement

The EIS shall address the provision of public benefit, services, infrastructure and any relevant contribution requirements to be agreed with SHFA, including opportunities to provide community uses, start up office space or other public benefits within the development.

	<p>14. Pre-submission consultation statement</p> <p>The EIS must include a report describing pre-submission consultation undertaken, including consultation with the local community, issues raised during that consultation and how the proposal responds to those issues.</p>
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"> • schedule of proposed gross floor area per land use; • building envelopes showing the relationship with proposed and existing buildings in the locality; • architectural drawings (to a usable scale at A3); • site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings; • site analysis plan; • visual and view impact analysis and photomontages; • physical model; • shadow diagrams; • wind impact assessment; • access impact statement; • retail and commercial / office strategy; • public domain plan, including landscaping works; • strategy for any events in the public domain; • flooding assessment; • stormwater concept plan; • sediment and erosion control plan; • acoustic assessment; • ESD statement; • heritage impact statement; • traffic and parking assessment; • air quality assessment; • reflectivity assessment; • contamination assessment; • services and infrastructure report, including electrical services plans showing the location of existing electricity cables in the vicinity of the proposal; • preliminary construction management plan, including a construction traffic 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; • signage details (if proposed); • public art strategy; and • pre-submission consultation statement.
Consultation	<p>During the preparation of the EIS, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, and community groups.</p> <p>The EIS must also 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	<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>