

Secretary's Environmental Assessment Requirements

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

Application Number	SSD 7689
Development	Walsh Bay Arts Precinct – Stage 2
Location	Lot 11 - DP 1138931 (Pier 2/3), Lot 24 - DP 1071597 (Pier 2/3 Shore Sheds), Lot 65 DP – 1048377 (Wharf 4/5) and Lot 12 DP 1138931 (Part waters Sydney Harbour)
Applicant	Arts NSW
Date of Issue	1 July 2016
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 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>Notwithstanding the 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 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 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 (as defined in clause 3 of the <i>Environmental Planning and Assessment 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 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 (EPIs) Address the relevant statutory provisions applying to the site contained in all relevant EPIs, including:</p> <ul style="list-style-type: none"> • <i>State Environmental Planning Policy 55 - Remediation of Land</i>; • <i>State Environmental Planning Policy (Infrastructure) 2007</i>; • <i>State Environmental Planning Policy (State and Regional Development) 2011</i>; • <i>Sydney Regional Environmental Plan No. 16 – Walsh Bay</i>; and • <i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i>.

2. Policies, Guidelines and Planning Agreements

Address and detail how the development promotes or is consistent with the relevant planning provisions, goals and strategic planning objectives of the following documents:

- NSW State Priorities;
- A Plan for Growing Sydney;
- NSW Long Term Transport Master Plan;
- Sustainable Sydney 2030;
- Guide to Traffic Generating development (RMS);
- NSW Planning Guidelines for Walking and Cycling;
- Sydney City Centre Access Strategy;
- Sydney's Cycling Future;
- Sydney's Walking Future
- NSW Bike Plan 2010;
- Heritage Council Guidelines Assessing the Significance of Archaeological Sites and Relics; and
- Crime Prevention through Environmental Design Principles;

3. Stage 1 Consent Walsh Bay Arts Precinct

- Demonstrate consistency with the terms of approval for the Stage 1 State Significant Development Consent for the Walsh Bay Arts Precinct.

4. Built Form and Urban Design

- Address design quality, with specific consideration of the overall site layout, axes, vistas and connectivity, open spaces and edges, primary elements, gateways, façade, rooftop, mechanical plant, massing, setbacks, building articulation, materials and colours.

5. Public Domain and Public Access

- Identify proposed streetscape, open space, public domain and key pedestrian linkages with and between other public domain spaces;
- Address all aspects of the public domain within the precinct, including specific design features (if applicable):
 - footpaths and pavements, roads and/or rights of carriageways;
 - outdoor seating;
 - materials and finishes;
 - furniture and fixtures;
 - street lighting, pedestrian lighting and feature lighting;
 - edges, screens and fences;
 - walls, embankments and mounds;
 - steps, ramps, vehicle crossings, decks and pathways;
 - services where affected, utility poles, and service pits;
 - civil and stormwater infrastructure;
 - tree planting;
 - mass planting beds, planter boxes and individual plantings; and
 - bicycle parking.
- Detail and outline the interface between the proposed uses and the public domain;
- Provide public domain guidelines and plans for the use and operation of the public domain;
- Outline any proposed signage strategy including wayfinding signage; and
- Prepare an accessibility report.

	<p>6. Ecologically Sustainable Development (ESD)</p> <ul style="list-style-type: none"> Detail how ESD principles (as defined in clause 7(4) Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design, construction and ongoing operation of the development. <p>7. Amenity</p> <ul style="list-style-type: none"> Address and demonstrate a high level of environmental amenity in respect of solar access, acoustic and visual privacy, servicing requirements (including waste management, loading zones, mechanical plant), access to views, and wind impacts, particularly regarding the impacts of the outdoor waterfront square; and Assess design construction and public safety associated with the construction and operation of the waterfront public square and water steps. <p>8. Heritage and Archaeology</p> <ul style="list-style-type: none"> Prepare a Heritage Impact Assessment that: <ul style="list-style-type: none"> describes the heritage significance of all heritage items on the site (including external, internal and moveable heritage features) and those surrounding the site including submerged maritime heritage and all archaeology; describes the potential impact of the proposal on the significance of the site, its components and values; assesses potential impacts of the proposal on Aboriginal cultural heritage values and where Aboriginal cultural heritage values are identified include measures to avoid, conserve or mitigate against the impact and consult with the Aboriginal people to identify the significance of the cultural heritage item; addresses the proposal against the policies of the endorsed Conservation Management Plans for Wharves Precinct and specific buildings and the proposed adaptive reuse measures to minimise impacts on the buildings, moveable heritage items and any archaeology; proposes opportunities to interpret the site's heritage significance and archaeology maritime and historical association; and include a framework to manage and fund the maintenance of public domain/common areas through a committee of owners to maintain a consistent visual character throughout the Walsh Bay Precinct; Provide an Archaeological Assessment and Management plan, prepared by a suitably qualified person, to assess the likelihood of significant historical, maritime and aboriginal archaeology on the site, how this may be impacted by the project and measures to mitigate impacts. <p>9. Noise and Vibration</p> <ul style="list-style-type: none"> The EIS shall include a noise and vibration assessment prepared by a suitably qualified acoustic consultant that: <ul style="list-style-type: none"> assesses construction noise and vibration impacts. The assessment must consider cumulative noise and vibration impacts from all concurrent construction activities; assesses operational noise from the use of the buildings and the public domain, associated events and any food and drink premises; assesses operational vibration from the use of the premises;
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- o outlines measures to minimise and mitigate potential noise and vibration impacts within the precinct and to surrounding occupiers of land.

Relevant Policies and Guidelines:

- *NSW Industrial Noise Policy (EPA)*

10. Transport and Accessibility

- The EIS shall include a Traffic Impact Assessment (TIA) relating to construction and operational impacts that includes, but is not limited to the following:

Construction

- o an assessment of traffic and transport impacts during construction and how these impacts will be mitigated for any associated traffic, pedestrians, cyclists, harbour vessel movements, and public transport operations, including the preparation of a draft Construction Pedestrian Traffic Management Plan.
- o an assessment of cumulative impacts associated with other construction activities;
- o detail construction vehicle routes, peak hour and daily truck movements, access arrangements and traffic control measures at all stages of construction;
- o an assessment of construction impacts on road safety at key intersections; and
- o detail access arrangements for workers, emergency services and the provision of safe and efficient access for loading and deliveries.

Operation

- o provide accurate details of the daily and peak hour vehicle, public transport, pedestrian and bicycle movements, existing traffic and transport facilities and assess the impacts of anticipated traffic generation on:
 - the local road network and intersection capacity;
 - the operation of existing and future transport networks including the light rail, ferry and bus networks; and
 - planned and approved developments in the area including Barangaroo.
- o detail the provision of vehicle, pedestrian, bicycle, motor cycle, taxi, bus access and parking, integration with existing transport networks and assess the adequacy of public transport to meet the future demand of the proposed development;
- o detail any likely measures necessary to manage pedestrians and vehicles during events within the Precinct;
- o proposals for safe and efficient access to loading, deliveries and servicing of the development; and
- o detail sustainable travel initiatives.

11. Impacts on Harbour uses

- Address the impacts on Harbour vessel movements and all users of Sydney Harbour; and
- Detail any berthing arrangements.

12. Event Management and Operation

- Outline operational management strategies to mitigate impacts from the various cultural and performance events envisaged for the Precinct.

13. Environment

- Detail the potential impacts of the development on terrestrial and marine environments, including the seabed, marine ecology and biodiversity.

14. Contamination

- Demonstrate compliance with the requirements of SEPP 55.
- If remediation works are required, the EIS must include a Remedial Action Plan (RAP). The RAP must be prepared in accordance with the contaminated land planning guidelines under section 145C of the *Environmental Planning and Assessment Act 1979* and relevant guidelines produced or approved under section 105 of the *Contaminated Land Management Act 1997*.
- The RAP must be accompanied by a Site Audit Statement prepared by a NSW EPA accredited site auditor certifying that the site can be made suitable for the proposed use(s).

15. Water, Drainage, Stormwater and Groundwater

- Prepare an Integrated Water Management Plan, detailing stormwater and wastewater management, including any re-use and disposal requirements, demonstration of water sensitive urban design and any water conservation measures, and identification of any appropriate water quality management measures.

16. Sediment, Erosion and Dust Controls

- Identify measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and particles; and
- Consideration should also be given to the assessment and management of any acid sulfate soil and potential acid sulfate soil.

17. Environmental, Construction and Site Management Plan

- The EIS shall provide an Environmental and Construction Management Plan for the proposed works, and is to include:
 - community consultation, notification and complaints handling;
 - impacts of construction on adjoining development and proposed measures to mitigate construction impacts;
 - noise and vibration impacts on and off site;
 - air quality impacts on the neighbourhood;
 - odour impacts;
 - water quality management for the site; and
 - construction waste classification, transportation and management methods in accordance with the relevant guidelines.

18. BCA and Fire Safety

- The EIS shall include a Fire Engineering Report demonstrating the proposed development can achieve compliance with the Building Code of Australia and Fire Safety requirements.

19. Utilities

- Address the existing capacity of the site and any augmentation requirements for utilities, including staging of infrastructure arising from the development in consultation with relevant agencies.

	<p>20. Drainage, Flooding, Climate Change and Sea Level Rise</p> <ul style="list-style-type: none"> • Provide a drainage concept for the site incorporating water sensitive urban design; and • Address the potential risks from flooding, wave movements and sea level rise on the development and the potential impacts on groundwater and detail any proposed mitigation measures. <p>21. Licence requirements</p> <ul style="list-style-type: none"> • Address the provisions of the <i>Liquor Act 2007</i> relating to the “liquor freeze” matters within the Sydney CBD Entertainment Precinct and any impact on new licences, increase in licensed trading hours and or licensed areas.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation (as part of the EIS not separate documents) required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i> .
Consultation	<p>During the preparation of the EIS, you must consult with relevant local, State and Commonwealth authorities, service providers, community groups and affected landowners, particularly the following agencies:</p> <ul style="list-style-type: none"> • Office of Environment and Heritage; • City of Sydney Council; • Environment Protection Authority; • Roads and Maritime Services; • CBD Coordination Office within Transport for NSW; • Heritage Council of NSW; • Sydney Ports Corporation; • NSW Police; and • Fisheries NSW (Department of Primary Industries). • Fire and Rescue NSW; • Local Aboriginal Land Council and stakeholders, if relevant <p>The EIS must describe the consultation process and any issues raised by agencies, and identify where the design of the development has been amended in response to those issues. Provide a short explanation where amendments have not been made to address an issue.</p>
Further consultation after 2 years	If you do not lodge an EIS for the development within 2 years of the issue date of these SEARs, you must re-consult with the Secretary in relation to the requirements for lodgement.
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 following plans and relevant documentation shall be submitted;</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 and private open space; and • all levels to be to Australian Height Datum (AHD). 2. A locality/context plan drawn at an appropriate scale should be submitted 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; and • traffic and road patterns, pedestrian routes and public transport nodes. 3. Drawings at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land; • detailed plans, sections and elevations of the development, including plans which clearly show all proposed internal alterations and additions to the existing Art Gallery building. • 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. 4. Landscape plan illustrating treatment of open space areas on the site. 5. Visual Impact Assessment: <ul style="list-style-type: none"> • The visual impact assessment, including focal lengths, must be done in accordance with Land and Environment Court requirements.
Documents to be submitted	<ul style="list-style-type: none"> • 1 hard copy and 1 electronic copy of all the documents and plans for the Test of Adequacy; • 10 hard copies of the documents (once the application has been determined adequate); • 10 hard copies of the plans in full colour at A3 and 2 hard copies of the plans in full colour at A0 or A1 (whichever is to scale); • 10 copies of all the documentation and plans on CD-ROM (PDF format) not exceeding 5Mb in size.