

# 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*

<b>Application Number</b>	SSD 7874
<b>Proposal Name</b>	Stage 1 concept proposal for the redevelopment of the Harbourside Shopping Centre to provide a new retail shopping centre, residential apartment tower and public domain improvements.
<b>Location</b>	Harbourside Shopping Centre, Darling Harbour
<b>Applicant</b>	Mirvac Projects Pty Ltd
<b>Date of Issue</b>	30 August 2016
<b>General Requirements</b>	<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"> <li>adequate baseline data;</li> <li>consideration of potential cumulative impacts due to other development in the vicinity; and</li> <li>measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment.</li> </ul> <p>The EIS must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the <i>EP&amp;A Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived;</li> <li>an estimate of the jobs that will be created by the future development during the construction and operational phases of the development; and</li> <li>certification that the information provided is accurate at the date of preparation.</li> </ul>
<b>Key issues</b>	<p>The EIS must address the following specific matters:</p> <p><b>1. Statutory and Strategic Context</b></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"> <li>State Environmental Planning Policy (State and Regional Development) 2011;</li> <li>State Environmental Planning Policy (Infrastructure) 2007;</li> <li>State Environmental Planning Policy No.55 – Remediation of Land;</li> <li>State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development;</li> <li>Draft Sydney Environmental Planning Policy (Competition) 2010;</li> <li>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; and</li> <li>Darling Harbour Development Plan No.1.</li> </ul>

The EIS shall address the relevant planning provisions, goals and strategic planning objectives in the following:

- A Plan for Growing Sydney;
- NSW Long Term Transport Master Plan;
- Sustainable Sydney 2030;
- SEPP 65 Apartment Design Guide;
- Sydney Development Control Plan 2012;
- Sydney Streets Design Code and Sydney Streets Technical Specification;
- SICEEP Urban Design and Public Realm Guidelines;
- SHFA's Darling Harbour Public Domain Manual 2015;
- Development Near Rail Corridors and Busy Roads - Interim Guideline;
- Guide to Traffic Generating Developments;
- Sydney City Centre Access Strategy;
- NSW Bicycle Guidelines;
- NSW Planning Guidelines for Walking and Cycling;
- City of Sydney Waste Minimisation in New Developments 2005;
- Interim Construction Noise Guideline;
- Crime Prevention Through Environmental Design (CPTED) Principles;
- Heritage Council Guidelines Assessing the Significance of Archaeological Sites and Relics;
- Heritage Council Guideline on Heritage Curtilages, 1996; and
- Heritage Council Guideline, Design in Context – guidelines for infill development in the Historic Environment, 2005.

## **2. Visual and view impact**

The EIS shall provide a detailed visual and view impact analysis, which considers the impact of the proposal when viewed from the public domain and key vantage points surrounding the site, including Pyrmont, Darling Harbour, Pyrmont Bridge and adjacent buildings.

## **3. Design Excellence, Built Form and Public Domain**

The EIS shall:

- demonstrate the process for achieving design excellence at each stage of the planning process;
- provide 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;
- address and respond to comments and recommendations from SHFA's Design and Development Advisory Panel;
- address how the proposal and future development fits with the existing context and current and future desired character of Darling Harbour through the development of urban design and public domain guidelines;
- demonstrate how the orientation, height, bulk, scale and public domain treatment of the proposed development reflects the context of the surrounding area, and is well integrated into the current and future character of Darling Harbour, SICEEP and Pyrmont;
- provide a framework for public domain and public access upgrades across the site and address opportunities to enhance connections with Darling Harbour, Sydney CBD (via Pyrmont Bridge) and Pyrmont;
- demonstrate how the proposal identifies and is well integrated into key pedestrian desire lines to the surrounding area and critical pedestrian and cycle links between SICEEP, Darling Harbour, Pyrmont and the Sydney CBD; and
- address design quality of the building and public realm, with specific consideration of the overall site layout and principles regarding public and private space, orientation, connectivity, street activation (including the activation of Darling Drive), overshadowing, façades, massing, setbacks,

building articulation, materials, landscaping, safer by design principles, rooftop and mechanical plant.

#### **4. 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 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; and
- provide an integrated water management plan that considers water, wastewater and stormwater, including an assessment of water demand, alternative water supply, proposed end uses of potable and non-potable water, water sensitive urban design and water conservation measures.

#### **5. Heritage and Historical Archaeology**

The EIS shall:

- provide a detailed heritage impact statement (HIS) that identifies and addresses the impacts of the proposal:
  - 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 the impact on the State heritage listed Pyrmont Bridge;
  - on places, items or relics of significance to Aboriginal and non-Aboriginal people; and
  - against any endorsed conservation management plans for heritage items in the vicinity of the site
- provide a historical archaeological assessment to inform the HIS and identify any archaeology protected under the Heritage Act 1977; and
- address opportunities for heritage interpretation within the public domain.

#### **6. Transport and Accessibility (construction and operation)**

The EIS shall include a Traffic and Transport Impact Assessment that provides an assessment of but is not limited to the following:

- 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 infrastructure provided 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;
- existing and future performance of key intersections providing access to the site and any road/intersection upgrades required to accommodate the development. The assessment needs to be supported by appropriate modelling and analysis to the satisfaction of the Roads and Maritime Services (RMS);
- 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;
- appropriate provision, design and location of on-site bicycle parking, and how bicycle provision will be integrated with the existing cycle network;
- existing and proposed vehicle access (such as onto Bunn Street and Pyrmont Bridge) and parking arrangements (car, coaches/buses, taxi) for residents, employees and visitors, including compliance with appropriate parking controls;
- the proposed loading dock and servicing provisions, including access arrangements to the loading docks;

	<ul style="list-style-type: none"> <li>• detail potential impacts of the development on the capacity and operation of the light rail and ferry network and modelling of the impacts of key pedestrian routes on nearby light rail and ferry stops;</li> <li>• likely impacts of the proposal during construction; and</li> <li>• likely future service requirements.</li> </ul> <p><b>7. Environmental and Residential Amenity</b> The EIS shall:</p> <ul style="list-style-type: none"> <li>• address solar access, acoustic impacts, visual privacy, view loss and view sharing, wind impacts, reflectivity, overshadowing and noise and vibration impacts to the surrounding area, including neighbouring properties and the public domain;</li> <li>• demonstrate consistency with the requirements of SEPP 65 and the Apartment Design Guide; and</li> <li>• address consistency of the proposed residential land use in the context of the planning framework for Darling Harbour.</li> </ul> <p><b>8. Drainage, Flooding, Climate Change and Sea Level Rise</b> The EIS shall:</p> <ul style="list-style-type: none"> <li>• identify the potential flood risk from groundwater, wastewater, stormwater and sea level rise on the site; and</li> <li>• 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.</li> </ul> <p><b>9. Public Benefits, Contributions and/or Voluntary Planning Agreement</b> The EIS shall address the provision of public benefit, services, infrastructure, housing affordability options and any relevant contribution requirements to be agreed with SHFA.</p> <p><b>10. Pre-submission consultation statement</b> 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. This report shall document community consultation undertaken in relation to this proposal and the alternative proposal for the redevelopment of the Harbourside Shopping Centre (SSD 7375).</p> <p><b>11. Utilities</b> The EIS shall:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• provide details of how infrastructure assets of various utility stakeholders will be protected or relocated during the demolition and construction of the project.</li> </ul> <p><b>12. Staging</b> The EIS shall set out the staging of the proposed development, including timing of public domain works and opportunities for interim land uses on sites awaiting development.</p> <p><b>13. Prescribed Airspace for Sydney Airport</b> Identify any impacts of the proposal on the prescribed airspace for Sydney Airport.</p> <p><b>14. Construction Management</b> The EIS shall:</p> <ul style="list-style-type: none"> <li>• identify potential impacts of the construction on surrounding areas, such as noise and vibration, air quality and odour impacts, dust emissions, water</li> </ul>
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	<p>quality, stormwater runoff, groundwater seepage, soil pollution and construction waste;</p> <ul style="list-style-type: none"> <li>• insofar as excavation and/or remediation is proposed, provide details of the annual volume of materials to be extracted, processed or stored on site during construction and how the extracted material will be disposed of or reused; and</li> <li>• provide details of community consultation, notification and complaints handling during any demolition, excavation and construction.</li> </ul>
<b>Plans and Documents</b>	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>EP&amp;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"> <li>• schedule of proposed gross floor area per land use;</li> <li>• building envelopes showing the relationship with proposed and existing buildings in the locality;</li> <li>• architectural drawings (to a usable scale at A3);</li> <li>• architectural design statement;</li> <li>• site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings;</li> <li>• site analysis plan;</li> <li>• shadow diagrams;</li> <li>• wind impact assessment;</li> <li>• flooding assessment;</li> <li>• retail and commercial / office strategy;</li> <li>• strategy for events in the public domain;</li> <li>• ESD statement;</li> <li>• pre-submission consultation statement;</li> <li>• heritage impact assessment;</li> <li>• archaeological impact assessment;</li> <li>• access impact statement;</li> <li>• traffic and parking assessment;</li> <li>• visual and view impact analysis and photomontages;</li> <li>• physical model (to be located at Council);</li> <li>• stormwater concept plan;</li> <li>• public domain plans, including landscaping;</li> <li>• sediment and erosion control plan;</li> <li>• 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;</li> <li>• geotechnical and structural report;</li> <li>• services and infrastructure report;</li> <li>• contamination assessment;</li> <li>• signage details (if proposed); and</li> <li>• schedule of materials and finishes.</li> </ul>
<b>Consultation</b>	<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.</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>
<b>Further consultation after 2 years</b>	<p>If you do not lodge a development application and EIS for the development within two years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.</p>