

# Secretary's Environmental Assessment Requirements

Section 75F and 78A(8A) of the *Environmental Planning and Assessment Act 1979*  
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

<b>Application number</b>	06_0101 MOD 2 and SSD 8135
<b>Project</b>	Pemulwuy Mixed Use Development
<b>Modification/Proposal</b>	<p><b>Concept Plan:</b> Modification to the approved Concept Plan in relation to Precinct 3 to:</p> <ul style="list-style-type: none"> <li>• increase maximum building height from 6 to 16 storeys;</li> <li>• increase gross floor area (GFA) from 6,462m<sup>2</sup> to 17,080m<sup>2</sup>;</li> <li>• increase floor space ratio (FSR) from 2.9:1 to 7.16:1; and</li> <li>• increase student accommodation rooms from 154 to 522.</li> </ul> <p><b>State Significant Development Application:</b> New student accommodation building in Precinct P3 consistent with the proposed Concept Plan modification.</p>
<b>Location</b>	Precinct 3, Pemulwuy, The Block, Redfern
<b>Proponent</b>	Aboriginal Housing Company Ltd
<b>Date issued</b>	6 October 2006
<b>Date modified</b>	22 December 2016
<b>General requirements</b>	<p>The Environmental Assessment (EA) and Environmental Impact Statement (EIS) must include:</p> <ul style="list-style-type: none"> <li>• an executive summary;</li> <li>• a table demonstrating where the requirements of the SEARs are addressed;</li> <li>• landowners' consent for all properties within the development site;</li> <li>• description of the site, including cadastre, title details, existing easements (including sewer mains, and/or encumbrances and existing access ramps);</li> <li>• details of the proposed layout, land uses, size and scale of the main components of the development, FSR, height (AHD) and any staging of the proposal;</li> <li>• a detailed justification for the proposed height and FSR and land use mix having regard to any relevant impacts;</li> <li>• an assessment of the environmental impacts of the project with particular focus on the key assessment requirements specified below;</li> <li>• a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project;</li> <li>• an amendment to the approved Statement of Commitments (where relevant); and</li> <li>• a conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.</li> </ul>
<b>Key issues</b>	<p><b>1. Relevant EPIs, Strategies, Plans and Guidelines</b></p> <ul style="list-style-type: none"> <li>• Address the provisions of State environmental planning policies, strategies, plans and guidelines that would apply as if those provisions applied to the carrying out of the project, including the following: <ul style="list-style-type: none"> <li>◦ <i>State Environmental Planning Policy (State and Regional Development) 2011</i>;</li> <li>◦ <i>State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP)</i>;</li> <li>◦ <i>State Environmental Planning Policy No 55 – Remediation of Land</i>;</li> <li>◦ <i>State Environmental Planning Policy (Infrastructure) 2007</i>;</li> <li>◦ <i>NSW State Priorities</i>;</li> <li>◦ <i>A Plan for Growing Sydney</i>;</li> <li>◦ <i>Draft Central District Plan</i>;</li> </ul> </li> </ul>

- *Central to Eveleigh Urban Transformation Strategy;*
- *Draft Architecture and Design Policy for NSW;*
- *NSW Long Term Transport Master Plan;*
- *Integrated Public Transport Service Planning Guidelines: Sydney Metropolitan Area 2013*
- *Sydney's Walking Future 2013;*
- *Sydney's Cycling Future 2013;*
- *Sydney's Bus Future 2013;*
- *Sydney's Rail Future 2013;* and
- *Development Near Rail Corridors and Busy Roads 2008;*
- *Redfern-Waterloo Built Environment Plan (Stage One) August 2006;*
- *Redfern-Waterloo Development Contributions Plan 2006;*
- *Redfern-Waterloo Affordable Housing Contributions Plan 2006;* and
- *City of Sydney Development Control Plan 2012.*

## **2. Design Excellence**

The proposal must demonstrate design excellence:

- through undertaking a design competition in accordance with the Director-General's Design Excellence Guidelines; or
- through an alternative design excellence process that includes:
  - selection of an architect with a reputation for delivering buildings of the highest quality, in consultation with the Government Architect; and
  - establishment of a Design Review Panel (DRP) to:
    - meet to consider alternative design options during concept design and design development;
    - review and endorse the proposal and subsequent modifications as achieving design excellence;
    - be comprised of three architects / urban design experts meeting the requirements of the Director General's Design Excellence Guidelines for competition jury members, with representatives or nominees of:
      - a) the Department;
      - b) the applicant; and
      - c) Council or a person independent of the design team;
- The EA / EIS must:
  - include minutes of each DRP meeting; and
  - detail how the panel's feedback has been incorporated into the design; and
  - include a final DRP report appraising the design.

## **3. Built Form and Urban Design**

The EA / EIS must:

- provide an urban design strategy that includes:
  - a detailed strategic justification of the proposed increases in GFA and height, with reference to relevant strategies for central Sydney and the Central to Eveleigh corridor and current and anticipated future development in the site's vicinity; and
  - a detailed site and content analysis and consideration of crime prevention through environmental design principles, and demonstrate how the proposal responds to this strategy;
- include detailed justification for the proposed increases in GFA and height with particular consideration to the height, bulk, scale and setbacks of the proposed development, its impacts on amenity, views and vistas, and how it would successfully relate to the built form of the existing and future character of the surrounding area;
- address the design excellence requirements of Schedule 3, Part 5, Clause 22 of the *State Environment Planning Policy (State Significant Sites) 2005*;
- provide further consideration of:
  - building and urban design elements of the proposal and treatment of the public domain;
  - opportunities to integrate best practice Ecologically Sustainable Design (ESD) into the architectural design;

	<ul style="list-style-type: none"> <li>○ activation of ground level spaces (including impacts of removal of ground floor retail tenancies) and links between proposed buildings and other existing public facilities;</li> <li>○ the architectural language of the buildings to ensure high quality integration with the surrounding context; and</li> <li>○ the existing traditional architecture that dominates Caroline, Lawson, Louis and Eveleigh Streets and the southern side of Vine Street;</li> </ul> <ul style="list-style-type: none"> <li>• provide evidence of engagement with relevant Aboriginal stakeholders regarding cultural design elements, including motifs, public art and place and building naming;</li> <li>• provide details of clearly defined building entries and adequate pedestrian, vehicle and residential access;</li> <li>• demonstrate the proposal's overshadowing of nearby residential areas and public domain (within and outside the Pemulwuy site) in accordance with relevant planning controls; and</li> <li>• provide details of materials proposed to minimise glare / reflectivity impacts.</li> </ul> <p><b>4. Amenity</b> Consider and identify design principles incorporated into the development to mitigate any impacts associated with sunlight/overshadowing, natural ventilation, wind impacts, reflectively, visual and acoustic privacy, and safety and security.</p> <p><b>5. Ecologically Sustainable Development (ESD)</b> The EA/EIS shall identify how best practice ESD principles will be incorporated in the design of the development, and include innovative and best practice proposals for environmental building performance.</p> <p><b>6. Visual Impacts</b> A visual impact assessment must be undertaken to identify the visual changes and view impacts of the project to/from key vantage points and surrounding land. Photomontages or perspectives should be provided showing the project.</p> <p><b>7. Employment and Enterprise</b> Provide details of potential local employment generation of the project, particularly for Aboriginal people. Details of opportunities for Aboriginal and local enterprise are also required.</p> <p><b>8. Social Impacts</b> The EA / EIS must include a Social Impact Assessment (SIA) that considers the impact of the proposal on the Redfern community. In particular, the SIA must address the relocation of existing residents during the construction phase of the proposed development (including opportunities for rehousing) and any longer term impacts on the immediate and wider Aboriginal community.</p> <p><b>9. 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.</p> <p><b>10. Safety/ Public Domain/ Pedestrians</b> The EA/EIS is to demonstrate how the proposed building envelope, building design and treatment of the public domain and open spaces will:</p> <ul style="list-style-type: none"> <li>• maximise safety and security within the public domain, particularly for pedestrians travelling between the site and the railway station;</li> <li>• maximise surveillance and activity within the public domain;</li> <li>• maximise safety and security for occupants of the buildings;</li> <li>• ensure access for people with disabilities;</li> <li>• provide details of any public art provision;</li> <li>• minimise potential for vehicle and pedestrian conflicts; and</li> <li>• demonstrate good urban design and quality landscaping of the public domain.</li> </ul>
--	--

## 11. Heritage

### *Heritage generally*

- The EA / EIS should identify any listed or potential heritage items within the proposed project area. If any listed or potential heritage items are likely to be affected, a Heritage Impact Statement (HIS) must be prepared in accordance with the guidelines in the NSW Heritage Manual. The HIS should assess how the development would impact on any places of heritage significance in or surrounding the SSD site and how these impacts can be avoided or mitigated.
- The revised Heritage Impact Assessment (HIS) should include a view impact assessment, photomontages of the interface and visual impacts of the proposal as seen from surrounding streets, Lawson Street road bridge (over the railway lines), Redfern Railway Station's Lawson Street entry and surrounds.
- An historical archaeological assessment should be prepared by a suitably qualified historical archaeologist in accordance with the 2009 Heritage Division, Office of Environment and Heritage guidelines 'Assessing Significance for Historical Archaeological Sites and 'Relics'. This assessment should identify what relics, if any, are likely to be present, assess their level of heritage significance and consider the impacts from the proposal on this potential resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. In the event that harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations. This methodology should include appropriate actions to guide monitoring, stop-work provisions should relics be found, appropriate recording, storage and public display provisions for relics.

### *Aboriginal Cultural Heritage*

- The EA / EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development. This may involve the need for surface survey and test investigation. The identification of cultural heritage values should be guided by the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (DECCW, 2011).
- Where Aboriginal cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*. The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EA / EIS.

## 12. Traffic Impacts (Construction and Operational)

A Traffic and Transport Impact Assessment (TTIA) shall be submitted with the EA / EIS which assesses the traffic and transport impacts of the project. The TTIA shall include:

- assess impacts on local and arterial roads; adjacent road intersections; access points; existing traffic volumes with and without the development; AM and PM peak volumes; pedestrian movements; parking requirements; provision and treatment of car parking (including consistency with relevant local car parking requirements); potential parking overflow; 10 year projected volumes with and without the development; and cumulative impacts of adjoining and adjacent developments where appropriate.
- detail measures to be implemented to mitigate any impacts identified;
- identify any required upgrading of roads and improvement works to ameliorate any traffic inefficiency and safety impacts associated with the development and the need for associated funding for upgrading or road improvement works;
- identify existing and proposed pedestrian and bicycle routes and facilities and assess the adequacy of these facilities;

	<ul style="list-style-type: none"> <li>• assess the adequacy of public transport, pedestrian and bicycle provisions to meet the demand of the proposed development;</li> <li>• detail measures to encourage sustainable travel and non-car mode share, (e.g. implementing a sustainable travel plan and end of trip facilities);</li> <li>• propose bicycle and car parking in accordance with relevant RMS guidelines and Australian Standards; and</li> <li>• provide details of service and delivery vehicle movements and site access arrangement (including vehicle type and likely arrival and departure times).</li> </ul> <p><b>13. Noise and Vibration (SSD only)</b> The EIS shall:</p> <ul style="list-style-type: none"> <li>• provide a noise and vibration assessment of construction, operation, traffic and cumulative noise impacts prepared in accordance with the relevant EPA guidelines. This assessment must consider any potential noise impacts on nearby noise sensitive receivers and outline proposed noise mitigation and monitoring issues; and</li> <li>• consider impacts of rail noise on the proposal and outline proposed design responses and mitigation measures.</li> </ul> <p><b>14. Construction Impacts (SSD only)</b> The EIS shall:</p> <ul style="list-style-type: none"> <li>• address measures to ameliorate potential impacts arising from the construction of the proposed development, including but not limited to consideration of noise and vibration, air quality, and erosion and sediment controls; and</li> <li>• assess traffic and transport impacts during construction and how these impacts will be mitigated for any associated traffic, pedestrians, cyclists and public transport operations.</li> </ul> <p><b>15. Drainage and Flooding</b> The EA / EIS is to address drainage/flooding issues associated with the development.</p> <p><b>16. Services/infrastructure and utilities</b></p> <ul style="list-style-type: none"> <li>• In consultation with relevant agencies, address the existing capacity and requirements of the development for water, electricity, waste disposal, telecommunications and gas.</li> <li>• Details of any augmentation to services and utilities required to meet the demand generated by the proposed project.</li> <li>• Consider potential impacts on the integrity and safe operation of the adjoining rail corridor, including measures to mitigate these impacts.</li> </ul> <p><b>17. Land Ownership and Tenure</b> Details should be provided of current land ownership and proposed management of future ownership in the concept plan area. This should include public land, proposed open space and road reserves. Any proposed road closures should be identified.</p> <p><b>18. Student Accommodation Use</b> The EA / EIS shall include:</p> <ul style="list-style-type: none"> <li>• a Plan of Management for the student accommodation use, in accordance with Section 4.4.1.7 of the <i>Sydney Development Control Plan 2012</i>; and</li> <li>• a Waste Management Plan in accordance with Section 3.14 of the <i>Sydney Development Control Plan 2012</i>.</li> </ul>
<p><b>Plans and Documents</b></p>	<p>The EA / 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 EA/EIS rather than as separate documents.</p> <p>In addition, the EA / EIS must include the following:</p> <ul style="list-style-type: none"> <li>• architectural drawings (to a usable scale at A3);</li> </ul>

	<ul style="list-style-type: none"> <li>• architectural and urban design statement;</li> <li>• landscape drawings (to a usable scale at A3);</li> <li>• landscape 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>• 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>• social impact assessment;</li> <li>• traffic and parking assessment;</li> <li>• visual and view impact analysis and photomontages;</li> <li>• stormwater concept plan;</li> <li>• flood risk assessment</li> <li>• sediment and erosion control plan;</li> <li>• operational management plan;</li> <li>• preliminary construction management plan (SSD only), 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 investigation and report (including potential impacts on the adjoining rail corridor);</li> <li>• services and infrastructure report;</li> <li>• contamination assessment;</li> <li>• schedule of materials and finishes;</li> <li>• a physical model of the proposal to fit into the City of Sydney model; and</li> <li>• a 3D model to the City of Sydney's specifications.</li> </ul>
<b>Consultation</b>	<p>During the preparation of the EA/EIS, you shall consult with relevant local, State or Commonwealth government authorities, service providers and the community, including:</p> <ul style="list-style-type: none"> <li>• UrbanGrowth NSW;</li> <li>• Office of the Government Architect;</li> <li>• Sydney Trains;</li> <li>• Roads and Maritime Services;</li> <li>• Transport for NSW;</li> <li>• Office of Environment and Heritage;</li> <li>• NSW Police Force;</li> <li>• City of Sydney Council; and</li> <li>• Local Aboriginal and community groups</li> </ul> <p>Given the significance of the Block to the wider Aboriginal community, details of the consultation undertaken with the Aboriginal community in the formulation and design of the project should be provided.</p> <p>The consultation process and the issues raised should be described in the EA/EIS.</p>
<b>Further consultation after 2 years</b>	<p>If you do not lodge a development application and EA/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 EA/EIS.</p>

