

WALSH BAY ARTS AND CULTURAL PRECINCT

STATE SIGNIFICANT DEVELOPMENT APPLICATION

SSDA 8671

APPENDIX 2:

SEARs



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Mr Tom Kennedy
Infrastructure NSW on behalf
of Arts, Screen and Culture Division
Level 15, 167 Macquarie Street
SYDNEY NSW 2000

Our ref: SSD 8671

Dear Mr Kennedy

Request for SEARs for the Walsh Bay Arts and Cultural Precinct (SSD 8671)

Please find enclosed a copy of the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Walsh Bay Arts and Cultural Precinct.

These requirements have been prepared in consultation with relevant government agencies based on the information you have provided to date. I have also enclosed a copy of the relevant agencies' comments for your information. Please note that the Secretary may alter these requirements at any time.

If you do not lodge a development application (DA) and EIS for the development within 2 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 document in consultation with the relevant agencies to determine if it addresses the requirements in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*.

I would appreciate it if you would 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 USB) of the EIS that will be required for reviewing purposes.

Your contact officer for the proposal is Andrew Hartcher. Andrew can be contacted on (02) 9274 6446 or via email at andrew.hartcher@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely,

Cameron Sargent
Acting Director
Key Sites Assessment

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 8671
Development	Walsh Bay Arts and Cultural Precinct
Location	Lot 11 - DP 1138931 (Pier 2/3) and Lot 65 DP 1048377 (Wharf 4/5 and Shore Sheds 4/5)
Applicant	Infrastructure NSW on behalf of Arts, Screen and Culture Division
Date of Issue	1 September 2017
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 Environmental Planning and Assessment Regulation 2000.</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 identified 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 Environmental Planning and Assessment Regulation 2000) 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)</p> <ul style="list-style-type: none"> • Address the relevant statutory provisions applying to the site contained in all relevant EPIs, including: <ul style="list-style-type: none"> ○ State Environmental Planning Policy 55 - Remediation of Land ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ Sydney Regional Environmental Plan No. 16 – Walsh Bay ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

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*
 - *Towards Our Greater Sydney 2056*
 - *Draft Central District Plan*
 - *NSW Long Term Transport Master Plan*
 - *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*
 - *Sydney's Bus Future*
 - *NSW Bike Plan 2010*
 - *Development Near Rail Corridors and Busy Roads - Interim Guideline 2008*
 - *Heritage Council Guidelines Assessing the Significance of Archaeological Sites and Relics*
 - *Walsh Bay Regional Environmental Study 1988*
 - *Walsh Bay Redevelopment Conservation Guidelines 1989*
 - *Crime Prevention through Environmental Design Principles.*

3. 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.

4. Public Domain and Public Access

- Detail and outline the interface between the proposed uses and the public domain and identify key pedestrian linkages with and between other public domain spaces.
- Includes details of any awnings and signage proposed in the public domain.
- Prepare an accessibility report.

5. Amenity

- Address and demonstrate a suitable level of environmental amenity in respect of solar access, acoustic and visual privacy, servicing requirements (including waste management, loading zones, mechanical plant) and access to views.
- Assess design construction and any public safety issues.

6. Heritage and Archaeology

- Prepare a Heritage Impact Assessment that:
 - 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 (historical, maritime and Aboriginal)
 - clearly identifies on plans, the significance of fabric, building components and spaces that will be impacted by the proposed works
 - describes the potential impact of the proposal on the significance of the site, its components, significant views and

- values, and includes measures to mitigate any impacts
- provides a visual analysis, including before and after images/perspectives of the proposed works area, to provide an understanding of any visual impacts
- 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
- clearly assesses the cumulative impacts of the proposed works to the precinct and its setting, and includes measures to mitigate any impacts
- addresses the proposal against the policies of the endorsed Conservation Management Plans applying to the site 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
- provides a framework to ensure elements of the public domain (including outdoor furniture) maintain a consistent visual character throughout the precinct.
- Should any below ground works occur, an Archaeological Assessment and Management Plan must be prepared that:
 - is carried out by a suitably qualified archaeologist
 - discusses the likelihood of significant historical, maritime and Aboriginal archaeology on the site and how this may be impacted by the project
 - includes measures to mitigate any impacts.

7. Noise and Vibration

- The EIS shall include a noise and vibration assessment prepared by a suitably qualified acoustic consultant that:
 - 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 any commercial/food and drink premises
 - assesses cumulative noise impacts from the operation of the development and other nearby premises
 - assesses operational vibration from the use of the premises
 - outlines reasonable and feasible 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 2000 (EPA)*
- *NSW Industrial Noise Policy – application notes 2013 (EPA)*
- *Interim Construction Noise Guideline 2009 (DECC)*
- *Assessing Vibration: A Technical Guideline 2006 (DECC)*
- *NSW Road Noise Policy 2001 (DECCW)*
- *NSW Road Noise Policy – application notes 2013 (EPA).*

8. 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

- 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. This Plan shall include vehicle routes, truck numbers, hours of operation, access arrangements and traffic control measures for all works
- an assessment of cumulative impacts associated with other construction activities, including the construction of the Sydney Metro and Southwest project and other transport projects
- details of construction vehicle routes, peak hour and daily truck movements, hours of operation, access arrangements at all stages of construction, and traffic control measures for all works
- an assessment of construction impacts on road safety at key intersections and locations for potential pedestrian, vehicle and bicycle conflicts
- details of any temporary cycling and pedestrian access during construction
- detail access arrangements for workers, emergency services and the provision of safe and efficient access for loading and deliveries.

Operation

- 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 metro, train, light rail, ferry, bus, cyclist and pedestrian networks
 - planned and approved developments in the area including Barangaroo.
- detail the provision of vehicle (including point to point transport), 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
- details of existing and proposed vehicular access, taxi and car parking arrangements for workers and visitors (cars, point to point transport, coaches / buses and taxi ranks), including compliance with parking codes and the Australian Standards
- demonstrate appropriate provision, design and location of on-site bicycle parking and detail how it would be integrated with the existing bicycle network
- details of vehicle management to minimise impacts on the road network and ensure pedestrian safety
- ensure safe, sufficient and efficient access to loading, deliveries and servicing of the development
- details of sustainable travel initiatives for workers and visitors, particularly end-of-trip facilities and pedestrian and cyclist facilities located in secure, convenient and accessible areas, incorporating lighting and passive surveillance
- proposals to encourage employees and visitors to make sustainable travel choices such as walking, cycling and using public transport, including wayfinding strategies and preparation

of a Green Travel Plan

- detail any expected improvements in public transport, pedestrian and bicycle accessibility to Walsh Bay in the near future, including the anticipated frequency of future services.

Relevant Policies and Guidelines:

- *Guide to Traffic Generating Developments (Roads and Maritime Services)*
- *Sydney City Centre Access Strategy*
- *EIS Guidelines – Road and Related Facilities (DoPI)*
- *NSW Planning Guidelines for Walking and Cycling*
- *Guide to Traffic Management – Part 12: Traffic Impacts of Development (AUSTROADS).*

9. Recreational Fishing Access

- Describe the historical and current public use of the site for recreational fishing.
- Outline how public access to recreational fishing at the site would be maintained or enhanced because of the proposed development during construction and operation.

10. Operational Management

- Include an Operational Plan of Management addressing day-to-day operations. The Plan shall include appropriate management and mitigation measures for dealing with larger numbers of visitors to the precinct when conducting events within the buildings.

11. 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).

12. Ecologically Sustainable Development (ESD)

- Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*) will be incorporated in the design, construction and ongoing operation phases of the development.
- Describe the measures to be implemented to minimise consumption of resources, energy and water, including details of alternative energy and water supplies, rainwater harvesting, proposed end uses of potable and non-potable water, demonstration of water sensitive urban design and any water conservation measures.

13. Water, Drainage, Stormwater and Groundwater

- Prepare an Integrated Water Management Plan, detailing stormwater and wastewater management, including any re-use and disposal requirements, drainage concept for the site,

	<p>demonstration of water sensitive urban design and any water conservation measures, and identification of any appropriate water quality management measures.</p> <ul style="list-style-type: none"> • Detail potential impacts on groundwater (if any). <p>14. Sediment, Erosion and Dust Controls</p> <ul style="list-style-type: none"> • Identify measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and particles • Consideration should also be given to the assessment and management of any acid sulfate soil and potential acid sulfate soil. <p>15. Environmental, Construction and Site Management Plan</p> <ul style="list-style-type: none"> • The EIS shall provide an Environmental and Construction Management Plan for the proposed works, and is to include: <ul style="list-style-type: none"> ○ community consultation, notification and complaints handling ○ impacts of construction on adjoining development and proposed measures to mitigate construction impacts ○ traffic impacts, including the impact of any construction vessel movements on marine traffic in Sydney Harbour ○ noise and vibration impacts on and off site ○ air quality impacts on the neighbourhood ○ odour impacts ○ water quality management for the site, including minimisation of potential impacts on marine ecology ○ construction waste classification, transportation and management methods in accordance with the relevant guidelines. <p>16. BCA and Fire Safety</p> <ul style="list-style-type: none"> • 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. • The Fire Engineering Report shall address any relevant requirements of Fire and Rescue NSW. • Include a mass Emergency Evacuation Plan / Strategy prepared in consultation with Fire and Rescue NSW. <p>17. Utilities</p> <ul style="list-style-type: none"> • 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>18. Flooding, Climate Change and Sea Level Rise</p> <ul style="list-style-type: none"> • Address the potential risks from flooding, wave movements and sea level rise on the development and detail any proposed mitigation measures.
Plans and Documents	<p>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>.</p>
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

	<ul style="list-style-type: none"> • Central Sydney Planning Committee • Environment Protection Authority • Roads and Maritime Services • Transport for NSW (including the CBD Coordination Office) • Heritage Council of NSW (or delegate) • The Port Authority of NSW • NSW Police • Department of Primary Industries including Fisheries NSW • Fire and Rescue NSW • Sydney Water • Relevant recreational fishing industry groups • 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 • 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 • 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 • any changes that will be made to the level of the land by excavation, filling or otherwise. 4. 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 draft review • 5 hard copies of the documents (once the application has been deemed acceptable for exhibition purposes) • 5 hard copies of the plans in full colour at A3 and 1 hard copy of the plans in full colour at A0 or A1 (whichever is to scale) • 10 copies of all the documentation and plans on USB (PDF format) not exceeding 5Mb in size.