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

Application Number	SSD 8874
Proposal Name	Concept for over station development above the approved Victoria Cross Sydney Metro Station
Location	155-167, 181, 187 and 189 Miller Street and formerly part 65 Berry Street, North Sydney
Applicant	Transport for NSW
Date of Issue	30 November 2017
General Requirements	The Environmental Impact Statement (EIS) must address the *Environmental Planning and Assessment Act 1979* and meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 the Environmental Planning and Assessment Regulation 2000. Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development. Where relevant, the assessment of the key issues below, and any other significant issues identified in the assessment, must include: • justification of impacts • 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 any significant risks to the environment. The EIS must also be accompanied by a report from a qualified quantity surveyor providing: • a detailed calculation of the capital investment value (CIV) of the development (as defined in clause 3 of the *Environmental Planning and assessment Regulation 2000*), including details of all assumptions and components from which the CIV calculation is derived • a close estimate of the jobs that will be created by the development during construction and operation • verification that the CIV was accurate on the date that it was prepared.
Key issues	The EIS must address the following specific matters: **1. Environmental Planning Instruments, Policies and Guidelines** Address the relevant statutory provisions applying to the site contained in the relevant EPIs, including: • State Environmental Planning Policy (State & Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • Draft State Environmental Planning Policy (Environment) 2017 • North Sydney Local Environmental Plan 2013 • North Sydney Centre Planning Proposal (PP_2017_NORTH_002_00). Address the relevant provisions, goals and objectives in the following: • NSW State Priorities • Premier's Priorities • A Plan for Growing Sydney • Towards our Greater Sydney 2056 • Draft Greater Sydney Region Plan

- Revised Draft North District Plan for Sydney
- NSW Long Term Transport Master Plan
- Better Placed – an integrated design policy for the built environment of NSW 2017
- Development Near Rail Corridors and Busy Roads- Interim Guideline
- Guide to Traffic Generating Developments (RMS)
- NSW Planning Guidelines for Walking and Cycling
- North Sydney Section 94 Development Contributions Plan, June 2013
- Sydney Metro Planning Study 2016 (North Sydney Council)
- North Sydney Centre Capacity and Land Use Strategy 2016
- Public Domain Review North Sydney Centre 2015
- The North of Centre Precinct Master Plan, 2016 (North Sydney Council).

2. Land Use, Gross Floor Area and Floor Space Ratio

The EIS shall:

- include a detailed description, analysis and justification of all proposed land uses
- include a detailed gross floor area (GFA)/floor space ratio (FSR) schedule and calculations, for the site, each building and land use
- include a floor by floor breakdown of GFA and FSR.

3. Design Excellence

The EIS shall:

- describe the design process leading to the Concept Proposal including how the feedback provided by the DRP constituted under the Critical State Significant Infrastructure (CSSI 7400) approval has been incorporated
- provide a Design Excellence Strategy for the future stage(s) of the development which demonstrates how design excellence will be achieved. This strategy should include:
    - **o** the proposed form and constitution of any design review panel
    - **o** a proposed schedule for regular design review throughout the planning process
    - **o** how feedback will be documented and addressed
- include design quality guidelines for the future built form.

4. Built Form and Urban Design

The EIS shall:

- provide an urban design analysis which considers the proposed building forms, typologies, height, bulk and scale in the context of the immediate locality and the broader North Sydney CBD
- demonstrate how the orientation, height, setbacks, bulk, scale, and massing of the proposed development will fit within the context of the site and the existing and future desired character of North Sydney CBD
- provide an indicative building showing a possible built form within the proposed building envelope
- the building envelope shall consider the future design, location and aesthetic treatment of all mechanical services.

5. Integration with Sydney Metro Station infrastructure

The EIS shall

- identify the extent of the proposal that is State Significant Development (SSD) and how this relates to the approved Critical State Significant Infrastructure (CSSI 7400) and any modifications to the CSSI
- show how the proposed over station development will integrate in design terms and structurally with the Victoria Cross Sydney Metro station infrastructure, and identify any specific requirements of the CSSI approval that has influenced the design of the over station development.

6. Amenity

The EIS shall:

- include a solar access and overshadowing analysis outlining impacts on adjoining developments and the public domain, including design options to

protect solar access to Special Areas and land zoned RE1 including Miller Street Special Area, Brett Whiteley Place and Greenwood Plaza

- view analysis to and from the site from key vantage points and streetscape locations including photomontages or perspectives of the proposed development
- view impact analysis from adjoining developments, including from Beau Monde Apartments in Berry Street
- wind analysis outlining the impacts and any proposed measures to address pedestrian amenity
- demonstrate how the proposal impacts and any proposed measures to mitigate potential impacts, the amenity of surrounding properties, including residential development, with regard to solar access, privacy and view impacts
- a noise impact assessment identifying:
- the main noise and vibration generating sources and activities from the site at all stages of operation
- measures to minimise and mitigate potential noise and vibration impacts on surrounding occupiers
- the impacts of likely noise and vibration from surrounding land uses, such as noise from the operation of the rail line and surrounding road networks, including Pacific Highway and management and operational arrangements or mitigation measures to protect the amenity of residents/ visitors/ employees.

8. Heritage

Provide a detailed heritage impact statement (HIS) that identifies and addresses the extent of heritage impact of the proposal on the site and surrounding areas, including the locally listed MLC building and Rag & Famish Hotel

9. Transport, Traffic, Parking and Access

The EIS must include a Transport and Traffic Impact Assessment that provides, but is not limited to, the following:

- accurate details of the current daily and peak hour vehicle, public transport, pedestrian and bicycle movements from existing buildings/ uses on the site using the adjacent and surrounding road network
- forecast total daily and peak hour trips likely to be generated by the proposed development including vehicle, public transport, pedestrian and bicycle trips, together with cumulative impacts of existing, proposed and approved developments in the area and any transport/ traffic upgrade
- impacts of the proposed development on the operation of existing and future transport networks, including the public transport capacity and its ability to accommodate the forecast number of trips to and from the development
- detailed assessment of the existing and future performance of key intersections providing access to the site, supported by appropriate modelling and analysis to the satisfaction of RMS and TfNSW
- measures to mitigate impacts of the proposed development on the operation of existing and future traffic, public transport, pedestrian and bicycle networks, including any required upgrades
- proposed car and bicycle parking provision for workers and visitors, including consideration of the availability of public transport and the requirements of the relevant parking codes and Australian Standards
- loading dock and servicing arrangements, including consideration of loading zone hub facilities
- 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 provision of adequate bicycle parking and end of trip facilities
- consider the future pedestrianisation of laneways east of the Metro site (Denison Street, Spring Street and Little Spring Street) with regard to the North Sydney Council concept plan for the treatment of laneways in the CBD
- consider the impacts of the proposed Western Harbor Tunnel Beaches Link

	• identify required work zones and the functionality and impact on pedestrian amenity and public domain. **10. Ecologically Sustainable Development (ESD)** • detail how ESD principles (as defined in clause 7(4) Schedule 2 of the EP&A Regulation 2000) will be incorporated in the design, construction and ongoing operation of the development • include a framework for how the proposed development will reflect best practice sustainable building principles to improve environmental performance, including energy and water efficient design and technology and use of renewable energy. **11. Biodiversity** • The EIS shall provide an assessment of the proposal's biodiversity impacts in accordance with the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report where required under the Act. **13. Public Benefits, Contributions and/or Voluntary Planning Agreement** The EIS shall address in regard to contributions: • the proposed method of calculating developer contributions payable • any additional contributions proposed or material public benefits associated with any proposed floor space above existing planning controls • any proposed Voluntary Planning Agreement or other legally binding instrument agreed between relevant public authorities. **14. Prescribed airspace for Sydney Airport** Identify any impacts of the proposal on the prescribed airspace for Sydney Airport. **15. Utilities** Address the existing capacity of the site to service the development proposed and any augmentation requirements for utilities, including arrangements for drinking water, waste water and recycled water. **16. Staging** The EIS shall set out the staging of the proposed development, including the relationship with the construction/ delivery of the approved Victoria Cross Sydney Metro Station and timing of public domain works. **17. Consultation** During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers and community groups. In particular you must consult with: • Government Architect of NSW • Roads and Maritime Services • North Sydney Council. • Sydney Airport Corporation Limited and the Civil Aviation Safety Authority • Surrounding residents, businesses and local community groups. • The EIS must include a report describing pre-submission consultation undertaken, including a record of the stakeholders consulted, the issues raised during the consultation and how the proposal responds to those issues. Where amendments have not been made to address an issue, a short explanation should be provided.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*. Provide these as part of the EIS rather than as separate documents. In addition, the EIS must include the following:

	• clause 4.6 variation written request (if required) • site title diagrams and survey plan, showing existing levels, location and height of existing and adjacent structures/ building • site analysis plan • 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 useable scale at A3) • architectural and urban design statement, including illustrations and justification showing how the buildings will relate to the station entrances and enhance the surrounding public domains • solar access analysis report and diagrams • wind impact assessment (including a wind tunnel study) • flood assessment/ storm water management plan • retail/ commercial office strategy • ESD statement (incorporating a sustainability framework) • pre-submission consultation statement • heritage impact assessment • access/ DDA impact statement • transport traffic and parking assessment • visual and view impact analysis and photomontages • physical and 3D digital model (generally in accordance with North Sydney Council requirements) • services and utilities infrastructure report • signage details (if proposed) • flight path report • waste strategy • noise and vibration report • CPTED assessment • preliminary construction management statement addressing how future stages will manage impacts to pedestrians, rail users, bus services and taxis.
Documents to be submitted	• 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition. • 5 hard copies and 5 electronic copies (USB) of the documents and plans (once the application is considered acceptable).
Further consultation after 2 years	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.