

Appendix A Secretary's environmental assessment requirements and Consideration of matters of national environmental significance

The table below demonstrates TfNSW's consideration of the matters of NES under the EPBC Act to be considered in order to determine whether the Proposal should be referred to SEWPAC.

Factor	Impact
<p>Any impact on a World Heritage property?</p> <p>The Sydney Opera House is a declared World Heritage property. The proposal is not located within the buffer zone of the Sydney Opera House and therefore is not expected to impact on this buffer zone. No other World Heritage properties are within the proposal area, as such there would be no impact on a World Heritage property as a result of the proposal.</p>	<input checked="" type="checkbox"/> nil <input type="checkbox"/> minor <input type="checkbox"/> significant
<p>Any impact on a National Heritage place?</p> <p>No National Heritage places are within the proposal area. The closest National Heritage places are the Sydney Harbour Bridge, Sydney Opera House and Cockatoo Island however this proposal would have no impact on of these places of National Heritage.</p>	<input checked="" type="checkbox"/> nil <input type="checkbox"/> minor <input type="checkbox"/> significant
<p>Any impact on a wetland of international importance?</p> <p>No wetlands of international importance are within or near the proposal area as such the proposal would have no impact on a wetland of international importance.</p>	<input checked="" type="checkbox"/> nil <input type="checkbox"/> minor <input type="checkbox"/> significant
<p>Any impact on a listed threatened species or communities?</p> <p>An EPBC Protected Matters Report (Department of Environment (DoE), 2014) was sourced on 19 August 2014 for a 10 kilometre radius from the site. The search identified the potential for the following species to occur within that area:</p> <ul style="list-style-type: none"> • three threatened ecological communities • 72 threatened species • 69 migratory species • 95 listed marine species • 13 whales and other cetaceans. <p>The location of the proposal is unlikely to provide suitable habitat, roosting or food resources for any of the listed terrestrial species identified. Some of the listed migratory, marine species and whales and other cetaceans could potentially visit the location of the proposal however, the location of the proposal does not provide habitat for these species. As a result no further assessment was considered to be required for these species, as detailed in Section 6.3. As such, the proposal would have no impact on any threatened species or communities.</p>	<input checked="" type="checkbox"/> nil <input type="checkbox"/> minor <input type="checkbox"/> significant
<p>Any impact on listed migratory species?</p> <p>As outlined above the proposal would have no impact on any listed migratory species.</p>	<input checked="" type="checkbox"/> nil <input type="checkbox"/> minor <input type="checkbox"/> significant
<p>Any impact on a Commonwealth marine area?</p> <p>There are no Commonwealth marine areas within the proposal area, as such there would be no impact to any Commonwealth marine areas as a result of the proposal.</p>	<input checked="" type="checkbox"/> nil <input type="checkbox"/> minor <input type="checkbox"/> significant
<p>Does the Proposal involve a nuclear action (including uranium mining)?</p> <p>The proposal does not contain nuclear action.</p>	<input checked="" type="checkbox"/> nil <input type="checkbox"/> minor <input type="checkbox"/> significant
<p>Additionally, any impact (direct or indirect) on Commonwealth land?</p> <p>The proposal is not located in or near Commonwealth land, as such there would be no impact on Commonwealth land as a result of the proposal.</p>	<input checked="" type="checkbox"/> nil <input type="checkbox"/> minor <input type="checkbox"/> significant



Office of the Secretary

Ref No. SSI 6727

Ms Louise Sureda
Principal Manager, Planning
and Transport Programs
Transport for NSW
Locked Bag 6501
ST LEONARDS NSW 2065

Dear Ms Sureda

Secretary's Environmental Assessment Requirements for the Barangaroo Ferry Terminal (SSI 6727)

Thank you for your request for Secretary's Environmental Assessment Requirements (SEARs) for the above development.

Please find attached a copy of the SEARs for the preparation of an Environmental Impact Statement (EIS) for the development. These requirements have been prepared in consultation with relevant government agencies based on the information you have provided to date. I have also attached a copy of the government authorities' comments for your information. Please note that I may alter these requirements at any time.

If you do not lodge a DA and EIS for the development within 2 years, you must consult further with the Department in relation to the preparation of the EIS.

Prior to exhibiting the EIS that you submit for the development, 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*.

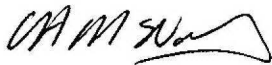
I would appreciate it if you would contact the Department at least two weeks before you propose to submit your EIS. This will enable the Department to:

- 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 CD-ROM) of the EIS that will be required for reviewing purposes.

I wish to emphasise the importance of effective and genuine community consultation and the need for proposals to proactively respond to community's concerns. Accordingly, a comprehensive, detailed and genuine community consultation and engagement process must be undertaken during preparation of the EIS.

Your contact officer for this proposal, Andrew Hartcher, Senior Planner at the Department of Planning and Environment can be contacted on (02) 9228 6503 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



Carolyn McNally
Secretary

10.11.14

Secretary's Environmental Assessment Requirements

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

Application Number	SSI 6727
Proposal Name	The Barangaroo Ferry Terminal Project which comprises the construction and operation of three ferry wharves at Barangaroo.
Location	Barangaroo and adjacent waters of Darling Harbour
Applicant	Transport for NSW
Date of Issue	10.11.14
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 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 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; and • Measures to avoid, minimise, and if necessary, offset the predicted impacts, including detailed contingency plans for managing any 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 during the construction and operational phases of the development; and • Certification that the information provided is accurate at the date of preparation.
Key issues	<p>The EIS must address the following specific matters:</p> <ol style="list-style-type: none"> 1. Environmental Planning Instruments, Policies and Guidelines <ul style="list-style-type: none"> • Address the relevant statutory provisions applying to the site contained in the relevant EPIs, including: <ul style="list-style-type: none"> ◦ <i>State Environmental Planning Policy (State and Regional Development) 2011</i>; ◦ <i>State Environmental Planning Policy (Major Development) 2005</i>; ◦ <i>State Environmental Planning Policy (Infrastructure) 2007</i>; ◦ <i>State Environmental Planning Policy No. 55 – Remediation of Land</i>; and ◦ <i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i>. • Address the relevant provisions, goals and strategic objectives in the

following:

- *NSW 2012;*
- *Draft Metropolitan Plan for Sydney 2031;*
- *Draft Sydney Sub-Regional Strategy NSW;*
- *Barangaroo Integrated Transport Plan;*
- *Sydney City Centre Access Strategy;*
- *NSW Long-Term Transport Master Plan 2012;* and
- *Sydney's Ferry Future 2013.*

2. Transportation and Operation

- An assessment and modelling of the traffic and transport impacts of the development during construction and operation including consideration of:
 - estimated ferry arrivals and departures and impacts on the waterway (weekdays, weekends and public holidays);
 - access route identification;
 - estimated ferry passenger numbers (weekdays, weekends, public holidays and per year);
 - hours of operation;
 - estimated vehicle trips, type and frequency associated with ferry operations and maintenance;
 - vehicle access;
 - car parking and bicycle parking requirements;
 - truck movements on the foreshore for the delivery of materials during construction; and
 - cumulative impacts of all projects at Barangaroo.
- Impacts on cyclist and pedestrian access and safety, including consideration of opportunities to integrate cycling and pedestrian elements with the public domain.

3. Design and Justification

- Details on the proposed design of all structures, including construction plans and drawings and methods of construction.
- The adequacy of wharf design in accordance with any relevant Australian Standards, industry best practice policies and guidelines.
- Design quality with specific consideration to the footprint, proposed materials and colours, waterfront interface (e.g. edge treatments and apron sizing), reflectivity, infrastructure impacts (e.g. harbour heat rejection plant), setbacks, and tidal and wave action impacts.
- Justification for development and assessment of the suitability of the site for the development, in particular the number of wharves, the size of occupation of the waterway, ferry lay over, proposed sewage pump out, refuelling and maintenance activities.

4. Public Access/Domain

- Consideration of landside ancillary facilities and impacts on the public domain including those associated with day-to-day operations.
- Address queue management and adequacy of pedestrian circulation space and facilities (e.g. public toilets, awnings and/or landscaping for shade etc.) around the wharves.
- Address measures available to manage wharves and ferry capacity and congestion issues during major events.
- Details on the interface between the proposed wharfs, public domain, and the relationship to and impact upon the existing public domain.
- Identification of proposed open space, public domain and linkages with and between other public domain spaces, including the waterfront.
- Consideration of existing and future opportunities/benefits for public access to and along the foreshore and waterfront, including pedestrian linkage improvements and the interrelationship with Wynyard Walk.

5. Navigation and Safety

- A review of existing boating activities in the area and an assessment of the impacts of the development on water-based traffic and the existing users of Sydney Harbour and nearby ferry operations at King Street Wharf, Sydney Aquarium and Pyrmont Bay.
- Consideration of measures to ensure the safety of any recreational users of Sydney Harbour.

6. Visual Impacts

- Including an assessment of the visual impact of the proposal, particularly on the scenic quality of Sydney Harbour.
- The visual impact assessment should consider (but not be limited to) the potential impacts on future residential and retail development currently under construction at Barangaroo South, as well as impacts of ferry layover, pump out and maintenance facilities on Sydney Harbour and the public domain.

7. Noise and Vibration

- A Noise and Vibration Impact Assessment during construction, operation (loading, unloading and ferry layover) prepared in accordance with the relevant Environment Protection Authority guidelines shall be submitted. This assessment must consider any potential impacts on adjoining residential receivers.
- This assessment shall consider all noise sources including mechanical plant, public address and other amplified sound systems (including those installed on any vessels operating from the terminal) and vessel maintenance. The assessment should also be prepared in the context of existing construction activities at Barangaroo South.

8. Water Quality and Contamination

- Undertake an assessment of the potential impacts on water quality of Darling Harbour. Relevant consideration should be given to the *National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality* (ANZECC/ARMCANZ), the *ANZECC Guideline and Water Quality Objectives in NSW* (OEH) and *Approved Methods for the Sampling and Analysis of Water Pollutants in NSW* (OEH).
- Assess the potential impact of the wharves and ferry operations including the approved district cooling system at Barangaroo South, potential impacts on heat dissipation outflows from the harbour heat rejection plant and the potential for short-circuiting of outfall discharges back to the intake.
- Assess the impacts of the proposal on surface and groundwater quality and hydrology.
- The assessment must include details of proposed erosion and sediment controls (during construction), the proposed stormwater management system (during operations) and management and mitigation measures for the containment of pollutants (e.g. fuel and sewage) and prevention of potential water quality impacts during construction and operation.
- Assess the potential for the development to intercept groundwater, including predicted groundwater dewatering volumes and disposal methods.
- Assess the potential impact of the development on groundwater flow paths and discharge flows and water discharge from the harbour heat rejection plant.
- Identification of any water licensing requirements or other approvals required under the *Water Act 1912* or *Water Management Act 2000*.
- Assess the geotechnical and contamination issues (including Acid Sulphate Soils) associated with the construction of the development including the contamination status of the sediments to be disturbed, the

	<p>impacts associated with disturbance of sediment, and the management and mitigation measures to be employed during marine works.</p> <ul style="list-style-type: none"> • Include a suitable water quality monitoring program. • An assessment of potential cumulative impacts on water sources and mitigation measures to manage the cumulative impacts. <p>9. Flora and Fauna</p> <ul style="list-style-type: none"> • Assessment of potential impacts on any flora and fauna, including threatened species, populations or communities (e.g. <i>Psodonia seagrass</i>) or their habitats. • Recommendation of appropriate mitigation measures during construction and operation, including potential impacts of shading from fixed structures. <p>10. Heritage</p> <ul style="list-style-type: none"> • The EIS is to include a Heritage Impact Statement (HIS) which must assess the likely impacts of the proposal on the significance of heritage items in the vicinity of the site. • The EIS should include an assessment of any potential maritime heritage including shipwrecks, previous maritime infrastructure, archaeological items and/or relics (both above and below water and under historical reclamation areas) that may be impacted by the proposal, including strategies and procedures to be followed in the case of an unexpected discovery of heritage items and/or relics. The maritime heritage component of the EIS should be undertaken by a suitably qualified maritime archaeologist. <p>11. Air Quality and Odour</p> <ul style="list-style-type: none"> • An Air Quality Impact Assessment during construction and operation prepared in accordance with relevant Environment Protection Authority guidelines shall be submitted. <p>12. Waste Management</p> <ul style="list-style-type: none"> • Identify all potential sources of liquid waste and non-liquid wastes as defined in the EPA's <i>Waste Classification Guidelines 2008</i>. The EIS should identify any waste that will be stored, separated or processed on the site and identify the procedures to be adopted to minimise, manage, dispose of this waste in accordance with the relevant standards and guidelines. <p>13. Sea Level Rise</p> <ul style="list-style-type: none"> • The EIS must assess the risks associated with sea level rise on the proposal. <p>14. Infrastructure Servicing</p> <ul style="list-style-type: none"> • Detail the existing infrastructure on site and identify possible impacts on any such infrastructure from the proposal including the harbour heat rejection plant outfalls. • Identify and provide for appropriate servicing of the site. • Detail measures to mitigate the impacts of the proposal on any infrastructure items, including proposed relocation. • Detail of water supply, consideration of water sensitive urban design and water conservation measures. • Detail of appropriate easements to allow access to and maintenance of infrastructure services for the ferry terminal that are not on land owned by Roads and Maritime Services. <p>15. Construction Impacts</p> <ul style="list-style-type: none"> • Identify measures to ameliorate potential construction impacts, including
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	<p>to vehicular, pedestrian and maritime access, noise and vibration, air quality, erosion and sediment control, water quality and waste management.</p> <p>16. Staging</p> <ul style="list-style-type: none"> • Details regarding the staging of the proposed development. <p>17. Ecologically Sustainable Development (ESD)</p> <ul style="list-style-type: none"> • Identify how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development. • Identify opportunities to minimise water and energy use. <p>18. Lighting and Signage</p> <ul style="list-style-type: none"> • The EIS shall include consideration of lighting impacts. • The EIS shall include details of all signage proposed including identification signs, wharf numbering, wayfinding signage etc. <p>19. Consultation</p> <ul style="list-style-type: none"> • Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>.
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • City of Sydney Council; • Transport for NSW; • Roads and Maritime Services; • Port Authority of NSW; • Environment Protection Authority; • Office of Environment and Heritage; • Sydney Water Corporation; • Department of Primary Industries; • Barangaroo Delivery Authority; and • Lend Lease. <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	<p>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.</p>
References	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified.</p>

Policies & Guidelines

Aspect	Policy /Guideline/Plan
Noise	NSW Industrial Noise Policy 2000 (EPA) NSW Industrial Noise Policy – application notes 2013 (EPA) NSW Road Noise Policy 2001 (DECCW) NSW Road Noise Policy – application notes 2013 (EPA) Assessing Vibration: A Technical Guideline 2006 (DEC) Interim Construction Noise Guideline 2009 (DECC)
Transport	Guide to Traffic Generating Development (RMS) Guide to Road Design (AUSTROADS) Guide to Traffic Management – Part 12: Traffic Impacts of Development (AUSTROADS)
Water Management	National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ) National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ) National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ) National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ) National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ) Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC) State Water Management Outcomes Plan NSW Government Water Quality and River Flow Environmental Objectives (DECC) Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC) Managing Urban Stormwater: Soils & Construction (Landcom) Managing Urban Stormwater: Treatment Techniques (DECC) Managing Urban Stormwater: Source Control (DECC) Technical Guidelines: Bunding & Spill Management (DECC)
<i>Surface Water</i>	
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC) NSW State Groundwater Policy Framework Document (DLWC) NSW State Groundwater Quality Protection Policy (DLWC) NSW Aquifer Interference Policy (NOW, 2012) NSW Water Extraction Monitoring Policy (2007) Guidelines for the Assessment and Management of Groundwater Contamination (DECC)
Contamination	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC) National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC) Draft Guidelines for the Assessment & Management of Groundwater Contamination (DECC) State Environmental Planning Policy No. 55 – Remediation of Land Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP) Guidelines for Consultants on Reporting on Contaminated Sites (1997) (EPA) Contaminated Land Management Act 1997

Flora and Fauna	
	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC)
	DECCW's Threatened Species Assessment Guidelines – Assessment of Significance (2007).
	Policy and Guidelines for Fish Habitat Conservation and Management (NSW Fisheries, 2013)
	The NSW State Groundwater Dependent Ecosystem Policy (DLWC)
Heritage	
<i>Aboriginal</i>	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC)
<i>Non- Aboriginal</i>	NSW Heritage Manual (NSW Heritage Office & DUAP)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
<i>General</i>	Assessing Significance for Historical Archaeological Sites and Relics (OEH, 2009)
	How to Prepare Archival Records of Heritage Items (OEH, 1998)
	Levels of Heritage Significance (OEH, 2008)
	Movable Heritage Principals (OEH, 2000)
	Objects in Their Place: An Introduction to Movable Heritage (OEH, 2004)
	Photographic Recording of Heritage Items Using Film or Digital Capture (OEH, 2006)
	Revealing the Past: An Introduction to Maritime Archaeology (OEH, 2004)
	Stabilising Stuff: A Guide for Conserving Archaeological Finds in the Field (OEH, 2012)
	Statements of Heritage Impact (OEH, 2002)
Air Quality	
	<i>Protection of the Environment Operations (Clean Air) Regulation 2002</i>
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (OEH)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (OEH)
	<i>Protection of the Environment operation (Clear Air) Regulation</i>
	Environmental Health Risk Assessment Guidelines for Assessing Human Health Risks from Environmental Hazards (Department of Health and Ageing and Health Council)
	Assessment and Management of Odour from Stationary Sources in NSW: Technical Framework 2006
Waste	
	Waste Avoidance and Resource Recovery Strategy (Resource NSW)
	Waste Classification Guidelines 2008 (EPA)

Plans & Documents

Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment 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> <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 (sq.m) 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 promenade and parkland, including all temporary and permanent structures; • 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.
Documents to be submitted	<ul style="list-style-type: none"> • 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition; • 13 hard copies and 13 electronic copies of the documents and plans (once the application is considered acceptable); and • 1 copy of all the documentation and plans on CD-ROM (PDF format), not exceeding 5Mb in size.

Attachment 1 – Government Authority Comments

