

Scoping Report

Sydney Metro West Pyrmont Over Station Development
Concept State Significant Development Application

October 2022

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Glossary

Term	Definition
ADG	Apartment Design Guide
BC Act 2016	Biodiversity Conservation Act 2016
Concept SSDA	A concept development application as defined in Section 4.22 the EP&A Act, as <i>a development application that sets out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications</i>
Council	City of Sydney Council
CSSI	Critical State Significant Infrastructure
Darling Island sub-precinct	A sub-precinct identified in the Pymont Peninsula Place Strategy
Design Report	Pymont Urban Design Report
Detailed SSDA	The SSD Application(s) to be made after the Concept SSDA, to seek consent for the design and to physically carry out the proposal
DCP	Sydney Development Control Plan 2012
DPE	NSW Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulations	Environmental Planning and Assessment Regulation 2021
FSR	Floor Space Ratio
Housing SEPP	State Environmental Planning Policy (Housing) 2021
LEP	Sydney Local Environmental Plan 2012
PPPS	Pymont Peninsula Place Strategy
Pymont Peninsula Design Guidelines	Pymont Peninsula Design Guidelines
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SEPP 65	State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings
SEPP (Biodiversity and Conservation)	State Environmental Planning Policy (Biodiversity and Conservation) 2021
SEPP (Planning Systems)	State Environmental Planning Policy (Planning Systems) 2021
SEPP (Resilience and Hazards)	State Environmental Planning Policy (Resilience and Hazards) 2021

Term	Definition
SEPP (Transport and Infrastructure)	State Environmental Planning Policy (Transport and Infrastructure) 2021
SSDA	State Significant Development Application
Stage 1 CSSI Application	SSI-10038, approved 11 March 2021, including all major civil construction works between Westmead and The Bays, including station excavation and tunnelling, associated with the Sydney Metro West railway line
Stage 2 CSSI Application	SSI-19238057, approved 24 August 2022, for major civil construction and enabling works between The Bays and the Sydney CBD, including demolition, tunnelling, and station excavation for new metro stations (including Pyrmont Station), associated with the Sydney Metro West railway line.
Stage 3 CSSI Application	SSI-227-65520, currently under assessment, to carry out rail infrastructure, including fit-out of tunnels, construction, fit-out, and operation of metro stations and surrounding precincts and operation of the Sydney Metro West line
Sub-precinct master plan	Sub-precinct master plans for the Pyrmont Peninsula
Sydney Metro West	Construction and operation of a metro rail line and associated stations between Westmead and the Sydney CBD as described in Section 1.2
TfNSW	Transport for NSW

1 Introduction

1.1 Sydney Metro

This Scoping Report has been prepared by Sydney Metro who is seeking to deliver an over station development (OSD) at Pyrmont Station as a part of the Sydney Metro West project.

Sydney Metro is Australia’s biggest public transport program. Services on the North West Metro Line between Rouse Hill and Chatswood started in May 2019 on this new stand-alone metro railway system, which is revolutionising the way Sydney travels.

Sydney Metro’s program of work is shown in Figure 1-1 and includes:

- Sydney Metro North West Line – opened in May 2019
- Sydney Metro City & Southwest Line – currently under construction with services to begin in 2024
- Sydney Metro West (this project) – currently under construction and due to open in 2030
- Sydney Metro – Western Sydney Airport – currently under construction and due to open when the airport opens for passenger services.

The Sydney Metro network is shown on **Figure 1-1**.

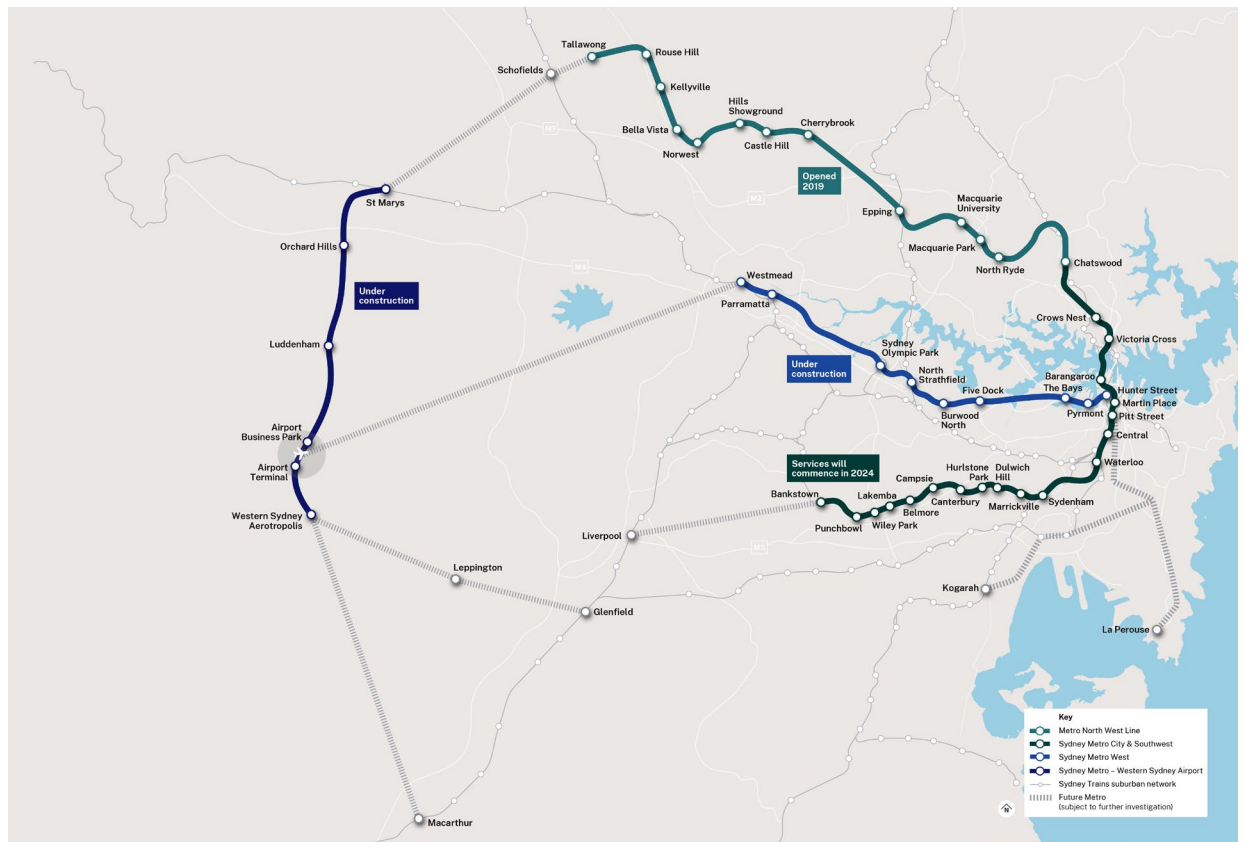


Figure 1-1 Sydney Metro network

1.2 Sydney Metro West

Sydney Metro West will double rail capacity between Greater Parramatta and the Sydney CBD, transforming Sydney for generations to come. This once-in-a-century infrastructure investment will have a target travel time of about 20 minutes between Parramatta and the Sydney CBD, linking new communities to rail services and supporting employment growth and housing supply.

Stations have been confirmed at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays, Pyrmont, and Hunter Street in the Sydney CBD.

The main elements of Sydney Metro West are shown in **Figure 1-2**.

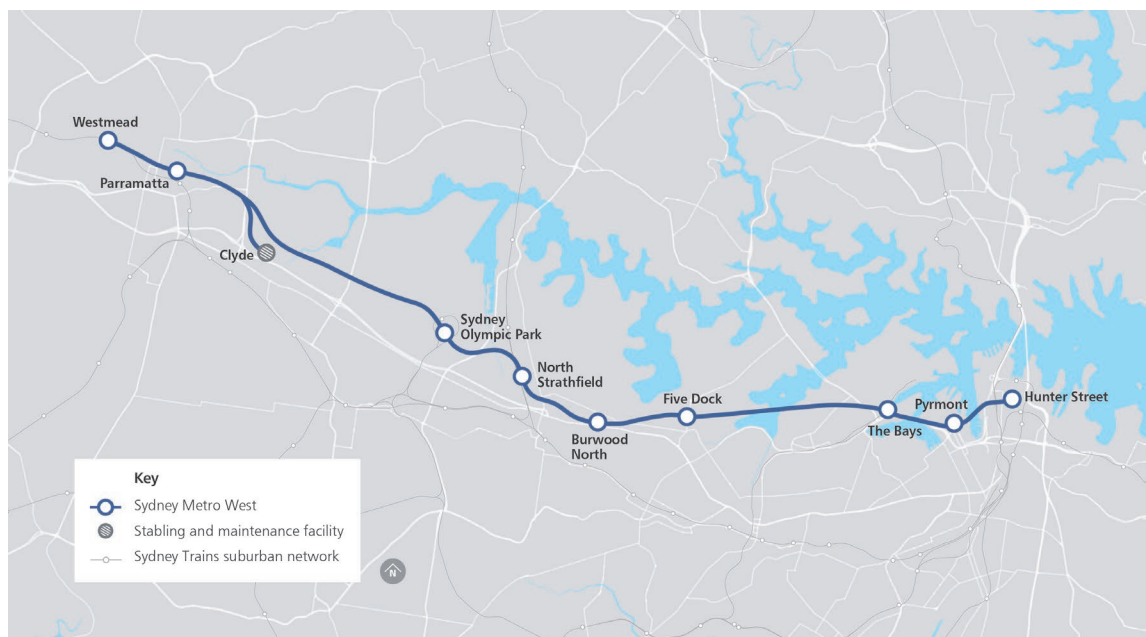


Figure 1-2 Sydney Metro West

Sydney Metro West is being assessed as a staged, Critical State Significant Infrastructure (CSSI) application under section 5.20 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Concept and major civil construction work for Sydney Metro West between Westmead and The Bays was approved on 11 March 2021 whilst major civil construction work for Sydney Metro West between The Bays and Sydney CBD was approved on 24 August 2022. The remaining application currently under assessment is for rail infrastructure, stations, precincts and operations of the Sydney Metro West line between Westmead and the Sydney CBD (Stage 3).

1.3 Over station development and/or adjacent station development

All Sydney Metro West stations are being designed to integrate with their surrounding areas, to make vibrant and attractive places that reflect the unique context and future aspirations for each place.

The Sydney Metro West Environmental Impact Statement for the approved CSSI Concept identified that provision for future over and/or adjacent station development could provide a range of uses, such as community facilities, homes, shops, restaurants, and commercial office space. Integrating a mix of uses and development into the station precinct will contribute to the success of places by:

- encouraging precinct activation and use of Sydney Metro West across different times of the day and week
- creating opportunities to provide facilities that meet customer and community needs, attracting people to stations
- allowing stations to successfully integrate into their urban context and to contribute positively to the character of places at the stations.

Sydney Metro is making provision for over and/or adjacent station development at Westmead, Parramatta, Sydney Olympic Park, Burwood North, The Bays, Pymont, and Hunter Street in the Sydney CBD.

Sydney Metro will continue to work closely with the local community and stakeholders so that station precincts are welcoming hubs that build on local character.

1.4 The proposed development

The purpose of this Scoping Report is to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) to accompany a Concept State Significant Development Application (Concept SSDA) for a new mixed-use building above the new Pymont Station.

The new Pymont Station comprises two parcels of land:

- 37-69 Union Street, Pymont (Lot 1 in Deposited Plan 620352) (referred to as the eastern site)
- 26-32 Pymont Bridge Road, Pymont (Lot 10 in Deposited Plan 1028280) (referred to as the western site).

This Concept SSDA relates only to the eastern site (Lot 1 DP620352). The subject site is generally bound by Union Street, Edward Street, and Pymont Bridge Road.

The Concept SSDA seeks consent for a podium building with a maximum height of RL34.9m and tower above with a maximum height of RL120m (110m). In addition, it seeks consent for use of the podium established under the Stage 3 CSSI Application, which is currently under assessment.

In addition to station uses, the podium is proposed to be used for commercial premises and residential accommodation, while the tower will be limited to residential accommodation only. The residential portion within the podium will be exclusively used for purposes associated with the apartments above such as residential lobbies, electrical and mechanical plant, vertical circulation, waste room areas, storage areas, or parking areas. The podium will otherwise entirely comprise commercial premises.

The concept proposal is designed to achieve a high-quality mixed-use outcome that integrates with the surrounding area to deliver a vibrant and attractive precinct that reflects the unique context and future aspirations for the site and Darling Island sub-precinct.

The development is within the Sydney Metro West railway corridor, is associated with railway infrastructure, and is for commercial premises and residential accommodation with a Capital Investment Value (CIV) that exceeds \$30 million. Therefore, the project is declared State Significant Development (SSD) pursuant to Schedule 1, 19(2)(a) of State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP).

The Concept SSDA will seek consent for a concept proposal within the meaning of section 4.22 of the EP&A Act. It will seek consent at a conceptual level for the proposed land uses, maximum building envelope, maximum gross floor area,

pedestrian and vehicle access, vertical circulation arrangements, and car parking. SSDAs prepared by future development partners will seek development consent to carry out the development subject of the Concept SSDA.

To support the request for SEARs, this Scoping Report provides an overview of the proposal and its site location and context, a description of the concept proposal, the statutory context, key environmental and planning considerations, expected report and document deliverables, and key stakeholders for consultation.

1.5 Interface with the station

The detailed design and fit-out of the Pymont Station infrastructure will be integrated with the proposed development to facilitate a cohesive station and precinct development.

The Concept SSDA will seek consent for the commercial uses within the podium envelope, and areas of the podium envelope associated with the residential accommodation in the tower (including electrical and mechanical plant, vertical circulation, waste room areas, storage, and car parking). Approval for the podium envelope and land uses within the podium that directly relate to the operation and function of Pymont Station (such as bicycle parking, end-of-trip facilities, station plant, and the concourse) are being sought as part of the Stage 3 CSSI Application.

Detailed plans will be submitted with the EIS that clearly delineate the scope of works between the Concept SSDA and the Stage 3 CSSI Application.

1.6 Project alternatives

Under the provisions of *Environmental Planning and Assessment Regulation 2021* (EP&A Regulations) and in accordance with *the State Significant Development Guide* prepared by NSW Department of Planning and Environment (DPE), there is a requirement to analyse any feasible alternatives for SSDAs.

Table 1 outlines three feasible alternatives: Do Nothing, Alternative Design and Proposed Design.

Table 1 – Project alternatives

Options	Assessment
Do Nothing	<p>The ‘Do Nothing’ alternative would result in the existing buildings on the eastern site of Pymont Station (being Lot 1 DP 620352) being demolished and the new metro station being constructed as per the CSSI Application with limited development over the station and no precinct development.</p> <p>‘Do Nothing’ without any associated over station development would result in a poor placemaking outcome and pass up a significant opportunity to deliver increased residential accommodation within the Pymont Peninsula and create activation around the new metro station.</p> <p>The Sydney Metro West network will provide connectivity to and from the Pymont Peninsula and will be an asset to the overall precinct. The site remaining as is would not result in the best design outcome in respect to the integration of the site with the metro station itself and public domain works and would result in a development outcome not aligned with the strategic planning framework for the Pymont Peninsula.</p>

Options	Assessment
Alternative Designs	<p>Sydney Metro has explored alternative design options through a series of building envelope and massing studies. These studies have explored alternative building heights, gross floor areas, land uses (such as hotel accommodation, commercial and residential uses), building envelopes, and floor plate configurations. The alternative options have not been pursued for reasons including inefficient floor plates and typology unfeasibility. Ultimately, alternative design options have not been pursued as they were incompatible with the site, did not achieve the Sydney Metro vision and objectives for the station, and would result in impact on the amenity of the surrounds.</p> <p>The alternative design and massing studies will be detailed in the EIS.</p>
Proposed Design	<p>The concept proposal provides for an optimised development outcome at the site. The proposed concept presents a balanced and feasible option which will:</p> <ul style="list-style-type: none"> • establish a building envelope for a future building of a maximum podium and building height, upper-level setbacks, and street wall heights. • establish the indicative total gross floor area for the site. • establish indicative land uses for the podium and tower. • provide activate frontages at ground level through pedestrian access to the metro station and the provision of retail uses. • allow for the delivery of an over station development which responds to the urban grain and scale of the surrounding context and minimises impact on local character. • maintain adequate solar access to surrounding public spaces and existing residential dwellings.

2 Strategic context

2.1 Justification for the project

The construction of Sydney Metro West represents an exciting opportunity to incorporate global best practice for placemaking and environmentally sustainable development, and to apply innovative thinking to create new city icons. The delivery of integrated station and precinct development enables Sydney Metro to be more than just a transport project, but also a defining city building opportunity that revitalises precincts and communities, helping to leave a legacy, and shaping Sydney for generations to come. The proposed development will create a great place-based outcome for Pyrmont that successfully integrates transport infrastructure, open space, ground plane retail, commercial, and residential land uses.

Pyrmont Station will link new communities within the Peninsula and Sydney CBD, support employment growth, and contribute to the availability of a diversity of housing supply within the Sydney LGA.

The Pyrmont Station precinct facilitates growth opportunities within the Peninsula and seeks to establish parameters to attract more businesses and residents in a well-connected location reducing reliance on private transport modes.

2.2 Pyrmont Peninsula Place Strategy

The Pyrmont Peninsula Place Strategy (PPPS) was finalised by DPE in December 2020 and establishes a strategic planning framework for the Peninsula. The PPPS provides a 20-year plan for the future growth in the Peninsula, with up to 23,000 more jobs and up to 4,000 new homes. A key focus is ensuring growth and change is accommodated in a manner that balances local character, heritage, and amenity.

The PPPS establishes the following vision:

In 2041, the Pyrmont Peninsula will be an innovative, creative and cultural precinct and an engine room of the Eastern Harbour CBD. It will connect to the Innovation Corridor and other innovation and job precincts via Sydney Metro and complement the Sydney CBD.

The PPPS identifies five 'Big Moves':

- a world-class harbour foreshore walk
- a vibrant 24-hour cultural and entertainment destination
- connections to the new Pyrmont Metro station
- a low-carbon, high-performance precinct
- better public spaces

Pyrmont Station will act as an anchor for new development and connectivity. It is a key catalyst for public transport connectivity and a vital enabler of growth and change within the Peninsula. The PPPS signals the intention to prepare new planning controls to identify appropriate building heights and development potential of key sites, including around the new Pyrmont Station, to ensure the protection of precious heritage, parklands, and character, and to create public benefit.

The PPPS recognises the potential of the Pyrmont Station to deliver strategic change across the Peninsula and broader public benefits, for instance by connecting and activating the public domain and contributing to the delivery of a 'Big Move'.

The PPPS aims to increase retail, commercial and residential density associated with the Metro station, unlock new jobs and opportunities, and contribute to the creation of a vibrant 24-hour culture. It outlines a planning framework which prioritises protection of solar access, heritage, and local character, and establishes safeguards that ensure adequate infrastructure is delivered alongside development.

The subject site is within the Darling Island sub-precinct identified in the PPPS. Darling Island is identified as one of four sub-precincts capable of accommodating the greatest growth and change over the next 20 years, while protecting the character and quality of parks and public spaces. The PPPS targets an additional 600 residents and 2,735 jobs in the Darling Island sub-precinct by 2041, of which the proposed development will contribute towards creating.

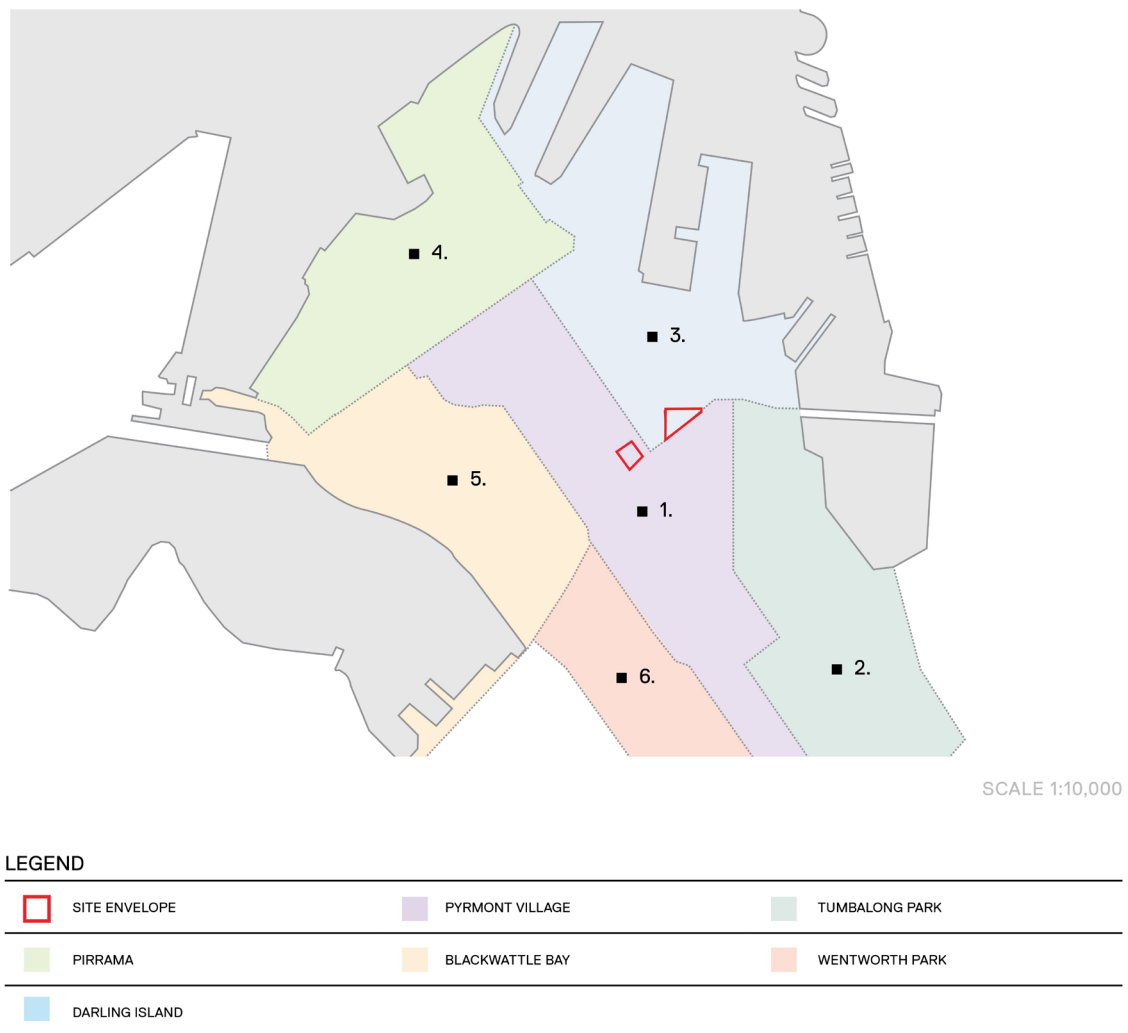


Figure 2-1 Pyrmont Peninsula Sub-Precincts

New development in the Darling Island sub-precinct will be located, designed, and integrated with the surrounding area, contributing to local character, and bringing broader benefits, such as new public places, landscapes and connections.

Residential development will be provided without compromising attractiveness for tourism, visitor and 24-hour economy uses, cultural, creative, entertainment, and commercial uses.

The objective of new planning controls established for renewal sites (such as the subject site) is to encourage design excellence, 'open up' connections through large buildings and sites and facilitate improved walking and cycling connections.

2.3 Sub-precinct master plans for the Pyrmont Peninsula

From 26 November 2021 to 4 February 2022, DPE placed on public exhibition a suite of documents comprising the first stage of the implementation of the PPPS. The exhibited material included new statutory planning controls for four key sites (The Star Casino, UTS, and Metro East and West sites), seven sub-precinct master plans, and the Pyrmont Peninsula Design Guidelines.

The sub-precinct master plans establish a new planning framework and guidance for future development proposals to give effect to the PPPS. The master plans provide objectives and principles for key elements of the PPPS and guide future decisions on planning amendments, development applications, and infrastructure delivery by defining the future character of each sub-precinct. They also detail the principles and outcomes that shape open space, movement networks, built form and solar access.

On 29 July 2022, DPE adopted the sub-precinct master plans and the Pyrmont Peninsula Design Guidelines, concurrently with the gazettal of amended statutory planning controls for the four key sites.

DPE also made Ministerial Direction 1.15 Implementation of the Pyrmont Peninsula PPPS to give effect to the sub-precinct master plans. This Direction gives statutory effect to the sub-precinct master plans and requires future land use and planning control changes to be consistent with the master plans and the PPPS.

Following the public consultation, under Section 9.1 of the EP&A Act, DPE issued Ministerial Direction *1.15 Implementation of the Pyrmont Peninsula PPPS* to give.

The Concept SSDA has been designed to respond to the new statutory planning framework gazetted on 29 July 2022 and the concurrent adoption of the sub-precinct master plans and Pyrmont Peninsula Design Guidelines. Details of the amendments and controls proposed are discussed further in Section 4.1.

2.4 The site and surrounding context

2.4.1 Site location

The proposed development is located at 37-69 Union Street, Pyrmont, which is bound by Union Street, Pyrmont Bridge Road and Edward Street.

The site is on the Pyrmont Peninsula which is approximately 1km to the east of Sydney CBD and is characterised by a diversity of residential, commercial, tourism, higher education, and entertainment land uses. The Peninsula contains a network of public spaces including, open space, plazas, forecourts, parks, civic squares, and waterfront promenades.

Significant cultural and entertainment landmarks in the vicinity of the site include the Star Casino, Maritime Museum, Cockle Bay, Harbourside Shopping Centre, the Harbour Foreshore walk, Sofitel Hotel, Sydney ICC, and the Powerhouse Museum.

Pyrmont is emerging as a vibrant cultural and entertainment precinct which benefits from connectivity to the Sydney CBD and surrounding suburbs. The Peninsula is identified as an attractor of global investment, with employment opportunities in arts, culture, and entertainment. It forms part of the wider Innovation Corridor, which

includes universities, a teaching hospital, international innovation companies, and start-up enterprises.

The site location is shown in **Figure 2-2** and **Figure 2-3**.



Figure 2-2 Site context map with 500m radius shown

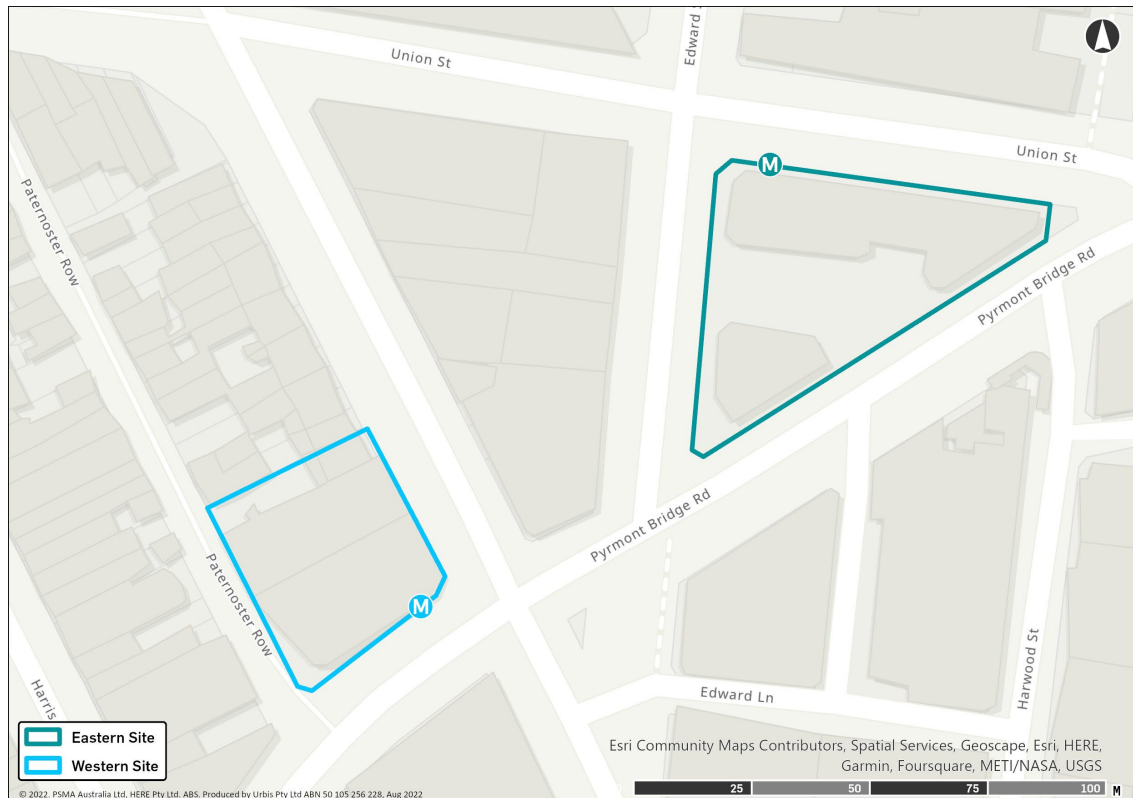


Figure 2-3 Subject site (OSD site location shown to the east)

2.4.2 Site description

The subject site currently accommodates several multi-storey commercial buildings, occupied by a range of retail, health, and business premises (refer to **Figure 2-4** and **Figure 2-5**). All existing buildings will be demolished to facilitate construction of the new Pymont Station and the proposed development.

In addition to the multi-storey commercial buildings identified, the site includes tree planting, landscaping, hardstand car parking, and internal vehicle access.

The legal property description of the site is Lot 1 in Deposited Plan 620352.

The site has a generally triangular configuration, bound by Union Street (to the north), Pymont Bridge Road (to the south east), and Edward Street (to the west). The site has a total area of approximately 2,610m².

2.4.3 Site photographs

To provide a point of visual reference for this Scoping Report, site photographs reflecting the current site conditions are provided in **Figure 2-4**, **Figure 2-5** and **Figure 2-6**.



Figure 2-4 View of the site from the corner of Pymont Bridge Road and Union Street



Figure 2-5 View from the corner of Pymont Bridge Road and Edward Street



Figure 2-6 View from the corner of Union Street and Edward Street

2.4.4 Surrounding context

The site has an interface with various surrounding land uses:

- to the north is a multi-tenanted commercial building at 60 Union Street ('U60') which accommodates a range of occupants, including Warner Music Australia, a café, business and retail premises, food and beverage outlets, a pharmacy, and a supermarket. The building also provides multi-storey car parking.
- to the west is a number of mid-rise commercial premises and residential flat buildings fronting Edward Street. The ground floor tenancies generally include a barbershop, café, and packaging and distribution business.
- to the south and east beyond Pyrmont Bridge Road is generally mixed-use buildings, comprising ground floor commercial and retail premises, and upper level residential flat buildings. Street level premises fronting Pyrmont Bridge Road include a fitness centre, an estate agent, and a hotel.

The future scale and density of the surrounding built form and Pyrmont Peninsula will evolve consistent the approved PPS, the recently gazetted amendments to the statutory planning framework, and the adoption of the sub-precinct master plans.

The EIS will assess the suitability of the development with regards to its existing and future surrounding local context.

2.5 Cumulative impacts

The EIS will address the expected cumulative environmental impacts of the proposed development with the delivery of Pyrmont Station infrastructure under the CSSI Application and other future and proposed developments in the Peninsula, particularly the Darling Island sub-precinct.

The cumulative impact of the proposed development and Stage 3 CSSI Application will be addressed as part of the EIS, particularly in respect to construction and operational impacts, including noise and traffic.

2.6 Agreement with other parties

Where relevant, the EIS will discuss agreements with other parties and agencies required to facilitate the delivery of the development.

3 The proposed development

3.1 The proposal

The Concept SSDA seeks concept approval for a new mixed-use building above Pymont Station. The Concept SSDA specifically seeks consent for the following:

- OSD building envelope comprising podium levels above the maximum two storey podium established by the Stage 3 CSSI Application, and a tower above the podium including a maximum building height for the tower and tower setbacks.
- maximum building heights:
 - podium – RL 34.9m
 - tower – RL 120m.
- use of the concept envelope for commercial premises and residential accommodation in the podium, and residential accommodation in the tower above.
- maximum gross floor area (GFA) of approximately 23,597m². This excludes any GFA associated with rail infrastructure facilities delivered under the Stage 3 CSSI application.
- use of the Stage 3 CSSI podium to provide areas associated with the residential land use, such as residential lobbies, electrical and mechanical plant, vertical circulation, waste room areas, storage areas, or parking areas
- a Design Excellence Strategy.
- concept strategies including the following:
 - utilities and services strategies
 - stormwater, flooding, and drainage strategy
 - ecologically Sustainable Development (ESD) strategy.

A BDAR Waiver is also submitted with this application, seeking support that a Biodiversity Development Assessment Report in accordance with the *Biodiversity Conservation Act 2016* is not required for the Concept SSDA.

As the proposed development is for a concept proposal, pursuant to section 4.22 of the EP&A Act, future approval(s) will be sought for the detailed design and construction of the proposed development. The future detailed approval(s) will be required to be consistent with any Concept SSDA approval granted.

The indicative building massing and form for the Concept SSDA is indicated at **Figure 3-1** and **3-2**. An indicative ground plan layout is included at **Figure 3-3**.



Figure 3-1 Concept building envelope plan view

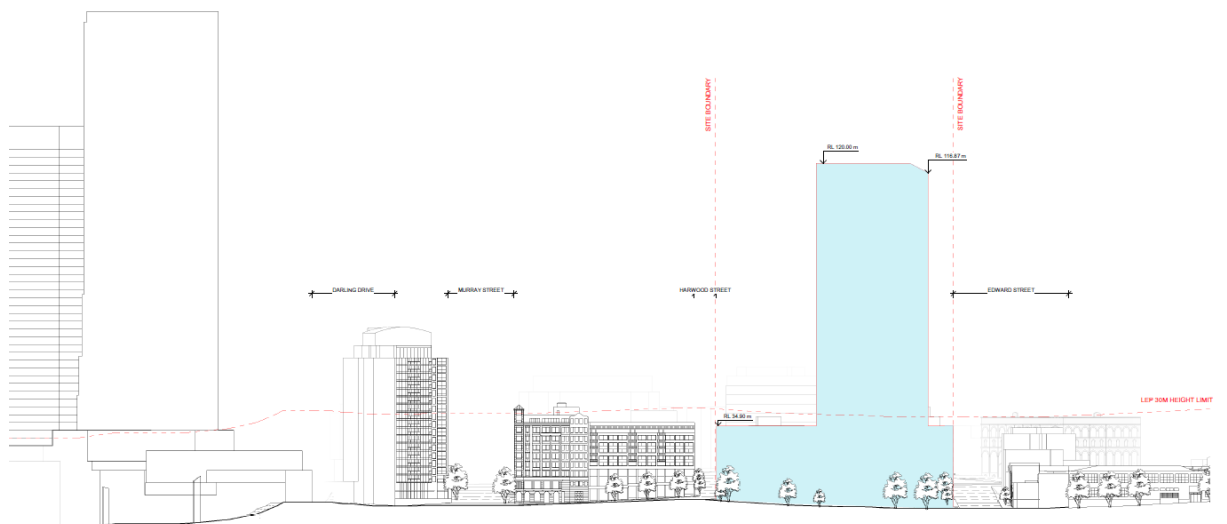


Figure 3-2 Envelope elevation from Union Street

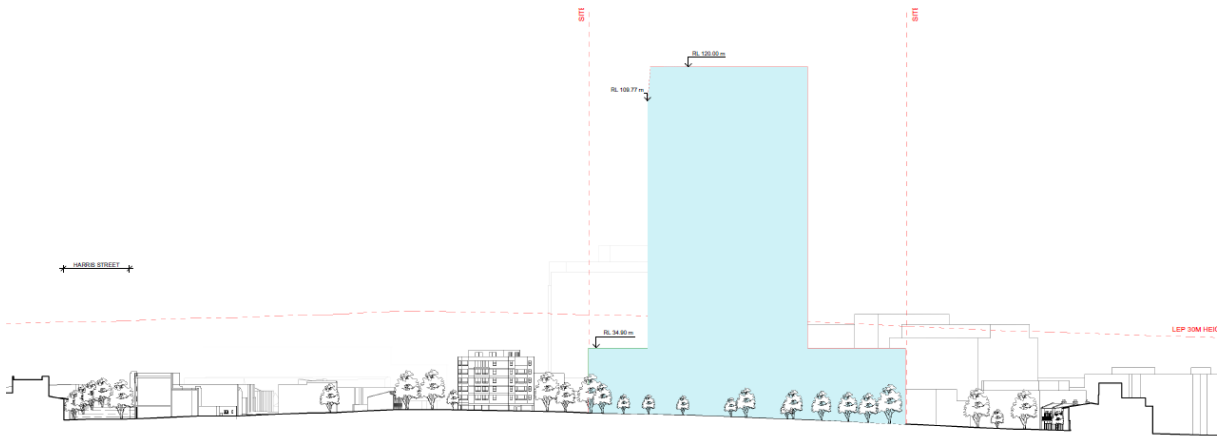


Figure 3-3 Envelope elevation from Pyrmont Bridge Road

Table 2 provides a numerical breakdown of the Concept SSDA.

Table 2 – Numerical overview

Concept Plan	Indicative Numerical Overview
Total GFA	23,597m ² (excluding any GFA associated with the rail infrastructure facilities sought under the Stage 3 CSSI Application)
Height	Podium: Maximum RL34.9 metres Tower: RL120 metres (33 storeys)
Site Area	2,610 m ²
FSR	9:1 (excluding GFA associated with rail infrastructure facilities)

4 Statutory context

4.1 Key statutory requirements

This chapter describes the statutory planning process for the proposed development and identifies relevant State and local legislation and planning instruments which apply to the Concept SSDA.

The site is located within the City of Sydney Local Government Area (LGA) which is administered by City of Sydney Council (Council). The relevant legislation and environmental planning instruments and policies relating to the site are as follows:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Biodiversity Conservation Act 2016
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings and accompanying Apartment Design Guide
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Sydney Local Environmental Plan 2012
- Pyrmont Peninsula Design Guidelines.

Table 3 – Key statutory requirements

Matter	Guidance
Power to grant consent	<p>The EP&A Act establishes the framework for the assessment and approval of development and activities in NSW. The EP&A Act also facilitates the making of environmental planning instruments which guide the way in which development should occur across the State, including State environmental planning policies (SEPPs) and local environmental plans (LEPs).</p> <p>Pursuant to Section 4.22 of the EP&A Act a Concept DA may be made setting out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be subject of a subsequent development application(s). The development proposed is a Concept SSDA.</p> <p>The Minister of Planning (or the Independent Planning Commission) will be the relevant consent authority for SSDAs. The Minister may delegate this function to staff within DPE.</p>
Permissibility	<p>The environmental planning instrument that applies to the site is the Sydney Local Environmental Plan 2012 (LEP).</p> <p>The site is zoned B4 Mixed Use. The proposed land uses ('commercial premises' and 'residential flat building') are permissible with consent in accordance with the LEP.</p>

Matter	Guidance
<p>Pre-conditions to exercising the power to grant approval</p>	<p>State Environmental Planning Policy (Resilience and Hazards) 2021</p> <p><i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (Resilience and Hazards SEPP) requires the consent authority to consider whether the subject land of any rezoning or DA is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, the consent authority must be satisfied that the land can be suitably remediated for that purpose.</p> <p>The EIS will be supported by a Stage 1 Contamination Report which details how the site can be made suitable for the land uses proposed under the Concept SSDA.</p>
<p>Mandatory matters for consideration</p>	<p>Biodiversity Conservation Act 2016</p> <p>Clause 7.9 of the <i>Biodiversity Act 2016</i> applies to SSDA and requires SSDA to be accompanied by a Biodiversity Development Assessment Report (BDAR) report unless it is determined the proposal is not likely to have any significant impact on biodiversity values.</p> <p>A BDAR Waiver request is provided as an Appendix of this Scoping Report. This requests the requirement for a BDAR Report to be waived as no vegetation removal is proposed under the Concept SSDA.</p>
	<p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p> <p><i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (Transport and Infrastructure SEPP) requires certain traffic generating developments to be referred to TfNSW (prescribed in Schedule 3). This may include the proposed development based on the quantum of commercial GFA and residential dwellings proposed and the site's proximity to a State classified road (Pymont Bridge Road).</p> <p>The Concept SSDA may also be referred to the relevant utility service providers to confirm that the siting and layout of the development will not impact on relevant easements and/or infrastructure corridors.</p>
	<p>State Environmental Planning Policy 65: Design Quality of Residential Flat Development</p> <p><i>State Environmental Planning Policy 65: Design Quality of Residential Flat Development</i> (SEPP 65) was introduced in 2002 and reviewed in 2015. The SEPP aims to improve the design quality of residential flat development. It contains various design principles and provides guidance for evaluating the merit of design solutions.</p> <p>The EIS will detail how the proposed Concept SSDA will facilitate a development outcome which complies with the principles within SEPP 65 and the associated Apartment Design Guide (ADG).</p>
	<p>State Environmental Planning Policy (Planning Systems) 2021</p> <p><i>State Environmental Planning Policy (Planning Systems) 2021</i> (Planning Systems SEPP) declares development to be State Significant (SSD). Clause 19(2) of Schedule 1 of the Planning Systems SEPP provides that the following development is a category of SSD:</p> <p><i>(2) Development within a rail corridor or associated with railway infrastructure that has a capital investment value of more than \$30 million for any of the following purposes:</i></p>

Matter	Guidance
	<p>(a) commercial premises or residential accommodation, (b) container packing, storage or examination facilities, (c) public transport interchanges.</p> <p>The proposal meets the SSD criteria in Schedule 1 of the Planning Systems SEPP as it is development associated with railway infrastructure with a capital investment value CIV of more than \$30 million and is for the purposes of both commercial premises and residential accommodation.</p> <p>Furthermore, as the development is not permissible without development consent under Part 4 of the EP&A Act, it is therefore declared to be SSD under the Planning Systems SEPP.</p>

Sydney LEP 2012

On 29 July 2022, DPE gazetted an amendment to the Sydney Local Environmental Plan 2012 (LEP) to be made via a self-repealing State Environmental Planning Policy (SEPP). The amendments to the LEP include the introduction of new site-specific clauses and changes to existing development standards to increase the building height and floor space ratio (FSR) for four key sites (including Metro east site).

Concurrently with the amendments to the LEP, DPE approved the Design Guidelines and sub-precinct master plans. These are referenced accordingly in the site-specific clauses in the LEP.

The Concept SSDA is designed to comply with the relevant development standards and site-specific provisions which apply to the site pursuant to the recently amended LEP. These are outlined below.

Land Use Zoning

The site is zoned B4 Mixed Use within which the proposed uses ('commercial premises' and 'residential flat building') are permissible with consent.

Building Height

The LEP allows for a maximum building height of RL120 metres, with a maximum podium height of RL34.9 metres. The proposal complies with this development standard.

Floor Space Ratio

The LEP allows for a maximum floor space ratio (FSR) of 9:1. (excluding GFA associated with the station under the CCSI Application). The proposal complies with this development standard.

Pymont Peninsula Design Guidelines

The LEP amendment is supported by the Pymont Peninsula Design Guidelines (Design Guidelines) which provides detailed design guidance and provisions to guide development on identified key sites.

The Design Guidelines which apply to the site include objectives and design guidance in relation to land use, built form, historical heritage, public domain, and design excellence.

The Concept SSDA will provide a detailed assessment of the proposed development against the objectives and design criteria of the Design Guidelines and will provide justification for any variations (if required).

State Environmental Planning Policy (Housing) 2021

Matter	Guidance
	<p>State Environmental Planning Policy (Housing) 2021 (Housing SEPP) was made on 26 November 2021. The Housing SEPP seeks to incentivise the supply of affordable and diverse housing and consolidates five existing housing-related SEPPs.</p> <p>The EIS will provide a detailed assessment of the concept proposal against the applicable provisions of the Housing SEPP (if relevant).</p>
	<p>State Environmental Planning Policy (Biodiversity and Conservation) 2021</p> <p><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> (Biodiversity and Conservation SEPP) provides planning principles for development within the Sydney Harbour catchment. The site is located within the Sydney Harbour Catchment area.</p> <p>Planning principles for land within the Sydney Harbour Catchment relate water quality, flooding, maintaining visibility to the water and cumulative environmental impacts.</p> <p>The Concept SSDA will be broadly consistent with the relevant Planning Principles of the Biodiversity and Conservation SEPP. No significant adverse impact on the Sydney Harbour Catchment is anticipated given the proposal relates to a concept proposal.</p> <p>The subsequent detailed SSDAs will address stormwater run-off, sediment and erosion control, and water quality in greater detail.</p>
	<p>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</p> <p><i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> requires that all residential development in NSW achieve a minimum target for energy efficiency, water efficiency and thermal comfort. Subsequent detailed SSDAs will be supported by a BASIX Assessment Report to assess the proposed development against the NSW government's requirements for sustainability.</p>

4.2 Other relevant legislation and policies

In addition to the above, the following policies apply to the site and will need to be considered as part of the SSDA.

- NSW State Priorities
- Greater Sydney Region Plan – A Metropolis of Three Cities
- Eastern City District Plan
- City Plan 2036: Local Strategic Planning Statement
- Future Transport 2056
- Pyrmont Peninsula Place Strategy
- Sydney Development Control Plan 2012
- Draft Connecting with Country Framework.

The EIS will provide an assessment of the proposal against the above instruments and policies and will provide justification for any variations proposed (if applicable).

5 Engagement

5.1 Engagement carried out

Sydney Metro has been engaging with the community, stakeholders, and industry about Sydney Metro West since 2017. Feedback gathered has helped shape the project, including station locations.

Since the announcement of Sydney Metro West, consultation and engagement with key stakeholders, local councils and key government agencies has been ongoing. At each stage of engagement, Sydney Metro has sought feedback to understand the views and needs of the Pyrmont community and stakeholders.

In 2019, Sydney Metro invited feedback from stakeholders and the community about Pyrmont as a strategic station option on Sydney Metro West via an online survey. In addition, briefings were also offered to key stakeholders, state government agencies and local councils. Feedback received was considered in assessing strategic options for a station located at Pyrmont, which was subsequently confirmed as part of the Sydney Metro West project in December 2020.

In May 2021 a Scoping Report for the Stage 2 CSSI Application was lodged with the DPE which included the location of Pyrmont Station.

Between November and December 2021 the EIS for the Stage 2 CSSI Application was exhibited for public comment, including proposed major civil construction at Pyrmont Station and tunnelling between The Bays and Sydney CBD as well as consideration of over station development as part of a future planning approval.

Between March and May 2022 the EIS for the Stage 3 CSSI Application was exhibited for public comment, including the proposed station building and precinct design for Pyrmont Station, as well as consideration of over station development as part of a future planning approval.

The below summaries key issues raised during the public exhibition of the Stage 2 CSSI Application and Stage 3 CSSI Application as identified in the Submissions Report.

Government agency submissions

- Non-Aboriginal heritage impacts, particularly the assessment approach and proposed mitigation, management and monitoring
- Contamination impacts, particularly the assessment approach and proposed mitigation, management and monitoring
- Hydrology and flooding, particularly the assessment approach
- Noise and vibration, particularly the assessment, the categorisation of results and proposed mitigation and management
- Soils and surface water quality, particularly the assessment approach and proposed mitigation, management and monitoring.

Public authority submissions

- Construction hours and construction noise
- Contamination impacts
- Waste, resource use and spoil management

- Approach to mitigation, management and monitoring
- Community and stakeholder consultation, including the need for ongoing consultation with councils
- Impacts on trees and other vegetation
- Haul routes and traffic control
- Public transport impacts
- Sustainability.

Community submissions

- Stakeholder and community engagement
- Noise and vibration
- Strategic need and justification
- building scale
- parking
- active transport
- activation/retail at ground level

5.2 Engagement with NSW Department of Planning and Environment

Sydney Metro undertook ongoing engagement with DPE in relation to the following:

- The Sydney Metro West Design Guidelines
- To inform the finalisation of the Pymont Peninsula Design Guidelines.

Engagement undertaken included monthly meetings with the Department's strategic planning team and the making of a submission during public exhibition.

The submission made by Sydney Metro during public exhibition requested several amendments to the Pymont Design Guidelines which were subsequently adopted by DPE. The amendments included changes to the building envelope drawings within the Pymont Design Guidelines and were requested so that the future OSD could respond to line wide challenges such as station integration, alignment with running tunnels that traverse underground, environmental, and geotechnical constraints.

Sydney Metro also actively participated in the public exhibition of Pymont Peninsula sub precinct master plans, including participation in joint information sessions with the community and briefings with key stakeholders.

Ongoing engagement with DPE's Key Site team is intended to continue to occur as the project is progressed.

5.3 Community views on Pymont Peninsula sub-precinct master plans

From 26 November 2021 to 4 February 2022, DPE placed on public exhibition the first stage of the implementation of the PPPS. The exhibited material included new statutory planning controls for four key sites (including Metro site east), seven sub-precinct master plans, and the Pymont Peninsula Design Guidelines. The exhibited material also contained supporting studies and assessments in relation to wind, air quality, noise, contamination, biodiversity and traffic, affordable housing, and infrastructure feasibility, and an infrastructure delivery plan.

In July 2022, DPE published the 'What We Heard' Report to identify the key issues raised in stakeholder submissions received by DPE the during public exhibition.

The below provides a summary of key issues raised during the public exhibition:

- Building heights and density
- Protecting sunlight to parks and public spaces
- Consultation with community
- Consultation with Aboriginal stakeholders
- Infrastructure contributions
- Affordable housing
- Walking and cycling infrastructure
- Public transport
- Residential amenity

5.4 Community views

Consultation has proactively sought feedback and comments on Sydney Metro West through different forums and channels to inform the development phase and the scope of issues to be assessed as part of the environmental assessment process.

Feedback was received throughout consultation with local and State government agencies, infrastructure service providers, special interest groups, businesses, and the community. Formal submissions and feedback generally related to:

- Property and land use specifically related to future development around stations
- Station design and placemaking
- Impacts on transport and traffic
- Impacts on heritage
- Consideration and integration with the Pyrmont Peninsula Place Strategy.

In addition, findings of the early engagement on Pyrmont strategic option indicated:

- strong support for a station in Pyrmont to encourage economic development, jobs and tourism
- support for more public transport options, connectivity and future proofing the transport network
- support for commercial and residential development
- concerns around heritage, increase in travel time for Sydney Metro West and future development in the area
- strong support for more public transport options in the area
- support for increased development density around public transport
- support for the opportunities a metro station could bring to Pyrmont in terms of urban growth and renewal.

Written feedback highlighted the benefits a metro station could bring to Pyrmont. This included urban renewal, employment growth, development, and tourism.

Feedback further underlined the importance of Pyrmont as a major employment hub connecting The Bays, Ultimo and Sydney CBD, and that a metro station could attract companies and organisations to the suburb and encourage investment and development.

5.5 Further engagement to be carried out by applicant

Sydney Metro will continue to engage with stakeholders and the community to ensure they are informed and have opportunities to provide feedback on Sydney Metro West during future planning phases, including during public exhibition of the EIS for this Concept SSDA.

Sydney Metro will ensure the community is aware and engaged at subsequent assessment and approval stages of the project.

The EIS will include a detailed consultation summary, including early engagement undertaken up to submission of the Concept SSDA. Key stakeholders for Sydney Metro West include (but are not necessarily limited to):

- Surrounding businesses and residents
- State government agencies including (but not limited to) DPE, Placemaking NSW, other sections of Transport for NSW, the Environment Protection Authority, and Heritage NSW
- City of Sydney Council
- Public utility and infrastructure providers
- Special interest groups including Local Aboriginal Land Councils, Aboriginal stakeholders and relevant community groups
- The broader community.

In addition to the formal exhibition period, Sydney Metro will continue to engage with the community and key stakeholders to seek their views on the proposed development.

6 Assessment of impacts

Based on the preliminary environmental assessment undertaken the following environmental matters have been identified for consideration as part of the Concept SSDA:

- Compliance with strategic and statutory plans
- Urban design and built form
- View and visual impacts
- Impacts on the public domain and nearby properties
- Wind impacts
- Heritage impacts
- Traffic, access, and parking
- Utilities, infrastructure, and services
- Ecologically sustainable development
- Noise and vibration impacts
- Construction management
- Contamination
- Social and economic impacts
- Safety and security
- Development contributions
- Design excellence

Furthermore, additional issues including (but not limited to) waste management, stormwater and flooding, construction impacts and crime prevention through environmental design (CPTED) will also be addressed as a part of the EIS.

A preliminary discussion on key issues to be addressed in the EIS is provided below.

6.1 Compliance with strategic and statutory plans

The Concept SSDA will outline how the proposed development is consistent with the strategic and statutory planning framework, as outlined in **Section 4**.

6.2 Urban design and built form

The Concept SSDA will assess the massing, scale, and density of the proposed envelope and detail how the building envelope will complement existing and future proposed development adjoining the site and within the context of the Pymont Peninsula.

The building envelope will be subject to a rigorous design development and review process aligning with the scale and complexity of the project at subsequent SSDAs.

Aligned with the Pymont Peninsula Design Guidelines which apply to the site, the concept building envelope will ensure that adequate solar access is provided to existing residential dwellings and apartments in nearby surrounds and that there will be no additional overshadowing to Elizabeth Healey Reserve.

The concept plan will deliver a high-quality design which enhances local character and responds to the urban grain and scale of surrounding buildings, heritage items and heritage conservation areas.

A Built Form and Urban Design Report will be submitted with the Concept SSDA and detail the rationale for the siting and layout of the proposed building envelope, including future design considerations such as ground plane interface, relationship with the Pyrmont metro station, and proposed massing and land use composition.

In addition, the Concept SSDA will include shadow studies demonstrating any overshadowing impacts that result from the proposed building envelope.

6.3 View and visual impacts

The EIS will outline the potential visual impacts of the Concept SSDA and outline strategies to minimise visual impact, with a visual impact assessment and photomontages accompanying the EIS. This will address the key views noted in the Pyrmont Peninsula Design Guidelines as they relate to the site.

Further consideration will be given to the proposed development and its cumulative impact on surrounding land uses from both an urban design and visual perspective.

The Concept SSDA will demonstrate that the overall visual impact of the proposal complements surrounding development and does not adversely detract from, or disrupt, any surrounding viewpoints or vistas.

6.4 Impacts on the public domain and nearby properties

The proposal will achieve an integrated design response which ensures adequate solar access is retained to adjoining neighbours and key areas of open space, including Elizabeth Healey Reserve. A detailed solar access report will accompany the EIS with details of the assessment undertaken also provided in the EIS.

In relation to the immediate surrounding public domain, the proposed building will be developed considering the station design. The design team has oversight of both the CSSI Application and the proposed development, ensuring an integrated station development is delivered at the site.

The Concept SSDA will include high level details of the public domain proposed at the site, however it is noted that all public domain works form part of the CSSI approval.

6.5 Wind impacts

Wind impacts will be assessed in the Concept SSDA . A Wind Impact Assessment will be submitted which will detail recommended mitigation measures to achieve a comfortable pedestrian environment in the surrounding public domain.

6.6 Heritage impacts

The Concept SSDA does not propose any excavation works. The potential archaeological and Aboriginal cultural heritage impacts of the station development have been addressed in the Archaeological Assessment and Aboriginal Cultural Heritage Assessment Reports submitted with the CSSI applications.

However, for the sake of completeness, the Concept SSDA will include a summary of the previous assessments undertaken for the CSSI applications in order to demonstrate there is no further assessment of archeological heritage required.

In relation to historical heritage, a Heritage report is intended to be submitted with the Concept SSDA, which considers the impact of the concept plan on nearby listed heritage items and heritage conservation areas.

6.7 Traffic, access, and parking

A Transport Impact Assessment report will be provided as part of the Concept SSDA which will consider the potential impact of the proposed development on the road network.

The report will analyse parking requirements and layout, existing and expected traffic impacts on the local road network and the design of proposed vehicular entry points.

The Transport Impact Assessment will further identify management and mitigation measures which may need to be considered as part of subsequent detailed SSDAs.

6.8 Interface with the CSSI Application

The proposed built form will be highly integrated with Pymont Station which is subject to a CSSI approval and does not form part of the scope of this Concept SSDA.

The Concept SSDA will seek consent for commercial premises to be undertaken within the podium envelope (established by the CSSI approval) and for components of the podium envelope to be utilised in association with the residential building above. This could include residential lobbies, electrical and mechanical plant, vertical circulation, waste room areas, storage areas, or parking areas.

6.9 Utilities, infrastructure, and services

The Concept SSDA will broadly address the existing capacity and future requirements of the development for the provision of utilities, infrastructure, and services. Subsequent detailed SSDAs will address utilities, infrastructure, and services in greater detail.

6.10 Ecological sustainable development

The Concept SSDA will address the principles of Ecologically Sustainable Development (ESD) and will include an ESD Strategy to inform the future detailed design of development.

Detailed BASIX and Section J requirements will be addressed under future detailed SSDAs, as consistent with industry best practice.

The Concept SSDA will also address how the relevant sustainability requirements in the Sydney Metro Sustainability Framework (Sydney Metro, 2020) are to inform the detailed design of the development and how the proposed development promotes the use of sustainable transport initiatives.

6.11 Biodiversity

A Biodiversity Assessment Waiver Request is submitted to DPE concurrent with this Scoping Report. The request demonstrates that the proposal will not result in any significant impact on biodiversity value and therefore the requirement to complete a BDAR is not necessary as part of the Concept SSDA.

6.12 Noise and vibration impacts

A Noise and Vibration Impact Assessment will be undertaken as part of the Concept SSDA and will assess the impacts of the proposed development from surrounding land uses including the proposed metro station.

The Noise and Vibration Impact Assessment will also identify the noise and vibration generating sources and activities likely to occur at construction and during operation. The assessment will outline any measures to minimise and mitigate potential noise and vibration impacts on surrounding landowners, which will require further consideration in subsequent detailed SSDAs once the operational impacts of these noise and vibration sources are known.

6.13 Contamination

The CSSI Applications considers potential contamination and excavation impacts associated with the metro tunnel alignment and construction of the station.

As outlined in **Section 4**, the Hazards and Resilience SEPP requires the consent authority to consider whether the subject land of any rezoning or development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, the consent authority must be satisfied that the land can and will be remediated before the land is used for that purpose.

Whilst it is noted that below ground works will not be undertaken as a part of the OSD, contamination will be duly considered in the Concept SSDA in order to demonstrate that the site is suitable or can be made suitable for the proposed uses (including commercial premises and residential flat building).

6.14 Social and economic impacts

The social and economic impacts resulting from the proposal will be detailed in the Concept SSDA and a Social Impact Assessment and Economic Impact Assessment.

Anticipated social and economic benefits include:

- provision of floor space for employment-generating land uses
- provision of floor space for additional residential housing supply within the Sydney LGA within the immediate vicinity of public transport
- activation of the Pyrmont metro station precinct to attract more businesses and residents to deliver a high quality place-based outcome in a well-connected location
- employment opportunities during construction and operation at a later stage

6.15 Safety and security

The Concept SSDA will broadly outline how specific CPTED principles (surveillance, access control, territorial re-enforcement, and space/activity management) are considered in the building massing and outline how consideration has been given in the Concept SSDA to deter crime, manage space, and create a safe environment for users.

6.16 Development contributions

The Concept SSSA will need to consider the application of the Infrastructure Delivery Plan (IDP) which applies to the Pyrmont Peninsula. The IDP establishes mechanisms that will be implemented to fund and deliver infrastructure, including:

- Proposed SIC – a new contribution to provide funding towards the Metro station
- Key sites mechanism – to deliver local and/or State infrastructure
- Local infrastructure contributions – to provide funding towards local infrastructure (including affordable housing contributions).

These matters will be the subject of further consultation with the City of Sydney.

6.17 Design excellence

Sydney Metro is seeking endorsement from the Secretary for an alternative competitive design process to be undertaken based on the Sydney Metro Design Excellence Strategy (currently being prepared for Sydney Metro West).

The Design Excellence Strategy will outline the approach for Sydney Metro to deliver design excellence across the Sydney Metro West project. The Strategy will establish a line-wide approach, in addition to addressing any statutory design excellence provisions for integrated station developments (ISDs) such as Pyrmont Station OSD.

The Strategy will consist of a site-specific submission that addresses clause 6.21A-6.21D of the LEP, in particular a Design Excellence Strategy as an equivalent alternative competitive design process in accordance with clause 6.21D (2), where a competitive design process is not required if the consent authority is satisfied that such a process would be unreasonable or unnecessary in the circumstances.

The alternative competitive design process will be outlined with the GANSW endorsed SMW Design Excellence Strategy which will accompany the EIS.

7 Expected deliverables

To assist in confirming the SEARs, the following reports and document deliverables will support the EIS for the Concept SSDA:

- 3D Digital Model
- Site Survey
- Quantity Surveyor's Assessment
- Building Envelope Plans
- Indicative Architectural Plans
- Built Form and Urban Design Report
- Solar Access Report
- Visual Impact Assessment
- Heritage Impact Statement
- Wind Impact Statement
- Social Impact Assessment
- Traffic and Parking Assessment
- Utilities Assessment
- Design Excellence Strategy
- ESD Strategy
- CPTED Assessment
- Noise and Vibration Assessment
- Integrated Water Management Plan and Water Quality Report
- Stakeholder and Community Engagement summary

8 Conclusion

The purpose of this report is to request SEARs for the preparation of an EIS for a Concept SSDA for a concept building envelope above Pymont Station as part of the Sydney Metro West project.

This SEARs request outlines the approval pathway for the application, the legislative framework, and the key matters for consideration in the assessment of the application. The EIS will demonstrate how the proposal is suitable for the site and that the potential environmental impacts can be appropriately mitigated, minimised, or managed to avoid any unacceptable impacts.

The proposed development represents an exciting and unique opportunity to contribute to the legacy of Sydney Metro which will shape Sydney for generations to come. The proposed development will create a place-based outcome that successfully integrates residential and commercial land uses, transport infrastructure and ground plane retail.

The information detailed in this Scoping Report is considered sufficient to enable the Secretary to issue the SEARs to inform the preparation of the EIS.

Level of assessment	Matter	CIA	Engagement	Relevant government plan, policies and guidelines	Scoping report reference
Standard	Amenity – Noise	N	General	<ul style="list-style-type: none"> • Construction Noise Strategy (Transport for NSW, 2012) • Interim Construction Noise Guideline (Department of Environment, Climate Change and Water, 2009) • NSW Industrial Noise Policy (Environment Protection Authority, 2000) • NSW Road Noise Policy (Environment Protection Authority, 2011) • Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006) • German Standard DIN 4150-3: Structural Vibration – Effects of Vibration on Structures • Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006) • Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration (Australian and New Zealand Environment Council, 1990) 	Section 6.12
Detailed	Built environment	N	General	<ul style="list-style-type: none"> • Refer to Scoping Report 	Section 6.2, 6.3 and 6.5
Standard	Social	N	General	<ul style="list-style-type: none"> • Social Impact Assessment Guidelines for State Significant Projects (Department of Planning Industry and Environment, 2021) 	Section 6.14
Standard	Economic	N	General	<ul style="list-style-type: none"> • Refer to Scoping Report 	Section 6.14
Standard	Heritage – Aboriginal	N	Consultation with RAPs	<ul style="list-style-type: none"> • National Parks and Wildlife Act 1974 • Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW 2011 • Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 	Section 6.6

Level of assessment	Matter	CIA	Engagement	Relevant government plan, policies and guidelines	Scoping report reference
Detailed	Amenity – visual	Y	General	<ul style="list-style-type: none"> Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010 Draft Guidelines for Landscape and Visual Impact Assessment (3rd edition) Refer to Scoping Report 	Section 6.3
Standard	Hazards and risk – land contamination	N	General	<ul style="list-style-type: none"> Protection of the Environment Operations Act 1997 Contaminated Land Management Act 1997 Managing Land Contamination: Planning Guideline (SEPP 55) Guidelines on the Duty to Report Land Contamination SEPP 55 – Remediation of Land National environment protection (assessment of site contamination) measure 	Section 6.13
Standard	Access – Traffic and Parking	Y	Specific	<ul style="list-style-type: none"> State Environmental Planning Policy (Infrastructure) 2007 Guide to Traffic Management – Part 3 Traffic Studies and Analysis (Austroads, 2013) NSW Bicycle Guidelines (RTA, 2003) Guide to Traffic Generating Developments Version 2.2 (RTA, 2002). 	Section 6.7
N/A	Biodiversity – native vegetation and native fauna	N	Specific	<ul style="list-style-type: none"> BDAR Waiver sought 	Section 6.12
Minor	Heritage – historic	N	General	<ul style="list-style-type: none"> Heritage Act 1977 Australia ICOMOS Charter for the Conservation of Places of Significance, Burra Charter 2013 Assessing Significance for Historical Archaeological Sites and ‘Relics’ 2009 Skeletal Remains; Guidelines for Management of Human Skeletal Remains 1998 	Section 6.6

Level of assessment	Matter	CIA	Engagement	Relevant government plan, policies and guidelines	Scoping report reference
Standard	Hazards and Risk – Wind	N	N/A	<ul style="list-style-type: none"> Refer to Scoping Report 	Section 6.5
Minor	Social – Safety and Security	N	General	<ul style="list-style-type: none"> Refer to Scoping Report 	Section 6.14
Minor	Infrastructure – utilities and services	N	Specific	<ul style="list-style-type: none"> Refer to Scoping Report 	Section 6.9



49 UNION STREET

50 UNION STREET

52 - 72 UNION STREET

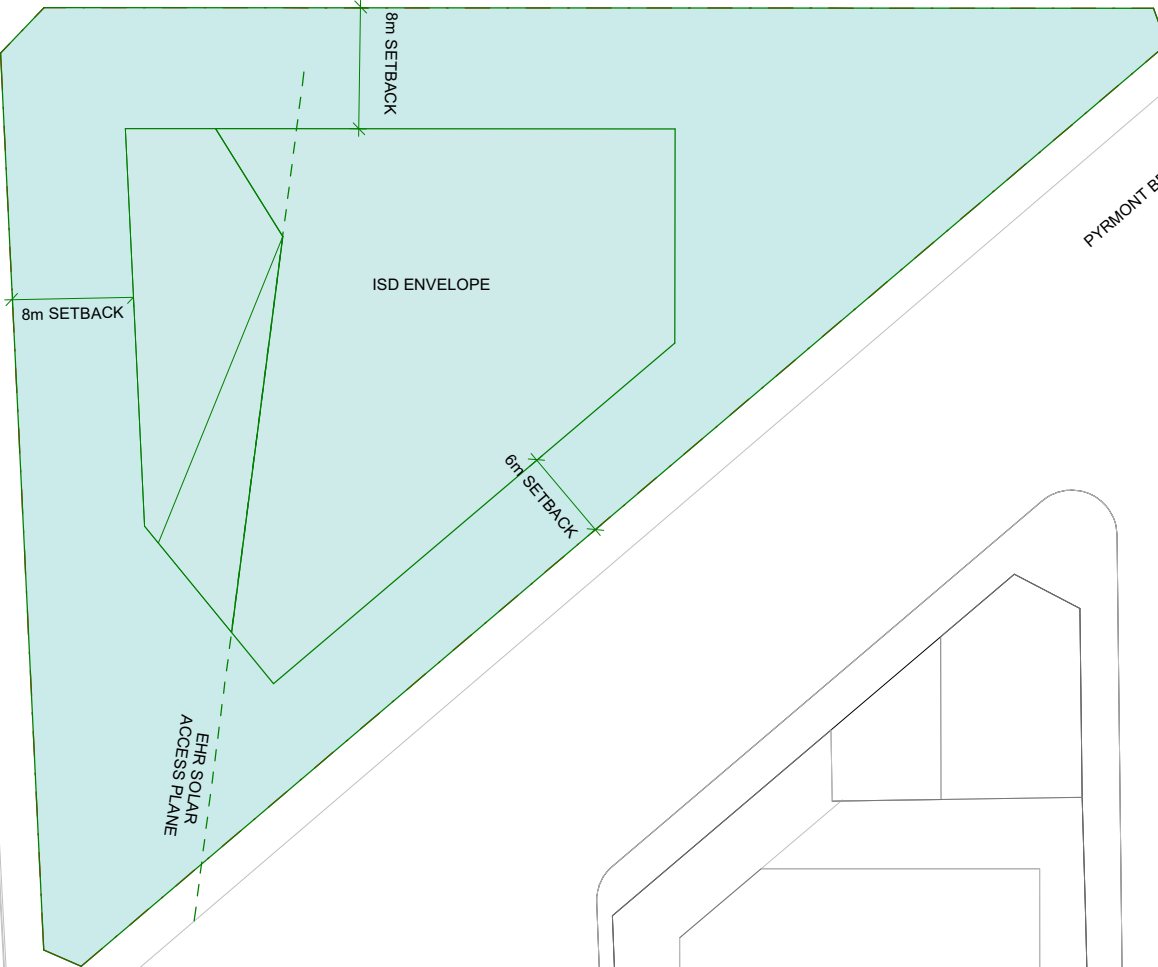
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UNION STREET

PYRMONT BRIDGE ROAD

EDWARD STREET

PYRMONT STREET

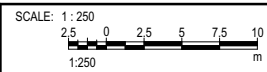


FOR INFORMATION

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4	CONCEPT DESIGN SUBMISSION	A.L.	J.H.	M.M.	16.09.22



LEGEND	
	SSD ISD ENVELOPE
	SSD PODIUM ENVELOPE
	SSI STATION ENVELOPE
	PROPOSED SSDA BOUNDARY
	ENVELOPE EXTENT

NOTE: Do not scale from this drawing.

CLIENT:

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DRAWN	JORDAN LATTOUF	DD.MM.YYYY
DESIGNED	AARON TREGENT	
CHECKED	WAYNE HENKEL	
VERIFIED	JOSH HENDERSON	
APPROVED	MARK MIDDLETON	

GRIMSHAW
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STATION ARCHITECTS

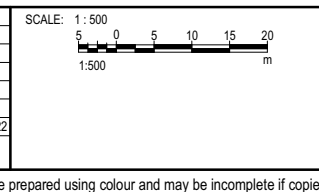
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REV.	AMENDMENT DESCRIPTION	Design by	Verified by	Approved by	Date
4	CONCEPT DESIGN SUBMISSION	A.L.	J.H.	M.M.	16.09.22



LEGEND	
SSD ISD ENVELOPE	PROPOSED SSDA BOUNDARY
SSD PODIUM ENVELOPE	ENVELOPE EXTENT
SSI STATION ENVELOPE	

NOTE: Do not scale from this drawing.

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GRIMSHAW ARCHITECTS PTY LTD
STATION ARCHITECTS

DRAWN	JORDAN LATTOUF	DD.MM.YYYY
DESIGNED	AARON TREGENT	
CHECKED	WAYNE HENKEL	
VERIFIED	JOSH HENDERSON	
APPROVED	MARK MIDDLETON	

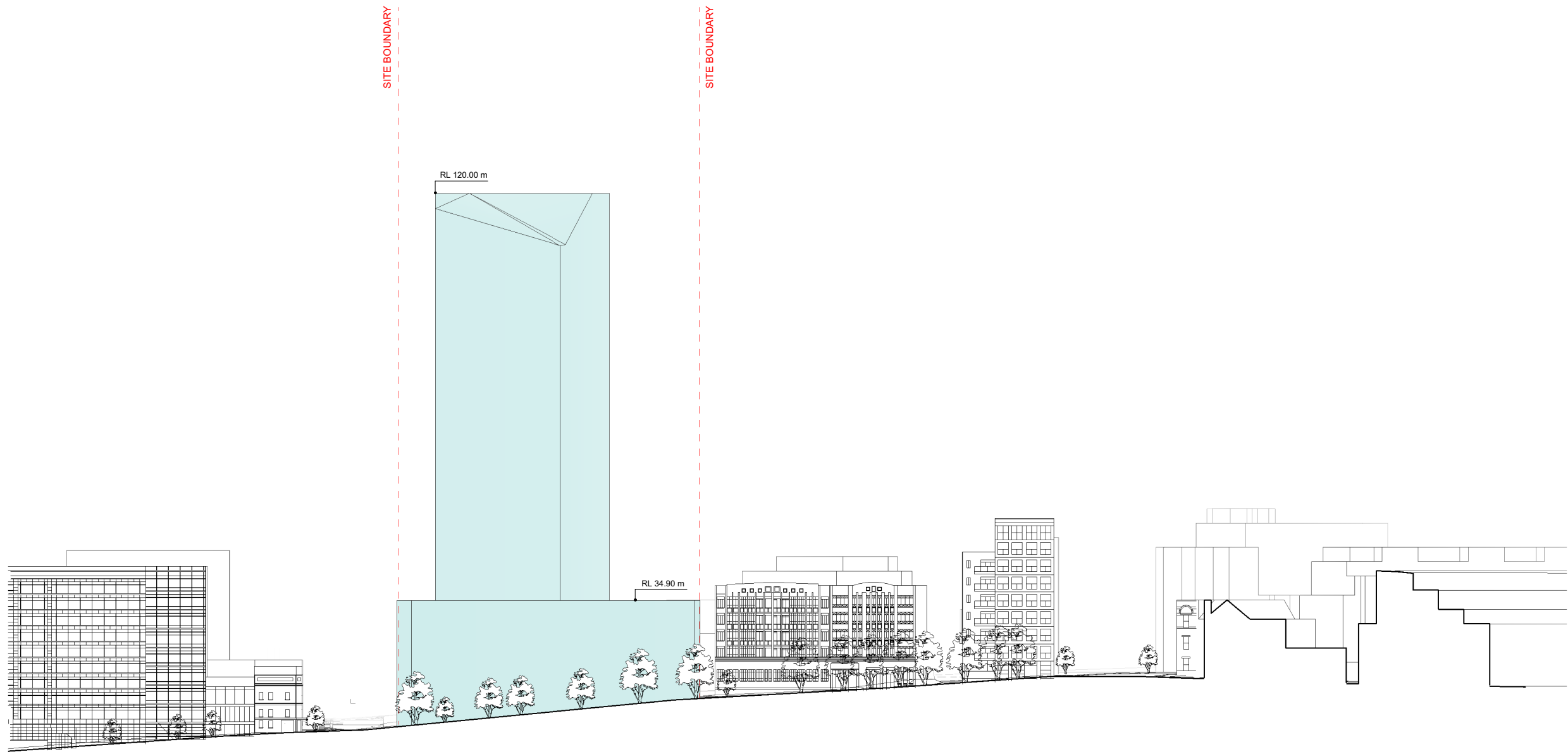
FOR INFORMATION

SYDNEY METRO WEST
PYRMONT ISD
ARCHITECTURE

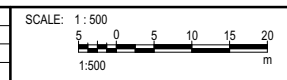
ENVELOPE ELEVATION PYRMONT BRIDGE ROAD

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B3 COMMERCIAL CORE



- LEGEND
- SSD ISD ENVELOPE
 - SSD PODIUM ENVELOPE
 - SSI STATION ENVELOPE
 - PROPOSED SSDA BOUNDARY
 - ENVELOPE EXTENT

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PYRMONT ISD			
ARCHITECTURE			
ENVELOPE ELEVATION EDWARD STREET			
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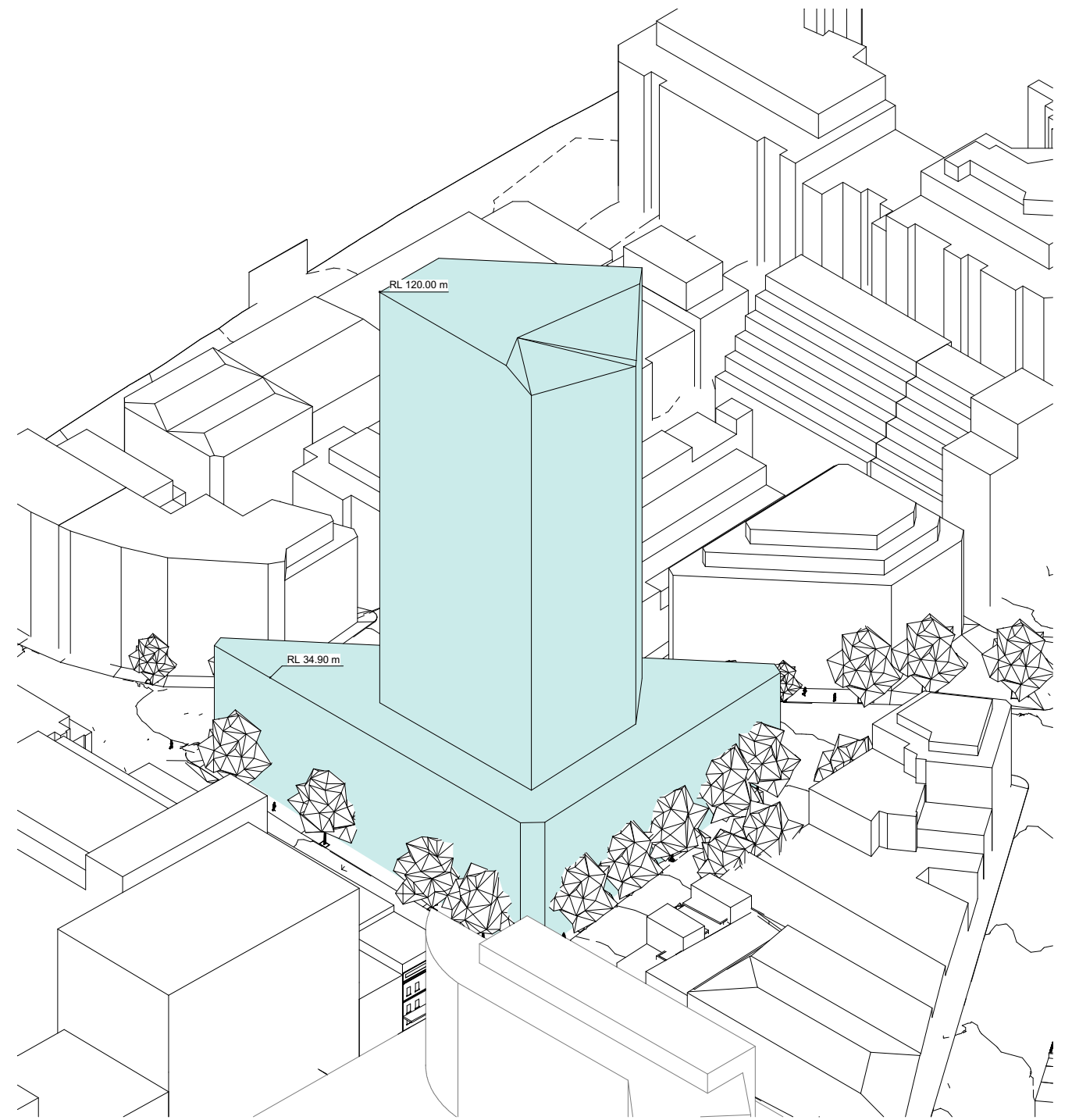
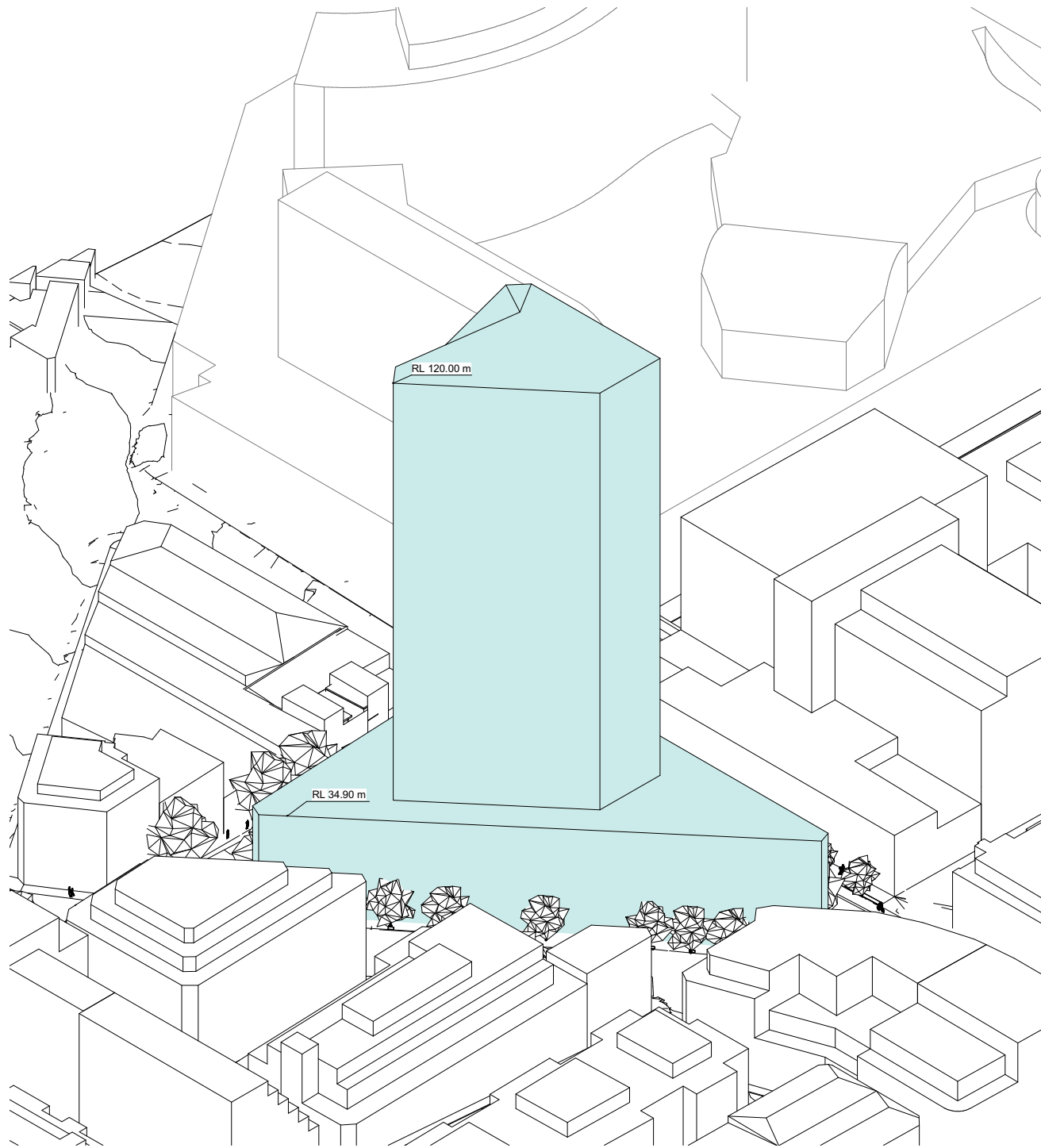
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4	CONCEPT DESIGN SUBMISSION	A.L	J.H	M.M	16.09.22
REV.	AMENDMENT DESCRIPTION	Design by	Verified by	Approved by	Date

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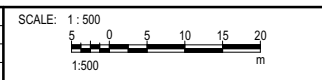
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- LEGEND
- SSD ISD ENVELOPE
 - SSD PODIUM ENVELOPE
 - SSI STATION ENVELOPE
 - PROPOSED SSDA BOUNDARY
 - ENVELOPE EXTENT

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SYDNEY METRO WEST		
PYRMONT ISD		
ARCHITECTURE		
ENVELOPE AXONOMETRIC		
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OCTOBER 2022

PUBLIC

Sydney Metro BDAR Waiver Request Pyrmont Over Station Development



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Sydney Metro BDAR Waiver Request Pyrmont Over Station Development

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REV	DATE	DETAILS
A	23/12/21	First draft for issue to SM for comment
B	10/10/2022	Final

	NAME	DATE	SIGNATURE
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Reviewed by:	Lukas Clews	10/10/2022	
Approved by:	Toby Lambert	10/10/2022	

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Glossary

ADG	Apartment Design Guide
ASD	Adjacent Station Development
BC Act 2016	Biodiversity Conservation Act 2016
BDAR	Biodiversity Development Assessment Report
Concept SSDA	A concept development application as defined in Section 4.22 the EP&A Act, as <i>a development application that sets out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications</i>
Council	City of Sydney Council
CSSI	Critical State Significant Infrastructure
Darling Island sub-precinct	A sub-precinct identified in the Pyrmont Peninsula Place Strategy
Design Report	Pyrmont Urban Design Report
Detailed SSDA	The SSD Application(s) to be made after the Concept SSDA, to seek consent for the design and to physically carry out the proposal
DCP	Sydney Development Control Plan 2012
DPE	NSW Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulations	Environmental Planning and Assessment Regulation 2021
FSR	Floor Space Ratio
Housing SEPP	State Environmental Planning Policy (Housing) 2021
LEP	Sydney Local Environmental Plan 2012
PCT	Plant Community Type
PPPS	Pyrmont Peninsula Place Strategy
PPDG	Pyrmont Peninsula Design Guidelines
OSD	Over Station Development
SEARs	Secretary's Environmental Assessment Requirements

SEPP	State Environmental Planning Policy
SEPP 65	State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings
SEPP (Biodiversity and Conservation)	State Environmental Planning Policy (Biodiversity and Conservation) 2021
SEPP (Planning Systems)	State Environmental Planning Policy (Planning Systems) 2021
SEPP (Resilience and Hazards)	State Environmental Planning Policy (Resilience and Hazards) 2021
SEPP (Transport and Infrastructure)	State Environmental Planning Policy (Transport and Infrastructure) 2021
SSDA	State Significant Development Application
Stage 1 CSSI Approval	SSI-10038, approved 11 March 2021, for all major civil construction works between Westmead and The Bays, including station excavation and tunnelling, associated with the Sydney Metro West railway line
Stage 2 CSSI Approval	SSI-19238057, approved 24 August 2022, for major civil construction and enabling works between The Bays and the Sydney CBD, including demolition, tunnelling, and station excavation for new metro stations (including Pyrmont Station), associated with the Sydney Metro West railway line.
Stage 3 CSSI Application	SSI-227-65520, currently under assessment, to carry out rail infrastructure, including fit-out of tunnels, construction, fit-out, and operation of metro stations and surrounding precincts and operation of the Sydney Metro West line
Sub-precinct master plan	Sub-precinct master plans for the Pyrmont Peninsula
Sydney Metro West	Construction and operation of a metro rail line and associated stations between Westmead and the Sydney CBD as described in this document
TfNSW	Transport for NSW

1 Introduction

1.1 Project background

Sydney Metro West is a new 24-kilometre metro line that will connect Greater Parramatta with the Sydney CBD. Stations have been confirmed at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays, Pyrmont, and Hunter Street in the Sydney Central Business District.

Sydney Metro West is being assessed as a staged, critical State Significant Infrastructure (CSSI) application under section 5.20 of the Environmental Planning & Assessment Act 1979 (EP&A Act).

The Concept and Stage 1 CSSI (SSI-10038) for major civil construction work for Sydney Metro West between Westmead and The Bays was approved on 11 March 2021. This approval included station excavation and tunnelling.

Applications for stages of the CSSI project currently under assessment include:

- Stage 2 CSSI for all major civil construction works between The Bays and the Sydney CBD, including demolition, tunnelling, and station excavation for new metro stations (including Pyrmont Metro) (SSI-19238057).
- Stage 3 CSSI to carry out rail infrastructure, including tunnel fit-out, design, construction and fit-out of metro stations and surrounding precincts, ancillary facilities, and operation and maintenance of Sydney Metro West line (SSI-227-65520).

The BDAR Waiver Request accompanies the scoping report requesting the SEARs for the preparation of an Environmental Impact Statement (EIS) to accompany a Concept State Significant Development Application (SSDA).

1.2 Purpose of this report

This BDAR Waiver Request has been prepared for Sydney Metro to accompany the scoping report requesting the SEARs for the preparation of an EIS to accompany a Concept SSDA. The concept SSDA will seek concept approval for a new mixed use building above the Pyrmont Station located at 37-69 Union Street, Pyrmont. The OSD building envelope will be a tower above podium typology.

The Concept SSDA seeks consent for a podium building with a maximum height of RL 34.9m and tower above with a maximum height of RL 120m (110m). In addition, it seeks consent for use of the podium established under the Stage 3 CSSI Application, which is currently under assessment.

This BDAR Waiver Request draws on information from the Stage 1 BDAR (Jacobs, 2020), BDAR Waiver Request Sydney Metro West – Rail infrastructure, stations, precincts and operations (AECOM, 2021), and the Scoping Report Sydney Metro West – Pyrmont Over Station Development (URBIS, 2022).

2 Project overview

2.1 Sydney Metro

Sydney Metro is Australia’s biggest public transport program. Services on the North West Metro Line between Rouse Hill and Chatswood started in May 2019 on this new stand-alone metro railway system, which is revolutionising the way Sydney travels.

The Sydney Metro West project forms part of the broader Sydney Metro network which includes:

- The Metro North west Line
- Sydney Metro City & Southwest
- Sydney Metro West (this project)
- Sydney Metro – Western Sydney Airport

The Sydney Metro network is shown on **Figure 2.1** below.

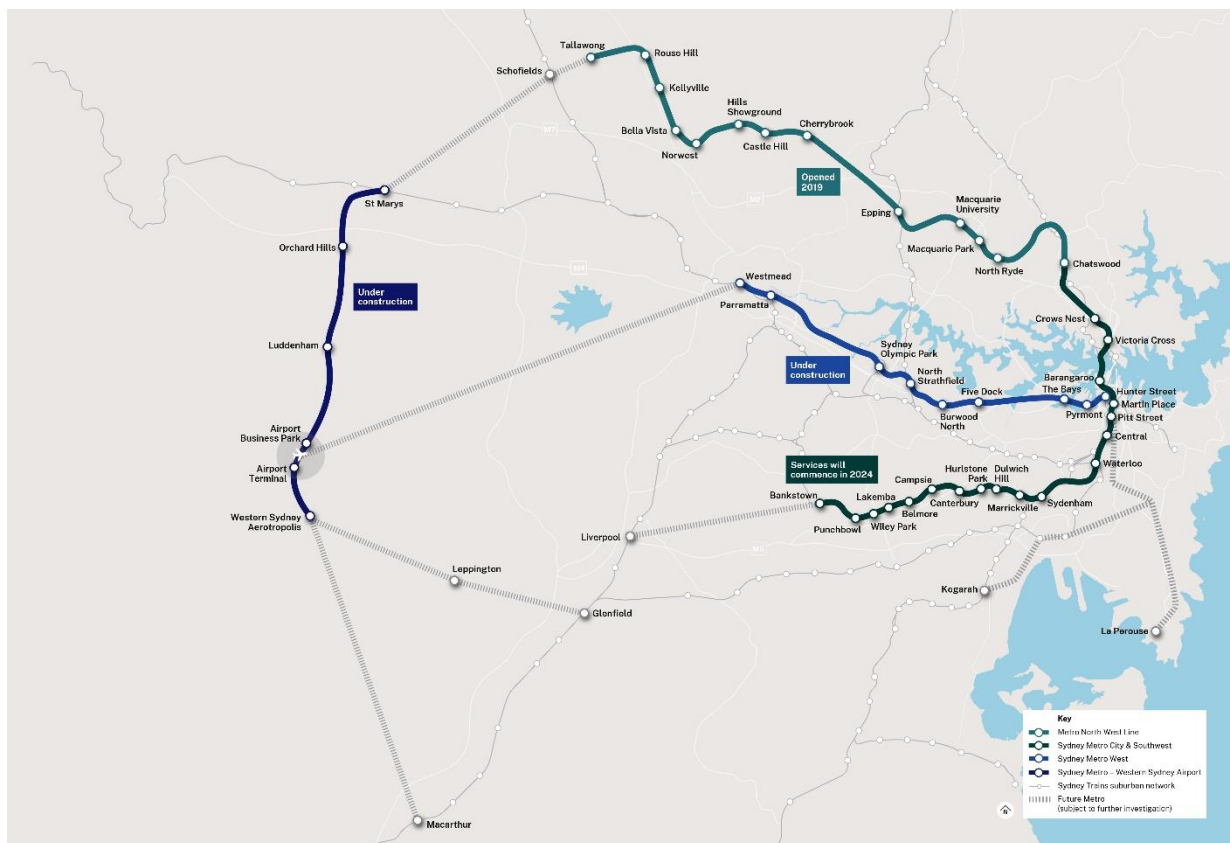


Figure 2.1 Sydney Metro network

2.2 Sydney Metro West

Sydney Metro West will double rail capacity between Greater Parramatta and the Sydney CBD, transforming Sydney for generations to come. The once-in-a-century infrastructure investment will have a target travel time of about 20 minutes

between Parramatta and the Sydney CBD, link new communities to rail services and support employment growth and housing supply.

Stations have been confirmed at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays, **Pyrmont**, and Hunter Street in the Sydney Central Business District.

The main elements of Sydney Metro West are shown in **Figure 2.2** below.

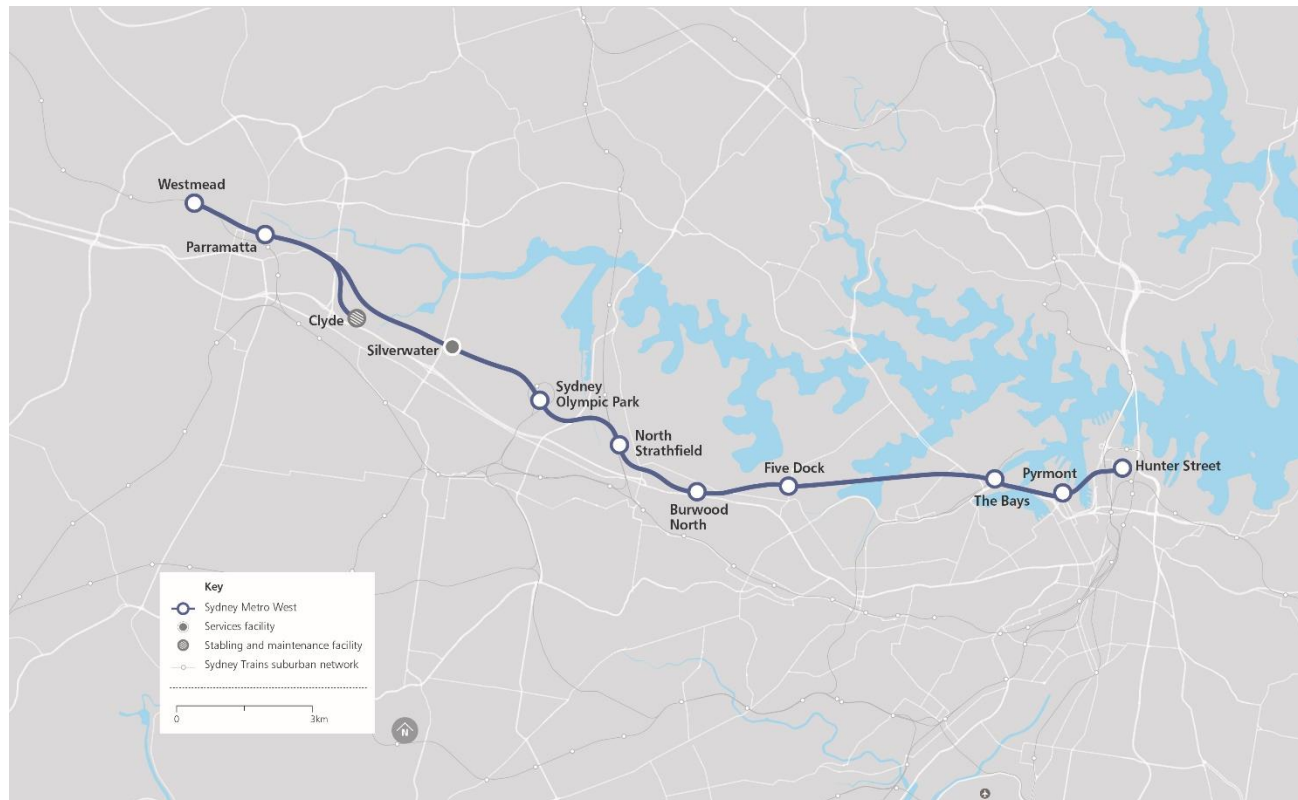


Figure 2.2 Sydney Metro network

Sydney Metro West is being assessed as a staged, critical State Significant infrastructure (CSSI) application under section 5.20 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The approved Concept and major civil construction work for Sydney Metro West between Westmead and The Bays (Stage 1 of the planning approval process for Sydney Metro West), application number SSI-10038, were approved on 11 March 2021. This approval included station excavation and tunnelling.

Applications for stages of the CSSI project currently under assessment include:

- Stage 2 CSSI for all major civil construction works between The Bays and the Sydney CBD, including demolition, tunnelling, and station excavation for new metro stations (including Pyrmont Metro) (SSI-19238057).
- Stage 3 CSSI to carry out rail infrastructure, including tunnel fit-out, design, construction and fit-out of metro stations and surrounding precincts, ancillary facilities, and operation and maintenance of Sydney Metro West line (SSI-227-65520).

2.3 Over station development and adjacent station development

All Sydney Metro West stations are being designed to integrate with their surrounding areas, to make vibrant and attractive places that reflect the unique context and future aspirations for each place.

The Sydney Metro West Environmental Impact Statement for the approved CSSI Concept identified that provision for future integrated station and/or precinct development could provide a range of uses, such as community facilities, new homes, shops, restaurants and commercial office space.

Integrating a mix of uses and development into the station precinct would contribute to the success of places by:

- encouraging precinct activation and use of Sydney Metro West across different times of the day and week
- creating opportunities to provide facilities that meet customer and community needs, attracting people to stations
- allowing stations to successfully integrate into their urban context and to contribute positively to the character of places at the stations.

Sydney Metro is making provision for over and/or adjacent station development at Westmead, Parramatta, Sydney Olympic Park, Burwood North, The Bays, **Pymont** and Hunter Street (Sydney CBD).

Sydney Metro will continue to work closely with the local community and stakeholders so that station precincts are welcoming hubs that build on the local character.

2.4 The Proposed Development

The proposed development will comprise a new mixed use building above the Pymont metro station east site at 37-69 Union Street Pymont, legally referred to as Lot 1, DP 620352.

The Concept SSDA will seek consent for a concept proposal within the meaning of Section 4.22 of the EP&A Act for the following:

- OSD building envelope comprising podium levels above the maximum two storey podium established by the Stage 3 CSSI Application, and a tower above the podium including a maximum building height for the tower and tower setbacks
- Maximum building heights:
 - **Podium** – RL 34.9m
 - **Tower** – RL 120m
- Use of the concept envelope for commercial premises and residential accommodation in the podium, and residential accommodation in the tower above
- Maximum gross floor area (GFA) of approximately 23,597m². This excludes any GFA associated with rail infrastructure facilities delivered under the Stage 3 CSSI application
- Use of the Stage 3 CSSI podium to provide areas associated with the residential land use, such as residential lobbies, electrical and mechanical plant, vertical circulation, waste room areas, storage areas, or parking areas
- A Design Excellence Strategy
- Concept strategies including the following:
 - Utilities and service strategies
 - Stormwater, flooding and drainage strategy
 - Ecologically Sustainable Development (ESD) strategy

3 BDAR Waiver Request information

The following section provides the detail required in the Biodiversity Development Assessment Report (BDAR) waiver fact sheet. Tables 1 and 2 as provided in the BDAR Waiver fact sheet are included below.

Table 3.1 BDAR Waiver Request information requirements

TABLE 1: BDAR WAIVER REQUEST INFORMATION REQUIREMENTS	
Proponent name	Sydney Metro
Project name	Sydney Metro West, Pyrmont Over Station Development Concept SSDA
Name and ecological qualifications of person completing Table 2	Lukas Clews (BAM Accreditation No. BAAS17060), Master of Scientific Studies, Graduate Certificate in Applied Science, Bachelor of Science, Diploma in Conservation and Land Management.
Site details	<p>Pyrmont metro east</p> <p>The site is located at Lot 1, DP 620352 at 37-69 Union Street Pyrmont.</p> <p>The site is approximately 1km to the east of Sydney CBD and the surrounding area is characterised by a diversity of residential, commercial, tourism, higher education, and entertainment land uses. The Pyrmont Peninsula contains a network of public spaces including, open space, plazas, forecourts, parks, civic squares, and waterfront promenades.</p> <p>Significant cultural and entertainment landmarks in the vicinity of the site include The Star Casino, Maritime Museum, Cockle Bay, Harbourside Shopping Centre, the Harbour Foreshore walk, Sofitel Hotel, Sydney ICC, and the Powerhouse Museum.</p> <p>The site has a generally triangular configuration, bound by Union Street (to the north), Pyrmont Bridge Road (to the south-east), and Edward Street (to the west). The site has a total area of approximately 2,610 sqm.</p> <p>Local Government Area: City of Sydney</p>
Description of existing development site, i.e., the area of land that is subject to the proposed development application	The site currently comprises several multi-storey commercial buildings, occupied by a range of retail, health and business premises.
Location map	Refer to figure 3.1
Site Map	Refer to Figure 3.2
Proposed development	<p>The proposed development comprises a new mixed-use building above the Pyrmont metro station east site.</p> <p>The Concept SSDA for the proposed development will seek consent for the following:</p> <ul style="list-style-type: none"> — OSD building envelope comprising podium levels above the maximum two storey podium established by the Stage 3 CSSI Application, and a tower above the podium including a maximum building height for the tower and tower setbacks — Maximum building heights: <ul style="list-style-type: none"> ○ Podium – RL 34.9m ○ Tower – RL 120m — Use of the concept envelope for commercial premises and residential accommodation in the podium, and residential accommodation in the tower above — Maximum gross floor area (GFA) of approximately 23,597m². This excludes any GFA associated with rail infrastructure facilities delivered under the Stage 3 CSSI Application — Use of the Stage 3 CSSI podium to provide areas associated with the residential land use, such as residential lobbies, electrical and mechanical plant, vertical circulation, waste room areas, storage areas, or parking areas — A Design Excellence Strategy — Concept strategies including the following: — Utilities and services strategies

	<ul style="list-style-type: none"> — Stormwater, flooding and drainage strategy — Ecologically Sustainable Development (ESD) strategy <p>The Concept SSDA does not propose the removal of any vegetation. Vegetation removal has been considered under the Stage 2 SSI and therefore does not require further detailed consideration as part of the Concept SSDA.</p>
<p>Impacts on biodiversity values</p>	<p>Refer to the completed Table 2 below for potential impacts on Biodiversity Values.</p>



Figure 3.1 Location map

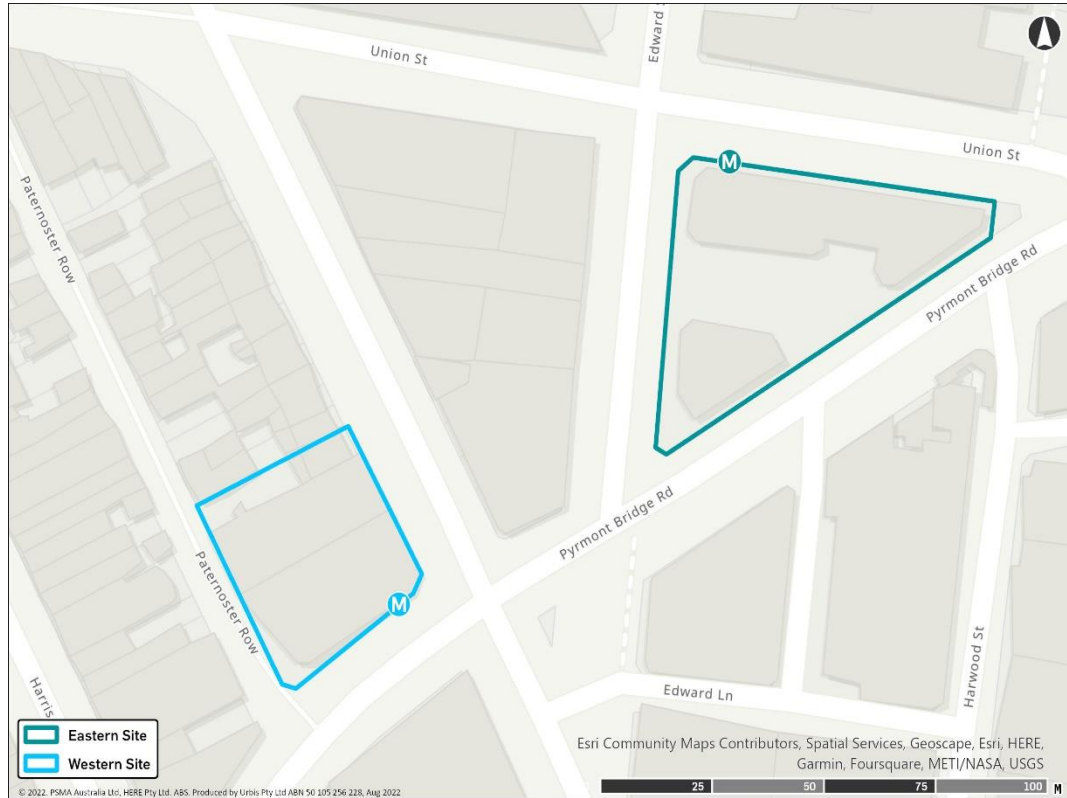


Figure 3.2 Site map

Table 3.2 Impacts of the proposed development on biodiversity values

TABLE 2: IMPACTS OF THE PROPOSED DEVELOPMENT ON BIODIVERSITY VALUES			
Biodiversity value	Meaning	Relevant (✓ or NA)	Explain and document potential impacts including additional impacts prescribed under the BC Regulation Attach additional supporting documentation where appropriate
Vegetation abundance - 1.4(b) BC Regulation	Occurrence and abundance of vegetation at a particular site	NA	Vegetation on adjacent streets is planted and is comprised of exotic London Plane Trees and Chinese Elm. The Concept SSDA does not propose the removal of any vegetation. Vegetation removal has been considered under the Stage 2 SSI and therefore does not require further detailed consideration as part of the Concept SSDA.
Vegetation integrity 1.5(2)(a) BC Act	Degree to which the composition, structure and function of vegetation at a particular site and the surrounding landscape has been altered from a near natural state	NA	As the planted and exotic vegetation cannot be assigned to a Plant Community Type (PCT), it is not possible to assess vegetation integrity by undertaking an assessment of the composition, structure, or function of the vegetation according to the field methods outlined in Section 5.3 of the BAM. A vegetation integrity score cannot be determined in accordance with Section 5.4 of the BAM as there are no PCTs that will be impacted.
Habitat suitability 1.5(2)(b) BC Act	Degree to which the habitat needs of threatened species are present at a particular site	✓	The Concept SSDA does not propose the removal of any vegetation.

Threatened species abundance 1.4(a) BC Regulation	Occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site	✓	No threatened species or threatened ecological communities have been identified within the proposed development site. The Concept SSDA does not propose the removal of any vegetation.
Habitat connectivity 1.4(c) BC Regulation	Degree to which a particular site connects different areas of habitat of threatened species to facilitate the movement of those species across their range	✓	The site is located within a highly disturbed and urban landscape where most habitats have been cleared. The Concept SSDA does not propose the removal of any vegetation.
Threatened species movement 1.4(d) BC Regulation	Degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle	✓	The only threatened species with a low-moderate chance of occurring within the locality is the Grey-headed Flying-fox. The Grey-headed Flying-fox is not known to forage on London Plane Trees or Chinese Elm. The Concept SSDA does not propose the removal of any vegetation. No barriers to movement will be introduced and no further fragmentation of habitats will occur as a result of the proposed development. The site is not part of a recognised movement corridor between breeding grounds, foraging grounds, or other habitats important for the lifecycle of species.
Flight path integrity 1.4(e) BC Regulation	Degree to which the flight paths of protected animals over a particular site are free from interference	✓	The site is located within a predominately urban landscape. The proposed development would be developed at existing ground level (for station services infrastructure, the level commensurate with surrounding development) and would not result in any obstruction to overflight patterns of threatened or other protected species.
Water sustainability 1.4(f) BC Regulation	Degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.	NA	No threatened species or threatened ecological communities have been identified on the proposed development site that are being sustained by water quality, water bodies and hydrological processes.

4 Conclusion

The proposed development will comprise a new mixed-use building above the Pymont Station east at 37-69 Union Street Pymont.

The Concept SSDA for the proposed development will seek consent for the proposed land uses, a maximum building envelope for the tower (including maximum building height, and building setbacks), a maximum gross floor area, pedestrians and vehicle access, vertical circulation arrangements and car parking.

Vegetation on adjacent streets is planted and comprised of exotic vegetation including London Plane trees and Chinese Elm, neither of which provide any habitat for threatened fauna species.

The Concept SSDA does not propose the removal of any vegetation.

No threatened species or threatened ecological communities have been identified within the site.

The site is not part of a recognised movement corridor between breeding grounds, foraging grounds, or other habitats important for the lifecycle of species such as staging points for migration.

No barriers to movement will be introduced and no further fragmentation of habitats will occur.

Flight path integrity will not be impacted. The proposed development would be developed at existing ground level (for station services infrastructure, the level commensurate with surrounding development) and would not result in any obstruction to overflight patterns of threatened or other protected species.

Water quality, water bodies and hydrological processes do not sustain threatened species at the development site.

As the Concept SSDA does not propose the removal of any vegetation, will not impact flight path integrity or water quality, it is considered the proposed development is unlikely to have a significant impact on threatened species or their habitats.

References

- AECOM (2021). BDAR Waiver Request Sydney Metro West – Rail infrastructure, stations, precincts and operations.
- Jacobs (2020). Sydney Metro West – Stage 1 Technical Paper 10: Biodiversity Development Assessment Report
- Jacobs (2021). BDAR Waiver Request Sydney Metro West- Major civil construction work between The Bays and Sydney CBD
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- State Government of NSW and Office of Environment and Heritage (2016). The Native Vegetation of the Sydney Metropolitan Area - Version 3.
- Urbis (2022). Scoping Report Sydney Metro West - Pymont Over Station Development Concept State Significant Development Application

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