

Appendix J  
Compliance with Schedule 1, Part 1 and 2  
of the (NSW) *Environmental Planning and  
Assessment Regulation 2000*





## **Appendix J**

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(NSW)

**I.1 Table demonstrating compliance with Schedule 1, Parts 1 and 2 of the Environmental Planning and Assessment Regulation 2000 (NSW)**

Part 1 Development applications	
(1) A development application must contain the following information:	
(a) the name and address of the applicant;	Refer to Declaration (pp. i)
(b) a description of the development to be carried out;	Refer to Declaration (pp. i)
(c) the address, and formal particulars of title, of the land on which the development is to be carried out;	Refer to Declaration (pp. i)
(d) an indication as to whether the land is, or is part of, critical habitat;	The development is not on land that is critical habitat.
(e) an indication as to whether the development is likely to significantly affect threatened species, populations or ecological communities, or their habitats, unless the development is taken to be development that is not likely to have such an effect because it is biodiversity compliant development;	Refer to section 13.3 (Chapter 13 – <i>Biodiversity</i> ) of the EIS.
(ea) for biodiversity compliant development, an indication of the reason why the development is biodiversity compliant development;	N/A
(f) a list of any authorities from which concurrence must be obtained before the development may lawfully be carried out or from which concurrence would have been required but for section 79B (2A) or 89J;	N/A – as discussed in section 4.5 of Chapter 4 – <i>Planning and statutory requirements</i> , there is no environmental planning instrument relevant to the Project that requires consultation and concurrence.
(g) a list of any approvals of the kind referred to in section 91 (1) of the Act that must be obtained before the development may lawfully be carried out;	N/A – as discussed in section 4.5 of Chapter 4 – <i>Planning and statutory requirements</i> .
(g1) in the case of State significant development, a list of any authorisations that must be provided under section 89K of the Act in relation to the development;	N/A
(h) the estimated cost of the development;	The estimated capital cost of the Project is estimated to be approximately \$ 930 million. A breakdown of the costs associated with each Project development phase is provided in section 4.2.1 of Chapter 4 – <i>Planning and statutory requirements</i> .
(h1) in the case of State significant development, the capital investment value of the development;	The estimated capital cost of the Project is estimated to be approximately \$ 930 million. A breakdown of the costs associated with each Project development phase is provided in section 4.2.1 of Chapter 4 – <i>Planning and statutory requirements</i> .
(i) evidence that the owner of the land on which the development is to be carried out consents to the application, but only if the application is made by a person other than the owner and the owner's consent is required by this Regulation;	N/A – the project has been designated as a Public Notification Development and so is exempt from the requirement for landowners consent.
(j) a list of the documents accompanying the application.	Full list of all technical papers included in the table of contents for the EIS.
(2) In this Schedule, biodiversity compliant development means:	
(a) development proposed to be carried out on biodiversity certified land within the meaning of Part 7AA of the Threatened Species Conservation Act 1995, or	N/A

(b) development in respect of which a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995, or	N/A
(c) development to which the biodiversity certification conferred by Part 7 of Schedule 7 to the Threatened Species Conservation Act 1995 applies, or	N/A
(d) development for which development consent is required under a biodiversity certified EPI (within the meaning of Part 8 of Schedule 7 to the Threatened Species Conservation Act 1995).	N/A
<b>2 Documents to accompany development application</b>	
(1) A development application must be accompanied by the following documents:	
(a) a site plan of the land;	Indicative site layout provided in Figure 1.1 and also Figures 7.4–7.6 in Chapter 7 – <i>Project built form and operations</i> .
(b) a sketch of the development;	As above.
(c) a statement of environmental effects (in the case of development other than designated development or State significant development);	N/A
(d) in the case of development that involves the erection of a building, an A4 plan of the building that indicates its height and external configuration, as erected, in relation to its site (as referred to in clause 56 of this Regulation);	N/A
(e) an environmental impact statement (in the case of designated development or State significant development);	Refer to this EIS.
(f) a species impact statement (in the case of land that is, or is part of, critical habitat or development that is likely to significantly affect threatened species, populations or ecological communities, or their habitats), but not if the development application is for State significant development;	N/A
(g) if the development involves any subdivision work, preliminary engineering drawings of the work to be carried out;	N/A
(h) if an environmental planning instrument requires arrangements for any matter to have been made before development consent may be granted (such as arrangements for the provision of utility services), documentary evidence that such arrangements have been made;	N/A
(i) if the development involves a change of use of a building (other than a dwelling-house or a building or structure that is ancillary to a dwelling-house and other than a temporary structure):	N/A
(i) a list of the Category 1 fire safety provisions that currently apply to the existing building, and	N/A
(ii) a list of the Category 1 fire safety provisions that are to apply to the building following its change of use;	N/A
(j) if the development involves building work to alter, expand or rebuild an existing building, a scaled plan of the existing building;	N/A

(k) if the land is within a wilderness area and is the subject of a wilderness protection agreement or conservation agreement within the meaning of the Wilderness Act 1987, a copy of the consent of the Minister for the Environment to the carrying out of the development;	N/A
(l) in the case of development to which clause 2A applies, such other documents as any BASIX certificate for the development requires to accompany the application;	N/A
(m) in the case of BASIX optional development—if the development application is accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 2A for it to be so accompanied), such other documents as any BASIX certificate for the development requires to accompany the application;	N/A
(n) if the development involves the erection of a temporary structure, the following documents:	<p>This Stage 1 SSD development approval only seeks to authorise the proposal consent and the first stage of the Project, the Early Works. In respect to the Early Works, the details of any temporary structures (for example temporary staff offices or amenities) have not yet been finalised, but information relating to items (n) (i to v) could be provided prior to the commencement of construction.</p> <p>Any arrangements required under environmental planning instruments for the subsequent Project development phases would be considered at detailed design and assessed as part of the Stage 2 SSD development approvals.</p>
(i) documentation that specifies the live and dead loads the temporary structure is designed to meet;	N/A
(ii) a list of any proposed fire safety measures to be provided in connection with the use of the temporary structure;	N/A
(iii) in the case of a temporary structure proposed to be used as an entertainment venue—a statement as to how the performance requirements of Part B1 and NSW Part H102 of Volume One of the Building Code of Australia are to be complied with (if an alternative solution, to meet the performance requirements, is to be used);	N/A
(iv) documentation describing any accredited building product or system sought to be relied on for the purposes of section 79C (4) of the Act;	N/A
(v) copies of any compliance certificates to be relied on;	N/A
(o) in the case of a development involving the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant—a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies.	N/A
(2) The site plan referred to in subclause (1) (a) must indicate the following matters:	

(a) the location, boundary dimensions, site area and north point of the land,	Location, boundary dimensions and north point of the land: refer to Figure 1.1 – Project site and context (Chapter 1 – <i>Introduction</i> ).  Refer to section 2.1, Chapter 2 – <i>Site context and environmental values</i> ).
(b) existing vegetation and trees on the land,	Refer to Figure 13.2 – Figure 13.4 (Ground-truthed vegetation communities, threatened species of plant and tree hollows) in Chapter 13- <i>Biodiversity</i> .
(c) the location and uses of existing buildings on the land,	Refer to Figure 2.2 – Existing land use in vicinity of the Project (Chapter 2 – <i>Site context and environmental values</i> ).
(d) existing levels of the land in relation to buildings and roads,	N/A
(e) the location and uses of buildings on sites adjoining the land.	Refer to Figure 2.2 – Existing land use in vicinity of the Project (Chapter 2 – <i>Site context and environmental values</i> ).
(3) The sketch referred to in subclause (1) (b) must indicate the following matters:	N/A
(a) the location of any proposed buildings or works (including extensions or additions to existing buildings or works) in relation to the land's boundaries and adjoining development,	Refer to Figure 1.1 – Project site and context (Chapter 1 – <i>Introduction</i> ) and figures in Chapter 7 – <i>Project built form and operations</i> .
(b) floor plans of any proposed buildings showing layout, partitioning, room sizes and intended uses of each part of the building,	N/A
(c) elevations and sections showing proposed external finishes and heights of any proposed buildings (other than temporary structures),	The EIS refers to a Stage 1 of a staged SSD application only and the information provided for building design and materials has not yet been determined. This would be developed during detailed design and provided during the Stage 2 SSD approval process.
(c1) elevations and sections showing heights of any proposed temporary structures and the materials of which any such structures are proposed to be made (using the abbreviations set out in clause 7 of this Schedule),	As above.
(d) proposed finished levels of the land in relation to existing and proposed buildings and roads,	N/A
(e) proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate),	Refer to section 7.6 (Chapter 7 – <i>Project built form and operations</i> ).
(f) proposed landscaping and treatment of the land (indicating plant types and their height and maturity),	Refer to section 7.6.7 (Chapter 7 – <i>Project built form and operations</i> ) and section 22.6.2 (Chapter 22 – <i>Visual and urban design</i> ). The tallest of these trees are between 25 m–35 m high. The proposed planting will need to attain this height to screen the taller elements of the proposal, as described in each viewpoint location text. This can take between 15 and 25 years depending on growing conditions and the size of trees installed. Replacement of species would be recommended to be from the existing native vegetation.
(g) proposed methods of draining the land,	Refer to section 16.4 – Management and mitigation (Chapter 16 – <i>Hydrology, groundwater and water quality</i> ).
(h) in the case of development to which clause 2A applies, such other matters as any BASIX certificate for the development requires to be included on the sketch,	N/A

(i) in the case of BASIX optional development – if the development application is accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 2A for it to be so accompanied), such other matters as any BASIX certificate for the development requires to be included on the sketch.	N/A
(4) A statement of environmental effects referred to in subclause (1) (c) must indicate the following matters:	N/A
(a) the environmental impacts of the development,	N/A
(b) how the environmental impacts of the development have been identified,	N/A
(c) the steps to be taken to protect the environment or to lessen the expected harm to the environment,	N/A
(d) any matters required to be indicated by any guidelines issued by the Director-General for the purposes of this clause.	N/A
(5) In addition, a statement of environmental effects referred to in subclause (1) (c) or an environmental impact statement in respect of State significant development must include the following, if the development application relates to residential flat development to which State Environmental Planning Policy No 65—Design Quality of Residential Flat Development applies:	N/A
(a) an explanation of the design in terms of the design quality principles set out in Part 2 of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development,	N/A
(b) drawings of the proposed development in the context of surrounding development, including the streetscape,	N/A
(c) development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations,	N/A
(d) drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context,	N/A
(e) if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts,	N/A
(f) photomontages of the proposed development in the context of surrounding development,	N/A
(g) a sample board of the proposed materials and colours of the facade,	N/A
(h) detailed sections of proposed facades,	N/A
(i) if appropriate, a model that includes the context.	N/A



(5A) The species impact statement referred to in subclause (1) (f) is not required in relation to the effect of the development on any threatened species, populations or ecological communities, or their habitats, if the development is taken to be development that is not likely to significantly affect those threatened species, populations or ecological communities, or their habitats, because it is biodiversity compliant development.	N/A
(6) In the case of development to which clause 2A applies, the explanation referred to in subclause (5) (a) need not deal with the design quality principles referred to in that paragraph to the extent to which they aim:	N/A
(a) to reduce consumption of mains-supplied potable water, or reduce emissions of greenhouse gases, in the use of the building or in the use of the land on which the building is situated, or	N/A
(b) to improve the thermal performance of the building.	N/A
2A BASIX certificate required for certain development	
(1) In addition to the documents required by clause 2, a development application for any BASIX affected development must also be accompanied by a BASIX certificate or BASIX certificates for the development, being a BASIX certificate or BASIX certificates that has or have been issued no earlier than 3 months before the date on which the application is made.	N/A
(2) If the proposed development involves the alteration, enlargement or extension of a BASIX affected building that contains more than one dwelling, a separate BASIX certificate is required for each dwelling concerned.	N/A