

# REVIEW OF ENVIRONMENTAL FACTORS

510 High Street, Maitland

Prepared for  
**PROPERTY AND DEVELOPMENT NSW**  
23 February 2023



**URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

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**We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.**

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<b>Abbreviated Term</b>	<b>Meaning</b>
AHIMS	Aboriginal Heritage Information Management System
BC Act	<i>Biodiversity Conservation Act 2016</i>
BDAR	Biodiversity development assessment report
Biodiversity Conservation SEPP	<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>
CDC	Complying Development Certificate
CIV	Capital Investment Value
Codes SEPP	<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>
DA	Development Application
DP	Deposited Plan
DPE	Department of Planning & Environment
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental planning instrument
FM Act	<i>Fisheries Management Act 1994</i>
LEP	Local Environmental Plan
LGA	Local Government Area
Planning Systems SEPP	<i>State Environmental Planning Policy (Planning Systems) 2021</i>
PDNSW	Property and Development NSW
REF	Review of Environmental Factors
Resilience and Hazards SEPP	<i>State Environmental Planning Policy (Resilience and Hazards) 2022</i>
SEPP	State Environmental Planning Policy
SIS	Species impact statement

<b>Abbreviated Term</b>	<b>Meaning</b>
SSDA	State Significant Development Application
SSI	State Significant Infrastructure
T&I SEPP	<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>
DPE	Department of Planning and Environment
DCS	Department of Customer Service
DRNSW	Department of Regional New South Wales

# FOREWORD AND CERTIFICATION

## FOREWORD

This Review of Environmental Factors (REF) has been prepared by Urbis for Property and Development New South Wales (PDNSW).



The purpose of this REF is to assess the potential environmental impacts of an activity prescribed *State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)* as “development without consent” on land vested in, leased by, or otherwise under the control or management of PDNSW under Part 5 Division 5.1 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The REF has been prepared pursuant to the relevant provisions of the EP&A Act, the *Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)*, the T&I SEPP and other Commonwealth and State legislation including the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*.

After the consideration of key environmental aspects and any specialist studies completed; as well as the information presented in this REF, it is concluded that by adopting the mitigation measures identified in this assessment it is unlikely that there would be any significant environmental impacts associated with the proposal.

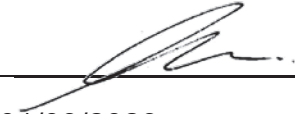
## CERTIFICATION

This REF provides a true and fair review of the proposal in relation to its potential effects on the environment. It addresses, to the fullest extent possible, all matters affecting or likely to affect the environment as a result of the proposal. The information contained in this REF is neither false nor misleading.

<b>a) Name of the person(s) who prepared the REF.</b>		
<b>I confirm that this REF has been prepared in accordance with the current DPE Guidelines for Division 5.1 assessments (October 2022) as per Section 171(3) of the EP&amp;A Regulation.</b>		
<i>Name, Position and Qualifications of the person(s) who prepared the REF:</i>	Sam McGough, Consultant, Master of Planning (University of Otago, NZ)	Murray Donaldson, Director, Bachelor of Town Planning, UNSW Master of Environmental Management (Macquarie University)
<i>Signature:</i>		
<i>Date</i>	22/02/2023	22/02/2023

This REF has been examined and considered by those duly appointed and authorised persons and has been accepted on behalf of PDNSW, as the determining authority, as having satisfied those relevant objects of the EP&A Act and the matters prescribed by Sections 5.5 and 5.7 of the EP&A Act. The proposed activity can proceed, subject to the implementation of the specified Mitigation Measures stated in **Section 6** of this REF.

<b>a) Reviewing Officer:</b>	
<b>I have examined this REF and the Certification and accept the Review of Environmental Factors on behalf of Property and Development New South Wales</b>	
<i>Name and Position of the Reviewing Officer:</i>	Liam Higginbotham - Principal, Group GSA Pty Ltd
<i>Signature:</i>	
<i>Date:</i>	27/02/2023

<b>a) Determination:</b>	
<b>I certify that I have reviewed and endorsed the contents of this REF document and, to the best of my knowledge, find it in accordance with the EP&amp;A Act, the EP&amp;A Regulation and the Guidelines approved under Section 171 of the EP&amp;A Regulation, and the information it contains is neither false nor misleading. I acknowledge that if the capital investment value of the works is greater than \$5 million this REF will be published on either the determining authority's website or the NSW Planning Portal pursuant to Section 171(4) of the EP&amp;A Regulation.</b>	
<i>Name and designation of the Delegated Officer of Property New South Wales</i>	Tanya Lanycia
<i>Signature:</i>	
<i>Date:</i>	01/03/2023

The estimated capital investment value (**CIV**) of the proposed activity is approximately \$15.75 million (excluding GST). The CIV is the estimate provided at the time of writing this REF and may be subject to change.



# 1. INTRODUCTION

This Review of Environmental Factors (**REF**) has been prepared by Urbis Pty Ltd on behalf of Property and Development New South Wales (**PDNSW**) to support the proposed base building works and internal fitout of a commercial office building located at 510 High Street, Maitland. The building will accommodate a shared office space to be occupied by the Department of Planning and Environment (**DPE**), Department of Customer Service (**DCS**) and Department of Regional New South Wales (**DRNSW**).

The purpose of this REF is to describe the proposed works, to document the likely environmental impacts and to detail mitigation measures that will be implemented.

This REF has been prepared pursuant to the requirements of all potentially relevant NSW and Commonwealth legislation including Section 170 of the EP&A Regulation. In doing so it satisfies section 5.5(1) of the EP&A Act, which requires the Proponent to examine and take into account to the fullest extent possible, all matters affecting, or likely to affect, the environment by reason of the activity.

The activity will be undertaken on land vested in, leased by or otherwise under the control or management of PDNSW located at 510 High Street, Maitland. In accordance with Division 14 of State Environmental Planning Policy (Transport & Infrastructure) 2021 (**T&I SEPP**) alterations and additions to a public administration building are permitted to be undertaken without development consent.

## 1.1. METHODOLOGY

This REF has been prepared in accordance with the environmental factors guidelines issued pursuant to section 170(1) of the *Environmental Planning and Assessment Regulation 2021 (EP&A Regulations 2021)*, being the Guidelines for Division 5.1 assessments (Department of Planning and Environment, June 2022) (**Division 5.1 Guidelines**).

In preparing this REF, the assessor has completed the following activities to inform the assessment completed in **Section 4.3**.

- NSW Online Heritage Database (Local and State inventory items) (Heritage NSW)
- Aboriginal Heritage Information Management Sydney (Heritage NSW)
- NSW Contaminated Land Register (NSW EPA)

The implications of the findings are discussed in the assessment of likely impacts in **Section 5**.

## 1.2. PLANS AND TECHNICAL INFORMATION

Table 1 provides details of the reports, plans and technical information that have been considered in the assessment of this REF.

Table 1 Plans & Technical Information

Plan / Report Title	Prepared By	Date	Appendix
Section 10.7 Certificate	Maitland City Council	7 February 2023	A
Integrated Base Building and Fit Out Concept Design Package	Group GSA	10 February 2023	B
Cost Plan	WTP Australia	9 December 2022	C
Architectural Drawings	Group GSA	10 February 2023	D
BCA Compliance Statement	Steve Watson & Partners	8 November 2022	E

<b>Plan / Report Title</b>	<b>Prepared By</b>	<b>Date</b>	<b>Appendix</b>
Accessibility DD Report	Morris Goding Accessibility Consulting	20 February 2023	F
Fire Safety Statement	No Author	17 November 2021	G
Base Building Miscellaneous Works Schedule	Group GSA Pty Ltd	10 February 2023	H

### **1.3. REF STRUCTURE**

This REF is structured as follows:

- **Section 1:** Introduction
- **Section 2:** Site Analysis
- **Section 3:** Project Description & Justification
- **Section 4:** Legislative and Planning Context
- **Section 5:** Environmental Impact Assessment
- **Section 6:** Technical Requirements and Mitigation Measures

## 2. SITE ANALYSIS

The site is located at 510 High Street, Maitland, within the commercial centre of the Maitland CBD. The site is irregular in shape with an approximate area of 12,373 m<sup>2</sup>. A portion of land in the south-eastern corner of the site is separated from the main parcel land, which has an approximate area of 687 m<sup>2</sup>. The site is situated on the corner of Hannah Street and High Street and has a primary street frontage of approximately 26 metres to High Street at the south-western corner. The site has two additional street frontages at Hannah Street (84 metres) and Sempill Street (40 metres at the northern portion of the site and 51 metres at the southern portion). An aerial image of the site is provided at **Figure 1** below.

Figure 1 Aerial Image of Site



Source: Nearthmaps

### 2.1. SURROUNDING CONTEXT

Maitland is located at the geographical centre of the Hunter Region, approximately 32 kilometres northwest of Newcastle and 163 kilometres north of Sydney. The subject site is within an established commercial precinct within the Maitland City Centre. The surrounding land uses are described in Table 2 below.

Table 2 Site Context

Direction	Development Description
North	Low-density residential development is located north of this site, comprising one-storey and two-storey dwellings. Heritage Item I147 Hannan House is located immediately adjacent to the northern boundary of the site at 14 Hannan Street as identified under Schedule 5 of the Maitland Local Environmental Plan 2011. Heritage Item I147 extends over the north-western corner of the site.
South	Two commercial offices buildings are located immediately south of the site. The buildings are two storey's in height and are both occupied by Law firms.

Direction	Development Description
	The Sempill Street Carpark is located further south-east operated by Maitland City Council.
East	The Sempill Street Reserve is located east of the site across Sempill Street. The Sempill Street Reserve adjoins Hunter River to the east. Two low-density residential dwellings are also located south-east of the site across from the Sempill Street Carpark.
West	<p>Development to the west of the site comprises a commercial precinct providing a range of land uses including various office premises', an educational institution, a fitness centre, a restaurant, an arts studio and an at grade carpark to service the development.</p> <p>A two-storey building is located southwest of the site, occupied by GPPH Specialist Mining Consultants and a hair salon.</p> <p>A mixed-use development is located north-west of the site which comprises a Vehicle body repair workshop, an auto parts store, a pet store and a childcare centre. A strata titled apartment known as 'Hampton Court' is located adjacent to the western boundary of this development.</p>

## 2.2. LAND OWNERSHIP AND LEGAL DESCRIPTION

The site is currently owned by Sandran Pty Limited and is legally described at Lot 2 in Deposited Plan 1051969.

## 2.3. EXISTING DEVELOPMENT

The existing building onsite is a three-storey commercial office building built in 2004. The site has a net lettable area (NLA) of approximately 5,575m<sup>2</sup> with levels 1 and 2 totalling a NLA of 5,401m<sup>2</sup>, and the remainder 174m<sup>2</sup> on ground floor which contains end of trip facilities and basement carparking.

## 2.4. ACCESS AND PARKING

There are currently three (3) vehicle access points into the carpark. The primary vehicle access is via a roundabout at High Street located southwest of the site. Sempill Street and Hannan Street provide additional rear access to the site.

Pedestrian access is via High Street and Hannan Street, which remain separated from the vehicle access points. The site can be accessed via stairs at the Hannan Street entry. An access ramp is provided at the High Street entry, which connects to the Hannan Street entry. The entrance is clearly defined on the streetscape and provides direct, secure access to Level 1. There is a network of footpaths adjacent to the site, with a nearby pedestrian island located south of the site on High Street.

### 2.4.1. Public Transport

Public Transport to the site is primarily provided via bus services. There are two bus stops within proximity to the site, one located directly west of the site on High Street, and another located 110 metres south of the site on High Street. The bus stops provide high frequency services to the surrounding locality. The site is located 1.4km (approximately 20-minute walk) from Maitland Station. Maitland Station provides train services on the Hunter Line and North-western Regional Line.

## 2.5. HERITAGE

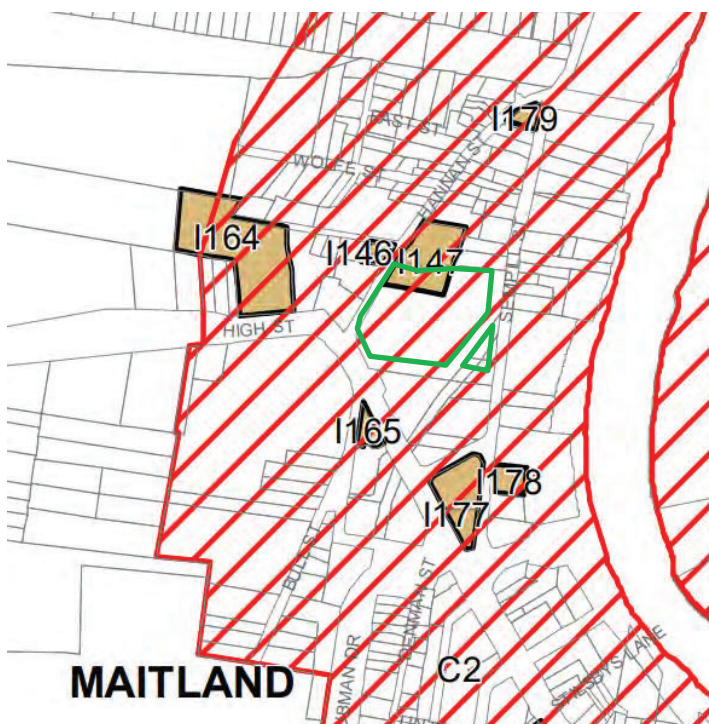
The Site is located within the C2 Central Maitland Heritage Conservation Area as identified under Part 2 of Schedule 5 of the *Maitland Local Environmental Plan 2011 (LEP)*. Heritage Item I147: Hannan House encompasses a portion of the site at the north-western corner, which is occupied by at grade carparking.

The site is also located within proximity to the following Heritage Items as identified in Schedule 5 of the LEP.

- Item I147: Hannan House located immediately north of the site at 14 Hannan Street
- Item I146: Georgian house located northwest of the site at 13 Hannan Street
- Item I164: Hampton Court located west of the site at 530 High Street
- Item I165: Dr Solling's House located southwest of the site at 541 High Street

The surrounding heritage items are illustrated in **Figure 2** below.

Figure 2 Heritage Context (site outlined green)



Source: Maitland LEP Heritage Map (Map Tile 004A, Amendment No 32)

State listed heritage item 'Historic Photographs Collection, Department of Mineral Resources' (SHR No. 00972) is identified as being located at the subject site as identified on the State Heritage Inventory. The State Heritage Inventory indicates the SHR item is moveable and does not include the land or structures on this site. Refer to **Section 5.2** for commentary on Heritage impacts.

## 2.6. FLOOD PLANNING

The site is located within a flood planning area and on flood prone land influenced by the Hunter River located within proximity to the site. The Maitland Local Environment Plan 2011 (LEP) identifies controls related to development in a flood planning area. The site is also identified within the Hunter Valley Flood Mitigation Scheme Development Consent Area. The Maitland Development Control Plan 2011 (DCP) contains controls related to development within the Hunter River floodplain. Due to the proposal being contained entirely within an existing building, it is not anticipated the works will impact flood patterns. There is no increased risk of flooding as a result of the proposed activity.

## 2.7. BUSHFIRE

The NSW Bush Fire Prone Land map does not identify the site as bush fire prone land.

# 3. PROJECT DESCRIPTION AND JUSTIFICATION

## 3.1. PROPOSED DEVELOPMENT

The proposed activity comprises the following works:

- Internal fitout of Level 1 and Level 2 of the building for use as offices by three Government Agencies; and
- Base building upgrades on Level 1 and Level 2 to ensure compliance with the BCA

All the proposed works are internal to the building. There are no changes proposed to the existing access or parking arrangements as part of the activity. No changes are proposed to the building exterior.

The proposed activity has a capital investment value (CIV) of \$15,775,000 based on the Concept Designs as identified in the Cost Plan Report prepared by WTP Australia at **Appendix C**.

Level 1 will be occupied by Department of Planning and Environment (DPE) and Department of Customer Service (DCS). Level 2 will be occupied by Department of Regional New South Wales (DRNSW). The site has a net lettable area (NLA) of approximately 5,575m<sup>2</sup> with levels 1 and 2 totalling a NLA of 5,401m<sup>2</sup>, and the remainder 174m<sup>2</sup> on ground floor which contains end of trip facilities.

Group GSA have developed an Integrated Base Building and Fit Out Works Concept Design Package (**Concept Design Package**) attached at **Appendix B**. The Concept Design Package includes specifications and design elements of the proposed base building works and fit-out of the office accommodation. The Concept Design Package includes work settings, meeting room components etc. to support the design of the proposal. The proposed designs are capable of complying with the requirements of the Building Code of Australia (BCA) 2019 as outlined in **Appendix E**. PDNSW have commissioned Group GSA as the lead Project Design Consultant (PDC) to design the fit-out of the leased office accommodation. Group GSA Pty Ltd have developed an arrangement plan for the design of Level 1 (**Figure 3**) and Level 2 (**Figure 4**) workspaces. The above is supplemented by Base Building Miscellaneous Works Schedule (**Appendix H**) which details the Accessible WC upgrade of works together with general compliance of base build items and the approach to non-conformance.

To accommodate the internal fitout, demolition of existing internal structures and partitions is required to create an open plan workspace on both levels. The Demolition Plans are included in the Architectural Plans attached at **Appendix D**.

The General Arrangement Plan for the fitout of Level 1 includes a range of elements to be delivered as part of the fit-out including an open plan workspace, meeting and training rooms ranging in size, focus rooms, interview rooms, a reception area located at the existing building entrance, a breakout area, hydration stations, storage areas and lockers.

The General Arrangement Plan for Level 2 identifies the following key elements to be delivered as part of the fit-out including an open plan workspace, a lobby area, a breakout area, meeting rooms ranging in sizes, focus rooms, an open collaboration space, a library, a terrace, two microscope rooms, storage areas and lockers.

A detailed description of the proposed fitout and base building works is provided in the following sections.

## 3.2. FITOUT WORKS

### Mechanical

- New supplementary water-cooled packaged units to cater for tenancy load
- New tenant outside air system connected to tenant supplementary outside air to serve supplementary units
- New general exhaust air system to connect to tenant exhaust provision to serve communications room on Level 02
- Adjustments to the base building mechanical systems to cater for the fitout
- New VAVs to cater for the fitout

- Controls associated with additional equipment
- New tenant mechanical switchboards per floor for new tenant mechanical equipment
- New BMS upgrade works to facilitate BMS metering and reporting of water & electrical requirements to comply with NCC Section J8

#### **Electrical & Communications**

- Power and data to serve to cater for the fitout requirements
- Comms rooms including main and floor comms room
- UPS room
- Comms & UPS distribution boards

#### **Security**

- New security system to cater for the fitout requirements

#### **Lighting**

- Relocations or exiting and new lighting to cater for the fitout
- Modification to the lighting control system to cater for the fitout requirements

#### **Fire**

- Relocation and new on ceiling fire services to cater for the fitout
- Relocation of hydrant and hose reel

#### **Hydraulics**

- Hydraulic services to on floor breakout teapoints, hydration stations, parents room, first aid room and reflection room for the fitout
- Tundishes for mechanical supplementary units

### **3.3. BASE BUILDING WORKS**

#### **Mechanical**

- Removal and replacement of existing toilet exhaust grilles and ductwork to suit new amenity layout.
- Extension of existing toilet exhaust system to new unisex toilets
- Removal off existing on-ceiling mechanical services to be replaced with new swirl diffusers
- Replacement of all existing VAVs, electric duct heaters, temperature sensors and associated ductwork
- Disconnection and reconnection of existing mechanical equipment to connect to new house mechanical switchboards on each floor.

#### **Electrical**

- New house distribution boards with split chassis metering
- New tenant distribution boards with split chassis metering
- New supply authority metering

#### **Security**

- New security system
- New intercom system

## **Lighting**

- Cleaning of all existing lighting
- New exit and emergency lighting

## **Fire**

- New fire indicator panel and associated hardware including loops card, amplifiers, fire trips and the like and fire rating cabling infrastructure
- New on ceiling fire services





### **3.4. OPERATIONAL HOURS**

The tenancy of the two floors will be for office use and as such, the operational hours of the workspace will be standard office hours.

### **3.5. NEED FOR THE ACTIVITY**

Property and Development NSW (**PDNSW**) is responsible for the management of the NSW Government's significant property portfolio. The proposed fitout will facilitate the use of the building for Department of Planning and Environment (**DPE**), Department of Customer Service (**DCS**) and Department of Regional New South Wales (**DRNSW**) to occupy the shared office space. The new PDNSW workplace seeks to provide spaces for community, collaboration, creating a sense of common ground through the use of shared space. The future workplace will create a fluid and flexible setting, with an emphasis on hybrid work points to account for multiple and maximum use. Research suggests that providing a workplace that is agile and flexible works and helps to improve engagement and attract and retain talent. The development of a tailored flexible working environment is anticipated to realise several benefits for the agencies.

### **3.6. PROJECT ALTERNATIVES**

The proposal is required to provide an office space for the three government agencies (DPE, DCS and DRNSW). Two alternatives were considered:

- Option 1 – alternative office locations
- Option 2 – fitout of Level 1 and Level 2 at subject site

The operation of the office cannot be commenced without the proposed activity occurring, and therefore the do-nothing alternative was not considered.

### **3.7. PREFERRED OPTION JUSTIFICATION**

Several alternative locations were considered for the future office space. The preferred Option 2 has progressed due to the existing large layout of the building at the subject site. While the building requires base building works and amenity upgrades to accommodate the tenancies, only minor works are required to facilitate the office workspace. The subject site proved most appropriate due to the size of the building being able to accommodate the three government agencies, the availability of carparking and accessibility of the site.

## 4. LEGISLATIVE AND PLANNING CONTEXT

An assessment of the environmental impacts of the proposed works has been undertaken against the applicable planning framework and legislation. The key documents reviewed include:

- *Environmental Protection and Biodiversity Conservation Act 1999*;
- *Environmental Planning and Assessment Act 1979 (EP&A Act)*
- *Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*

Overall, the assessment concludes that the proposed works can be undertaken without consent, and the environmental impacts can be managed through appropriate mitigation measures. Further details of the legislative assessments have been provided in the sections below.

### 4.1. ENVIRONMENTAL PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

The *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* aims to protect the environment, especially matters of national environmental significance, conserve Australian biodiversity, provide a streamlined national environmental assessment and approvals process, enhance the protection and management of important natural and cultural places, promote ecologically sustainable development, recognise the role of Indigenous people and promote the use of their knowledge of biodiversity.

Under the EPBC Act a referral is required to the Australian Government for proposed 'actions that have the potential to significantly impact on matters of national environmental significance or the environment of Commonwealth land'.

The provisions of the EPBC Act relating to Commonwealth land are not applicable as the proposed works are not development that takes place on or affects Commonwealth land or waters, and it is not development carried out by Commonwealth agencies.

### 4.2. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Section 5.5(1) of the EP&A Act requires a determining authority to 'examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity'. This REF contains a detailed environmental impact assessment and addresses the provisions of Section 5.5(1) of the EP&A Act.

Section 5.5(3) of the EP&A Act is not applicable as the site is not identified as a wilderness area (within the meaning of the *Wilderness Act 1987*).

Section 5.6 of the EP&A Act relates to the requirement to address the provisions of the EP&A regulations and is addressed in **Section 4.4** and **Section 5** of this REF.

Section 5.7 of the EP&A Act requires an Environmental Impact Statement (**EIS**) to be prepared if the proposed activity is '*likely to significantly affect the environment*'. Urbis has assessed the proposal as detailed within this REF and is satisfied that an EIS is not required.

### 4.3. OTHER NSW LEGISLATION

**Table 3** details the legislation, the purpose of the legislation and its relevance to the proposal.

Table 3 Other NSW Legislation

Legislation	Purpose of Legislation	Relevance to the Proposal
<i>Water Management Act 2000</i>	The Act outlines approval requirements for activities at a specified location in, on or under	The Hunter River is located east of the site however the proposed works are entirely internal to the existing

Legislation	Purpose of Legislation	Relevance to the Proposal
	<p>waterfront land. Waterfront land includes the bed of any river, lake or estuary and all land within 40 metres of the highest bank of the river, lake or estuary.</p> <p>The Act also outlines water access rights and approval / concurrence requirements for use of groundwater and surface water runoff.</p>	<p>building and do not occur on waterfront land or within 40m of a water course.</p>
<i>Contaminated Land Management Act 1997</i>	<p>The provisions of the Contaminated Land Act require that the nature and extent of any potential contamination be investigated and demonstrated.</p>	<p>The proposal consists of internal fitout to an existing building.</p> <p>There are no excavation works involved and no likelihood of exposing contamination.</p> <p>A search of NSW Environmental Protection Authority's (EPA) Contaminated Lands Register for the Maitland LGA has not identified any known contaminated land sites on, or in proximity to the site.</p>
<i>Heritage Act 1977</i>	<p>The Heritage Act is administered by the Heritage Office within the Office of Environment &amp; Heritage and protection and restoration and enhancement of State heritage items.</p>	<p>A search of the State Heritage Inventory (SHI) (a list of heritage items in NSW including Aboriginal Places, State Heritage Register, Interim Heritage Orders, State Agency Heritage Registers and Local Environmental Plans) identifies the following heritage item within the boundary of the site:</p> <ul style="list-style-type: none"> <li>▪ 'Historic Photographs Collection, Department of Mineral Resources' (SHR No. 00972)</li> <li>▪ The SHR curtilage boundary is limited to the item itself and does not include the land it is located on or the structure it is housed within.</li> <li>▪ A portion of the site is included within the boundaries of a listed local heritage item under the Maitland LEP 2011.</li> <li>▪ The proposed works will not impact on these nearby heritage</li> </ul>

Legislation	Purpose of Legislation	Relevance to the Proposal
		items. Refer to <b>Section 5.2</b> for further discussion on Heritage impacts.
<i>Local Land Services Act 2013</i>	The Act establishes the Local Land Services corporation and aims to ensure management of natural resources and application of scientific knowledge to achieve fully functioning and productive landscapes.	The proposal does not involve clearing vegetation in rural areas of the State and as such no additional approvals are required.
<i>Roads Act 1993</i>	Objects of the Act are to, among other things, confer certain functions (in particular, the function of carrying out road work) on RMS and on other roads authorities, and to provide for the distribution of the functions conferred by this Act between RMS and other roads authorities.	The proposed works do not relate to a public road, nor will the works involve the pumping of water onto a public road or involve the connection of a road to a classified road. Accordingly, consent is not required under Section 138 of the <i>Roads Act 1993</i> .
<i>Protection of the Environment Operations Act 1997</i>	The Act seeks to protect, restore and enhance the environmental quality of NSW and reduce risks to human health and the environment.	The works will not result in a significant risk to human health as a result of construction or operation of the building. Suitable management measures are proposed ( <b>Section 6</b> ) to manage construction impacts.  An Environmental Protection Licence ( <b>EPL</b> ) is not required for the activity.

#### 4.4. ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

Clause 171 of the EP&A Regulation details the factors which must be taken into account when considering the likely impacts of an activity to be carried out under Part 5 of the EP&A Act and is addressed in **Section 5** of this REF.

Section 171 of the EP&A Regulation states that a determining authority must take into consideration the environmental factors specified within a relevant Guideline issued by the Planning Secretary under section 170 of the EP&A Regulations.

The Department of Planning and Environment released the 'Guidelines for Division 5.1 Assessments' (**the Guidelines**) in June 2022. The factors to be considered as listed in Section 3 of the Guideline and Section 171(2) of the EP&A Regulations are aligned in the environmental factors specified.

Consideration of the environmental factors prescribed under both the Guideline and Section 171 of the EPA Regulations has been undertaken in **Table 4** below and **Section 5** of this REF.

Table 4 – Summary of Environmental Factors Reviewed in Relation to the Activity

Relevant Consideration	Response/Assessment Including Reference to Appended Material (if required)	Impact (Check Relevant as ✓)	
<p><i>the environmental impact on a community</i></p>	<p>There will not be any-long term impacts on the surrounding community from the proposed works. The scope of the works relates to internal fitout of an existing building.</p>	- ve	
	<p>Impacts associated with construction will be minimised through the proposed mitigation measures outlined in <b>Section 6</b>, and will only have a temporary, short-term impact on the community.</p>	Nil	✓
		+ve	
<p><i>the transformation of a locality,</i></p>	<p>There will not be any transformational impacts on the surrounding community from the proposed works. The scope of the works relates to internal fitout works to an existing building.</p>	- ve	
		Nil	✓
		+ve	
<p><i>the environmental impact on the ecosystems of the locality,</i></p>	<p>As such, the proposed activity will not result in an adverse environmental impact on ecosystems.</p>	- ve	
		Nil	✓
		+ve	
<p><i>reduction of the aesthetic, recreational, scientific or other environmental quality or value of the locality,</i></p>	<p>The proposed activity will not result in any negative impacts relating to the aesthetic, recreational, scientific or environmental quality of the locality surrounding the site.</p>	- ve	
		Nil	✓
		+ve	
<p><i>the effects on any locality, place or building that has—</i></p> <p><i>(i) aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance, or</i></p> <p><i>(ii) other special value for present or future generations,</i></p>	<p>State listed heritage item ‘Historic Photographs Collection, Department of Mineral Resources’ (SHR No. 00972) is identified onsite. The SHR item is moveable and does not include the land or structures on this site.</p>	- ve	
	<p>The site is within a Heritage Conservation Area and Heritage Item I147: Hannan House is located immediately north of the site and includes part of the site. The proposed works are entirely internal and the nature of the</p>	Nil	✓
		+ve	

Relevant Consideration	Response/Assessment Including Reference to Appended Material (if required)	Impact (Check Relevant as ✓)	
	works is minor. The project will therefore not detract from the surrounding heritage values.  Therefore, there will be no significant reduction in the aesthetic, anthropological, archaeological, architectural or cultural significance of the site as a result of the works.		
<i>any impact on the habitat of protected animals (within the meaning of the Biodiversity Conservation Act 2016)</i>	The proposed activity will not impact threatened species and ecological communities, or their habitats.	- ve	
		Nil	✓
		+ve	
<i>any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air</i>	As above the proposal will not impact endangered species.	- ve	
		Nil	✓
		+ve	
<i>any long-term impacts on the environment,</i>	The proposed activity will not have any long-term impacts on the environment.	- ve	
		Nil	✓
		+ve	
<i>any degradation of the quality of the environment,</i>	No degradation of the quality of the environment will occur from the proposed works.	-ve	
		Nil	✓
		+ve	
<i>any risk to the safety of the environment,</i>	The proposed works are contained within an existing building, and therefore will not present any risk to the safety of the broader environment nor increase the risk of harm from environmental hazards or events.	- ve	
		Nil	✓
		+ve	
<i>any reduction in the range of beneficial uses of the environment,</i>	The works include an internal fitout of an existing building. The activity will not limit or reduce the range of beneficial uses of the environment.	- ve	
		Nil	✓
		+ve	

Relevant Consideration	Response/Assessment Including Reference to Appended Material (if required)	Impact (Check Relevant as ✓)	
<i>any pollution of the environment,</i>	The proposed activity will not be a source of pollution. Management measures are proposed to mitigate the impact of construction impacts, including noise, dust, and waste management measures. Refer to <b>Section 6</b> for further discussion.	- ve	
		Nil	✓
		+ve	
<i>any environmental problems associated with the disposal of waste,</i>	All waste generated during construction works will be carefully removed, packaged and transported from the site to an offsite waste facility. As such, it is unlikely the disposal of this waste will cause any environmental problems.  Operational Waste will be managed by an Operational Waste Management Plan ( <b>OWMP</b> ) to be developed prior to the issuing of an Occupation Certificate.	- ve	
		Nil	✓
		+ve	
<i>any increased demand on resources (natural or otherwise) that are, or are likely to become, in short supply,</i>	The activity will not increase the demand for resources likely to be in short supply.	- ve	
		Nil	✓
		+ve	
<i>any cumulative environmental effect with other existing or likely future activities</i>	The activity will not cause any cumulative environment effects.	- ve	
		Nil	✓
		+ve	
<i>the impact on coastal processes and coastal hazards, including those under projected climate change conditions.</i>	The proposal will not have any impact on coastal processes or hazards and not within close proximity to any coastal areas.	- ve	
		Nil	✓
		+ve	
<i>applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1,</i>	The proposal aligns with local strategic planning instruments including the Maitland Local Strategic Planning Statement 2040+, Hunter Regional Plan 2041 and Greater Newcastle Metropolitan Plan 2036 as the activity contributes to growing investment, business opportunities and jobs in Maitland.	- ve	
		Nil	
		+ve	✓



Relevant Consideration	Response/Assessment Including Reference to Appended Material (if required)	Impact (Check Relevant as ✓)	
	Further assessment of strategic documents can be found in <b>Section 4.8</b> .		
<i>(r) other relevant environmental factors.</i>	Refer to environmental impact assessment in <b>Section 5</b> of this REF.	- ve	
		Nil	✓
		+ve	

Subsection 171(4) of the EP&A Regulations require an REF to be published on the determining authority's website or the NSW planning portal in certain instances as addressed in **Table 5**. Subsection 171(4) applies on and from 1 July 2022.

Table 5 REF Publishing Requirements

Relevant Consideration	Assessment	Requirement?
(4) The review of environmental factors must be published on the determining authority's website or the NSW planning portal if—		
<i>(a) the activity has a capital investment value of more than \$5 million, or</i>	The capital investment value ( <b>CIV</b> ) of the proposal is estimated at \$15,775,000 based on the Concept Designs	Yes
<i>(b) the activity requires an approval or permit as referred to in any of the following provisions before it may be carried out—</i> <i>(i) Fisheries Management Act 1994, sections 144, 201, 205 or 219,</i> <i>(ii) Heritage Act 1977, section 57,</i> <i>(iii) National Parks and Wildlife Act 1974, section 90,</i> <i>(iv) Protection of the Environment Operations Act 1997, sections 47–49 or 122, or</i>	The activity requires approval under section 57 of the Heritage Act 1977 as a State Heritage Item is located onsite. The Heritage Item (SHR No. 00972) is identified as moveable and does not include the land or structures on this site. Section 57 of the Heritage Act requires approval to move the State Heritage Item.	Yes
<i>(c) the determining authority considers that it is in the public interest to publish the review.</i>	Given the minor scope of works, it is not considered necessary to publish the review. However, the REF is still required to be published as per s171(4)(b)(ii) and s171(4)(c) of the EP&A Regulations for the reasons outlined above.	No

In accordance with subsection 171(4)(c), the REF **is required** to be published on the determining authority's website or the NSW planning portal.

## 4.5. STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

### 4.5.1. State Environmental Planning Policy (Resilience and Hazards) 2021

*State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)* aims to streamline the development assessment process in relation to resilience and natural hazard risk.

Part 4 of the SEPP provides a state-wide planning approach for the remediation of land and aims to promote in the remediation of contaminated land to reduce the risk of harm to human health or the environment. Clause 4.6(1) requires the consent authority to consider whether land is contaminated prior to consent of an application.

The site is not identified as contaminated land and the use of the building will not change as a result of the proposed fitout works.

### 4.5.2. State Environmental Planning Policy (Transport and Infrastructure) 2021

*State Environmental Planning Policy (Transport and infrastructure) 2021 (T&I SEPP)* aims to streamline the delivery of necessary services and infrastructure to communities through establishing alternate planning mechanisms and approval pathways.

Several divisions of the T&I SEPP are aimed at streamlining the delivery of infrastructure carried out by, or on behalf of a public authority. The definition of a public authority as referred to by the T&I SEPP is defined under the EP&A Act 1979 as:

**public authority** means—

- (a) a public or local authority constituted by or under an Act, or
- (b) a Public Service agency, or
- (c) a statutory body representing the Crown, or
- (d) a Public Service senior executive within the meaning of the [Government Sector Employment Act 2013](#), or
- (e) a statutory State owned corporation (and its subsidiaries) within the meaning of the [State Owned Corporations Act 1989](#), or
- (f) a chief executive officer of a corporation or subsidiary referred to in paragraph (e), or
- (g) a person prescribed by the regulations for the purposes of this definition.

Accordingly, PDNSW is a public authority.

The proposed activity relies upon Chapter 2 of the T&I SEPP. An assessment in accordance with the relevant provisions of this Chapter is outlined in the following subsections.

#### T&I SEPP Chapter 2 Infrastructure

Chapter 2, Part 2.3 of the T&I SEPP provides infrastructure related development controls and specified development which may be carried out by or on behalf of a public authority without development consent on any land. The following provision of the T&I SEPP is relied upon for the proposed works:

#### Division 14 Public administration buildings and buildings of the Crown:

Under Clause 2.89 of the T&I SEPP 2021 the following relevant works are permitted without consent by or on behalf of a public authority.

#### 2.89 Development permitted without consent

(1) *Development for any of the following purposes may be carried out by or on behalf of a public authority without consent—*

- (a) alterations of or additions to a public administration building,
- (b) restoration of a damaged public administration building,
- (c) demolition of a public administration building,
- (d) replacement of a public administration building if the height of the building does not exceed 12 metres and the setback is at least 5 metres.

(2) Development for the purpose of a public administration building that is ancillary to and located on the same land as an infrastructure facility may be carried out by or on behalf of a **public authority** without consent if—

- (a) development for the purpose of the infrastructure facility may be carried out without consent on that land, and
- (b) the approval of the activity (within the meaning of Part 5 of the Act) includes an approval for the public administration building, and development for the public administration building is to be carried out at the same time as development for the infrastructure facility.

**public administration building** means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.

The proposed activity involves the internal fitout of Level 1 and Level 2 of the building which are permitted to be undertaken without development consent.

**Table 6** addresses the consultation requirements under the T&I SEPP.

Table 6 – Chapter 2 Part 2.2 Division 1 - Consultation Requirements

Consideration	Response	Satisfied
<b>2.10 Consultation with councils—development with impacts on council-related infrastructure or services</b>		
<i>(1) This section applies to development carried out by or on behalf of a public authority that this Chapter provides may be carried out without consent if, in the opinion of the public authority, the development—</i>		
<ul style="list-style-type: none"> <li>(a) will have a substantial impact on stormwater management services provided by a council, or</li> <li>(b) is likely to generate traffic to an extent that will strain the capacity of the road system in a local government area, or</li> <li>(c) involves connection to, and a substantial impact on the capacity of, any part of a sewerage system owned by a council, or</li> <li>(d) involves connection to, and use of a substantial volume of water from, any part of a water supply system owned by a council, or</li> <li>(e) involves the installation of a temporary structure on, or the enclosing of, a public place that is under a council's management or control that is likely to cause a disruption to pedestrian or</li> </ul>	<p>The proposed activity:</p> <ul style="list-style-type: none"> <li>(a) Will not have a substantial impact on stormwater management services provided by a Council.</li> <li>(b) Will not generate traffic to an extent that will strain the capacity of the surrounding road network. There will be no alteration to the existing access arrangements or traffic conditions once the works are complete.</li> <li>(c) Will not have a substantial impact on Council-owned sewerage systems.</li> <li>(d) Will not result in the use of a substantial volume of water from Council's systems.</li> </ul>	N/A

Consideration	Response	Satisfied
<p><i>vehicular traffic that is not minor or inconsequential, or</i></p> <p><i>(f) involves excavation that is not minor or inconsequential of the surface of, or a footpath adjacent to, a road for which a council is the roads authority under the Roads Act 1993 (if the public authority that is carrying out the development, or on whose behalf it is being carried out, is not responsible for the maintenance of the road or footpath).</i></p>	<p>(e) Does not involve the installation of a temporary structure on, or the enclosing of, a public place that is under a Council's management or control.</p> <p>(f) Does not involve excavation on a Council Road or adjacent footpath.</p>	
<p><i>(2) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this clause applies unless the authority or the person has:</i></p> <p><i>(a) given written notice of the intention to carry out the development (together with a scope of works) to the council for the area in which the land is located, and</i></p> <p><i>(b) taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.</i></p>	<p>Not applicable. The proposed activity will not have an impact on Council related infrastructure or services and as such notification is not required.</p>	N/A
<b>2.11 Consultation with councils—development with impacts on local heritage</b>		
<i>(1) This section applies to development carried out by or on behalf of a public authority if the development:</i>		
<p><i>(a) is likely to affect the heritage significance of a local heritage item, or of a heritage conservation area, that is not also a State heritage item, in a way that is more than minor or inconsequential, and</i></p> <p><i>(b) is development that this Chapter provides may be carried out without development consent.</i></p>	<p>(a) As the works are entirely internal, the proposal will not affect the significance of the heritage conservation area or local heritage item. The identified State heritage item will be moved prior to the occupation of the building as per the requirements under Section 57 of the Heritage Act.</p> <p>(b) The proposed activity may be carried out without development consent.</p>	N/A
<p><i>(2) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this section</i></p>	<p>Not applicable.</p>	N/A

Consideration	Response	Satisfied
<p><i>applies unless the authority, or the person has—</i></p> <p><i>(a) had an assessment of the impact prepared, and</i></p> <p><i>(b) given written notice of the intention to carry out the development, with a copy of the assessment and a scope of works, to the council for the area in which the local heritage item or heritage conservation area (or the relevant part of such an area) is located, and</i></p> <p><i>(c) taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.</i></p>		
<p><b>2.12 Consultation with councils—development with impacts on flood liable land</b></p>		
<p><i>(1) In this section, flood liable land means land that is susceptible to flooding by the probable maximum flood event, identified in accordance with the principles set out in the manual entitled Floodplain Development Manual: the management of flood liable land published by the New South Wales Government and as in force from time to time.</i></p>		
<p><i>A public authority, or a person acting on behalf of a public authority, must not carry out, on flood liable land, development that this Chapter provides may be carried out without consent and that will change flood patterns other than to a minor extent unless the authority or person has—</i></p> <p><i>(a) given written notice of the intention to carry out the development (together with a scope of works) to the council for the area in which the land is located, and</i></p> <p><i>(b) taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.</i></p>	<p>The site is identified located within a flood planning area and is located in the Hunter River Floodplain. Due to the nature of the works proposed being within an existing building, it is not anticipated the works will impact flood patterns. No external physical works or structures are proposed within the floodplain, therefore there is no increased risk of flooding as a result of the proposed activity.</p>	<p>Yes</p>
<p><b>2.13 Consultation with State Emergency Service—development with impacts on flood liable land</b></p>		

Consideration	Response	Satisfied
<p>(1) <i>A public authority, or a person acting on behalf of a public authority, must not carry out development on flood liable land that may be carried out without development consent under a relevant provision unless the authority or person has—</i></p> <p>(a) <i>given written notice of the intention to carry out the development (together with a scope of works) to the State Emergency Service, and</i></p> <p>(b) <i>taken into consideration any response to the notice that is received from the State Emergency Service within 21 days after the notice is given.</i></p>	<p>The site is identified as flood affected. The proposed works consist of the internal fitout to an existing building and there is no increased risk of flooding as a result of the activity. As the works fall under the category of minor alterations to a building (refer Section 2.13(3) notification to SES is not required.</p>	<p>Yes</p>
<p>(2) <i>Any of the following provisions in Part 2.3 is a relevant provision—</i></p> <p>(a) <i>Division 1 (Air transport facilities),</i></p> <p>(b) <i>Division 2 (Correctional centres and correctional complexes),</i></p> <p>(c) <i>Division 6 (Emergency services facilities and bush fire hazard reduction),</i></p> <p>(d) <i>Division 10 (Health services facilities),</i></p> <p>(e) <i>Division 14 (Public administration buildings and buildings of the Crown),</i></p> <p>(f) <i>Division 15 (Railways),</i></p> <p>(g) <i>Division 16 (Research and monitoring stations),</i></p> <p>(h) <i>Division 17 (Roads and traffic),</i></p> <p>(i) <i>Division 20 (Stormwater management systems).</i></p>	<p>The proposed activity relies upon Division 14 and as such is a relevant provision for the purposes of section 2.13(1).</p>	<p>Yes</p>
<p>(3) <i>This section does not apply in relation to the carrying out of minor alterations or additions to, or the demolition of, a building, emergency works or routine maintenance.</i></p>	<p>The works are wholly internal fitout works to an existing building. This section does not apply to the proposed activity and as such notification and consideration of responses from SES is not required.</p>	<p>Yes</p>
<p>(4) <i>In this section, flood liable land means land that is susceptible to flooding by the probable maximum flood event, identified in accordance with the principles set out in the manual entitled Floodplain</i></p>		

Consideration	Response	Satisfied
<p><i>Development Manual: the management of flood liable land published by the New South Wales Government and as in force from time to time.</i></p>		
<p><b>2.14 Consultation with councils—development with impacts on certain land within the coastal zone</b></p>		
<p><i>(1) This section applies to development on land that is within a coastal vulnerability area and is inconsistent with a certified coastal management program that applies to that land.</i></p>	<p>The site is not located within a coastal vulnerability area.</p>	<p>N/A</p>
<p><i>(2) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this section applies, which this Chapter provides may be carried out without development consent, unless the authority or person has—</i></p> <p><i>(a) given written notice of the intention to carry out the development to the council for the local government area in which the land is located, and</i></p> <p><i>(b) taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.</i></p>	<p>This section does not apply to the proposed activity and as such notification and consideration of responses from Maitland Council is not required.</p>	<p>N/A</p>
<p><b>2.15 Consultation with public authorities other than councils</b></p>		
<p><i>(1) A public authority, or a person acting on behalf of a public authority, must not carry out specified development that this Chapter provides may be carried out without consent unless the authority or person has—</i></p> <p><i>(a) given written notice of the intention to carry out the development (together with a scope of works) to the specified authority in relation to the development, and</i></p> <p><i>(b) taken into consideration any response to the notice that is received from that authority within 21 days after the notice is given.</i></p>	<p>The proposed activity is not classified as specified development and as such notification and consideration of responses to specified authorities is not required.</p>	<p>N/A</p>
<p><i>(2) For the purposes of subsection (1), the following development is specified development and the following authorities</i></p>	<p>The proposed activity:</p> <p>(a) Is not located adjacent to land reserved under the <i>National Parks</i></p>	<p>N/A</p>

Consideration	Response	Satisfied
<p>are specified authorities in relation to that development—</p> <p>(a) development adjacent to land reserved under the National Parks and Wildlife Act 1974 or to land acquired under Part 11 of that Act—the Office of Environment and Heritage,</p> <p>(b) development on land in Zone E1 National Parks and Nature Reserves or in a land use zone that is equivalent to that zone, other than land reserved under the National Parks and Wildlife Act 1974—the Office of Environment and Heritage,</p> <p>(c) development comprising a fixed or floating structure in or over navigable waters—Transport for NSW,</p> <p>(d) development that may increase the amount of artificial light in the night sky and that is on land within the dark sky region as identified on the dark sky region map—the Director of the Observatory,</p> <p>(e) development on defence communications facility buffer land within the meaning of clause 5.15 of the Standard Instrument—the Secretary of the Commonwealth Department of Defence,</p> <p>(f) development on land in a mine subsidence district within the meaning of the Mine Subsidence Compensation Act 1961—the Mine Subsidence Board.</p>	<p>and Wildlife Act 1974 or acquired land.</p> <p>(b) Is not located on land located in Zone C1.</p> <p>(c) Does not involve a fixed or floating structure in or over navigable waters.</p> <p>(d) Will not increase the amount of artificial light in the night sky. The site is not identified on land within the dark sky region.</p> <p>(e) Is not located on land identified as defence communications facility buffer.</p> <p>(f) Is not located on land in a mine subsidence district.</p>	

## 4.6. MAITLAND LOCAL ENVIRONMENT PLAN 2011

Maitland Local Environment Plan 2011 (LEP) is the principal LEP applicable to the subject site. The provisions of the LEP do not apply to the proposed activity, which is proposed to be carried out under Part 5 of the EP&A Act. However, some provisions of the LEP are relevant to the environmental assessment of the proposal.

A summary of the relevant provisions under the LEP is provided below in **Table 7**.

Table 7 Assessment Against Key Development Standards – Maitland LEP 2011

Clause	Provision	Comment
Land Use Table	The site is zoned B4: Mixed Use and RU1: Primary Production.	The proposal does not seek a change to the zoning.



Clause	Provision	Comment
4.1 Minimum subdivision lot size	A minimum lot size of 40ha applies to the site	The proposed activity does not seek to subdivide the land.
4.3 Height of buildings	No maximum building height control applies to the site.	The proposed activity does not seek any external alterations to the building.
4.4 Floor space ratio	No FSR control applies to the site	The proposed activity does not seek any alterations to floor space ratio.
5.10 Heritage	The site is located within the C2 Central Maitland Heritage Conservation Area and Heritage Item I147: Hannan House is partially located over a portion of the site.	The proposed development is permissible without consent under section 2.89 of the T&I SEPP. The proposed works are internal to the building and will not impact the heritage significance of the surrounding area.
5.21 Flood Planning	Development consent is required for development on land within a flood planning area.	The proposed development is permissible without consent under section 2.89 of the T&I SEPP. The works are internal to the building; therefore, will not impact flood patterns.
7.1 Acid Sulfate Soils	Class 5 acid sulfate soils identified onsite.	The proposed activity does not involve any works below the natural ground surface.

## 4.7. MAITLAND DEVELOPMENT CONTROL PLAN 2011

This REF has been prepared under Part 5 of the EP&A Act 1979 pursuant to 'development without consent' provisions of the Transport and Infrastructure SEPP and as such the Development Control Plan (DCP) controls do not apply.

## 4.8. STRATEGIC PLANNING CONTEXT

This section of the REF describes the activities compliance with relevant strategic planning policies as outlined in **Table 8**.

Table 8 Alignment of Proposal with Strategic Planning Strategies

Strategy	Comment
Premiers Priorities	The NSW Premier's Priorities comprise a set of 15 priorities that aim to deliver on key policy matters, including: a strong economy, highest quality education and well-connected communities with quality local environments. The proposed activity is consistent with these priorities as it provides for commercial growth in a well-connected location.

Strategy	Comment
Future Transport Strategy 2056	<p>The NSW Future Transport Strategy 2056 (Transport Strategy) sets the 40-year vision, directions and outcomes framework for transport mobility in NSW, to guide long-term transport investment. The Transport Strategy aims to preserve optionality for future users and travel behaviours and repurpose existing infrastructure and corridors to optimise their performance and maximise carrying capacity.</p> <p>The proposed activity supports commercial growth in a well-connected location. The activity supports the 30-minute city concept, where people can conveniently access jobs, education and services within 30 minutes by public or active transport.</p>
Better Placed – An integrated design policy for the built environment of New South Wales 2017	<p>Better Placed was prepared by the Government Architect NSW (<b>GANSW</b>) to deliver good design outcomes through desired architecture, public places and environments across NSW. The policy provides best practice design processes which align with a clear set of established objectives to achieve the best possible outcomes.</p> <p>New built form is not proposed under the activity.</p>
Hunter Regional Plan 2041	<p>The Hunter Region Plan 2041 (<b>HRP</b>) provides the overarching strategic plan for growth and change in the Hunter Region. It is a 20-year plan to manage growth and change for the Hunter Region in the context of social, economic and environmental matters. The proposed activity aligns with the HRP as it facilitates new business investment that will see an increase in jobs, markets and workers. Additionally, Strategy 8.1 seeks to provide for commercial activity in existing commercial centres.</p>
The Greater Newcastle Metropolitan Plan 2036	<p>The Greater Newcastle Metropolitan Plan 2036 builds on the initiatives of the HRP and identifies planning priorities for the district. The Plan sets out strategies and actions that will drive sustainable growth across Cessnock City, Lake Macquarie City, Maitland City, Newcastle City and Port Stephens communities, which together make up Greater Newcastle. The proposed activity aligns with the Metropolitan Plan in particular with the following strategies and actions:</p> <ul style="list-style-type: none"> <li>▪ Strategy 7 - Respond to the changing land use needs of the new economy</li> <li>▪ Strategy 10 - Create better buildings and great places</li> </ul> <p>Key actions:</p> <ul style="list-style-type: none"> <li>▪ Build capacity for new economy jobs in areas well serviced by public transport and close to established centres</li> <li>▪ enabling a greater range of employment generating uses in appropriate business areas</li> <li>▪ enhance the design quality of the built environment</li> </ul>

Strategy	Comment
Maitland Local Strategic Planning Statement 2040+	<p>The Maitland Local Strategic Planning Statement 2040+ sets out the 20-year vision for land use in Maitland. The planning statement identifies 18 key priorities relating to social, economic, environmental and infrastructure outcomes. The proposed activity aligns with the following planning priorities which are relevant to the site:</p> <ul style="list-style-type: none"> <li>▪ Strengthen the local economy through attracting investments, creating jobs and fostering innovation.</li> <li>▪ Encourage vibrant and connected centres through a clearly defined centres hierarchy.</li> <li>▪ Ensure a suitable supply of urban service lands to meet future needs.</li> <li>▪ Plan for healthy, culturally rich and socially connected communities.</li> </ul>

# 5. ENVIRONMENTAL IMPACT ASSESSMENT

## 5.1. BUILDING DESIGN

The proposed activity relates to internal building works and will not result in any changes to the external façade of the building or the surrounding built environment. Accordingly, the works will have a negligible impact on the surrounding context due to the confinement of works internally. The fitout of the building will achieve good design outcomes as it improves the amenity of the building and ensures compliance with the BCA.

An Integrated Base Building and Fit Out Concept Design Package (**Appendix B**) has been developed by Group GSA to guide all base building and fit-out works carried out by PDNSW. All works will be in accordance with the Concept Design Package.

## 5.2. HERITAGE

The site is subject to a range of heritage considerations. The site is located within the C2 Central Maitland Heritage Conservation Area (**HCA**). Locally listed heritage item I147: Hannan House is located immediately north of the site at 14 Hannan Street. The boundary of the heritage site encompasses a portion of the subject site at the north-western corner, which is occupied by a the carparking area. The heritage item site boundary does not extend to include the existing building subject to this proposal. The proposed works are entirely internal to the existing building on site, and as such will not have an impact on the adjacent heritage item or the significance of the wider heritage conservation area.

State listed heritage item 'Historic Photographs Collection, Department of Mineral Resources' (SHR No. 00972) is identified as being located at the subject site as identified on the State Heritage Inventory. The State Heritage Inventory indicates the State Heritage Item is moveable and does not include the land or structures on this site. Approval to relocate the moveable state heritage item is required under Section 57 of the *Heritage Act 1997*. An application to the approval body will be made prior to works commencing and under section 60 of the *Heritage Act 1997*.

## 5.3. ACCESS, TRAFFIC, PARKING AND TRANSPORT

There are not anticipated to be any pedestrian impacts beyond the immediate site frontage or on other streets. Access to the site will remain consistent with the existing arrangement. Pedestrian access to the site is provided from the High Street and Hannan Street frontages, which includes a ramp providing accessible access. Vehicle access to the carpark will remain via the High Street roundabout and rear access is provided at Sempill Street. End of trip facilities are provided at the Ground Level to service cyclists accessing the site.

A loading bay and waste storage area is provided at the Ground Level carpark for deliveries and waste collection. The area is directly accessed from the High Street entry.

The existing building is already an operational office premises. The proposal is not expected to generate significant impact to the transport network above the existing conditions. The occupancy rate of the development may be subject to an increase, however the impact on traffic generation is expected to be minor.

## 5.4. BCA AND ACCESS

A BCA statement (**Appendix E**) has been prepared by Steve Watson & Partners which confirms the proposed works will be capable of achieving compliance with the Building Code of Australia 2019 Amendment 1. Further detailed regulatory reviews will need to be progressively undertaken as designs advance and become more resolved to ensure compliance is achieved.

A certificate will be issued by or on behalf of the Crown pursuant to section 6.28 of the EP&A Act that certifies that the proposed works comply with the Building Code of Australia in force as at the date of the invitations for tenders to carry out the works, or, in the absence of tenders, the date the works commence.

An Accessibility Report (**Appendix F**) has been prepared by Morris Goding Access Consulting which confirms the proposed works highlight a high degree of functional and technical compliance to the Access to Premises Standard, AS 1428 series and the Disability Discrimination Act (DDA), as the pathways, entrances, circulation spaces and sanitary facilities have all considered accessibility. The Accessibility Report highlights building elements that require additional detail and identifies any non-compliances. Resolutions and

Performance Solutions are identified to ensure the building can comply with Deemed to Satisfy Provisions (refer Appendix F). A registered Building Survey or PCA is required prior to issuing permits, to confirm compliance with the requirements.

## **5.5. UTILITY AND SERVICING**

The proposal is not expected to have an impact on the utility and servicing of the building. The site is situated within an established area such that access to services and stormwater infrastructure are readily available. These include electricity, gas, water and telephone services and drainage for stormwater and sewerage.

## **5.6. CONSTRUCTION IMPACTS**

Prior to the commencement of works, a Construction Management Plan (CMP) shall be prepared by a suitably qualified person, to manage the impacts of the proposal during the construction period.

### **5.6.1. Noise and Vibration**

Due to the works being contained internal to the building, the proposal is not likely to have any noise and vibration impacts to the surrounding environment. The site is bound by development on the northern, western and southern boundaries albeit separated by the road corridor. The exception is Heritage Item I147: Hannan House located adjacent to the northern boundary, separated by vegetation.

The activity is expected to have minor impact to these nearby properties, any impact is expected to be short-term and temporary. All appropriate measures will be implemented during the construction phase to ensure that there is no adverse amenity impact to the surrounding environment.

A Construction Noise and Vibration Management Plan (CNVMP) shall be provided as part of the CMP to ensure works do not exceed acceptable levels and impact on adjacent properties.

### **5.6.2. Construction Waste**

During construction, the project would generate various forms of waste, including -

- building material including metals and electrical wiring; and
- general waste including food scraps generated by construction workers.

Waste generated during construction will be managed in accordance with a Waste Management Plan to be included as part of the CMP, to be prepared prior to the commencement of construction activities. During the site set-up works, the contractor shall establish suitable locations for covered putrescibles and non-putrescibles waste and recycling receptacles. These will be maintained throughout the duration of the construction works. The contractor should manage spoil and waste in accordance with the Waste Avoidance and Resource Recovery Act 2001.

### **5.6.3. Construction Pedestrian and Traffic Management**

There is no need for partial or complete road closures during construction. Contractors carrying out the internal building works will have exclusive access to a dedicated secured space within the carpark for loading and services. This will ensure minimal impact to pedestrians, visitors and tenants.

The number and type of vehicles, including the number of trips made to and from the site are not known at this stage. The impact to the surrounding transport network is expected to be minor as construction vehicles can be contained wholly within the site during construction hours and will not be required occupy on street carparking. Consideration of traffic and parking impacts will be considered in the broader CMP for the proposal including the anticipated number and types of vehicles accessing the site.

The site is located within proximity to bus stops located on High Street providing a viable transport option for workers travelling to the site and reducing traffic impact on the transport network.

## **5.7. SOCIAL AND ECONOMIC IMPACT**

The site is located within a commercial centre and as such, the proposal is unlikely to generate any substantive or long-term negative social impacts to the surrounding environment. The proposed activity will have positive long-term social and economic impacts through the development of modern flexible

workspaces for three government agencies (DPE, DCS and DRNSW) focusing on a collaborative working environment. The complete development at the subject site represents an optimal utilisation of urban space and contributes to the vitality of Maitland's commercial centre.

In the short term, the works will create additional construction jobs. In the long term, the works facilitate new business investment that will see an increase in jobs, markets and workers, strengthening the local economy.

## 6. TECHNICAL REQUIREMENTS AND MITIGATION MEASURES

This section provides a summary of the site-specific environmental safeguards and management measures identified throughout this REF. These safeguards will be implemented to reduce potential environmental impacts throughout the construction and operation phase.

### 6.1. PLANS AND REPORTS

Plan / Report Title	Prepared By	Date	Appendix
Level 1 General Arrangement Plan	Group GSA Pty Ltd	10 February 2023	A
Level 2 General Arrangement Plan	Group GSA Pty Ltd	10 February 2023	A
Level 1 Demolition Plan	Group GSA Pty Ltd	10 February 2023	A
Level 2 Demolition Plan	Group GSA Pty Ltd	10 February 2023	A
Level 1 Reflected Ceiling Plan	Group GSA Pty Ltd	10 February 2023	A
Level 2 Reflected Ceiling Plan	Group GSA Pty Ltd	10 February 2023	A
Integrated Base Building and Fit Out Concept Design Package	Group GSA Pty Ltd	10 February 2023	B
BCA Compliance Statement	Steve Watson & Partners	8 November 2022	E
Accessibility DD Report	Morris Goding Access Consulting	20 February 2023	F
Fire Safety Statement	No Author	17 November 2021	G
Base Building Miscellaneous Works Schedule	Group GSA Pty Ltd	10 February 2023	H

A copy of the approved and certified plans, specifications and documentation shall be held by PDNSW and should be made available to an authorised officer of the relevant Local Government authority upon request.

### 6.2. ACTIVITY CERTIFICATION

Prior to the commencement of any construction works PDNSW (or their nominated delegate) shall ensure the activity has obtained a crown certification pursuant to section 6.28 of the EP&A Act.

On finalisation of the proposed activity, "Works as Executed" drawings are to be submitted to PDNSW. A copy of these drawings are to be kept and retained as part of the document package with PDNSW.

### **6.3. OTHER CONSENTS, LICENCES AND REGISTRATION**

Prior to the commencement of certain activity on site any other approvals required by other relevant legislation for such activity shall be obtained. A copy of all approvals is to be kept and retained as part of the document package register with PDNSW.

Following completion of construction works and issue of occupation certificate (or equivalent) a copy of the certification details is to be kept and retained as part of the document package with PDNSW.

### **6.4. CHANGES TO DESIGN**

The works shall be carried out in accordance with the Architectural Drawings at **Appendix D**. The Architectural Drawings provide a Demolition Plan, General Arrangement Plan and Reflected Ceiling Plan for Levels 1 and 2 of the building. Where any variation to the design is sought post this determination, the applicant shall ensure that appropriate development approvals are in place and complied with prior to any works being commenced/continued.

### **6.5. HERITAGE**

Prior to any works commencing on site, approval is to be obtained by the relevant approval body to relocate State Heritage Item (SHR No. 00972) under section 60 of the *Heritage Act 1977*. As the State Heritage Inventory indicates the State Heritage Item curtilage boundary is limited to the item itself and does not include the land it is located on or the structure it is housed within. As a result, relocation of the item will not impact the significance of the heritage item.

### **6.6. FIRE SAFETY STATEMENT**

An annual Fire Safety Statement (**Appendix G**) was completed on 2 December 2021. The statement confirms the fire safety measures implemented within the existing building have been assessed by an accredited practitioner and meet the minimum standard of performance. PDNSW shall arrange with the landlord for an updated Fire Safety Statement to be prepared upon the completion of building works.

### **6.7. SPECIFIC ENVIRONMENTAL MITIGATION AND MANAGEMENT REQUIREMENTS**

The following section sets out mitigation, safeguards and management and avoidance measures designed to avoid or minimise the potential indirect and direct impacts associated with the proposal. Unless specified in the measures, it will be the responsibility of PDNSW and its Principal Contractor to determine the appropriate timing of implementation in order to ensure that identified potential impacts are suitably dealt with and managed.

### **6.8. CONSTRUCTION HOURS**

The hours of any construction or demolition works, including the delivery of materials to and from the site, shall be restricted as follows:

- Monday to Friday: 7:00am to 6:00pm.
- Saturdays: 8:00am to 1:00pm.
- Sundays and public holidays: No works.
- Variation to the above working hours may be considered in extenuating circumstances only with the prior approval of the determining authority.

### **6.9. CONSTRUCTION MANAGEMENT PLAN**

A Construction Management Plan (CMP) shall be prepared by a suitably qualified person prior to the commencement of works. The CMP should consider the following elements

- Define the scope of works
- Resource capacity planning



- Phase design and budgeting
- Stating the interdependencies

### 6.9.1. Construction Waste Management

A Construction Waste Management Plan (**WMP**) shall be provided as part of the CMP. The WMP shall consider the following –

- Identify the type and quantify waste likely to be generated through the construction phase and provide options or requirements for handling and disposal. Where available, recyclable site and construction waste would be recycled in accordance with the NSW Government's Waste Reduction and Purchasing Policy (WRAPP guidelines).
- Non-recyclable waste would be regularly collected and disposed of at a licensed landfill or other disposal site in the area.
- Any bulk garbage bins delivered by Authorised Waste Contractors would be placed and kept within the property boundary.
- Waste management practices for the proposal would follow the resource management hierarchy principles embodied in the Waste Avoidance and Resource Recovery Act 2001. These practices include:
  - avoid unnecessary resource consumption;
  - recovering resources (including reuse, reprocessing, recycling and energy recovery); and,
  - disposal (as a last resort).
- Disposal of waste must be to an appropriately licensed facility

### 6.9.2. Noise and Vibration Management Plan

A Construction Noise and Vibrations Management Plan (**CNVMP**) shall be prepared by an acoustic engineer as part of the CMP. Consideration should be given to providing notification to surrounding sites where appropriate and where work is likely to cause vibration or offensive noise and impact adjacent residents. Works are to be undertaken in accordance with the NSW Interim Construction Noise Guidelines issued by the EPA. All reasonable practical steps shall be taken to reduce noise and vibration from the site. Appropriate signage and directional information shall be provided on site.

### 6.9.3. Construction Traffic Management Plan

A Construction Traffic Management Plan (**CTMP**) shall be provided as part of the CMP. The CTMP should consider transport implications of the activity including impacts to the pedestrian and road network. Safe pedestrian access and movement to the building and along the street frontages must remain unimpeded at all times. The CTMP should consider the following –

- site location and road network;
- approved activity;
- overall principles for traffic management;
- hours of work;
- truck routes;
- traffic and parking effects;
- pedestrian management and safety procedures;
- any relevant consultation undertaken with existing tenants or adjoining stakeholders

## 6.10. OPERATIONAL WASTE

An Operational Waste Management Plan (**OWMP**) shall be prepared by a suitably qualified person prior to an Occupation Certificate being issued. The OWMP should consider the following –

- Identify different waste streams that need to be collected and processed
- Identify suitable recycling practices and provision for the storage of waste and recyclables
- Outline the responsibilities, procedures and roles needed to comply with the OWMP
- Identify objectives and targets to divert waste from landfill
- Create an integrated review process to assess the successfulness of the OWMP to make improvements based on learned insights

## 7. DISCLAIMER

This report is dated 23 February 2023 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Property and Development New South Wales (**Instructing Party**) for the purpose of REF Report (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

Please note, copies of the Appendices below, can be requested by contacting the PDNSW project team on [pdnsw.comdev@dpie.nsw.gov.au](mailto:pdnsw.comdev@dpie.nsw.gov.au)

- Appendix A** Section 10.7 Certificate
- Appendix B** Integrated Base Building and Fit Out Concept Design Package
- Appendix C** Cost Plan
- Appendix D** Architectural Drawings
- Appendix E** BCA Compliance Statement
- Appendix F** Accessibility DD Report
- Appendix G** Fire Safety Statement
- Appendix H** Base Building Miscellaneous Works Schedule