

Part 3A Preliminary Assessment



Southern Cove Public Domain Barangaroo South

Submitted to Department of Planning On Behalf of Lend Lease (Millers Point) Pty Limited

March 2011 • 11041

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10 March 2011

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A Preliminary Plans Rogers Stirk Harbour + Partners

1.0 Introduction

This preliminary assessment is submitted on behalf of Lend Lease (Millers Point) Pty Limited (Lend Lease) to the Department of Planning (hereafter referred to as the Department) to assist the Director General in determining the level and scope of the environmental assessment required to accompany a Project Application for the Southern Cove Public Domain at Barangaroo South.

This preliminary assessment includes the following information relevant to the proposal:

- a background to the proposal;
- a description of the project; and
- identification of the key issues associated with the project.

The Southern Cove is located towards the northern end of Barangaroo South, generally west of Block 4 of the approved Concept Plan (as modified by Modification Application MP06_0162 MOD 4). The approved Concept Plan (as modified) provides for approximately 11 hectares of new public open space / public domain at Barangaroo, with a range of formal and informal open spaces serving separate recreational functions and including a 1.4 km public foreshore promenade. The Southern Cove is a fundamental component of the approved public domain strategy for Barangaroo South.

The Director General's requirements for the Environmental Assessment to accompany a Project Application for remediation and landforming works within the DECCW Declaration Area (MP10_0026) were issued on 23 March 2010. That part of the Southern Cove that is located within the DECCW Declaration Area is to be remediated under MP10_0026.

The Southern Cove Public Domain Project Application will seek approval for:

- remediation of that part of the Southern Cove that sits outside of the remediation works proposed under MP10_0026 (i.e outside the DECCW Declaration Area); and
- construction/ formation of the entire Southern Cove including the whole of the public domain within the overall site area of the constructed / formed Southern Cove.

In terms of staging, the remediation works under MP10_0026 will occur prior to the works to construct the Southern Cove and its surrounding public domain within the DECCW Declaration Area.

Notwithstanding that this Preliminary Assessment relates only to the remediation of that part of the Southern Cove outside the DECCW Declaration Area and construction / formation of the entire Southern Cove and the Southern Cove Public Domain, it is noted that once the Director General has separately determined the level and scope of the environmental assessment required to accompany Project Applications for other development and works in proximity to the Southern Cove, Lend Lease may elect to prepare a single Environmental Assessment Report to accompany more than one Project Application.

1.1 Background

1.1.1 Approved Concept Plan

The Barangaroo Concept Plan was approved in February 2007. The Concept Plan covers urban design and policy initiatives and is the statutory planning approval to guide the urban renewal of Barangaroo.

The approved Concept Plan has been modified four times since originally being approved and the Statements of Commitments have been revised accordingly. MP 06-0162 MOD 4 was most recently approved in December 2010.

The Concept Plan approval (as modified) provides for:

- a 563,965m² mixed use development across the entire Barangaroo site, comprising:
 - a maximum of 514,465m² mixed uses GFA, including residential, commercial and retail uses which includes;
 - a maximum of 128,763m² of residential uses (a minimum of 99,763m² of which will be in Barangaroo South);
 - a maximum of 50,000m² of tourist uses GFA;
 - a maximum of 39,000m² of retail uses;
 - a maximum of 4,500m² of active uses GFA (3,000m² of which will be in Barangaroo South); and
 - a maximum of 12,000m² of community uses GFA (10,000m² of which will be in Barangaroo South);
- approximately 11 hectares of new public open space/public domain, with a range of formal and informal open spaces serving separate recreational function and including a 2.2km public foreshore promenade;
- built form principles, maximum building heights and GFA for each development block within the mixed use zone;
- public domain landscape concept, including parks, streets and pedestrian connections; and
- alteration of the existing seawalls and creation of a portion of the new shoreline to the Harbour.

In addition to the terms of approval, the Statements of Commitment approved under the existing Concept Plan (as modified) require a series of Implementation Plans and Strategies to be prepared prior to the lodgement of relevant future project applications to address:

- Design Excellence;
- Public Domain;
- Transport Management and Access;
- Community and Social Impacts;
- Utility Services and Infrastructure;
- Housing;
- Marketing and Promotion;
- Retail Management; and
- Geotechnical and Environmental Site Remediation.

The Statements of Commitment require the establishment of Technical Working Groups to prepare each Implementation Plan and Strategy. The Technical Working Groups have been convened and meet regularly to consider relevant documentation (refer to Section 4 for further details).

1.1.2 Stage 1 Tender and Bid Process

The 22 hectare Barangaroo site has been divided into three distinct redevelopment areas (from north to south) – the Headland Park, Barangaroo Stage 2 (referred to herein as Barangaroo Central) and Barangaroo Stage 1 (herein referred to as Barangaroo South).

Lend Lease was successfully appointed as the preferred proponent to develop Barangaroo South on 20 December 2009. Lend Lease's appointment follows approximately 18 months of open and subsequently selective tendering by multiple consortia. At each stage of the process, the consortia were required to develop and submit increasingly detailed designs for Barangaroo South, which were evaluated by the Barangaroo Delivery Authority and its evaluation panel.

The Stage 1 bid chronology can be broadly summarised as follows:

- April 2008 Stage 1 Expression of Interest released;
- June 2008 Stage 1 Expression of Interest closes;
- September 2008 Shortlist of 3 proponents (including Lend Lease) announced and invited to participate in the Stage 1 Request for Detailed Proposals (RFDP);
- August 2009 Lend Lease and Brookfield Multiplex chosen as final 2 proponents to participate in the Final Phase RFDP process;
- November 2009 Final Phase bids close; and
- December 2009 Lend Lease announced as winning preferred proponent.

The scheme submitted by Lend Lease and selected by the State Government was chosen as the winning bid on the basis that it exhibits the urban structure, place making, sustainability, and financial drivers required to ensure the viability of Barangaroo's Southern Precinct.

1.2 Other Project Applications

The following Project Applications have been approved/submitted for approval under the approved Concept Plan (Mod 4):

- Barangaroo Demolition Works (MP 07 0077);
- Bulk Excavation and Basement Car Parking (MP10 0023);
- Commercial Building C4 (MP10 0025);
- Headland Park and Northern Cove Early Works (MP10 0047);
- Headland Park and Northern Cove Main Works (MP10 0048); and
- Block 5 and Hickson Road Pilot Trial (MP10 0087).

Furthermore, Preliminary Environmental Assessments have been submitted to assist the Director General in determining the environmental assessment requirements for a number of proposed Project Applications across Barangaroo South. **Figure 1** provides an overall site plan showing the preliminary boundaries for each Project Application and the location of the Southern Cove. As noted above, Lend Lease may elect to prepare a single Environmental Assessment Report to accompany more than one identified Project Application site. It is noted that a future basement structure is proposed to be constructed beneath parts of the Southern Cove to provide parking and servicing in relation to proposed Buildings R2, R3, R4, R5, R6, R10 and R11. This future basement structure will be the subject of a future application(s).

Of particular relevance to the Project Application for the Southern Cove Public Domain are the Bulk Excavation and Basement Car Parking Project Application MP1-_0023) and the proposed Project Application for the remediation of the DECWW Declaration Area (MP10_0026). Further detail in relation to these applications is provided below.

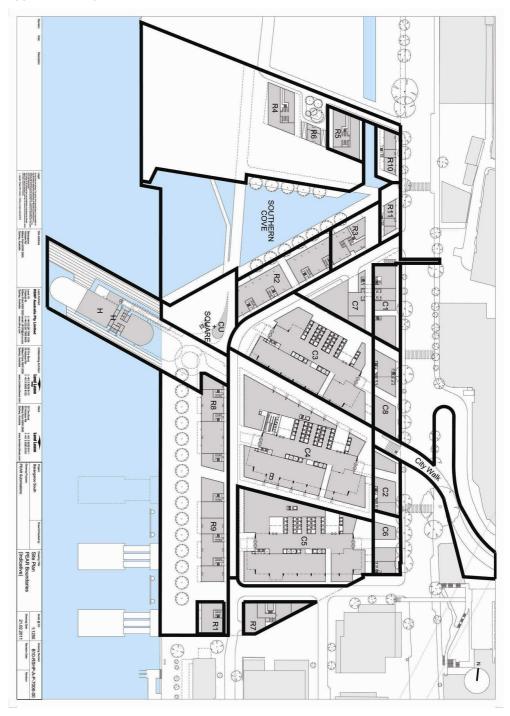


Figure 1 - Overall site plan showing preliminary Project Application site boundaries

1.2.1 Remediation and Land Forming Works

In May 2009, DECCW declared part of the Barangaroo site (Blocks 4 and 5) and immediately adjacent land within the Hickson Road reservation to be a remediation site under the Contaminated Land Management Act, 1997 (Declaration No.21122) (known as the DECCW Declaration Area).

On 23 March 2010 the Director General's requirements were issued for the Environmental Assessment to accompany a Project Application (MP10_0026) for remediation of the DECCW Declaration Area (MP10_0026). A Project Application (MP10_0026) will be submitted seeking approval to remediate the contaminated portions of the DECCW Declaration Area.

The Southern Cove site area in relation to the DECCW Declaration Area that will be subject to remediation under MP10_0026) is illustrated on **Figure 2**. In terms of staging, the remediation works under MP10_0026 will occur prior to the southern cove formation works.

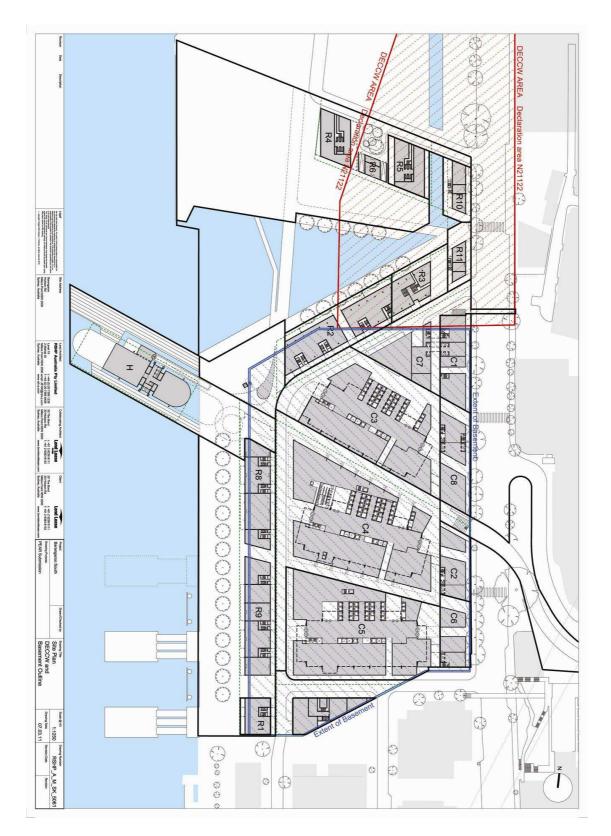
1.2.2 Bulk Excavation and Basement Car Parking

A Project Application for Bulk Excavation and Basement Car Parking within Blocks 1-3 was publicly exhibited in July and August 2010 and was approved by the Minister for Planning on 2 November 2010.

The Project Application works include:

- demolition of existing structures and footings and vegetation removal;
- site establishment works;
- bulk earthworks for the purposes of excavating for the basement within Blocks 1,2 and 3 and the adjacent public domain area;
- on-site treatment and remediation of contaminated soils;
- structural works, including the construction of foundations, basement levels and basement walls;
- up to 880 car parking spaces;
- road works, including the extension of Margaret Street (known as Margaret Street West in the approved Concept Plan) and Lime Street;
- construction of temporary vehicular access from Hickson Road and permanent vehicular access from Margaret Street West;
- associated utilities and infrastructure works including decommissioning and/or relocation of services; and
- temporary use of the basement for construction related storage and activity.

Lend Lease has submitted a Section 75W Modification Application seeking to modify MP 10_0023 to extend the area of the approved basement to the south within Blocks 1 and 2. The proposed modified works will include additional excavation and bulk earthworks and on-site treatment and remediation of additional contaminated soils and an extension to the basement structure to support future development within Block 1 of Barangaroo South as well as expanding the plant provision that is required to support future development within Blocks 1 - 4. The Section 75W modification application is currently being assessed by the Department of Planning.



The relationship between the works proposed as part of the Bulk Excavation and Basement Car Parking Project Application (as proposed to be modified) and the Southern Cove is also shown at **Figure 2**.

Figure 2 – Relationship of Southern Cove to DECCW Declaration Area (MP10_0026) and Extent of Basement (MP10_0023)

2.0 The Project

The Project Application for the Southern Cove Public Domain will seek approval for the remediation of that part of the Southern Cove that sits outside of the DECCW Declaration Area (i.e outside of the scope of works proposed as part of MP10_0026) and for construction/ land forming works for the whole of the Southern Cove and its Public Domain in accordance with the approved Concept Plan (as modified) within the Project Application site. The proposed location of the Southern Cove Public Domain within Barangaroo South is illustrated indicatively at **Appendix A**.

The Southern Cove sits within part of Lot 5 and Lot 6 in DP 876514 and part of Lot 3 in DP 876514, which is owned by the Barangaroo Delivery Authority. The Southern Cove Project Application site is located to the immediate east of the harbour and has an area of approximately $10,100 \text{ m}^2$.

Works to be undertaken in relation to the Southern Cove may include:

- demolition of any existing decking and sub surface structures associated with the former Maritime Services Board (MSB) Port of Sydney – Darling Harbour Berths Nos 6 and 7;
- site establishment works;
- bulk earthworks for the purposes of excavating for the Southern Cove;
- on-site treatment and remediation of contaminated material;
- ground and harbour water management works;
- transportation, re-use and disposal of excavated material; and
- structural works, comprising the construction of:
- foundations (piling, caps, footings and the like);
- perimeter retention system and seawalls;
- tidal management structures; and
- all associated elements and structures.

Landscaping and public domain works for the purpose of constructing the Southern Cove public domain within the Project Application site area will be undertaken. These public domain works will include a pedestrian and cycle bridge, hard and soft landscaping including tree planting along the promenade and connection to the water through boardwalks, decking, steps and the like. The Project Application may include both temporary and permanent public domain works within the Project Application site boundary.

In terms of staging, the remediation works under MP10_0026 will occur prior to the works to construct the Southern Cove and its surrounding public domain within the DECCW Declaration Area.

Indicative drawings of the proposed Southern Cove Public Domain are included at **Appendix A**.

3.0 Statutory Framework

The planning controls for the Barangaroo site are contained in Schedule 3 Part 12 of the Major Development SEPP. The planning controls establish the category of development that is subject to assessment under Part 3A of the EP&A Act and the provisions applying to development within the Barangaroo site.

The planning controls for the Barangaroo site included in the Major Development SEPP were amended on 16 December 2010 to accommodate the Concept Plan (Mod 4).

The planning provisions applying to development within the site include:

- Land use zones, objectives and permitted uses;
- Exempt and complying development;
- Consent requirements for subdivision of land;
- Building height controls;
- Gross Floor Area (GFA) restrictions;
- Design excellence requirements;
- Heritage conservation controls; and
- Exceptions to development standards.

Part 12 Schedule 3 of the Major Development SEPP – "Barangaroo site", zones the land part B4 Mixed Use and part RE1 Public Recreation. The Southern Cove is within the land zoned partly RE1 Public Recreation and partly B4 Mixed Use. Refer to **Figure 3**.

Clause 19 of the Major Development SEPP (Part 12, Schedule 3) sets the parameters for design excellence on the site. Consideration must be given to:

- Architectural design and materials;
- Form and external appearance of future buildings; and
- Whether buildings will meet sustainable design principles.

Other environmental planning instruments relevant to the proposal are:

- State Environmental Planning Policy No 55 Remediation of Land; and
- State Environmental Planning Policy (Infrastructure) 2007.



Figure 1 - Existing Barangaroo Land Zoning Map

4.0 Key Issues

The key environmental considerations associated with the proposed project are identified to be as follows:

- Consistency with relevant environmental planning instruments, policies and strategies;
- Consistency with the existing Concept Plan Approval (as modified);
- Design excellence and urban design;
- Public domain including temporary landscaping works;
- Structural engineering;
- Traffic and transport (pedestrian, cycleways, public transport, car parking);
- Contamination and remediation;
- Utilities, services and infrastructure;
- Climate change and sea level rise;
- Indigenous and non indigenous archaeology;
- Water and soils;
- Harbour navigation, marine ecology and hydrodynamics; and
- Demolition (existing decking and sub surface structures) and construction management including noise and vibration, air quality impacts and waste management.

The Southern Cove Public Domain Project Application works sit partly within the area of land that is to be remediated as part of the Remediation and Landforming Works Project Application (MP10_0026). The Southern Cove Public Domain project works will occur subsequently to the remediation proposed under that Project Application.

The EAR accompanying the Remediation and Landforming Works Project Application will provide detailed information and an environmental assessment of these planning and environmental issues as they relate to the scope of the remediation works that are to be included in that Project Application. The Project Application for the Southern Cove will be informed by the detailed assessments included in the Remediation and Landforming Project Application.

In addition, the Concept Plan Statement of Commitments requires the following Plans and Strategies to be submitted to the Planning Reference Group prior to lodgement of any relevant Projection Application (other than for demolition or early /site preparation work).

- Design Excellence Strategy;
- Public Domain Plan including Public Art Strategy;
- Transport Management and Accessibility Plan;
- Utility Services Infrastructure Plan;
- Integrated Water Management Plan and Guidelines covered by the Stormwater Plan and the ESD Report;
- Marketing and Promotion Strategy and Retail Management Plan; and
- Community and Social Plan.

In conformance with the Statement of Commitments the above plans and strategies have been submitted to the Planning Reference Group. Where relevant these will be updated and submitted with the EAR for Southern Cove Public Domain.

4.1.1 Consistency with relevant environmental planning instruments and policies

The EAR will include an assessment of the proposed works against the planning controls in the relevant environmental planning instruments and against the other relevant planning policies.

The following legislation, strategies and planning instruments are considered to be relevant to the application:

- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy No 55 Remediation of Land;
- NSW State Plan;
- Metropolitan Plan for Sydney 2036;
- Draft Sydney City Subregional Strategy; and
- Sustainable Sydney 2030.

4.1.2 Consistency with the approved Concept Plan and Schedule 3 Listing

The EAR will include an assessment of the proposed development against the approved Concept Plan (as modified) and the planning controls listed in Schedule 3 of the Major Development SEPP (as amended on 16 December 2010).

Prior to lodgement the design of the Southern Cove Public Domain will be subject review by the Barangaroo Delivery Authority, its advisors and the Design Excellence Review Panel and other key stakeholders.

4.1.3 Public Domain

As outlined in Section 2, Lend Lease proposes to undertake public domain works within the Southern Cove Public Domain Project Application site area.

The Project Application will demonstrate the proposal's response(s) to:

- the relationship of the Southern Cove to urban public spaces, streets and the adjoining built form;
- the relationship between the public domain and the Southern Cove including any temporary public domain elements; and
- any potential links, connections and access conditions.

The approved Concept Plan Statements of Commitment require the preparation of a Public Domain Plan prior to lodgement of project applications for building works. A Public Domain Plan for Barangaroo South has been prepared in consultation with the Technical Working Group and submitted to the Planning Reference Group. The Public Domain Plan will be updated and submitted with the subject application if necessary.

A landscape plan will be submitted with the application detailing consistency with the submitted Public Domain Plan.

4.1.4 Contamination and Remediation

The Project Application will be accompanied by a Site Specific Remediation Action Plan (RAP) (known as Other Remediation Works North RAP) prepared in conformance with the Overarching RAP (ERM) and the site specific RAPs for the DECCW Declaration Area (known as the PDA and VMP RAPs).

The Other Remediation Works North RAP will be prepared having regard to the requirements of State Environmental Planning Policy 55 – Remediation of Land.

The remediation works will be undertaken to make the site suitable for the proposed uses as envisaged under the approved Concept Plan.

4.1.5 Harbour Navigation, Marine Ecology and Hydrodynamics

The EAR will address the:

- use of the Southern Cove with respect to navigation of craft, both within the new Southern Cove water area and also with respect to potential impacts and management of craft that may cross into navigation routes within Darling Harbour, and with respect to potential impacts on the operation of the temporary cruise terminal;
- hydrodynamics of the Southern Cove in terms of wave action, currents, tidal patterns etc), and also the impact of the proposed Southern Cove on harbour hydrodynamics; and
- marine ecology habitat creation in relation to the treatment of the sea walls.

Potential impacts on harbour navigation, marine ecology and hydrodynamics during construction works will be address as part of the Environmental Construction Management assessment and mitigation strategies (refer to Section 4.1.10 below).

4.1.6 Utilities, Services and Infrastructure

A suitably qualified expert will be commissioned to:

- determine utilities, services and infrastructure works required; and
- identify existing infrastructure which also provides services to surrounding development.

The EAR will also detail consultations held with utility providers regarding the existing and future infrastructure to be provided on the site as relevant.

4.1.7 Climate Change and Sea Level Rise

A Climate Change and Sea Rise Report will be prepared in accordance with the draft NSW Coastal Planning Guideline: Adapting to Sea Level Rise to assess the potential risks to the Southern Cove Public Domain that may arise due to climate change and sea level rises including:

- inundation of ground level during storm surge events;
- accelerated degradation of infrastructure, building materials and structures due to inundation events; and
- impacts to infrastructure and services from storm surge and extreme rainfall events.

4.1.8 Archaeology

An Outline Interpretation Plan for the entire Barangaroo Stage 1 area has been prepared by Tanner Architects and was submitted with the Bulk Excavation and Basement Car Parking Project Application. The Outline Interpretation Plan:

- identifies the themes and messages considered significant to the Stage 1 area;
- develops a conceptual approach to interpretation of the Stage 1 area, using a variety of means;
- proposes locations for specific interpretation to enhance the understanding of the heritage significance of the Stage 1 area; and
- recommends methods and media appropriate to the interpretation of the Stage 1 area.

Where appropriate interpretation options recommended in the Strategy will be implemented within the Southern Cove Public Domain Project site area. During excavation works any archaeological relics or other cultural artefacts identified will, where appropriate, be incorporated into future public displays.

The environmental assessment will address any requirements with respect to nonindigenous and indigenous archaeology with respect to:

- Archaeological investigations;
- Testing of areas of impact;
- Archaeological salvage and recording; and
- Interpretation of Aboriginal history.

4.1.9 Water and Soils

The proposed Project Application has the potential to affect water quality by way of:

- contaminated soil and groundwater impacting on the Harbour during construction; and
- stormwater run-off and increased sedimentation, particularly into Sydney Harbour.

An Integrated Water Management Plan addressing water demand, wastewater management and stormwater management is required to be prepared under the approved Concept Plan and has been submitted with the Project Application for Building C4 and the Bulk Excavation and Basement Car Parking Project Application.

The environmental assessment will also address the following regarding soil and water management:

- appropriate excavation methods and staging of construction, groundwater management and groundwater treatment, installation of turbidity (silt) curtains, erosion and sediment control measures, dewatering and water treatment, routine visual inspections, stormwater management, water quality monitoring, and monitoring of weather and tides;
- water quality monitoring activities required for the bulk excavation and car park basement activities to be incorporated into a Water Quality Monitoring Plan developed for the overall project;
- additional water quality monitoring will be undertaken during construction operations in response to potential water quality exceedance events when required;

- water quality criteria that will be applied for this project will be generally based on recommendations provided in the ANZECC Guidelines; and
- management of potential acid sulphate soils.

Lend Lease will prepare an updated Plan in support of the Southern Cove Public Domain Project Application to:

- Identify existing stormwater drainage locations;
- Determine the potential for water pollutants to be generated;
- Nominate measures that will be taken to collect, store and treat stormwater and run off;
- investigate the feasibility of on-site treatment of stormwater;
- consider the potential to harvest stormwater to meet non-potable demands;
- identify treatment measures for stormwater leaving the site to national best practice standards, with the particular aim to reduce average annual loads of total suspended solids by 80% and nutrients by 45%;
- investigate schemes to reduce potable water demand;
- identify water efficient appliances and fixtures for potable water demand management throughout the commercial buildings;
- investigate schemes to manage wastewater from the commercial buildings as a resource for re-use elsewhere on the site;
- identify processes and measures to treat and recycle wastewater as an alternate source of non potable water, especially for the purposes of public open space irrigation;
- identify management methods to ensure that sediment is not transported from the site; and
- address erosion and sediment control mitigation measures.

4.1.10Demolition and Construction Management

An Environmental, Construction and Site Management Plan (ECSMP) will be prepared to address environmental issues associated with the construction of the Southern Cove Public Domain. The ECSMP will address the following issues:

- Community consultation, notification and complaints handling;
- Impacts of demolition of existing decking and sub surface structures;
- Impacts of construction on adjoining development and proposed measures to mitigate construction impacts;
- Noise and vibration impacts on and off site;
- Air quality and odour impacts on the surrounding neighbourhood;
- Water quality management for the site;
- Navigation;
- Marine ecology; and
- Waste management.

Construction / Demolition Noise and Vibration

A construction noise and vibration assessment will be prepared which will identify potential noise and vibration generated from the building works including construction plant and activities. The noise and vibration assessment will assess background noise levels, identify noise sensitive receivers, estimate noise levels likely to be associated with the proposed works, assess impacts, and identify mitigation measures where required.

Construction Air Quality

The construction works for the Southern Cove Public Domain have the potential to affect air quality. An Air Quality Impact Assessment will be undertaken to assesses the potential air and odour emissions. The following potential emissions will be addressed:

- Construction works;
- Diesel emissions from vehicles, plant and equipment used in construction activities; and
- Remediation of contaminated material (outside of DECCW Declared Area).

The air quality assessment will include mitigation measures where required.

Construction Waste Management

During demolition and construction works it is anticipated that a significant volume and variety of waste will be generated. A Construction Waste Management Plan will be prepared for the Project Application and include the following waste management measures:

- Waste avoidance and reduction;
- Resource recovery;
- Waste education / training;
- Waste utilisation on alternate sites;
- Good house keeping;
- Monitoring and reporting;
- Materials and procurement; and.
- Transportation of Waste.

Lend Lease is committed to minimising waste to landfill and greenhouse gas emissions associated with waste generation and the movement of waste from the site. The project will adopt a waste management target to reduce the amount of waste to landfill and seek to achieve 80% reuse or recycling of construction materials by weight.

Navigation

The construction of the Southern Cove and surrounding public domain may involve the use of barges and craneage and equipment on barges in the water. The environmental assessment will identify and assess proposals with respect to construction methodology that may rely on use of barges or the adjoining water way.

Marine Ecology

The construction of the Southern Cove and surrounding public domain will need to manage potential impacts from erosion and sedimentation and from contamination (soil and water) on marine ecology.

5.0 Conclusion

The information contained in this preliminary assessment is to assist the Director General in determining the level and scope of any requirements for environmental assessments to accompany a Project Application for the Southern Cove Public Domain at Barangaroo South.

In accordance with provisions of Part 3A of *the Environmental Planning and Assessment Act, 1979*, it is requested that the Director General issue the requirements for the preparation of the EAR to accompany the Project Application for the Southern Cove Public Domain.

As noted above, notwithstanding that this Preliminary Assessment relates only to the issue of DGRs for the Southern Cove Public Domain, following the separate issue of DGRs for other buildings in proximity to the Southern Cove, Lend Lease may elect to prepare a single Environmental Assessment Report to accompany more than one Project Application.

