

# Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

Schedule 2 of the Environmental Planning and Assessment Regulation 2000

<b>Application Number</b>	SSD-10391
<b>Project Name</b>	New Liverpool Public School
<b>Location</b>	18 Forbes Street, Liverpool (Liverpool Boys and Girls High School)
<b>Applicant</b>	NSW Department of Education
<b>Date of Issue</b>	27/11/2019
<b>General Requirements</b>	<p>The environmental impact statement (EIS) must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.</p> <p>Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"><li>- adequate baseline data;</li><li>- consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed);</li><li>- measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment; and</li><li>- a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues.</li></ul> <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"><li>- a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate applicable GST component of the CIV;</li><li>- an estimate of jobs that will be created during the construction and operational phases of the proposed development; and</li><li>- certification that the information provided is accurate at the date of preparation.</li></ul>
<b>Key issues</b>	<p>The EIS must address the following specific matters:</p> <p><b>1. Statutory and Strategic Context</b></p> <p>Address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including:</p> <ul style="list-style-type: none"><li>· Biodiversity Conservation Act 2016</li><li>· State Environmental Planning Policy (State &amp; Regional Development) 2011</li><li>· State Environmental Planning Policy (Infrastructure 2007)</li></ul>

- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy No. 64 – Advertising and Signage
- State Environmental Planning Policy No.55 – Remediation of Land
- Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment
- Draft State Environmental Planning Policy (Remediation of Land)
- Draft State Environmental Planning Policy (Environment) and
- Liverpool Local Environmental Plan 2008.

*Permissibility*

Detail the nature and extent of any prohibitions that apply to the development.

*Development Standards*

Identify compliance with the development standards applying to the site and provide justification for any contravention of the development standards.

*Provisions*

Adequately demonstrate and document in the EIS how each of the provisions in the listed instruments are addressed, including reference to necessary technical documents.

**2. Policies**

Address the relevant planning provisions, goals and strategic planning objectives in the following:

- NSW State Priorities
- The Greater Sydney Regional Plan, A Metropolis of three cities
- Future Transport Strategy 2056 and supporting plans
- State Infrastructure Strategy 2018 – 2038 Building the Momentum
- Sydney's Cycling Future 2013
- Sydney's Walking Future 2013
- Sydney's Bus Future 2013
- Crime Prevention Through Environmental Design (CPTED) Principles
- Better Placed: An integrated design policy for the built environment of New South Wales (Government Architect NSW (GANSW), 2017)
- Healthy Urban Development Checklist (NSW Health, 2009)
- Draft Greener Places Policy
- Western City District Plan and
- Liverpool Development Control Plan 2008.

**3. Operation**

- Provide details of the existing and proposed school operations, including staff and student numbers, school hours of operation, and operational details of any proposed before/after school care services and/or community use of school facilities.
- Provide a detailed justification of suitability of the site to accommodate the proposal.
- Provide details of how the existing schools will continue to operate during construction activities, including proposed mitigation measures.

**4. Built Form and Urban Design**

- Address the height, density, bulk and scale, setbacks and interface of the proposal in relation to the surrounding development, topography, streetscape and any public open spaces.
- Address design quality and built form, with specific consideration of the overall site layout, streetscape, open spaces, façade, rooftop, massing,

setbacks, building articulation, materials and colours.

- Provide details of any digital signage boards, including size, location and finishes.
- Clearly demonstrate how design quality will be achieved in accordance with Schedule 4 Schools – Design Quality Principles of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 and the GANSW Design Guide for Schools.
- Detail how services, including but not limited to waste management, loading zones, and mechanical plant are integrated into the design of the development.
- Provide detailed site and context analysis to justify the proposed site planning and design approach including massing options and preferred strategy for future development.
- Provide a detailed landscape strategy, including:
  - o consideration of equity and amenity of outdoor play spaces, and integration with built form, security, shade, topography and existing vegetation having regard to the proposed and existing schools on the site.
  - o details of the number of trees to be removed and the number of trees to be planted on the site.
- Provide a visual impact assessment that identifies any potential impacts on the surrounding built environment and landscape including views to and from the site and any adjoining heritage items.
- Address CPTED Principles.
- Demonstrate good environmental amenity including access to natural daylight and ventilation, acoustic separation, access to landscape and outdoor spaces and future flexibility having regard to the proposed and existing schools on the site.
- Demonstrate that Aboriginal culture and heritage is considered and incorporated holistically in the design proposal.

## 5. Environmental Amenity

- Assess amenity impacts on the surrounding locality, including solar access, visual privacy, visual amenity, overshadowing and acoustic impacts.
- Conduct a view analysis to the site from key vantage points and streetscape locations (photomontages or perspectives should be provided showing the building and likely future development).
- Include a lighting strategy and measures to reduce spill into the surrounding sensitive receivers.
- Identify any proposed use of the proposed facility outside of school hours (including weekends) and assess any resultant amenity impacts on the immediate locality and proposed mitigation measures.
- Detailed outline of the nature and extent of the intensification of use associated with the increased floor space, particularly in relation to the proposed increase in staff and student numbers.
- Detail amenity impacts including solar access, acoustic impacts, visual privacy, view loss, overshadowing and wind impacts. A high level of environmental amenity for any surrounding residential land uses must be demonstrated.

## 6. Staging

Provide details regarding the staging of the proposed development (if any).

## 7. Transport and Accessibility

Include a transport and accessibility impact assessment, which details, but not limited to the following:

- accurate details of the current daily and peak hour vehicle, existing and future public transport networks and pedestrian and cycle movement provided on the road network located adjacent to the proposed development.
- details of estimated total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips.
- the adequacy of existing public transport or any future public transport infrastructure within the vicinity of the site, pedestrian and bicycle networks and associated infrastructure to meet the likely future demand of the proposed development.
- measures to integrate the development with the existing/future public transport network.
- the impact of trips generated by the development on nearby intersections, with consideration of the cumulative impacts from other approved developments in the vicinity, and the need/associated funding for, and details of, upgrades or road improvement works, if required (Traffic modelling is to be undertaken using SIDRA network modelling for current and future years).
- the identification of infrastructure required to ameliorate any impacts on traffic efficiency and road safety impacts associated with the proposed development, including details on improvements required to affected intersections, additional school bus routes along bus capable roads (i.e. minimum 3.5 m wide travel lanes), additional bus stops or bus bays.
- details of travel demand management measures to minimise the impact on general traffic and bus operations, including details of a location-specific sustainable travel plan (Green Travel Plan) and the provision of facilities to increase the non-car mode share for travel to and from the site.
- the proposed walking and cycling access arrangements and connections to public transport services.
- the proposed access arrangements, including car and bus pick-up/drop-off facilities, and measures to mitigate any associated traffic impacts and impacts on public transport, pedestrian and bicycle networks, including pedestrian crossings and refuges and speed control devices and zones.
- proposed bicycle parking provision, including end of trip facilities, in secure, convenient, accessible areas close to main entries incorporating lighting and passive surveillance.
- proposed number of on-site car parking spaces for teaching staff and visitors and corresponding compliance with existing parking codes and justification for the level of car parking provided on-site.
- an assessment of the cumulative on-street parking impacts of cars and bus pick-up/drop-off, staff parking and any other parking demands associated with the development.
- an assessment of road and pedestrian safety adjacent to the proposed development and the details of required road safety measures and personal safety in line with CPTED.
- emergency vehicle access, service vehicle access, delivery and loading arrangements and estimated service vehicle movements (including vehicle type and the likely arrival and departure times).
- an assessment of the proposed bus zone, traffic routes and turning requirements for any vehicles on Burnside Drive.
- confirmation of no impact on existing Right of Access easement terms on Burnside Drive.
- the preparation of a preliminary Construction Traffic and Pedestrian Management Plan to demonstrate the proposed management of the impact in relation to construction traffic addressing the following:
- o assessment of cumulative impacts associated with other construction activities (if any).

- o an assessment of road safety at key intersection and locations subject to heavy vehicle construction traffic movements and high pedestrian activity.
- o details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process.
- o details of anticipated peak hour and daily construction vehicle movements to and from the site.
- o details of on-site car parking and access arrangements of construction vehicles, construction workers to and from the site, emergency vehicles and service vehicle.
- o details of temporary cycling and pedestrian access during construction.
- o demonstrate how pedestrian and cycle rider movements along footways and cycleways are maintained at all times during construction activities. Should the development require closure to either facility, detail the adequate safety and diversion measures put in place to limit time delay and detour distances.
- o details of any crane locations and road closures.
- o details of any potential impact to the bus network and bus services.

***Relevant Policies and Guidelines:***

- Guide to Traffic Generating Developments (Roads and Maritime Services, 2002)
- EIS Guidelines - Road and Related Facilities (Department of Urban Affairs and Planning (DUAP), 1996)
- Cycling Aspects of Austroads Guides
- NSW Planning Guidelines for Walking and Cycling (Department of Infrastructure, Planning and Natural Resources (DIPNR), 2004)
- Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development
- Standards Australia AS2890.3 (Bicycle Parking Facilities).

**8. Ecologically Sustainable Development (ESD)**

- Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Regulation) will be incorporated in the design and ongoing operation phases of the development.
- Include a framework for how the future development will be designed to consider and reflect national best practice sustainable building principles to improve environmental performance and reduce ecological impact. This should be based on a materiality assessment and include waste reduction design measures, future proofing, use of sustainable and low-carbon materials, energy and water efficient design (including water sensitive urban design) and technology and use of renewable energy.
- Demonstrate how environmental design will be achieved in accordance with the GANSW Environmental Design in Schools Manual.
- Include preliminary consideration of building performance and mitigation of climate change, including consideration of Green Star Performance.
- Include an assessment against an accredited ESD rating system or an equivalent program of ESD performance. This should include a minimum rating scheme target level.
- Provide a statement regarding how the design of the future development is responsive to the CSIRO projected impacts of climate change, specifically:
  - o hotter days and more frequent heatwave events
  - o extended drought periods
  - o more extreme rainfall events
  - o gustier wind conditions
  - o how these will inform landscape design, material selection and social equity aspects (respite/shelter areas).

***Relevant Policies and Guidelines:***

- NSW and ACT Government Regional Climate Modelling (NARCliM) climate change projections.

**9. Heritage**

- A Statement of Heritage Impact (SOHI) prepared by a suitably qualified heritage consultant in accordance with the guidelines in the NSW Heritage Manual. The SOHI is to address the impacts of the proposal on the heritage significance of the site and adjacent areas and is to identify the following:
  - o all heritage items (state and local) within the vicinity of the site including built heritage, landscapes and archaeology, detailed mapping of these items, and assessment of why the items and site(s) are of heritage significance;
  - o compliance with the relevant Conservation Management Plan;
  - o the impacts of the proposal on heritage item(s) including visual impacts, required BCA and DDA works, new fixtures, fittings and finishes, any modified services;
  - o the attempts to avoid and/or mitigate the impact on the heritage significance or cultural heritage values of the site and the surrounding heritage items; and
  - o justification for any changes to the heritage fabric or landscape elements including any options analysis.
- If the SOHI identifies impact on potential historical archaeology, an historical archaeological assessment should be prepared by a suitably qualified archaeologist in accordance with the heritage guidelines 'Archaeological Assessment' 1996 and 'Assessing Significance for Historical Archaeological Sites and Relics' 2009. This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential archaeological resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations or salvage programme.

**10. Social Impacts**

- Prepare a social impact assessment, which:
  - o identifies and analyses the potential social impacts of the development, from the points of view of the affected community/ies and other relevant stakeholders, i.e. how they expect to experience the project
  - o considers how potential environmental changes in the locality may affect people's: way of life; community; access to and use of infrastructure, services, and facilities; culture; health and wellbeing; surroundings; personal and property rights; decision-making systems; and fears and aspirations, as relevant and considering how different groups may be disproportionately affected
  - o assesses the significance of positive, negative, and cumulative social impacts considering likelihood, extent, duration, severity/scale, sensitivity/importance, and level of concern/interest
  - o includes mitigation measures for likely negative social impacts, and any proposed enhancement measures
  - o details how social impacts will be adaptively monitored and managed over time

**11. Aboriginal Heritage**

- Identify and describe the Aboriginal cultural heritage values that exist across the site and document these in an Aboriginal Cultural Heritage

Assessment Report (ACHAR). This may include the need for surface survey and test excavation.

- Identify and address the Aboriginal cultural heritage values in accordance with the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (Office of Environment and Heritage (OEH), 2011) and Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH, 2010).
- Undertake consultation with Aboriginal people and document in accordance with Aboriginal cultural heritage consultation requirements for proponents 2010 (Department of Environment, Climate Change and Water). The significance of cultural heritage values of Aboriginal people who have a cultural association with the land are to be documented in the ACHAR.
- Identify, assess and document all impacts on the Aboriginal cultural heritage values in the ACHAR.
- The EIS and the supporting ACHAR must demonstrate attempts to avoid any impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR and EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to the Environment, Energy and Science Group of the Department of Planning, Industry and Environment.

## 12. Noise and Vibration

- Identify and provide a quantitative assessment of the main noise and vibration generating sources during demolition, site preparation, bulk excavation, construction. Outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.
- Identify and assess operational noise, including consideration of any public-address system, school bell, mechanical services (e.g. air conditioning plant), use of any school hall for concerts etc. (both during and outside school hours) and any out of hours community use of school facilities, and outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.

### Relevant Policies and Guidelines:

- NSW Noise Policy for Industry 2017 (NSW Environment Protection Authority (EPA))
- Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009)
- Assessing Vibration: A Technical Guideline 2006 (Department of Environment and Conservation, 2006)
- Development Near Rail Corridors and Busy Roads - Interim Guideline (Department of Planning, 2008)
- Australian Standard 2363:1999 Acoustics - Measurement of noise from helicopter operations.

## 13. Contamination

- Assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable for the proposed use in accordance with SEPP 55.
- Undertake a hazardous materials survey of all existing structures and infrastructure prior to any demolition or site preparation works.

### Relevant Policies and Guidelines:

- Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land (DUAP, 1998)

- Sampling Design Guidelines (EPA, 1995)
- Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011)
- National Environment Protection (Assessment of Site Contamination) Measure (National Environment Protection Council, as amended 2013)

#### **14. Utilities**

- Prepare an Infrastructure Management Plan in consultation with relevant agencies, detailing information on the existing capacity and any augmentation and easement requirements of the development for the provision of utilities including staging of infrastructure.
- Prepare an Integrated Water Management Plan detailing any proposed alternative water supplies, proposed end uses of potable and non-potable water, and water sensitive urban design.

#### **15. Contributions**

- Address Council's 'Section 7.11/7.12 Contribution Plan' and/or details of any Voluntary Planning Agreement, which may be required to be amended because of the proposed development.

#### **16. Drainage**

- Detail measures to minimise operational water quality impacts on surface waters and groundwater.
- Stormwater plans detailing the proposed methods of drainage without impacting on the downstream properties.

#### *Relevant Policies and Guidelines:*

- Guidelines for developments adjoining land managed by the Office of Environment and Heritage (OEH, 2013).

#### **17. Flooding**

Identify flood risk on-site (detailing the most recent flood studies for the project area) and consideration of any relevant provisions of the NSW Floodplain Development Manual (DIPNR, 2005), including the potential effects of climate change, sea level rise and an increase in rainfall intensity. If there is a material flood risk, include design solutions for mitigation.

#### **18. Biodiversity Assessment**

- Biodiversity impacts related to the proposed development are to be assessed in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the *Biodiversity Conservation Act 2016* (s6.12), *Biodiversity Conservation Regulation 2017* (s6.8) and Biodiversity Assessment Method.
- The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method.
- The BDAR must include details of the measures proposed to address the offset obligation as follows:
  - o the total number and classes of biodiversity credits required to be retired for the development/project
  - o the number and classes of like-for-like biodiversity credits proposed to be retired
  - o the number and classes of biodiversity credits proposed to be retired in accordance with the variation rules

- o any proposal to fund a biodiversity conservation action
- o any proposal to make a payment to the Biodiversity Conservation Fund.
  - If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.
  - The BDAR must be submitted with all spatial data associated with the survey and assessment as per the BAM.
  - The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the *Biodiversity Conservation Act 2016*.
  - Where a Biodiversity Assessment Report is not required, engage a suitably qualified person to assess and document the flora and fauna impacts related to the proposal.

*Note: Notwithstanding these requirements, the Biodiversity Conservation Act 2016 requires that State Significant Development Applications be accompanied by a Biodiversity Development Assessment Report unless otherwise specified under the Act.*

#### 19. Aviation

- Provide a report prepared by a suitably qualified aviation expert that identifies and assesses the potential impacts of the development on the aviation operations of any nearby on shore helicopter landing sites and associated flight paths in accordance with the relevant sections of the National Airports Safeguarding Framework (NASF).

Relevant Policies and Guidelines:

- National Airports Safeguarding Framework

#### 20. Sediment, Erosion and Dust Controls

Detail measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and fine particles.

Relevant Policies and Guidelines:

- Managing Urban Stormwater - Soils & Construction Volume 1 2004 (Landcom)
- Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA)
- Guidelines for development adjoining land managed by the Office of Environment and Heritage (OEH, 2013)

#### 21. Waste

Identify, quantify and classify the likely waste streams to be generated during construction and operation and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. Identify appropriate servicing arrangements (including but not limited to, waste management, loading zones, mechanical plant) for the site.

Relevant Policies and Guidelines:

- Waste Classification Guidelines (EPA, 2014)

#### 22. Construction Hours

Identify proposed construction hours and provide details of the instances where it is expected that works will be required to be carried out outside the standard construction hours.

#### Plans and Documents

The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation. Provide these as part of the EIS rather than as separate documents.

In addition, the EIS must include the following:

- A section 10.7(2) and (5) Planning Certificates (previously Section 149(2) and (5) Planning Certificate)
- Architectural drawings showing key dimensions, RLs, scale bar and north point, including:
- o plans, sections and elevation of the proposal at no less than 1:200 showing indicative furniture layouts and program
- o illustrated materials schedule including physical or digital samples board with correct proportional representation of materials, nominated colours and finishes
- o details of proposed signage, including size, location and finishes
- o detailed annotated wall sections at 1:20 scale that demonstrate typical cladding, window and floor details, including materials and general construction quality
- o site plans and operations statement demonstrating the afterhours and community use strategy
- Site Survey Plan, showing existing levels, location and height of existing and adjacent structures / buildings and site boundaries
- Site Analysis and Context Plans, including:
- o any future development and expansion zones
- o open space network
- o active transport linkages with existing, proposed and potential footpaths and bicycle paths and public transport links
- o precinct scale plans showing the relationship of the proposed development to any proposed development on surrounding land
- Provide a precinct scale plan showing relationship of the proposal to any proposed development on surrounding land
- Cross sectional drawings showing ground surface, rail tracks, sub soil profile, and structural design of the proposed primary school with sub ground support adjacent to the rail corridor (land, assets and easements)
- Sediment and Erosion Control Plan
- Shadow Diagrams
- View analysis, photomontages and architectural renders, including from those from public vantage points
- Landscape architectural drawings showing key dimensions, RLs, scale bar and north point, including:
- o integrated landscape plans at appropriate scale, with detail of new and retained planting, shade structures, materials and finishes proposed, including articulation of playground spaces
- o plan identifying significant trees, trees to be removed and trees to be retained or transplanted
- Design report to demonstrate how design quality will be achieved in accordance with the above Key Issues including:
- o architectural design statement
- o diagrams, structure plan, illustrations and drawings to clarify the design intent of the proposal
- o detailed site and context analysis
- o analysis of options considered to justify the proposed site planning and design approach
- o visual impact assessment identifying potential impacts on the surrounding built environment and adjoining heritage items
- o summary of feedback provided by GANSW and NSW State Design Review Panel (SDRP) (where applicable) and responses to this advice
- o summary report of consultation with the community and response to any feedback provided
- Geotechnical and Structural Report

	<ul style="list-style-type: none"> <li>· Accessibility Report</li> <li>· Arborist Report and</li> <li>· Schedule of materials and finishes.</li> </ul>
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups, special interest groups, including local Aboriginal land councils and registered Aboriginal stakeholders, and affected landowners. In particular, you must consult with:</p> <ul style="list-style-type: none"> <li>· Liverpool City Council</li> <li>· GA NSW</li> <li>· Sydney Trains</li> <li>· Transport for NSW (TfNSW)</li> <li>· Transport for NSW (Roads and Maritime Services) (TfNSW RMS).</li> </ul> <p>Consultation should commence as soon as practicable to agree the scope of investigation.</p> <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
<b>Further consultation after 2 years</b>	If you do not lodge a development application and EIS for the development within two years of the issue date of these SEARs, you must consult further with the Planning Secretary in relation to the preparation of the EIS.
<b>References</b>	The assessment of the key issues listed above must consider relevant guidelines, policies, and plans as identified.