

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

Application Number	SSD-16748181
Project Name	Allambi Care Education Establishment
Location	28 Fraser Parade, Charlestown
Applicant	Allambi Care Limited
Date of Issue	23 April 2021
General Requirements	The Environmental Impact Statement (EIS) must be prepared in accordance with and meet the minimum requirements of clauses 6 and 7 of Schedule 2 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. In addition, the EIS must include: • an executive summary. • a complete description of the development, including: ○ the need for the development. ○ justification for the development. ○ suitability of the site. ○ alternatives considered. ○ likely interactions between the development and existing, approved and proposed operations in the vicinity of the site. ○ a description of any proposed building works. ○ a description of existing and proposed operations, including: ▪ staff and student numbers, hours of operation, and details of any proposed before/after school care services and/or community use of school facilities. ▪ details of how the school would continue to operate during construction activities, including proposed site management and mitigation measures to ensure the safety of users. ○ plans and details of any advertising/business identification signs to be installed, including size, location and finishes. ○ a description of any proposed construction or operational staging including relevant timing and dependencies. ○ details of construction and decommissioning including timing. ○ an estimate of the retained and new jobs that would be created during the construction and operational phases of the development along with details of the methodology to determine the figures provided. • a detailed assessment of the key issues identified below, and any other significant issues identified in the risk assessment. • a consolidated summary of all the proposed environmental management and monitoring measures, identifying all commitments included in the EIS.

	- the reasons why the development should be approved and a detailed evaluation of the merits of the development, including consequences of not carrying out the development. - The EIS must be accompanied by a report from a qualified quantity surveyor providing 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.
Key issues	The EIS must address the following specific matters: 1. Statutory and Strategic Context Address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including: - State Environmental Planning Policy (State & Regional Development) 2011 - State Environmental Planning Policy (Infrastructure) 2007 - 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 - Draft State Environmental Planning Policy (Remediation of Land) - Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) - Lake Macquarie Local Environmental Plan 2014. Having regard to the relevant environmental planning instruments: - address the permissibility of the development, including the nature and extent of any prohibitions. - identify compliance with the development standards applying to the site and provide justification for any contravention of the development standards. - adequately demonstrate and document how each of the provisions in the listed instruments are addressed, including reference to necessary technical documents. Address the relevant planning provisions, goals and strategic planning objectives in all relevant planning policies including but not limited to the following: - NSW State Priorities. - State Infrastructure Strategy 2018 – 2038 Building the Momentum. - Future Transport Strategy 2056. - 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 Design Guide (GANSW). - Hunter Regional Plan 2036. - Greater Newcastle Metropolitan Plan 2036. - Lake Macquarie Development Control Plan 2014. - Lake Macquarie Local Strategic Planning Statement 2020. 2. Built Form and Urban Design

	• 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 Design Guide for Schools (GANSW, 2018). • Address CPTED principles. • Demonstrate good environmental amenity including access to natural daylight and ventilation, acoustic separation, access to landscape and outdoor spaces. 3. Trees and Landscaping • Provide: ○ where relevant, an arboricultural impact assessment prepared by a Level 5 (Australian Qualifications Framework) Arborist, which details the number, location and condition of trees to be removed and retained, includes detailed justification for each tree to be removed and details the existing canopy coverage on-site. ○ a detailed landscape plan prepared by a suitably qualified person where loss of vegetation is proposed. <u>Relevant Policies and Guidelines:</u> • Australian Standard 4970 Protection of trees on development sites. • Draft Greener Places Design Guide (GANSW). • Technical Guidelines for Urban Green Cover in NSW (Office of Environment and Heritage (OEH), 2015). 4. Environmental Amenity • Assess amenity impacts on the surrounding locality, including acoustic impacts. • Identify any proposed use of the school outside of school hours (including weekends) and assess any resultant amenity impacts on the immediate locality and proposed mitigation measures. • Provide details of the nature and extent of the intensification of use associated with the proposed development, particularly in relation to the proposed increase in staff and student numbers (where applicable) and detail measures to manage and mitigate the impacts. 5. Transport and Accessibility Provide a transport and accessibility impact assessment, which includes, but is not limited to the following: • analysis of the existing transport network, including: ○ road hierarchy. ○ pedestrian, cycle and public transport infrastructure. ○ details of current daily and peak hour vehicle movements based on traffic surveys and / or existing traffic studies relevant to the locality. ○ existing performance levels of nearby intersections utilising appropriate traffic modelling methods (such as SIDRA network modelling). • details of the proposed development, including: ○ a map of the proposed access which identifies public roads, bus routes, footpaths and cycleways. ○ pedestrian site access and vehicular access arrangements, including for service and emergency vehicles and loading/unloading, including swept
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	path analysis demonstrating the largest design vehicle entering and leaving the site and moving in each direction through intersections along the proposed transport routes. ○ car and motorcycle parking, bicycle parking and end-of-trip facilities. ○ drop-off / pick-zone(s) and arrival/departure bus bay(s). ○ pedestrian, public transport or road infrastructure improvements or safety measures. • analysis of the impacts due to the operation of the proposed development, including: ○ proposed modal split for all users of the development including vehicle, pedestrian, bicycle riders, public transport, school buses and other sustainable travel modes. ○ estimated total daily and peak hour vehicular trip generation. ○ a clear explanation and justification of the: ▪ assumed growth rate applied. ▪ volume and distribution of proposed trips to be generated. ▪ type and frequency of design vehicles accessing the site. ○ details of performance of nearby intersections and level crossings with the additional traffic generated by the development both at the commencement of operation and in a 10-year time period (using SIDRA network modelling). ○ cumulative traffic impacts from any surrounding approved development(s). ○ adequacy of pedestrian, bicycle and public transport infrastructure and operations to accommodate the development. ○ adequacy of car and motorcycle parking and bicycle parking provisions when assessed against the relevant car / bicycle parking codes and standards. ○ adequacy of the drop-off / pick-up zone(s) and bus bay(s), including assessment of any related queuing during peak-hour access. ○ adequacy of the existing / proposed pedestrian infrastructure to enable convenient and safe access to and from the site for all users. • measures to ameliorate any adverse traffic and transport impacts due to the development based on the above analysis, including: ○ travel demand management programs to increase sustainable transport (such as a School Transport Plan). ○ arrangements for the Travel Coordinator roles. ○ governance arrangements or relationships with state and local government transport providers to update roads safety. ○ infrastructure improvements, including details of timing and method of delivery. ○ a preliminary school transport plan detailing a operational traffic and access management plan for the site, pedestrian entries, the drop-off / pick-up zone(s) and bus bay(s). • analysis of the impacts of the traffic generated during construction (if any) of the proposed development, including: ○ construction vehicle routes, types and volumes. ○ construction program (duration and milestones). ○ on-site car parking and access arrangements for construction, emergency and construction worker vehicles.
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- cumulative impacts associated with other construction activities in the locality (if any).
- road safety at identified intersections and level crossings near the site due to conflicts between construction vehicles and existing traffic in the locality.
- measures to mitigate impacts, including to ensure the safety of pedestrian and cyclists during construction.

- a preliminary Construction Traffic and Pedestrian Management Plan.

Note: Further guidance is provided in the TfNSW advice attached to the SEARs.

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).
- Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments (Austroads, 2020).
- Australian Standard 2890.3 Parking facilities, Part 3: Bicycle parking (AS 2890.3).

6. Ecologically Sustainable Development (ESD)

- Identify:
 - how ESD principles (as defined in clause 7(4) of Schedule 2 of the Regulation) would be incorporated in the design and ongoing operation phases of the development.
 - proposed measures to minimise consumption of resources, water (including water sensitive urban design) and energy.

7. Social Impacts

- Include an assessment of the social impacts of the proposed development.

8. Noise and Vibration

- Provide a noise and vibration impact assessment that:
 - includes a quantitative assessment of the main noise and vibration generating sources during demolition, site preparation, bulk excavation and construction (if any proposed).
 - details the proposed construction hours and provide details of, and justification for, instances where it is expected that works would be carried out outside standard construction hours.
 - includes a quantitative assessment of the main sources of 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.
 - outlines measures to minimise and mitigate the potential noise impacts on nearby sensitive receivers.
 - considers sources of external noise intrusion in proximity to the site (including, road, rail and aviation operations) and identifies building

	performance requirements for the proposed development to achieve appropriate internal amenity standards. ○ demonstrates that the assessment has been prepared in accordance with policies and guidelines relevant to the context of the site and the nature of the proposed development. <u>Relevant Policies and Guidelines:</u> • NSW Noise Policy for Industry 2017 (NSW Environment Protection Authority (EPA) • Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009). 9. Contributions • Identify: ○ any Section 7.11/7.12 Contribution Plans, Voluntary Planning Agreements or Special Infrastructure Contribution Plans that affect land to which the application relates or the proposed development type. ○ any contributions applicable to the proposed development under the identified plans and/or agreements. Justification is to be provided where it is considered that the proposed development is exempt from making a contribution. ○ any actions required by a Voluntary Planning Agreement or draft Voluntary Planning Agreement affecting the site or amendments required to a Voluntary Planning Agreement affected by the proposed development. 10. Staging • Assess impacts of staging where it is proposed and detail how construction works, and operations would be managed to ensure public safety and amenity on and surrounding the site. 11. Utilities • In consultation with relevant service providers: ○ assess the impacts of the development on existing utility infrastructure and service provider assets surrounding the site. ○ identify any infrastructure upgrades required off-site to facilitate the development and any arrangements to ensure that the upgrades will be implemented on time and be maintained. 12. Biodiversity Assessment • Provide a Biodiversity Development Assessment Report (BDAR) that assesses the biodiversity impacts of the proposed development in accordance with the requirements of the <i>Biodiversity Conservation Act 2016</i>, <i>Biodiversity Conservation Regulation 2017</i> and Biodiversity Assessment Method, except where a BDAR waiver has been issued in relation to the development or the development is located on biodiversity certified land. • 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 <i>Biodiversity Conservation Act 2016</i>. • Where a BDAR is not required because a BDAR waiver has been issued in relation to the development, provide:
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- a copy of the BDAR waiver and demonstrate that the proposed development is consistent with that covered in BDAR waiver.
- an assessment of flora and fauna impacts where significant vegetation or flora and fauna values would be affected by the proposed development.

Note: Further guidance is provided in the Biodiversity and Conservation Division Standard Environmental Assessment Requirements attached to the SEARs.

13. Stormwater Drainage

- Where relevant address Lake Macquarie City Council's requirements for stormwater capture and discharge, in accordance with the Lake Macquarie Development Control Plan 2014 including (where applicable):
 - on-site detention.
 - management of gross pollutants.
 - 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.

14. Flooding

- Identify any flood risk on-site in consultation with Council and having regard to the most recent flood studies for the development area and the potential effects of climate change, sea level rise and an increase in rainfall intensity.
- Assess the impacts of the development, including any changes to flood risk on-site or off-site, and detail design solutions to mitigate flood risk where required.

Relevant Policies and Guidelines:

- NSW Floodplain Development Manual (DIPNR, 2005).

15. Waste

- Identify, quantify and classify the likely waste streams to be generated during construction and operation.
- Provide 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.
- Provide a hazardous materials survey of existing aboveground buildings that are proposed to be demolished or altered.

Relevant Policies and Guidelines:

- Waste Classification Guidelines (EPA, 2014).

16. 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).

	• Consultants Reporting on Contaminated land – Contaminated Land Guidelines (EPA, 2020). • National Environment Protection (Assessment of Site Contamination) Measure (National Environment Protection Council, as amended 2013). 17. Bush fire • Provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with Planning for Bush Fire Protection (NSW RFS, 2019).
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: - high quality files of maps and figures of the subject site and proposal; - Architectural drawings (where relevant) showing key dimensions, RLs, scale bar and north point, including: - o plans, sections and elevation of the proposal at no less than 1:200 - o details of proposed signage, including size, location and finishes - o site plans and operations statement demonstrating the after-hours and community use strategy - Site Survey Plan, showing existing levels, location and height of existing and adjacent structures / buildings and site boundaries - Accessibility Report - Bushfire Report - Schedule of materials and finishes.
Consultation	During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular you must consult with: • Lake Macquarie City Council • Transport for NSW 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. Targeted consultation in accordance with the draft Social Impact Assessment Guideline 2020 (Department of Planning, Industry and Environment) must also occur where there is a requirement to prepare and submit a Social Impact Assessment.
Further consultation after 2 years	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. If any other significant issues are identified in the risk assessment, that are not identified in this SEARs, the Planning Secretary must be consulted in relation to the preparation of the EIS.

References	The assessment of the key issues listed above must consider, but not be limited to, relevant guidelines, policies, and plans as identified.
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