

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-19989744
Project Name	SCEGGS Darlinghurst – Adaptive re-use of Wilkinson House
Location	215 Forbes Street, Darlinghurst
Applicant	SCEGGS Darlinghurst Limited
Date of Issue	21 June 2021
General Requirements	<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 the Environmental Planning and Assessment Regulation 2000 (the Regulation).</p> <p>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>In addition, the EIS must include:</p> <ul style="list-style-type: none"> • an executive summary. • a complete description of the development, including: <ul style="list-style-type: none"> ○ 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: <ul style="list-style-type: none"> ▪ 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. ○ site survey plan, showing existing levels, location and height of existing and adjacent structures / buildings and site boundaries. ○ a detailed constraints map identifying the key environmental and other land use constraints that have informed the final design of the development. ○ plans, elevations and sections of the proposed development. ○ cladding, window and floor details, including external materials. ○ a site plan showing all infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process). ○ plans and details of any advertising/business identification signs to be installed, including size, location and finishes.

	<ul style="list-style-type: none"> ○ 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. <ul style="list-style-type: none"> • a detailed assessment of the key issues identified below, and any other significant issues identified in the risk assessment, including: <ul style="list-style-type: none"> ○ a description of the existing environment, using sufficient baseline data and methodology to establish baseline conditions. ○ an assessment of the potential impacts of all stages of the development on all potentially impacted environments, sensitive receivers, stakeholders and future developments. The assessment must consider any relevant legislation, policies and guidelines. ○ consideration of the cumulative impacts due to other related development proposed or underway on the site, including development progressed under other assessment pathways and all other developments in the vicinity (completed, underway or proposed). ○ identification of all proposed monitoring or required changes to existing monitoring programs. ○ measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment and triggers for each action. ○ details of alternative measures considered. • 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. <p>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.</p>
Key issues	<p>The EIS must address the following specific matters:</p> <p>1. Statutory Context, Strategic Context and Policies</p> <p>Address the statutory provisions contained in all relevant legislated and draft environmental planning instruments, including but not limited to:</p> <ul style="list-style-type: none"> • State Environmental Planning Policy (State and 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 (Environment). • Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities). • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

	<ul style="list-style-type: none"> • Sydney Local Environmental Plan 2012. <p>Having regard to the relevant environmental planning instruments:</p> <ul style="list-style-type: none"> • 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. <p>Address the relevant planning provisions, goals and strategic planning objectives in all relevant planning policies including but not limited to the following:</p> <ul style="list-style-type: none"> • 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). • The Greater Sydney Region Plan - A Metropolis of Three Cities. • Eastern City District Plan. • City Plan 2036: Local Strategic Planning Statement. • Sydney Development Control Plan 2012. <p>2. Concept Proposal for the Redevelopment of SCEGGS Darlinghurst (SSD-8993)</p> <ul style="list-style-type: none"> • In accordance with the <i>Environmental Planning and Assessment Act 1979</i>, demonstrate that the proposal is consistent with the approved Concept Proposal for the redevelopment of the SCEGGS Darlinghurst (SSD-8993). <p>3. Built Form and Urban Design</p> <ul style="list-style-type: none"> • Assess how the proposed built form is consistent with and located in accordance with the built form, urban design and landscaping conditions imposed under SSD-8993. • Address: <ul style="list-style-type: none"> ○ the height, density, bulk and scale, setbacks and interface of the development in relation to the surrounding development, topography, streetscape and any public open spaces. ○ design quality and built form, with specific consideration of the overall site layout, streetscape, open spaces, façade, rooftop, massing, setbacks, building articulation, materials and colour palette. ○ how good environmental amenity would be provided, including access to natural daylight and ventilation, acoustic separation, access to landscape and outdoor spaces and future flexibility. ○ 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 (GANSW, 2018).
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	<ul style="list-style-type: none"> ○ how services, including but not limited to waste management, loading zones, and mechanical plant are integrated into the design of the development. • Provide: <ul style="list-style-type: none"> ○ 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. <p>4. Trees and Landscaping</p> <ul style="list-style-type: none"> • Provide: <ul style="list-style-type: none"> ○ 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. ○ Where relevant, a detailed landscape plan prepared by a suitably qualified person. <p><u>Relevant Policies and Guidelines:</u></p> <ul style="list-style-type: none"> • Australian Standard 4970 Protection of trees on development sites. • Draft Greener Places Design Guide (GANSW). • Objective 30 of The Greater Sydney Region Plan - A Metropolis of Three Cities. • Technical Guidelines for Urban Green Cover in NSW (Office of Environment and Heritage (OEH), 2015). • Greening Sydney Plan 2020 • City of Sydney Landscape Code Volume 2. • City of Sydney Green Roof and Walls Policy. <p>5. Environmental Amenity</p> <ul style="list-style-type: none"> • Assess amenity impacts on the surrounding locality, including addressing conditions imposed under SSD-8993. • Provide: <ul style="list-style-type: none"> ○ shadow diagrams. ○ a view analysis, where relevant, of the site from key vantage points and streetscape locations and public domain including photomontages or perspectives showing the proposed and likely future development. ○ an analysis of proposed lighting that identifies lighting on-site that will impact surrounding sensitive receivers and includes mitigation management measures to manage any impacts. ○ a view impact assessment that has been prepared in accordance with the established planning principles. <p>6. Transport and Accessibility</p> <ul style="list-style-type: none"> • Address the Traffic, Access, Car and Bicycle Parking conditions imposed under SSD-8993. • analysis of the impacts due to the operation of the proposed development, including:
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- proposed modal split for all users of the development including vehicle, pedestrian, bicycle riders, public transport and other sustainable travel modes.
- a clear explanation and justification of the:
 - assumed growth rate applied.
 - volume and distribution of proposed trips to be generated.
 - type and frequency of vehicles accessing the site.
- adequacy of the existing / proposed pedestrian infrastructure to enable convenient and safe access to and from the site for all users.
- 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.
 - 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).

7. Ecologically Sustainable Development (ESD)

- Address the Ecologically Sustainable Development conditions imposed under SSD-8993.
- Identify:
 - proposed measures to minimise consumption of resources, water (including water sensitive urban design) and energy.
 - how environmental design will be achieved in accordance with the GANSW Environmental Design in Schools Manual (GANSW, 2018).
- Provide:
 - an assessment against an accredited ESD rating system or an equivalent program of ESD performance. This should include a minimum rating scheme target level.

Relevant Policies and Guidelines:

- City of Sydney Design for Environmental Performance Template.

8. Heritage

- Address the conditions imposed under SSD-8993 in relation to Heritage and Wilkinson House.
- Provide a Statement of Heritage Impact (SOHI) prepared by a suitably qualified heritage consultant in accordance with the guidelines in the NSW Heritage Manual (Heritage Office and DUAP, 1996) and Assessing Heritage Significance (OEH, 2015). The SOHI is to address the impacts of the development on the heritage significance of the site and adjacent areas and is to identify:
 - how the development is consistent with any relevant Conservation Management Plan.
 - all heritage items (state and local) within the vicinity of the site including built heritage, landscapes and archaeology, curtilage and setting of the items, detailed mapping of these items, and assessment of why the items and site(s) are of heritage significance.
 - the impacts of the development on heritage item(s), heritage significance or cultural heritage values of the site, including visual impacts, required BCA and DDA works, new fixtures, fittings and finishes, any modified services.
 - the attempts to avoid and/or mitigate the impact on the heritage item(s), heritage significance or cultural heritage values of the site.
 - the attempts to interpret the heritage significance identified into the development.
 - justification for any changes to the heritage fabric or landscape elements including any options analysis.
- If the SOHI identifies impact on potential historical archaeology, a historical archaeological assessment should be prepared by a suitably qualified archaeologist in accordance with the Archaeological Assessment Guidelines (NSW Heritage Office, 1996) and Assessing Significance for Historical Archaeological Sites and 'Relics' (Heritage Council of NSW, 2009). This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the development 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.

9. Aboriginal Cultural Heritage

- Provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) that:
 - identifies and describes the Aboriginal cultural heritage values that exist across the site.
 - includes surface surveys and test excavations where necessary.
 - has been prepared in accordance with the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH, 2010).

- incorporates consultation with Aboriginal people in accordance with Aboriginal Cultural Heritage Consultation Requirements for Proponents (Department of Environment, Climate Change and Water, 2010).
- documents the significance of cultural heritage values of Aboriginal people who have a cultural association with the land.
- identifies, assesses and documents all impacts on the Aboriginal cultural heritage values.
- demonstrates 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.
- demonstrates attempts to interpret the Aboriginal cultural heritage significance identified into the development.

Any Aboriginal objects recorded as part of the Aboriginal Cultural Heritage Assessment Report must be documented and notified to the Aboriginal Heritage Information Management System (AHIMS) within Heritage NSW of the Department of Premier and Cabinet.

10. Social Impacts

- Provide a Social Impact Assessment prepared in accordance with the draft Social Impact Assessment Guideline 2020.

Relevant Policies and Guidelines:

- Draft Social Impact Assessment Guideline 2020 (Department of Planning, Industry and Environment)

11. 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.
 - 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) 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.

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).

12. Biodiversity

- Provide a Biodiversity Development Assessment Report (BDAR), that assesses the biodiversity impacts of the proposed development in accordance with the requirements of the Biodiversity Conservation Act 2016, Biodiversity Conservation Regulation 2017 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.
- Where a BDAR is not required, because a BDAR waiver has been issued, in relation to the development, provide:
 - 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.

13. 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.

14. 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.

15. Utilities

- Address the Utilities conditions imposed under SSD-8993.

16. Stormwater and flooding

- Address the Stormwater and Flooding conditions imposed under SSD-8993.

Relevant Policies and Guidelines:

- NSW Floodplain Development Manual (DIPNR, 2005).
- City of Sydney Interim Floodplain Management Policy.
- City of Sydney Stormwater Drainage Manual.

17. Soil and Water

- Provide:

	<ul style="list-style-type: none"> ○ an assessment of potential impacts on surface and groundwater (quality and quantity), soil, related infrastructure and watercourse(s) where relevant. ○ details of measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and fine particles. ○ an assessment of salinity and acid sulphate soil impacts, including a Salinity Management Plan and/or Acid Sulphate Soils Management Plan, where relevant. <p><u>Relevant Policies and Guidelines:</u></p> <ul style="list-style-type: none"> • Managing Urban Stormwater - Soils and Construction Volume 1 (Landcom, 2004). • Acid Sulfate Soil Manual, (NSW Acid Sulfate Soil Management Advisory Committee, 1998). • Acid Sulfate Soils Assessment Guidelines (DoP, 2008). • Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004) and Volume 2 (A. Installation of Services; B. Waste Landfills; C. Unsealed Roads; D. Main Roads; E. Mines and Quarries) (DECC, 2008). <p>18. Waste</p> <ul style="list-style-type: none"> • Address the Waste conditions imposed under SSD-8993. <p><u>Relevant Policies and Guidelines:</u></p> <ul style="list-style-type: none"> • Waste Classification Guidelines (EPA, 2014). • City of Sydney Guide to Waste Minimisation in New Development 2015. <p>19. Contamination</p> <ul style="list-style-type: none"> • Address the Contamination conditions imposed under SSD-8993. <p><u>Relevant Policies and Guidelines:</u></p> <ul style="list-style-type: none"> • 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).
Plans and Documents	<p>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. Any plans and diagrams included in the EIS must include key dimensions, RLs, scale bar and north point.</p> <p>In addition to the plans and documents required in the General Requirements and Key Issues sections above, the EIS must include the following:</p> <ul style="list-style-type: none"> • Section 10.7(2) and (5) Planning Certificates (previously Section 149(2) and (5) Planning Certificate). • Design report to demonstrate how design quality would be achieved in accordance with the above Key Issues including: <ul style="list-style-type: none"> ○ architectural design statement.

	<ul style="list-style-type: none"> ○ diagrams, structure plan, illustrations and drawings to clarify the design intent of the proposal. ○ detailed site and context analysis. ○ analysis of options considered to justify the proposed site planning and design approach. ○ summary of feedback provided by GANSW and NSW State Design Review Panel (SDRP) and responses to this advice. ○ summary report of consultation with the community and response to any feedback provided. <ul style="list-style-type: none"> ● Geotechnical and Structural Report. ● Accessibility Report.
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups, relevant 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"> ● the relevant Council. ● Government Architect NSW (through the NSW SDRP process). ● Transport for NSW. <p>Consultation should commence as soon as practicable to inform the scope of investigation and progression of the proposed development.</p> <p>The EIS must describe and include evidence of 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> <p>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.</p>
Further consultation after two years	<p>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.</p>
References	<p>The assessment of the key issues listed above must consider, but not be limited to, relevant guidelines, policies, and plans as identified.</p>