

Our ref: New Public School at Gregory Hills (SSD-41306367)

Ms Sarah Kelly  
Principal Planner  
Department of Education  
Level 8, 259 George Street  
SYDNEY NSW 2000

1 November 2022

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**Subject:** Amended Planning Secretary's Environmental Assessment Requirements

Dear Ms Kelly

Please find attached a copy of the amended Planning Secretary's environmental assessment requirements (SEARs) for the New Public School at Gregory Hills (SSD-41306367).

Based on the information provided in your application, the previously issued industry-specific SEARs have been amended in consultation with Heritage NSW. A copy of advice from the Government agency is attached for your information.

Please contact the Department of Planning and Environment (the department) as soon as possible if your project changes, such that consultation is required with public authorities (under Part 8 of the EP&A Regulation). Your SEARs may need to be reissued and a scoping report may also be required.

If required, the Planning Secretary may modify your SEARs to ensure the environmental assessment of the project covers all relevant matters and is consistent with contemporary assessment practice.

**Your SEARs will expire two years from the date of issue** (or the date they were last modified) unless the Planning Secretary has granted an extension. If you would like to seek an extension, you should contact the department at least three months prior to the expiry date.

If your application is not submitted within two years (or by the agreed extension date), you will need to make a new application for SEARs to progress your project.

## Additional assessment requirements

The department has identified assessment requirements additional to those attached. These requirements, in addition to the industry-specific SEARs, are provided below and should be taken to be the collective SEARs for the project.

### Contamination

- In relation to Contamination and Remediation, if required, provide a Remediation Action Plan (RAP) including Interim Audit Advice from an EPA-accredited Site Auditor certifying the RAP as appropriate.

### Flooding

- Provide a flood impact and risk assessment prepared in accordance with the NSW Floodplain Development Manual, and existing councils and government studies and guidance.

- Identify flood behaviour, flood constraints and risks on the site and its surrounding including the potential impacts of climate change for the full range of events i.e. up to and including the probable maximum event (PMF).
- Assess the impacts of the development, including any changes to flood behaviour and risk, impacts of flooding on the development and its future community and on existing community for the full range of events.
- Propose management measures required to minimise the impacts of flooding on the development and minimise flood risks to the community, including an Emergency Management Plan considering access to and from the site, and evacuation issues during significant flood events including the PMF, from both local catchments and/or regional catchments.

### Hazards and Risks

- If the development is adjacent to or on land in a pipeline corridor, report on consultation outcomes with the operator of the pipeline and prepare a hazard analysis (pipeline).

### Preparing your EIS

Your environmental impact statement (EIS) must be prepared having regard to the department's *State Significant Development Guidelines* including the *Preparing an Environmental Impact Statement Guideline*. All relevant guides for State significant projects that are referenced in the SEARs are available at [www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework](http://www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework).

During the preparation of your EIS, you are required to consult with various parties, including the department and any relevant agencies, in accordance with *the Undertaking Engagement Guidelines for State Significant Projects*. For more information, please visit the [Prepare EIS page](#) on the NSW planning portal. Agency contact details can be found at <https://www.planningportal.nsw.gov.au/major-projects/assessment/guide-agency-directory>.

You will need a Registered Environmental Assessment Practitioner (REAP) to declare that your EIS meets certain standards in relation to its completeness, accuracy, quality and clarity before it is submitted to the department, as per Division 5 of Part 8 of the Environmental Planning and Assessment Regulation 2021. A pro forma declaration can be found in [Appendix B of the \*Preparing an Environmental Impact Statement Guideline\*](#).

### Lodging your development application (DA)

Once you submit your EIS, we will check it for completeness to confirm it addresses the requirements in Part 8 of the Environmental Planning and Assessment Regulation 2021. We will also notify you of the DA fee for your project.

Please note that **your DA is not taken to be lodged until the DA fee has been paid.**

To minimise delays, **please contact the department at least two weeks before you submit your EIS** to confirm fee determination information and payment arrangements. This will give us sufficient time to ensure your DA fee can be determined quickly.

### Information needed to determine the DA fee

Your application will need to be accompanied by a Quantity Surveyor's Report supporting the estimated cost of works for your project. You must ensure that the information in the report is consistent with the information provided in your DA form.

If your project involves marinas, extractive industries or any subdivision of land, you must also ensure that your report includes a breakdown of estimated costs for any other component of your project.

### Public exhibition requirements

When you contact us regarding the applicable DA fee, we will also advise whether hard and/or electronic copies of the DA and EIS will be required for public exhibition.

### Matters of National Environmental Significance

Any development likely to have a significant impact on matters of National Environmental Significance will require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to approvals required under NSW legislation.

It is your responsibility to contact the Commonwealth Department of Agriculture, Water and the Environment to determine if you need approval under the EPBC Act (<http://www.environment.gov.au> or 6274 1111).

If you have any questions, please contact Teresa Gizzi on 02 8275 1124 or via email at [teresa.gizzi@planning.nsw.gov.au](mailto:teresa.gizzi@planning.nsw.gov.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read "KH", with a long horizontal flourish extending to the right.

Karen Harragon

Director

Social and Infrastructure Assessments

as delegate for the Planning Secretary