

Appendix D – Statutory Compliance Table

Environmental Planning and Assessment Act 1979

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
1.3 Objects of Act	<i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The Concept Proposal and Stage 1 works will provide state-of-the-art educational facilities on the Newington Senior campus as it progresses towards its co-educational model, and will therefore promote the social welfare of the community. The proposal has been designed to conserve and maintain the established heritage significance of the site and is not considered to unreasonably impact the site's natural resources or fauna. Subject to the various mitigation measures recommended by the specialist consultants as summarised in this EIS, the proposal does not have any unreasonable environmental or social impacts on adjoining properties or on the public domain.	Section 6 of the EIS Technical reports provided as Appendices
	<i>(b) to promote the supply, delivery and maintenance of housing, including affordable housing,</i>	Not applicable to this project.	-
	<i>(c) to promote productivity through the development and management of the State and its resources,</i>	The SSDA will result in an increased staff and student population, thereby promoting productivity in the education sector.	Appendix G Appendix K
	<i>(d) to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats,</i>	The Concept Proposal and Stage 1 Works have been assessed by Anne Clements & Associates, which confirmed that the proposed development will not result in any adverse impacts to the biodiversity on site and that the preparation of a BDAR is not necessary. On 20 April 2026, a BDAR Waiver was granted for the project by a delegate for the Secretary of DPHI.	Appendix DD

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	<i>(e) to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention,</i>	As outlined in the ESD Report accompanying this application, the proposed development has been designed with due regard for the principles of ecologically sustainable development and will implement a range of sustainability measures to achieve the relevant ESD objectives of the EP&A Regulation. The Net Zero Statement accompanying this application finds that the project will be capable of operating at net zero emissions by 2035.	Appendix X Appendix Y
	<i>(f) to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage,</i>	<u>Built heritage</u> The Senior campus is identified as an item of local heritage significance under Schedule 5 of the <i>Inner West Local Environmental Plan 2022 (IWLEP)</i>, and also contains individual items listed under Schedule 5 of the IWLEP. The Senior campus also contains a subterranean heritage item which is listed on the NSW State Heritage Register (SHR), under the <i>Heritage Act 1977</i>. This application is accompanied by a Conservation Management Plan (CMP) and Heritage Impact Statement (HIS). The CMP provides heritage management guidelines for the redevelopment of the site, with regard to its heritage significance. The HIS finds that the project will satisfy the relevant heritage management policies outlined in the CMP, and that the proposed development on the site will not result in adverse impacts on the heritage significance of the place, including on the individual items listed under the IWLEP and on the SHR. <u>Historical archaeology</u> The application is accompanied by a Historical Archaeological Impact Assessment (HAIA), which did not identify any known historical archaeological items within the site. There is reasonable cause to suspect that the proposed	Sections 6.1.1, 6.1.8, 6.1.9 and 6.2.10 of the EIS Appendix L Appendix M Appendix N Appendix RR Appendix SS Appendix TT Appendix UU

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
		works within Stage 1 will impact potentially locally significant historical archaeological resources associated with the historic occupation of the site by Newington College since the mid-19th century. The HAIA includes recommendations which should be implemented as part of conditions of consent to mitigate potential impacts. <u>Aboriginal cultural heritage</u> The SSDA is accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR), which finds that the subject area has very low-low potential to retain Aboriginal objects, given the highly disturbed nature of the site. Notwithstanding, it is recognised that the site is on the land of the Gadi and Wangal peoples. Architectural and design opportunities to design with Country are detailed in the Country-Centred Design & Cultural Integration Framework, Architectural Design Report and Landscape Design Report which also accompany this application.	
	<i>(g) to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings,</i>	Separate BCA and Access Capability Statements have been prepared to support the proposed Concept Proposal and Stage 1 Sevington works. These reports assess the proposed development against the Deemed-to-Satisfy (DTS) provisions of the <i>Building Code of Australia 2022</i>, the relevant Building Regulations, and the <i>Disability Discrimination Act 1992</i> (DDA). The reports conclude that aspects of the proposed development comply, or are capable of complying with, all relevant regulatory requirements (or can comply through a performance solution or provision of further information prior to the issue of the relevant Construction Certificate).	Sections 6.1.1.5 and 6.2.6 of the EIS Appendix S Appendix T
	<i>(h) to provide opportunities for participation in environmental planning and assessment,</i>	As detailed in the Engagement Outcomes Report accompanying this SSDA, the project has been designed in	Section 5 of the EIS

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
		consultation with Inner West Council, relevant State agencies, and the general public.	Appendix I
	<i>(i) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The Project demonstrates due regard for the principles of ecological sustainability, including for the site's landscape values. Notably, the project will increase the tree canopy coverage across the site. The Project will implement a range of sustainability measures to achieve the relevant ESD objectives of the EP&A Regulation, and is found capable of achieving net zero emissions by 2035.	Sections 6.1.4 and 6.2.1 of the EIS Appendix N Appendix X Appendix Y
	<i>(j) to promote a proportionate and risk-based approach to environmental planning and assessment,</i>	This SSDA is assessed using a proportionate and risk-based approach, consistent with this objective.	Throughout this EIS, including all appendices
	<i>(k) to promote the orderly and economic use and development of land.</i>	The Concept Proposal represents the optimisation of the Newington College Senior Campus site to allow for its orderly renewal and expansion as it progresses to a co-educational model. The proposal is considered an economic use of the land.	Throughout this EIS, including all appendices
4.15 Evaluation	<i>(1) Matters for consideration—general</i> <i>In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—</i>		
	<i>(a) the provisions of—</i>		
	<i>(i) any environmental planning instrument, and</i>	This proposal, and the assessment carried out as part of this EIS, considers all relevant environmental planning instruments which apply to the site and the proposed development.	Section 4 of the EIS Appendix D
	<i>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making</i>	The Draft State Environmental Planning Policy (Climate Change and Natural Hazards) is addressed in the table below.	-

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	<i>of the proposed instrument has been deferred indefinitely or has not been approved), and</i>		
	<i>(iii) any development control plan, and</i>	Clause 2.10 of the Planning Systems SEPP states that development control plans (whether made before or after the commencement of this Policy) do not apply to SSD. As such, there is no requirement for assessment of the proposal against the Marrickville Development Control Plan 2011 (MDCP) for this SSDA. Notwithstanding this, consideration has been given to relevant provisions in the following sections of the MDCP later in this table: ▪ Part 2 Generic Provisions ▪ Part 8 Heritage	-
	<i>(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i>	The Project is not subject to a planning agreement.	-
	<i>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i>	This EIS has been prepared in accordance with the requirements of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation).	Appendix D
	<i>that apply to the land to which the development application relates,</i>		
	<i>(b) the significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	The likely impacts of the development including the environmental impacts on the natural and built environments, and social and economic impact on the locality are assessed in detail within the EIS.	Section 6 of the EIS
	<i>(c) the suitability of the site for the development,</i>	The site is considered highly suitable for the proposed development as outlined in the EIS.	Section 7.6 of the EIS
	<i>(d) any submissions made in accordance with this Act or the regulations,</i>	Submissions will be considered following exhibition of the application.	-

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	(e) <i>the public interest.</i>	The proposed development is considered to be in the public interest as outlined in the EIS.	Section 7.7 of the EIS
4.17 Imposition of Conditions	(1) Conditions—generally A condition of development consent may be imposed if— ... (b) <i>it requires the modification or surrender of a consent granted under this Act or a right conferred by Division 4.11 in relation to the land to which the development application relates, or</i>	DA2014/00370 was approved on 17 December 2014 and allows (amongst other things) the demolition of the Chaplain's Residence and Glasson Pavilion, excavation to accommodate new underground Old Boys Sporting Complex and car parking, reconstruction of Old Boys Oval with synthetic turf, new tennis pavilion and raised tennis court over new vehicle access from Stanmore Road. This consent was activated by the completion of the new entry forecourt on Stanmore Road, signage and landscaping works. These completed works will be replaced by the Stage 1 development proposed under the SSDA. Pursuing the balance of the approved development is a decision for the College in the future. The Concept Proposal under this SSDA does not involve works in the vicinity of the approved development yet to be constructed (excluding the temporary Stage 1 car park). Section 4.17 of the EP&A Act allows the applicant to retain an existing consent related to a site whilst amending a component of that approval through a separate consent. This enables the alteration of part of a consent, so it becomes consistent with the proposal contemplated in the new development application. <u>The Applicant accepts a condition of consent that requires DA2014/00370 to be modified in accordance with Section 4.17 of the EP&A Act.</u>	Section 2.2

Environmental Planning and Assessment Regulation 2021

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
Part 8 Infrastructure and environmental impact assessment			
Division 2 Environmental assessment requirements for State significant development, designated development and activities	Part 8, Division 2 of the EP&A Regulation provides that environmental assessment requirements will be issued by the Secretary with respect to the proposed EIS.	This EIS has been prepared to address the requirements of Part 8 Division 2 of the EP&A Regulation and SEARs.	Throughout this EIS
Division 5 Environmental impact statements	Part 8, Division 5 of the EP&A Regulation sets out relevant provisions related to the form, content, and publication of an EIS.	This EIS has been prepared in accordance with the requirements of Part 8, Division 5 of the EP&A Regulation.	Throughout this EIS.

State Environmental Planning Policy (Planning Systems) 2021

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
Schedule 1 State significant development—general			
15 Educational establishments	Clause 15(2) of Schedule 1 of the Planning Systems SEPP provides that development for the purpose of educational establishments that has an estimated development cost of more than \$50 million is classified as SSD.	The proposed alterations and additions to the existing school have an estimated development cost of more than \$50 million excluding GST. Therefore, the proposal is SSD in accordance with Clause 15, Schedule 1 of the Planning Systems SEPP.	Appendix G

State Environmental Planning Policy (Resilience and Hazards) 2021

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
Chapter 4 Remediation of land			
4.6 Contamination and remediation to be considered in determining	Section 4.6 states a consent authority must be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.	The SSDA is accompanied by a Preliminary Site Investigation (PSI), a Remediation Action Plan (RAP), and an independent Interim Site Audit Statement. The PSI identifies potential sources of contamination on the site, including ground fill materials and hazardous	Section 6.2.8 of the EIS Appendix KK Appendix LL

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
development application		building materials. The RAP is therefore to be implemented in order to make the site suitable for the proposed development. The independent Interim Site Audit Statement considers that the site is capable of being made suitable for the proposed development with the implementation of the RAP and subject to additional recommendations outlined therein.	Appendix MM

State Environmental Planning Policy (Transport and Infrastructure) 2021

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
Chapter 2 Infrastructure			
2.119 Development with frontage to classified road	Section 2.119 of the T&I SEPP aims to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to a classified road. In granting consent to a development with a frontage to a classified road, the consent authority must be satisfied that: ▪ <i>where practicable and safe, vehicular access to the land is provided by a road other than the classified road; and</i> ▪ <i>the safety, efficiency, and ongoing operation of the classified road will not be adversely affected by the development as a result of the design of vehicular access to the land, the emission of smoke or dust from the development, or the nature, volume, or frequency of vehicles using the classified road to gain access to the land; and</i> ▪ <i>the development is not of a type that is sensitive to traffic noise or vehicle emissions, or is appropriately</i>	Stanmore Road is identified as a classified regional road. Potential impacts of the proposed development on the ongoing operation and function of Stanmore Road are addressed in the EIS and in the accompanying Transport and Accessibility Impact Assessment. Indicative façade treatment requirements have been identified for the control of road traffic noise and are outlined in the Noise and Vibration impact Assessment. Temporary construction impacts of the Stage 1 Sevington redevelopment are also discussed, with recommendations provided in the Preliminary Construction Traffic Management Plan to mitigate adverse effects.	Section 6.1.5 of the EIS Appendix AA Appendix CC

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	located and designed, or includes suitable amelioration measures to limit potential traffic noise or vehicle emissions within the site of the development		
Chapter 3 Educational establishments and child care facilities			
3.36 Schools—development permitted with consent	Section 3.36(1) provides that development for the purpose of a school can be carried out with development consent on land in a prescribed zone. SP2 Infrastructure is identified as a ‘prescribed zone’ under Section 3.34 of the T&I SEPP.	The land is zoned SP2 Infrastructure (Educational Establishments) under the IWLEP 2022. The proposed development will be carried out on land zoned SP2 Infrastructure, consistent with this provision. The proposed development is also a permitted use under the provisions of the IWLEP 2022 (refer below). The Design Quality Principles in Schools as set out in Schedule 8 of the T&I SEPP is addressed in the EIS and Architectural Design Report.	Section 6.1.1.4 of the EIS Appendix M
	Section 3.36(5) provides that a school (including any part of its site and any of its facilities) may be used, with development consent, for the physical, social, cultural or intellectual development or welfare of the community, whether or not it is a commercial use of the establishment.	Newington currently shares many of its facilities with other groups and organisations outside of normal school operational hours. The facilities are shared with various sporting, community, and alumni groups for various purposes including training, performances, markets, etc. Following consultation with the community, the College has identified opportunities for shared use of the new Sevington facilities with the broader community in Stanmore. Development consent is sought to allow the shared use of the Sevington facilities (together with the associated car parking) when not in use by the College by members of the community and social groups. The shared use of the Sevington development is proposed as part of the Stage 1 approval.	Section 3.2.3.5

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
3.58 Traffic-generating development	Section 3.58 applies to development for the purpose of an educational establishment that will result in the school being able to accommodate 50 or more additional students and involves the enlargement of existing premises or the construction of new premises. The consent authority is required to give written notice of the application to Transport for NSW (TfNSW) within 7 days of the application being made. The consent authority must take into consideration: ▪ <i>any submissions made by TfNSW within 21 days of notice being given, and</i> ▪ <i>the accessibility of the site, including the efficiency of movement of people and freight and the extent of multi-purpose trips, and the potential to minimise travel by car, and</i> ▪ <i>any potential traffic safety, road congestion, or parking implications of the development.</i>	The Concept Proposal and detailed Stage 1 works involve an increase in the student population by 368 students and is there classified as traffic generating development. It is expected that DPHI will refer the application to Transport for NSW (TfNSW) as part of the assessment of this SSDA. The applicant will continue to work with TfNSW to resolve any issues that may arise during the assessment of the application.	-

State Environmental Planning Policy (Sustainable Buildings) 2021

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
Schedule 1 State significant development—general			
3.2 Standards for non-residential development	<i>In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—</i> <i>(a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,</i>	The EIS is accompanied by the following documentation to satisfy the SB SEPP for the Concept Proposal and Stage 1 works: ▪ Ecologically Sustainable Development (ESD) Report ▪ Net Zero Statement ▪ Embodied Emissions Form for Stage 1 Works only	Appendix X Appendix Y Appendix Z Appendix PP Appendix QQ

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	(b) a reduction in peak demand for electricity, including through the use of energy efficient technology, (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design, (d) the generation and storage of renewable energy, (e) the metering and monitoring of energy consumption, (f) the minimisation of the consumption of potable water. Section 3.2(2) states that development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.		
3.4 Other considerations for certain State significant development	Section 3.4(2) states that the consent authority must consider whether the development will minimise the use of on-site fossil fuels, as part of the goal of achieving net zero emissions in New South Wales by 2050.	The Net Zero Statement includes evidence of how the development will transition to be fossil fuel-free by 1 January 2035.	Appendix Y

State Environmental Planning Policy (Industry and Employment) 2021

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
Chapter 3 Advertising and signage			
3.6 Granting of consent to signage	Clause 3.6 states that a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied— (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.	The application has been supported by a detailed signage plan as part of the Stage 1 architectural package. The documentation demonstrates the appropriateness of the signage, which will provide the proposed Sevington development and Newington College with a sense of identity. Assessment against the objectives of Chapter 3 and the criteria in Schedule 5 is provided below.	Appendix C

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	3.1 Aims, objectives etc (1) <i>This Chapter aims—</i> (a) <i>to ensure that signage (including advertising)—</i> (i) <i>is compatible with the desired amenity and visual character of an area, and</i> (ii) <i>provides effective communication in suitable locations, and</i> (iii) <i>is of high quality design and finish, and</i>	The scale of the signage is compatible with the proposed development and has had appropriate regard to the heritage significance of the site and character of Stanmore Road. The proposed signage is intended to display the Newington College branding and adopts a high-quality design and finish. The location of the sign will act as a key marker point at the pedestrian forecourt entry to the site.	-
	(b) <i>to regulate signage (but not content) under Part 4 of the Act, and</i>	Noted	-
	(c) <i>to provide time-limited consents for the display of certain advertisements, and</i>	The signage is proposed for the life of the development, which is acceptable for a building identification sign of this nature.	-
	(d) <i>to regulate the display of advertisements in transport corridors, and</i>	The site is not located in a transport corridor.	-
	(e) <i>to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</i>	The proposed sign will have limited visibility outside of the intended visual catchment and will provide a sense of identity at the main pedestrian entry to the site..	-
Schedule 5 Assessment Criteria	1 <i>Character of the area</i> <i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i> <i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	The character of the area will not be compromised by the new signage noting that it has been integrated within the well-articulated façade of the proposed building. The proposed sign essentially replaces the existing pylon sign at the entry forecourt to the site and adopts a similar design and materiality. There is no consistent theme for outdoor advertising within the surrounding area. The signage has been designed to complement the existing character of the site and is considered acceptable in this regard.	-

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	2 <i>Special areas</i> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage has been integrated into the façade of the Sevington development and will not detract from the amenity or visual quality of the local area. The signage is of a scale and appearance that is compatible with the proposed built form and will not visually detract from the streetscape.	-
	3 <i>Views and vistas</i> - Does the proposal obscure or compromise important views? - Does the proposal dominate the skyline and reduce the quality of vistas? - Does the proposal respect the viewing rights of other advertisers?	The proposed signage forms part of the façade facing Stanmore Road and will not obscure views or adversely impact on views or vistas from other properties.	-
	4 <i>Streetscape, setting or landscape</i> - Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? - Does the proposal contribute to the visual interest of the streetscape, setting or landscape? - Does the proposal reduce clutter by rationalising and simplifying existing advertising? - Does the proposal screen unsightliness? - Does the proposal protrude above buildings, structures or tree canopies in the area or locality? - Does the proposal require ongoing vegetation management?	The new signage sits within one of the steel frame elements and has been integrated into the Stanmore façade. The scale and proportion of the sign is therefore considered appropriate for the frontage, whilst contributing to the visual interest of the streetscape. The signage proposed does not screen unsightliness and given it replaces the existing pylon sign to be removed, does not contribute to visual clutter. The signage does not protrude above any structures or tree canopies. The signage proposed will not require ongoing vegetation management and the proposed location will not distract motorists.	-
	5 <i>Site and building</i> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The design of the sign reflects Newington College's traditional branding and is considered to respect the important architectural features of the existing fencing	-

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	- Does the proposal respect important features of the site or building, or both? - Does the proposal show innovation and imagination in its relationship to the site or building, or both?	along Stanmore Road and the heritage character of the site. The proposed sign has been well-considered in terms of the scale and form, and is an integral feature of the Sevington development.	
	6 Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Not applicable	-
	7 Illumination - Would illumination result in unacceptable glare? - Would illumination affect safety for pedestrians, vehicles or aircraft? - Would illumination detract from the amenity of any residence or other form of accommodation? - Can the intensity of the illumination be adjusted, if necessary? - Is the illumination subject to a curfew?	The proposed signage includes concealed and recessed strip LED luminaire to the perimeter of the steel frame and concealed up-lights within the portal base to illuminate the front of the signage. Given the location of the signage and the separation between residential properties, the proposed illumination is considered appropriate. The lighting will be subtle and avoid unacceptable glare. The illumination is not subject to a curfew.	-
	8 Safety - Would the proposal reduce the safety for any public road? - Would the proposal reduce the safety for pedestrians or bicyclists? - Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	It is considered the proposed signage will not reduce the safety for pedestrians, bicyclists, drivers or obscure sightlines from public areas as the sign has adequate setbacks from the road and pedestrian walkways.	-

Draft State Environmental Planning Policy (Climate Change and Hazards)

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
Schedule 1 State significant development—general			
15 Educational establishments	Based on the explanation of intended effect (EIE) that was on public exhibition from 17 February to 16 March 2025, the NSW Government proposes to introduce a new SEPP relating to climate change and natural hazards, which will replace the Resilience and Hazards SEPP. The proposed SEPP will: ▪ <i>Introduce new guidelines for managing natural hazards and update existing natural hazards controls to streamline decision-making.</i> ▪ <i>Focus on climate risks, rebuilding after natural disasters, coastal hazards, flooding, bushfires and urban heat.</i> ▪ <i>Establish a consistent approach for assessing climate risk and natural hazards throughout development assessment.</i> ▪ <i>Provide an all-hazards approach to planning to ensure communities and developments are resilient to both current and future risks.</i> ▪ <i>Helps consent authorities, such as local councils, assess climate and natural hazards risks for different development types and guide decisions based on acceptable risk levels.</i>	The site is not located on bushfire-prone land. In addition, the Flood Impact and Risk Assessment prepared for the Concept Proposal and Stage 1 works demonstrate that the proposed development will have no significant impact on flood behaviour or flood hazard in any modelled event. The proposal is therefore suitable from a natural hazards perspective. Climate change conditions have been considered as part of the flood assessment accompanying the SSDA. The crest to the basement of the Sevington building (Stage 1) has been set at 28.95m AHD, which is higher than the PMF with climate change consideration flood level of 28.648m AHD. This will protect the proposed basement car parking area from any flood inundation into the future. Further, the proposed flood gates/barriers will be set at a minimum height of 35m AHD, which is higher than the PMF with climate change consideration flood level at the Sevington entrance area, which is estimated to be approximately 34.55m AHD respectively. The entrance area to the basement car parking area of the Concordia building (Stage 6) is proposed to be regraded with crest set at 37.20m AHD to provide approximately 150mm of freeboard to the estimated year 2090 PMF flood level, as part of the future Concordia building redevelopment. A flood gate/barrier can be adopted at this car park entrance should regrading of this area is not possible due to development constraints.	Appendix N Appendix II

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
		The development proposes replacement tree planting resulting in a net increase in the urban tree canopy on the site and will contribute positively to addressing urban heat.	

Inner West Local Environmental Plan 2022

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
Part 2 Permitted or prohibited development			
2.3 Zone objective and land use table	Zone SP2 Special Infrastructure 1 Objectives of zone - To provide for infrastructure and related uses. - To prevent development that is not compatible with or that may detract from the provision of infrastructure. - To protect and provide for land used for community purposes. - To provide for public, community and social infrastructure.	The site is zoned SP2 Infrastructure (Educational Establishments) under the LEP. The land use table in Part 2 of the IWLEP permits, with consent, development for “the purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose”. The purpose of the site’s SP2 zoning is for an educational establishment. Accordingly, the proposed development is permitted with consent under the provisions of the IWLEP.	–
Part 4 Principal development standards			
4.3 Height of buildings	The portion of the site which is proposed to be development as part of this SSDA is not subject to maximum building height standard under the IWLEP.	Not applicable	–
4.4 Floor space ratio	The portion of the site which is proposed to be development as part of this SSDA is not subject to a maximum floor space ratio (FSR) standard under the IWLEP.	As outlined in the EIS, no cap on GFA is proposed as part of the Concept Proposal given there is no FSR control that applies to the site. Rather the bulk and scale of the future built form will be set by the approved building envelopes, heights, setbacks and landscaping requirements.	–

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
Part 5 Miscellaneous provisions			
5.10 Heritage conservation	Provides objectives for the conservation of heritage significance within the Inner West LGA, including built heritage, historical archaeology, and Aboriginal objects and Aboriginal places of heritage significance.	The proposed development is assessed as having no adverse impacts on the built heritage significance of the site. The HAIA identifies low-moderate potential for impacts on the historical archaeology of the site, and recommends measures which should be implemented to mitigate any potential impacts. This SSDA is accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR), which finds that the subject area has very low-low potential to retain Aboriginal objects, given the highly disturbed nature of the site.	Sections 6.1.8, 6.1.9, and 6.2.10 of the EIS Appendix RR Appendix SS Appendix TT Appendix UU
5.21 Flood planning	Provides objectives and development controls for development within the Inner West LGA on land that is identified as flood prone, including considerations that must be made by the consent authority in the granting of consent for development on flood-prone land.	The Inner West Council flood mapping indicates that the site is located outside the Flood Planning Area and Flood Liable Land. However, the Senior campus is impacted by overland flow as frequently as the 39% AEP event, with shallow depths generally less than 100mm. The Concordia site is not shown to be impacted by flooding (i.e., up to the PMF event). The Flood Impact and Risk Assessment (FIRA) accompanying this application includes modelling which finds that a generally acceptable flooding outcome can be achieved on the Senior campus, subject to the implementation of the recommended mitigation measures. Given the conceptual nature of Stages 2–6, it is expected that additional assessments will be required as part of future detailed SSDAs to confirm that the final adopted civil design for the site will result in no adverse impacts to the surrounding properties.	Section 6.1.7 Appendix II Appendix JJ
5.22 Special flood considerations	Provides objectives and mandatory considerations for the safe occupation and evacuation of people on land that is subject to flooding where sensitive land uses	Educational establishments are classified as a type of 'sensitive and hazardous development' under Clause 5.22	Section 6.1.7 Appendix JJ

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	are proposed, and to ensure that flooding events will not adversely affect the environment.	of the IWLEP. Accordingly, the provisions of this clause apply to the site. The FIRA confirms that the project is not expected to result in any off-site flooding or overland flow impacts. The application is also accompanied by a Flood Emergency Response Plan (FERP), which provides an action plan with steps to be implemented by the College during a flood event.	
Part 6 Additional local provisions			
6.1 Acid sulfate soils	To ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	The site is located in an area mapped as having no known occurrence of acid sulfate soils, and no signs of acid sulfate soils were observed during a site investigation undertaken by Douglas Partners.	Appendix FF
6.2 Earthworks	Development consent is required for earthworks, unless the earthworks are ancillary to other development for which consent has been granted.	The proposed earthworks will be necessary to facilitate the construction of the new Sevington building, for which consent is sought as part of this this SSD. The earthworks are therefore considered an ancillary aspect of the proposed development for which consent is sought. A Report on Geotechnical Investigation has been prepared by Douglas Partners and comprises a detailed assessment of the quality of soil that is to be excavated and includes mitigation measures to avoid, mitigate and minimise any adverse impacts associated with these earthworks.	Section 6.2.3 of the EIS Appendix FF
6.7 Airspace operations	Provides for the protection of airspace around airports. Consent must not be granted to development that is a controlled activity within the meaning of Part 12, Division 4 of the <i>Airports Act 1996</i> unless approval has been obtained under regulations made for the purposes of that Division.	The obstacle limitation surface (OLS) over the site is 51m AHD. The maximum height of the Stage 1 Sevington building will be 53.96m AHD (rooftop court netting only). Accordingly, the Stage 1 Sevington redevelopment works are considered a “controlled activity” under the <i>Airports Act 1996</i> . Approval will be required from Sydney Airport to carry out the works. It is understood that DPHI will refer the application to Sydney International Airport for approval as part of the assessment of this SSDA.	Section 6.2.7 of the EIS Appendix OO

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
		The development proposed within Stages 2-6 do not exceed the OLS.	
6.8 Development in areas subject to aircraft noise	Provides objectives and mandatory considerations for the consent authority with respect to the control of sensitive land uses near the Sydney International Airport, the minimisation the impact of aircraft and airport noise in noise-sensitive buildings, and for land use and development near the airport to not hinder the ongoing, safe, and efficient operation of the airport. Applies to land near the Sydney International Airport and within an ANEF contour of 20 or greater, where the erection of a new building and / or substantial alterations and additions to an existing building is proposed.	The site is in proximity to the Kingsford Smith Airport and is within an Australian Noise Exposure Forecast (ANEF) 25 contour. The Stage 1 Sevington development proposes the erection of new buildings (Sports Hall and adjoining Pavilion building). Subsequent stages of the Concept Proposal entail substantial alterations and additions to existing buildings (Stage 2 Centennial Hall) and the erection of new buildings (Stage 3 College Lane Building and Stage 6 Concordia). Accordingly, the provisions of Clause 6.8 of the IWLEP apply to this SSD. The proposed development will not result in an increase in the number of dwellings on the site, however will result in an increase to people affected by aircraft noise on the Senior campus. The Aviation Impact Assessment accompanying this application identifies that an ANEF of between 20-25 is “conditionally acceptable” for a school under AS 2021:2015. Aircraft noise intrusion has been assessed in accordance with Australian Standard AS 2021:2015 by Renzo Tonin. The site is located within an area affected by aircraft overflights associated with Sydney Airport operations. The assessment demonstrates that compliance with the recommended internal aircraft noise criteria is achievable through appropriate façade construction, glazing selection and building design. As with road traffic noise, final treatments would be confirmed during the detailed design phase and with regard to relevant NSW Department of Education guidelines.	Section 6.2.7 of the EIS Appendix EE Appendix OO
6.9 Design excellence	Applies to development involving the construction of a new building, or external alterations and additions to	The detailed Stage 1 works for the Sevington development will achieve maximum heights of 21.9m (Sevington Sports Hall – vertical circulation & rooftop plant) and 15.84m (Sevington Pavilion – Stanmore Road parapet).	Section 6.1.1 of the EIS Appendix M

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	an existing building, that will result in a building height equal to or greater than 14m. Development consent must not be granted unless the consent authority has regard for design excellence as defined in the IWLEP.	Accordingly, the design excellence provisions of the IWLEP apply to the Stage 1 component of the application. As demonstrated in the Architectural Design Report and detailed in the EIS, the detailed Stage 1 Sevington proposal is considered to achieve design excellence in accordance with the relevant considerations outlined in Clause 6.9 of the IWLEP.	

Marrickville Development Control Plan 2011

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
2.1 Urban Design			
2.1.3 Infill design guidelines			
2.1.3.1 Character	<i>Contemporary designs can respect the existing character by complementing and not detracting from the existing buildings that establish that character.</i>	The detailed Stage 1 works, as well as the reference schemes for later stages of the Concept Proposal, demonstrate the use of contemporary design language while maintaining a neutral counterpoint to the existing buildings on the campus and in the general vicinity of the site, including heritage-listed items.	Section 6.1.1 of the EIS Appendix B Appendix C Appendix M
2.1.3.2 Scale	<i>Infill buildings should generally respond to the predominant scale of their setting. Understanding of the inter relationships of building heights, widths and bulk will maintain the grain of the locality.</i>	The proposed building envelopes respond to the predominant scale of their setting. Stanmore Road is characterised by larger-scale development which is commensurate with the character and function of the roadway itself. The proposed Sevington development (detailed Stage 1), and the proposed building envelope for Concordia (Stage 6) are consistent with this established character and urban form. The proposed Stage 2 (Centennial Hall) and Stage 3 (College Lane building) building envelopes are of a height and scale which is sympathetic to their immediate context of the existing buildings on the campus (including Centennial Hall and the Chapel), while not resulting on	

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
		adverse shadow impacts on neighbouring residential properties.	
2.1.3.3 Massing and form	<i>Good design considers the form of buildings that contribute to the site context and incorporates these, in a contemporary way, into the design without copying them.</i>	The proposed new buildings demonstrate appropriate form and massing with respect to the established character of the locality. Stanmore Road is characterised by larger allotments and bigger building footprints, commensurate with its nature as a major roadway. The proposed new buildings on the campus relate to this established context, while also remaining visibly part of the educational establishment which, equally, has come to characterise this part of Stanmore Road.	
2.1.3.4 Siting	<i>In the well-established neighbourhoods of the area, the siting of buildings is dictated by the rectilinear nature of the subdivision patterns. Buildings are almost universally orientated parallel to allotment boundaries, with a distinguishable setback pattern.</i>	All new buildings are oriented parallel to the allotment boundaries. Properties at Stanmore Road exhibit varied setback patterns – including some with no, or minimal setbacks – and this is responded to with the minimal setbacks of each of the new buildings proposed for the College campus, including those directly addressing Stanmore Road (Sevington and Concordia).	
2.1.3.5 Materials, finishes and colours	<i>The predominant materials and colours of surrounding buildings need not be replicated exactly in infill buildings but can be used to provide points of reference.</i> <i>Modern materials can harmonise with the traditional materials by managing the proportions and details of new elements. Colour can be applied to a new material to pick up the hues of traditional materials of adjoining buildings. Tonal contrasts can be employed to heighten the prominence of the materials of the existing adjoining buildings and make the infill building complement those buildings.</i>	The proposed materials for the detailed Stage 1 Sevington development demonstrate due regard for traditional colours and materials (including the use of terracotta and timber) while remaining noticeably contemporary. This will enable the new infill buildings to better harmonise with their immediate surroundings.	
2.1.3.6 Detailing	<i>Contemporary materials can be joined together in ways that create articulation of form and texture of surfaces to provide visual interest. At the public/private</i>	The detailed Stage 1 works for Sevington include vertically-proportioned windows to visually ‘break’ the building mass	

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	<i>interface details of fences, gates, garden walls and selection and treatment of planting can help new development complement the local character.</i>	and to respond to traditional patterns of solid and void found throughout the locality.	
2.10 Parking			
2.10.5 Car parking provision	The northern half of the main campus and the Concordia building are located within Parking Area 2, as identified in the DCP. Parking rates for Schools in Area 2 are as follows: ▪ 1 space per 4 staff, plus ▪ Dropoff and pick-up facilities for parents and carers The southern half of the main campus is located within Parking Area 3, as identified in the DCP. Parking rates for Schools Area 3 are as follows: ▪ 1 space per 4 staff, plus ▪ Dropoff and pick-up facilities for parents and carers	Upon completion of the Concept Proposal (at the conclusion of Stage 6 Concordia), the Senior Campus will accommodate a total of 177 car spaces to include: ▪ 163 staff spaces ▪ 11 visitor spaces ▪ 3 other spaces As outlined in the Transport and Accessibility Impact Assessment (TAIA) accompanying this application, the proposed parking provision is considered supportable as it complies with the minimum DCP parking rate (as based on the staff increase) and will reduce the demand for on-street parking in both normal school operating hours and during after-hours / weekend events held at the College.	Section 6.1.5 of the EIS Appendix AA Appendix BB
2.10.13 Bicycle parking provisions	The DCP provides the following requirements for bike parking and associated facilities in Schools: ▪ Bicycle parking spaces: 1 per 20 staff + 1 for 10 students ▪ Clothes lockers (staff & students): 1 per 3 staff + lockers for students on merit ▪ Showers (staff & students): 1 + extra on merit for staff + showers for students on merit	The proposal will provide 3x staff and 15x student bike parking spaces. This is based on a study of current student and staff travel behaviour, which suggests that fewer than 1% of students travel to and from school via bicycle. Given these existing travel behaviours, and the fact that the College's student and staff catchment extends beyond the local area, the TAIA finds that this provision of bike parking is acceptable on balance. Notwithstanding, the College will retain flexibility to install additional bike parking facilities at its discretion, should the need or demand arise in the future.	
2.10.14 Vehicle service and delivery areas	C26 Schools are identified as 'other uses' for the purposes of this provision. This provision requires that	No changes are proposed to the existing site loading and servicing arrangements. The College grounds will maintain	

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
	'other uses' meet the following minimum requirements for the parking of service and delivery vehicles: One service vehicle space per 2,000m² (50% of spaces adequate for trucks)	sufficient area and access for loading areas, including for construction and waste collection vehicles.	
2.18 Landscaping and Open Spaces			
2.18.2 Water efficient landscaping	This section of the DCP includes design principles and guidance for water efficient landscaping, including water efficient landscaping practices, soil management techniques, and the interaction of plants with stormwater systems.	As specified in the ESD Report accompanying this application, the proposal will include measures to minimise the use of potable water, including in plant irrigation and through water-sensitive urban design features.	Section 6.2.1 of the EIS Appendix X
2.18.8 Existing gardens and landscaped areas	<i>C7 Significant gardens, or remnants of gardens with original planting schemes and hard landscape elements such as paving and associated decorative elements must not be removed.</i>	The Concept Proposal and detailed Stage 1 works demonstrate due regard for the existing landscaped character of the Campus. The north-south Memorial Drive, along the western alignment of the Main Campus, will be maintained with no new built form encroachment. A total of 612 trees will be retained, including 540 trees identified as High and Moderate retention value (88%) will be retained in situ. The form of the Sevington development has been modulated to allow for the retention of significant trees and landscape elements to its north (along Stanmore Road) and south (at its rear).	Section 6.1.4 of the EIS Appendix N Appendix Q Appendix R
2.20 Tree Management			
4 Trees on development sites	C13 All development proposals must be designed to maintain or improve the urban forest values of the site by minimising the impact on tree/s and planting replacement tree/s for tree/s that are proposed for removal. This requirement applies to Council owned trees as well as trees on private or other property and adjoining land.	The Arboricultural Impact Assessment (AIA) reports submitted with this application note that, while some High or Moderate retention value trees are proposed for removal, the overall Concept Proposal will result in an overall increased quantum of tree coverage across the Senior Campus. Recommendations are provided in the AIA reports to mitigate the potential impact of the proposed tree removal works, which are required to facilitate the achievement of the Concept Proposal.	Section 6.1.4 of the EIS Appendix Q Appendix R

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
2.21 Waste Management			
2.21.2.6 Recycling and waste management / facilities for commercial, industrial and other non-residential development	Provides requirements for waste management, including the use of appropriate waste receptacles, the design and function of waste storage areas, and the ongoing management of waste which is generated from proposed development.	The Operational Waste Management Plan (OWMP) accompanying this application sets out the expected waste generation which will result from Stage 1 of the development, in accordance with NSW EPA guidelines. The OWMP sets out requirements for waste management and collection for the College to implement in order to appropriately manage the various waste streams which are expected to be generated (including general waste, recycling, food and organics waste, and hazardous materials waste). The OWMP also outlines how waste will be collected from the College once the future stages of the Concept Proposal become operational.	Section 6.2.9 of the EIS Appendix QQ
Part 8 Heritage			
8.1.7 Heritage items			
8.1.7.1 General controls common to all heritage items	Provides objectives and controls for development of heritage sites (or on sites which comprise a heritage item) and for development in the vicinity of identified heritage items.	This SSDA is accompanied by a Conservation Management Plan which provides detailed heritage management guidelines for the College in the context of future development. The HIS also accompanying this application finds that the proposed development will not result in adverse or unreasonable impacts on the established heritage significance of the site, nor on the heritage items and conservation areas in the vicinity of the site. No individually listed heritage items will be physically impacted by the proposed works.	Section 6.1.8 of the EIS Appendix L Appendix TT Appendix UU
8.1.10 Archaeological sites			
8.1.10 Archaeological sites	Provides objectives and controls for the protection of historical archaeology.	The HAIA accompanying this application identifies that there is reasonable cause to suspect that the proposed works will impact potentially locally significant historical archaeological resources associated with the historic	Section 6.1.9 of the EIS Appendix SS

Statutory Reference	Relevant Considerations	Relevance / Compliance	Section in EIS
		occupation of the site by Newington College since the mid-19th century. The HAIA includes recommendations which should be implemented as part of conditions of development consent to mitigate potential impacts.	
8.1.11 Places of Aboriginal heritage significance	Provides objectives and controls for the protection of places of Aboriginal heritage significance.	This SSDA is accompanied by an ACHAR, which finds that the subject area has very low–low potential to retain Aboriginal objects, given the highly disturbed nature of the site. Notwithstanding, it is recognised that the site is on the land of the Gadi and Wangal peoples. Architectural and design opportunities to design with Country are detailed in the Architectural Design Report and Landscape Design Report which also accompany this application.	Section 6.2.10 of the EIS Appendix M Appendix N Appendix RR