

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

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| Application Number | SSD 8814 |
| Proposal Name | Newcastle West Vertical School |
| Location | 498 King Street and 723-733 Hunter Street, Newcastle West |
| Applicant | Core Project Group Pty Ltd |
| Date of Issue | 9 November 2017 |
| 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 <i>Environmental Planning and Assessment Regulation 2000</i> (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>Where relevant, the assessment of the key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> • adequate baseline data; • consideration of potential cumulative impacts due to other development in the vicinity (completed, underway or proposed); and • measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment. <p>The EIS must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; • an estimate of the jobs that will be created by the future development during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation. |
| Key Issues | <p>The EIS must address the following specific matters:</p> <p>1. Statutory and Strategic Context – including: Address the statutory provisions contained in all relevant environmental planning instruments, including:</p> <ul style="list-style-type: none"> • State Environmental Planning Policy (State & Regional Development) 2011; • State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017; • State Environmental Planning Policy No.55 – Remediation of Land; • State Environmental Planning Policy No. 64 – Advertising and Signage • State Environmental Planning Policy No. 71 – Coastal Protection; and • Newcastle Local Environmental Plan 2012. |

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| | <p><i>Permissibility</i> Detail the nature and extent of any prohibitions that apply to the development.</p> <p><i>Development Standards</i> Identify compliance with the development standards applying to the site and provide justification for any contravention of the development standards.</p> <p>2. Policies Address the relevant planning provisions, goals and strategic planning objectives in the following:</p> <ul style="list-style-type: none"> • NSW State Priorities; • Hunter Regional Plan 2036; • Newcastle Urban Renewal Strategy 2014; • Newcastle Development Control Plan 2012; • NSW Long Term Transport Master Plan 2012; • Crime Prevention Through Environmental Design (CPTED) Principles; • Planning Guidelines for Walking and Cycling; • Healthy Urban Development Checklist, NSW Health; • Better Placed – An integrated design policy for the built environment of NSW 2017; and • Newcastle City Centre Cycleway Network Strategy 2017. <p>3. Operation</p> <ul style="list-style-type: none"> • Provide details of the proposed operations, including staff and student numbers, school hours of operation, and operational details of any proposed before/after school care services and/or community use of school facilities. • Provide a detailed justification of suitability of the site to accommodate the proposal and student and staff capacity. <p>4. Built Form and Urban Design</p> <ul style="list-style-type: none"> • Address the height, density, bulk and scale, setbacks of the proposal in relation to the surrounding development, topography, streetscape and any public open spaces, including Birdwood Park. • Address design quality, with specific consideration of the overall site layout, streetscape, open spaces, façade, rooftop, massing, setbacks, building articulation, heritage significance, materials, colours and Crime Prevention Through Environmental Design Principles. • Provide details of any digital signage boards, including size, location and finishes. • Demonstrate in consultation with and to the satisfaction of the Government Architect NSW that design excellence will be achieved in accordance with Schedule 4 Schools – design quality principles of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017. • Detail how services, including but not limited to waste management, loading zones, and mechanical plant are integrated into the design of the development. <p>5. Environmental Amenity</p> <ul style="list-style-type: none"> • Detail amenity impacts including solar access, acoustic impacts, visual privacy, view loss, overshadowing and wind impacts. A high level of environmental amenity for any surrounding residential land uses must be demonstrated. • Detail any proposed use of the school grounds out of school hours (including weekends) and any resultant amenity impacts on the immediate locality and proposed mitigation measures. |
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6. Transport and Accessibility

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

- accurate details of the current daily and peak hour vehicle, public transport, pedestrian and cycle movement and existing traffic and transport facilities provided on the road network located adjacent to the proposed development;
- an assessment of the operation of existing and future transport networks including public transport networks, and their ability to accommodate the forecast number of trips to and from the development;
- details of estimated total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips;
- existing and proposed pedestrian and bicycle movements within the vicinity of the site;
- the adequacy of public transport, pedestrian and bicycle networks and associated infrastructure to meet the likely future demand of the proposed development;
- the impact of the proposed development on existing and future public transport infrastructure within the vicinity of the site in consultation with Council, Roads and Maritime Services and Transport for NSW and identify measures to integrate the development with the transport network;
- the identification of infrastructure required to ameliorate any impacts on traffic efficiency and road safety impacts associated with the proposed development, including details on improvements required to affected intersections;
- details of travel demand management measures to minimise the impact on general traffic and bus operations, including details of a location-specific sustainable travel plan and the provision of facilities to increase the non-car mode share for travel to and from the site for staff, parents, students and visitors;
- the impact of trips generated by the development on nearby intersections, with consideration of the cumulative impacts from other approved developments in the vicinity, and the need/associated funding for, and details of, upgrades or road improvement works, if required. Traffic modelling is to be undertaken using SIDRA network modelling for current and future years;
- the proposed walking and cycling access arrangements and connections to public transport services;
- details of any proposed school bus routes along bus capable roads (i.e. travel lanes of 3.5 m minimum) and infrastructure (bus stops, bus layovers etc.);
- the proposed access arrangements, including car and bus pick-up/drop-off facilities, and measures to mitigate any associated traffic impacts and impacts on public transport, pedestrian and bicycle networks, including pedestrian crossings and refuges and speed control devices and zones;
- measures to maintain road and personal safety in line with CPTED principles;
- proposed bicycle parking provision, including end of trip facilities, in secure, convenient, accessible areas close to main entries incorporating lighting and passive surveillance;
- proposed number of on-site car parking spaces for teaching staff and visitors and corresponding compliance with existing parking codes and justification for the level of car parking provided on-site;
- an assessment of the cumulative on-street parking impacts of cars and bus pick-up/drop-off, staff parking and any other parking demands associated with the development;
- details of emergency vehicle access arrangements;
- an assessment of road and pedestrian safety adjacent to the proposed development and the details of required road safety measures;

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| | <ul style="list-style-type: none"> • service vehicle access, delivery and loading arrangements and estimated service vehicle movements (including vehicle type and the likely arrival and departure times); • in relation to construction traffic: <ul style="list-style-type: none"> ○ assessment of cumulative impacts associated with other construction activities (if any); ○ an assessment of road safety at key intersection and locations subject to heavy vehicle construction traffic movements and high pedestrian activity; ○ details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process; ○ details of anticipated peak hour and daily construction vehicle movements to and from the site; ○ details of on-site car parking and access arrangements of construction vehicles, construction workers to and from the site, emergency vehicles and service vehicle; ○ details of temporary cycling and pedestrian access during construction; and ○ traffic and transport impacts during construction, including cumulative impacts associated with other construction activities, and how these impacts will be mitigated for any associated traffic, pedestrian, cyclists, parking and public transport, including the preparation of a draft Construction Traffic Management Plan to demonstrate the proposed management of the impact. <p>→ Relevant Policies and Guidelines:</p> <ul style="list-style-type: none"> • <i>Guide to Traffic Generating Developments (Roads and Maritime Services)</i> • <i>EIS Guidelines – Road and Related Facilities (DoPI)</i> • <i>Cycling Aspects of Austroads Guides</i> • <i>NSW Planning Guidelines for Walking and Cycling</i> • <i>Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development</i> • <i>Standards Australia AS2890.3 (Bicycle Parking Facilities)</i> <p>7. Ecologically Sustainable Development (ESD)</p> <ul style="list-style-type: none"> • Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design and ongoing operation phases of the development. • Demonstrate that the development has been assessed against a suitably accredited rating scheme to meet industry best practice. • Include a description of the measures that would be implemented to minimise consumption of resources, water (including water sensitive urban design) and energy. <p>8. Social Impacts</p> <p>Include an assessment of the social consequences of the schools' relative location and decanting activities if proposed.</p> <p>9. Biodiversity</p> <ul style="list-style-type: none"> • Biodiversity impacts are to be assessed in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and Biodiversity Assessment Method. • The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity |
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Assessment Method Order 2017 under s6.10 of the Biodiversity Conservation Act 2016.

10. Aboriginal Heritage

- Identify, describe and document the Aboriginal Cultural Heritage values that exist across the whole area that will be affected by the development, which may include the need for surface survey and test excavation. The identified of Aboriginal Cultural Heritage values should be guided by the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECC, 2011)*.
- Where Aboriginal Cultural Heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW)*. The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS.
- The EIS must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented in the EIS. Please note the Due Diligence assessment process is not appropriate to address the requirements for Aboriginal Cultural Heritage assessment.

11. Heritage

Include a Heritage Impact Statement that addresses the significance of, and provides an assessment of the impact on the heritage significance of any heritage items on the site (i.e. Army Drill Hall) and in the vicinity, and/or conservation areas and/or potentially archaeologically significant areas, in accordance with the guidelines in the NSW Heritage Manual.

12. Noise and Vibration

Identify and provide a quantitative assessment of the main noise and vibration generating sources during demolition, site preparation, bulk excavation, construction and operation, including consideration of any public address (PA) system, school bell, mechanical services (e.g. air conditioning plant), amplified school performances, and any community use of school facilities outside school hours, and outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.

→ Relevant Policies and Guidelines:

- *NSW Industrial Noise Policy (EPA)*
- *Interim Construction Noise Guideline (DECC)*
- *Assessing Vibration: A Technical Guideline 2006*
- *Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning 2008)*

13. Sediment, Erosion and Dust Controls

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

→ Relevant Policies and Guidelines:

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

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| | <p>14. Contamination</p> <ul style="list-style-type: none"> Assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable for the proposed use in accordance with SEPP 55. Where relevant, undertake a hazardous materials survey of all existing structures and infrastructure prior to any demolition or site preparation works. <p>→ Relevant Policies and Guidelines:</p> <ul style="list-style-type: none"> <i>Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land (DUAP)</i> <p>15. Utilities</p> <ul style="list-style-type: none"> Prepare an Infrastructure Management Plan in consultation with relevant agencies, detailing information on the existing capacity and any augmentation and easement requirements of the development for the provision of utilities including staging of infrastructure. Prepare an Integrated Water Management Plan detailing any proposed alternative water supplies, proposed end uses of potable and non-potable water, and water sensitive urban design. <p>16. Contributions</p> <p>Address Council's Section 94 Contribution Plan and/or details of any Voluntary Planning Agreement, which may be required to be amended because of the proposed development.</p> <p>17. Drainage</p> <ul style="list-style-type: none"> Detail drainage associated with the proposal, including stormwater and drainage infrastructure. Detail measures to minimise operational water quality impacts on surface waters and groundwater. <p>→ Relevant Policies and Guidelines:</p> <ul style="list-style-type: none"> <i>Guidelines for development adjoining land and water managed by DECCW (OEH, 2013)</i> <p>18. Flooding</p> <p>Assess any flood risk on site (detailing the most recent flood studies for the project area) and consideration of any relevant provisions of the NSW Floodplain Development Manual (2005), including the potential effects of climate change, sea level rise and an increase in rainfall intensity.</p> <p>19. Mine Subsidence</p> <p>Provide a Geotechnical Investigation and Report which addresses potential subsidence risks, stabilisation works required/undertaken and confirms suitability of the site for the proposal.</p> <p>20. Waste</p> <p>Identify, quantify and classify the likely waste streams to be generated during construction and operation and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. Identify appropriate servicing arrangements (including but not limited to, waste management, loading zones, mechanical plant) for the site.</p> <p>21. Construction Hours</p> <p>Identify proposed construction hours and provide details of the instances where it is expected that works will be required to be carried out outside the standard construction hours.</p> |
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| Plans and Documents | <p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> • Architectural drawings including but not limited to the following requirements: <ul style="list-style-type: none"> ○ dimensioned and including RLs; ○ plans, sections and elevations of the proposal at no less than 1:200 showing furniture layouts and program; ○ site and context plans that demonstrate active transport linkages with existing, proposed and potential footpaths and bicycle paths and public transport links; and ○ detailed annotated wall sections at 1:20 scale that demonstrate typical cladding, window and door details, including materials and general construction quality; • Site Survey Plan, showing existing levels, location and height of existing and adjacent structures / buildings and boundaries; • Site Plans and operations statement demonstrating the afterhours and community use strategy; • Site Analysis Plan; • Stormwater Concept Plan; • Sediment and Erosion Control Plan; • Shadow Diagrams; • View Analysis / Photomontages, including from public vantage points; • An integrated Landscape Plan/Strategy (including identification any trees to be removed and trees to be retained or transplanted); • Preliminary Construction Management Plan, inclusive of a Preliminary Construction Traffic Management Plan detailing vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures; • Geotechnical and Structural Report; • Accessibility Report; • Arborist Report; • Salinity Investigation Report (if required); • Acid Sulphate Soils Management Plan (if required); • Schedule of materials and finishes including a physical material sample board (no larger than A3) with correct proportional representation of materials; and • A report tabling how the project responds to and upholds the design guide for schools as stipulated in Schedule 4 Schools – design quality principles of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017. |
| Consultation | <p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups, special interest groups including local Aboriginal land councils and registered Aboriginal stakeholders, and affected landowners. In particular, you must consult with:</p> <ul style="list-style-type: none"> • The City of Newcastle; • Government Architect NSW; • Transport for NSW; • Roads and Maritime Services; and • Hunter Water. <p>Consultation with TfNSW and RMS should commence as soon as practicable to agree the scope of investigation.</p> |

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| | 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. |
| 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 Secretary in relation to the preparation of the EIS. |
| References | The assessment of the key issues listed above must consider relevant guidelines, policies, and plans as identified. |