

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act*
 Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD-10434
Proposal Name	ET Australia Gosford
Location	125 Donnison Street and 171 Mann Street, Gosford
Applicant	ET Australia
Date of Issue	Reissued 29 May 2020
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>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) • 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 Regulation) 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 • 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</p> <p>Address the statutory provisions (where relevant) 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 (Infrastructure 2007) • State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 • State Environmental Planning Policy (Gosford City Centre) 2018 • State Environmental Planning Policy No. 64 – Advertising and Signage • State Environmental Planning Policy No.55 – Remediation of Land • State Environmental Planning Policy (Coastal Management) • Draft State Environmental Planning Policy (Remediation of Land) • Draft State Environmental Planning Policy (Environment) • Gosford Local Environmental Plan 2014.

Permissibility

Detail the nature and extent of any prohibitions that apply to the development.

Development Standards

Identify compliance with the development standards applying to the site and provide justification for any contravention of the development standards.

Provisions

Adequately demonstrate and document in the EIS how each of the provisions in the listed instruments are addressed, including reference to necessary technical documents.

2. Policies

Address the relevant planning provisions, goals and strategic planning objectives in the following:

- NSW State Priorities
- State Infrastructure Strategy 2018-2038
- Future Transport Strategy 2056
- Central Coast Regional Plan 2036
- Gosford Development Control Plan 2013.

3. Operation

- Provide details of the existing and proposed school 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.
- Provide details of how the school will manage anti-social behaviour and congregation of students with potential to impact on surrounding premises/properties.

4. Built Form and Urban Design

- Provide details of any digital signage boards, including size, location and finishes.
- Clearly demonstrate how design quality will be achieved as relevant to the proposal 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.
- Address CPTED Principles.
- Demonstrate good environmental amenity including access to natural daylight and ventilation, acoustic separation, access to landscape and outdoor spaces and future flexibility.

5. Environmental Amenity

- Assess amenity impacts on the surrounding locality, including acoustic impacts.
- Identify any proposed use of the school outside of school hours (including weekends) and assess any resultant amenity impacts on the immediate locality and proposed mitigation measures.

6. Staging

Provide details regarding the staging of the proposed development (if any).

7. Transport and Accessibility

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

- an assessment of all relevant vehicular traffic routes and intersections for access to / from the subject properties.

- an assessment of construction and operational traffic impacts on existing intersections, capacity of the local and classified road network.
- identify road network infrastructure upgrades that are required to maintain existing levels of service on both the local and classified road network for the development (if required).
- the adequacy of public transport, pedestrian and bicycle networks in the vicinity of the site.
- access arrangements, including car and bus pick-up/drop-off facilities if proposed, 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.
- proposed bicycle parking provision, including end of trip facilities, in secure, convenient, accessible areas close to main entries incorporating lighting and passive surveillance.
- details of available on-site car parking spaces for teaching staff and visitors in accordance with existing parking requirements and justification for the level of car parking provided on-site or provided off site in association with the development.
- 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.
- an assessment of road and pedestrian safety adjacent to the proposed development and the details of required road safety measures and personal safety in line with CPTED.
- emergency vehicle access, service vehicle access, delivery and loading arrangements and estimated service vehicle movements (including vehicle type and the likely arrival and departure times).

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)
- Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development
- Standards Australia AS2890.3 (Bicycle Parking Facilities).

8. Ecologically Sustainable Development (ESD)

- Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Regulation) will be incorporated in the design and ongoing operation phases of the development.
- Include a description of the measures that would be implemented to minimise consumption of resources, water (including water sensitive urban design) and energy.

9. Social Impacts

- Include an assessment of social impacts resulting as a consequence of the schools' relocation.

10. Noise and Vibration

- Identify and assess operational noise, including consideration of any public-address system, school bell, mechanical services (e.g. air conditioning plant), use of any school hall for concerts etc. (both during and outside school hours) and any out of hours community use of school facilities, and outline measures

to minimise and mitigate the potential noise impacts on surrounding occupiers of land.

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).

11. Contamination

- Undertake a hazardous materials survey of all existing structures and infrastructure prior to any demolition or site preparation works.

Relevant Policies and Guidelines:

- Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land (DUAP, 1998)
- Sampling Design Guidelines (EPA, 1995)
- Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011)
- National Environment Protection (Assessment of Site Contamination) Measure (National Environment Protection Council, as amended 2013)

12. Utilities

- Provide information on the existing capacity and any augmentation and easement requirements of the development for the provision of utilities.

13. Contributions

- Address Council's 'Section 7.11/7.12 Contribution Plan' and/or details of any Voluntary Planning Agreement, which may be required to be amended because of the proposed development.

14. Biodiversity Assessment

Should a BDAR Waiver not be granted:

- Biodiversity impacts related to the proposed development (SSD-10434) 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 document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method.
- The BDAR must include details of the measures proposed to address the offset obligation as follows:
 - the total number and classes of biodiversity credits required to be retired for the development/project
 - the number and classes of like-for-like biodiversity credits proposed to be retired
 - the number and classes of biodiversity credits proposed to be retired in accordance with the variation rules
 - any proposal to fund a biodiversity conservation action
 - any proposal to make a payment to the Biodiversity Conservation Fund.
- If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.
- The BDAR must be submitted with all spatial data associated with the survey and assessment as per the BAM.
- The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the *Biodiversity Conservation Act 2016*.

	<p><i>Note: Notwithstanding these requirements, the Biodiversity Conservation Act 2016 requires that State Significant Development Applications be accompanied by a Biodiversity Development Assessment Report unless otherwise specified under the Act.</i></p> <p>15. Waste 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><u>Relevant Policies and Guidelines:</u></p> <ul style="list-style-type: none"> • Waste Classification Guidelines (EPA, 2014) <p>16. Construction Hours 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>
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulations. 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"> • A section 10.7(2) and (5) Planning Certificates (previously Section 149(2) and (5) Planning Certificate) • Architectural drawings showing key dimensions, RLs, scale bar and north point, including: <ul style="list-style-type: none"> ○ plans, sections and elevation of the proposal at no less than 1:200 ○ details of proposed signage, including size, location and finishes ○ site plans and operations statement demonstrating the after-hours and community use strategy • Site Survey Plan, showing existing levels, location and height of existing and adjacent structures / buildings and site boundaries • Accessibility Report • Schedule of materials and finishes.
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, and affected landowners. In particular, you must consult with:</p> <ul style="list-style-type: none"> • Central Coast Council • Transport for NSW (TfNSW) • Transport for NSW (Roads and Maritime Services) (TfNSW RMS). <p>Consultation with TfNSW and TfNSW (RMS) should commence as soon as practicable to agree the scope of investigation.</p> <p>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.</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.</p>
References	<p>The assessment of the key issues listed above must consider relevant guidelines, policies, and plans as identified.</p>