

Response to Submissions Report
Budawang School
SSD-8845345

On behalf of
NSW Department of Education
July 2021



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Signed*

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*This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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Appendix 8: Traffic comment on public access to hydrotherapy building

Appendix 9: Engineering comment on sewer

1 Introduction

This Response to Submissions (RtS) has been prepared by Mecone NSW Pty Limited on behalf of the NSW Department of Education (DoE) in support of the proposed Budawang School (SSD-884345).

The Environmental Impact Statement (EIS) was exhibited from 6 May 2021 to 2 June 2021. A total of 22 submissions were received.

The Department of Planning, Industry and Environment (DPIE) addressed a letter to DoE dated 7 June 2021 outlining key issues and requesting a response to the submissions received during exhibition of the EIS.

This RtS addresses the issues raised in DPIE's letter and in the submissions received during exhibition. This RtS also describes minor changes to the proposal made since exhibition of the EIS.

This RtS is accompanied by, and should be read in conjunction with, the following supporting plans and reports:

- Appendix 1: Updated architectural drawings.
- Appendix 2: Updated landscape drawings.
- Appendix 3: Updated civil drawings.
- Appendix 4: Updated acoustic report.
- Appendix 5: Response to GANSW correspondence.
- Appendix 6a: Current title.
- Appendix 6b: Current title diagram.
- Appendix 7: Updated Preliminary Construction Traffic Management Plan.
- Appendix 8: Traffic comment on public access to hydrotherapy building.
- Appendix 9: Engineering comment on sewer.

2 Changes to the proposal

A number of minor changes are proposed in response to submissions received and as a result of design development. These changes are described in the table below.

Updated architectural, landscape and civil engineering drawings illustrating the changes are attached at Appendix 1, Appendix 2 and Appendix 3, respectively.

Table 1. Proposed changes to the development

Proposed change	Reason for change
Removal of three additional trees within the central courtyard, namely T61, T62 and T75 as identified in the arborist report. T61 and T62 are both Grey Gums with a height of approximately 18m, and T75 is Narrow Leafed Paper Bark with a height of 6m. Figure 1 below the table show the location of the additional trees to be removed.	Given the special nature of the proposed school, T61 and T62 have been deemed by DoE as posing an unacceptable safety hazard associated with use of fallen limbs as weapons. Re T75: As discussed in the following row, the levels around the central courtyard were significantly manipulated in the original design to retain T61 and T62. Now that the T61 and T62 are being removed, the levels are being rationalised to avoid unnecessary decking and potential drainage issues. The rationalisation of levels will

Proposed change	Reason for change
	<p>likely adversely affect T75, and therefore this tree is proposed for removal. It is noted that T75 is relatively small and has only medium retention value, and therefore removing the tree to provide for appropriate courtyard levels is considered a reasonable outcome.</p> <p>It is noted that, despite the additional tree removal, the proposal still provides for significant new plantings, with approximately 23% of the site to be covered by tree canopy.</p>
<p>Re-alignment of the pathways across the central courtyard. The central pathway is moving to square up the playground spaces.</p> <p>The realigned pathways are shown in the plan extract at Figure 2 below the table.</p>	<p>Related to the above change, retention of the central courtyard trees required manipulation of the levels around the trees. This caused a dip in the landscape that was managed through the use of decking, but this solution would result in potential drainage issues. Given the trees are now proposed for removal, the level issue is being resolved to avoid the dip and any issues associated with water ponding.</p>
<p>Entry gate moved from north of proposed roundabout to south of roundabout. Fencing has been added to the west of the existing pathway due to relocation of the site gate.</p> <p>The updated entry is shown in the plan extract at Figure 3 below the table.</p>	<p>This change has been made in accordance with a recommendation by Council in its submission. The new gate location allows for the remainder of the site to be secured while public access is provided to the car park for after-hours use of the hydrotherapy building.</p>
<p>Hydrant booster has been added along the Croobyar Road frontage. The location is shown in the plan extract at Figure 4 below the table.</p>	<p>The booster has been added in accordance with advice from the hydraulic engineer. The booster will not result in any significant visual impacts and will not require tree removal.</p>
<p>Two additional trees added along Croobyar Road near substation.</p>	<p>This change was made in response to Council's comment regarding the apparent incomplete row of trees along Croobyar Road. This row of trees was previously "incomplete" due to concerns regarding clearance distances around the substation. The clearances have since been verified, and the two additional trees are outside of the clearance zone.</p>
<p>Hydrotherapy building moved 150mm south.</p>	<p>This is a very minor change not readily visible on the drawings. It is being made to rectify an error that was identified as the design has progressed due to interpolating information from two different site surveys.</p>
<p>Clarification – No bus bay is proposed along along Croobyar Road.</p>	<p>The EIS main document and some supporting documents identified an indented bus bay along Croobyar Road as part of the description of the proposal. DoE has clarified that no bus bay is proposed along Croobyar Road. The bus bay was investigated at an earlier stage of the project. However, given the nature of the school, there is no requirement for a bus. All drop-offs and pick-ups will occur within the site. This is evident in the original architectural drawings at</p>

Proposed change	Reason for change
	Appendix 3 of the EIS as well as the updated drawings at Appendix 1 of this RfS.
Clarification – 29 car parking spaces proposed.	The EIS main document and some supporting documents identified 30 parking spaces in the proposed car park. It is clarified that 29 spaces are proposed. This is evident in the original architectural drawings at Appendix 3 of the EIS as well as the updated drawings at Appendix 1 of this RfS. This clarification does not change the overall conclusions of the traffic and parking assessments in the EIS.

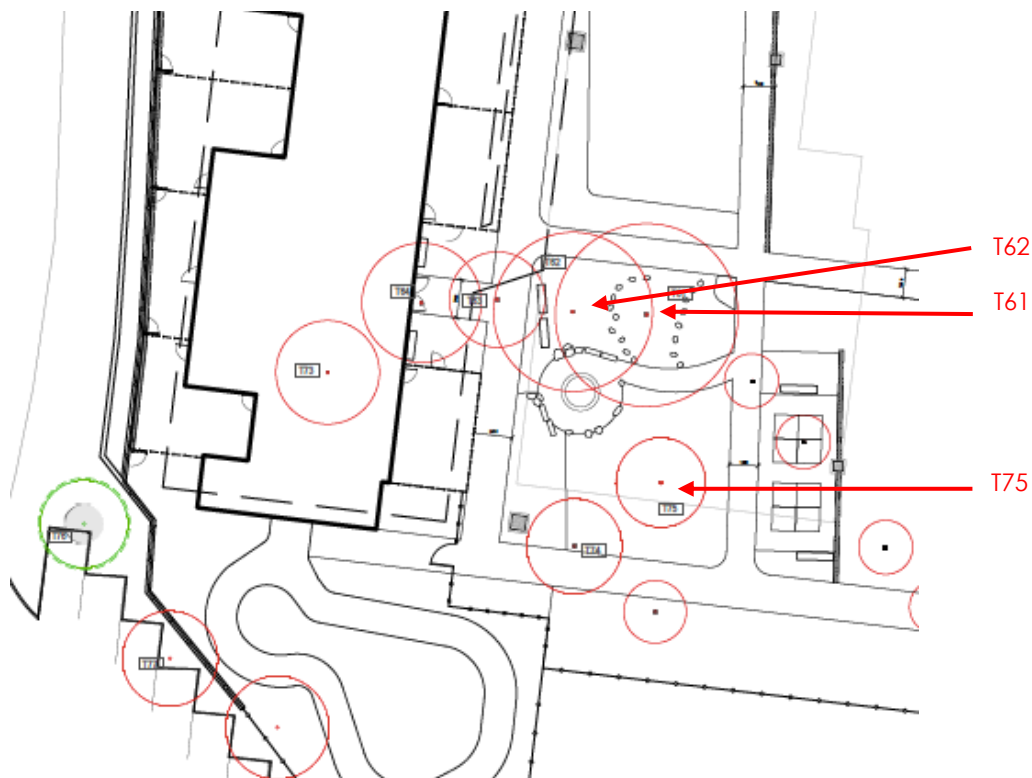


Figure 1. Location of additional trees to be removed (Source: Group GSA)

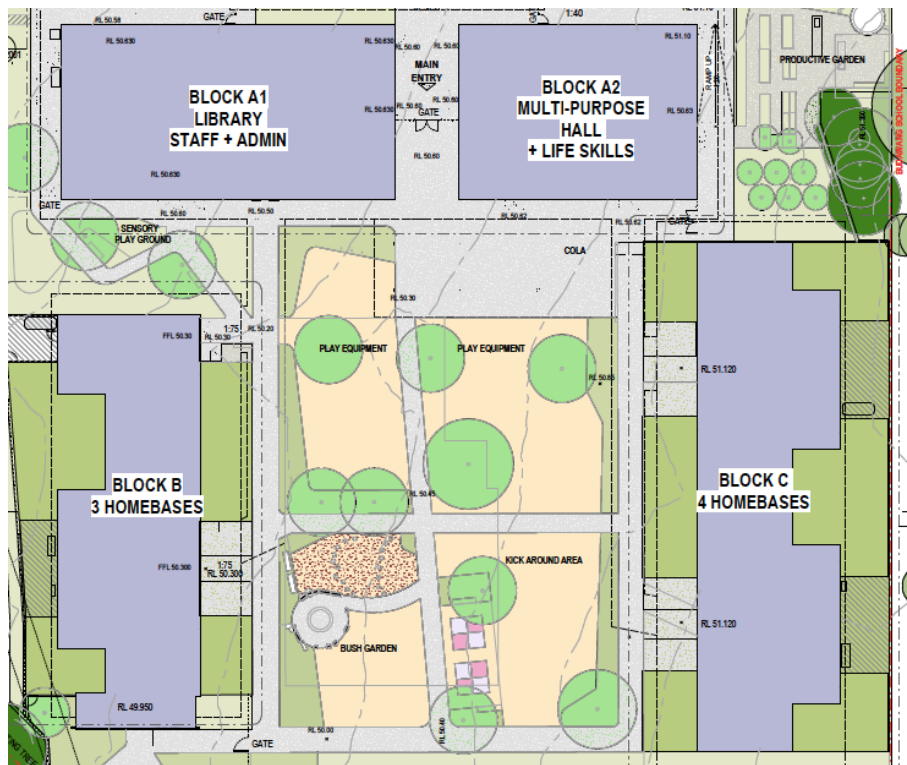


Figure 2. Updated central courtyard layout (Source: Group GSA)

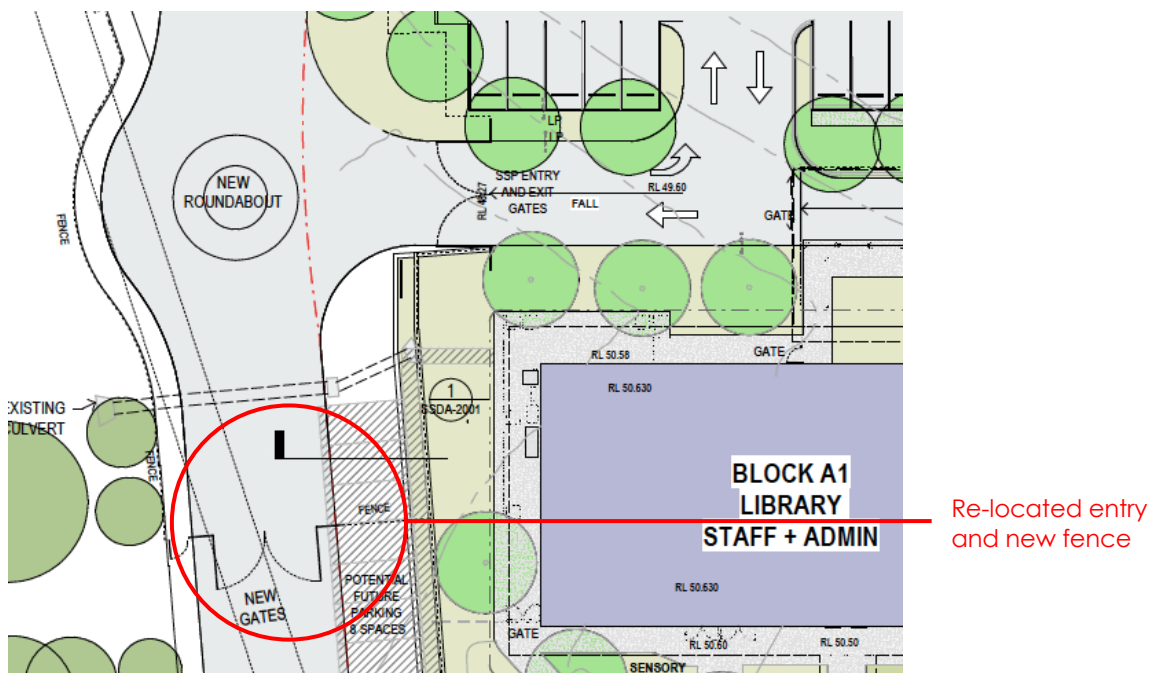


Figure 3. Updated entry gate location to south of roundabout (Source: Group GSA)

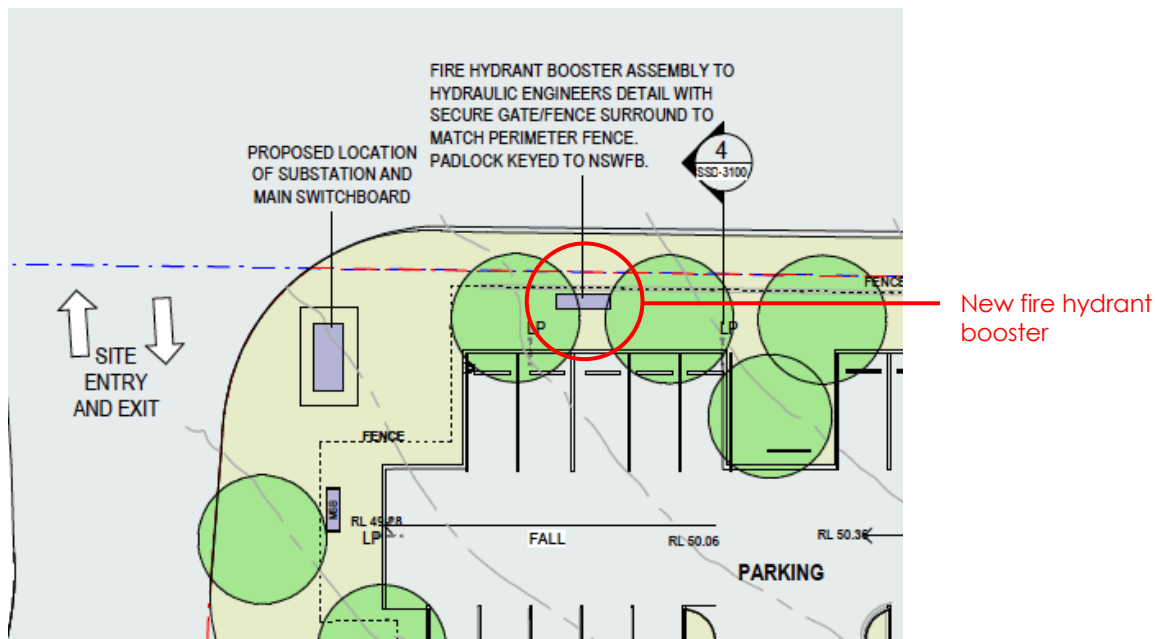


Figure 4. Updated entry gate location to south of roundabout (Source: Group GSA)

3 Overview of submissions

A total of 22 submissions were received including:

- 7 submissions from public authorities (all 7 provided comment and did not object).
- 3 submissions from organisations (2 objections and 1 comment).
- 12 submission from members of the public (5 objections, 2 supports and 5 comments).

Responses to these submissions are provided in Sections 6 to 8 below.

4 Key issue – use of remainder of lot

A large share of the objections and comments from community organisations and members of the public relate to the future use of the remainder of the lot. The objections emphasise there is a pressing need for new high school facilities in the area and express a preference for a redevelopment proposal to be provided for the entire lot, not just for the new Budawang School. The objectors suggest that impacts (traffic in particular) should be considered for a combined development including the Budawang School and a future high school.

In response, it is noted that the remainder of the lot will be preserved for future educational needs, and the subject application does not preclude such future development. DoE, however, has assessed the needs of the Ulladulla/Milton area and has determined there is no requirement for additional school facilities in the area at this time. The local community and stakeholders will be consulted at the appropriate stage regarding future use of the remainder of the lot.

DoE has provided the community information about the remainder of the lot and the assessment for the local area within the April Project Update and FAQs available on the project webpage: <https://www.schoolinfrastructure.nsw.gov.au/projects/b/budawang-school-relocation.html#category-project-updates>.

Information regarding the Budawang School project in particular will continue to be communicated to school and local communities as it becomes available through regular

updates on the School Infrastructure NSW's project website at <https://www.schoolinfrastructure.nsw.gov.au/projects/b/budawang-school-relocation.html>.

5 Response to DPIE key issues

Following its initial assessment of the proposal, DPIE commented on a number of key issues in a letter to the applicant dated 07 June 2021. The table below provides responses to these key issues.

Table 2. Response to DPIE key issues

Issue	Response
Transport, traffic and access	
1. The proposed hydrotherapy facilities (Block D) are proposed for community use outside of the school's standard operating hours. It is unclear where parking would be provided for the public as there is no parking along Croobyar Road. It is also noted there is no pedestrian access along Croobyar Road. Further detail and discussion is required regarding public parking and access associated with the use of the hydrotherapy facilities.	<p>ptc. traffic consultants have prepared a response to this item (refer to Appendix 9).</p> <p>Groups of community members will be allowed access to the hydrotherapy building on different days at different times during the week. Subject to prior arrangement, these groups will be allowed to utilise the car park during their visit. It is expected that up to 20 members of the public would visit the pool at any one time and that visitors would arrive by a mix of private vehicles and minibus. The proposed car park has 29 spaces, and therefore the parking demand for the proposed after-hours use of the hydrotherapy building can be easily accommodated.</p>
2. Further justification is required for the proposed number of car parking spaces on site given that the school is proposed to operate with a higher teacher to student ratio than other schools.	<p>Shoalhaven DCP requires 1 car parking space per 5.5 students for school development (rate combines both staff and students). Based on 80 future students (which includes a future extension not included in the subject application), the proposal is required to provide 15 spaces. To account for the higher teacher-to-student ratio, the proposal provides for 29 spaces, which is nearly double the minimum required.</p>
3. Further detail is required regarding the indented bus bay along Croobyar Road and no location has been proposed on plan. Further details are required to ensure that potential vehicle / pedestrian safety issues are properly assessed.	<p>It is clarified that no bus bay is proposed along Croobyar Road. This is evident in the originally submitted architectural drawings at Appendix 3 of the EIS and in the updated drawings at Appendix 1 of this RfS.</p> <p>A bus bay was being investigated at an earlier stage of the project; however, given the type of school, it is not expected that any of the students will use public transport to commute to and from the school. Therefore, no provision for a bus is being proposed as part of this project.</p> <p>The proposal has been designed to accommodate all drop-off/pick-up within the site.</p>

Issue	Response
Construction	
<p>4. Detailed justification is to be provided for any works proposed outside of recommended construction hours. If works outside of recommended construction hours are proposed, a works plan must be included to detail how often works would occur outside the recommended times, the activities proposed and the period of time these works would continue.</p>	<p>No works are proposed outside of standard construction hours. DoE accepts the standard condition for construction hours.</p> <p>A separate application would be made for any extended hours.</p>
<p>5. Construction vehicle access has not been confirmed in the EIS. There are two construction options outlined, please confirm the preferred option so that potential impacts can be properly assessed.</p>	<p>An updated Preliminary Construction Traffic Management Plan (CTMP) is attached at Appendix 7 of this RfS. The updated Preliminary CTMP identifies one construction access option, namely Option 1 (Direct site access) as identified in the EIS. This option involves construction vehicles entering the site using the existing driveway crossover. No work zone is required.</p>
Noise	
<p>6. Noise levels associated with construction work are expected to exceed recommended guidelines contained within the Interim Construction Noise Guideline at the nearest affected residential receivers. No acoustic screening is proposed, and it is unclear how many affected residential receivers would be impacted by construction noise. Please provide further clarification regarding the number of the impacted receivers and mitigation measures proposed.</p>	<p>An updated Acoustic Assessment by Marshall Day is attached at Appendix 4 of this RfS. The assessment includes details regarding the number of affected receivers.</p> <p>Noise control recommendations are detailed in Section 5.3 of the assessment. These include recommendations for 2m-high site boundary hoarding/fencing during construction to areas in which noise sensitive receivers are present. Higher hoarding heights to residential boundaries are generally undesirable given visual and overshadowing impacts.</p> <p>It is also noted that the submitted acoustic assessment is conceptual, for planning purposes, based on assumed equipment and methodologies. It is expected that a more detailed assessment will be conducted once a contractor is appointed and site-specific construction equipment and methodologies are known. This will help to define noise emission predictions and the commensurate noise control recommendations.</p>
Built form	
<p>7. Provide a response to the design recommendations identified by the Government Architect New South Wales in the correspondence dated 3 March 2021.</p>	<p>A response to the identified recommendations is provided at section 9 of the design report prepared by Group GSA at Appendix 4 of the EIS. This is also attached at Appendix 5 of this RfS for clarity.</p>
<p>8. It is noted that there is a sewerage easement that dissects the construction site. Further clarification is required to understand if</p>	<p>The project civil engineers, Henry & Hymas, have confirmed that the design for the project has been carried out with consideration of the</p>

Issue	Response
construction activities would impact on the sewerage pipe and any mitigation measures proposed.	<p>existing 225mm asbestos rising main, and that no impacts on the pipe are anticipated. A detailed response by the engineer is attached at Appendix 9 of this RtS.</p> <p>No specific mitigation measures are proposed. As per Shoalhaven Water's advice, plans will be submitted in accordance with Shoalhaven Water Survey Design and WAE Specification for approval prior to any works commencing.</p>

6 Response to public authorities

This section provides responses to the 7 submissions by public authorities. The public authorities' submissions provided comment only and did not object to the proposal.

6.1 Shoalhaven City Council

Table 3. Response Shoalhaven City Council

Summary of issue/comment	Response
<p>Location of entry gates</p> <p>The entry gates on the main road should be located to the south of the roundabout to enable the remainder of the former school site to be secured while public access is provided to the car park for after hours use of the hydrotherapy building.</p>	<p>Council's suggestion has been incorporated in the updated plans. The entry gates on the main road have been moved to the south of the roundabout. As Council notes, this allows for the remainder of the site to be secured while public access is provided to the car park for after-hours use of the hydrotherapy building.</p>
<p>Section 68 application</p> <p>No Section 68 application has been lodged for consideration.</p>	<p>A Section 68 application will lodged for any work covered under Section 68 of the Local Government Act 1993 as required.</p>
<p>National Construction Code (NCC)</p> <p>No National Construction Code (NCC) assessment has been completed. The submitted NCC indicates compliance is achievable, and the proposal may be subject to performance-based solutions.</p>	<p>This is correct. It is expected that compliance with the NCC will be required as a condition of consent.</p>
<p>Easement to drain water</p> <p>Council's development engineer notes there is an existing easement to drain water created under DP811690, but this lot seems to have re-consolidated with the subject lot under DP1192940. The easement should be expunged after this application.</p> <p>Council's drainage engineer separately advises that the proposal should demonstrate it does not encroach upon the easement.</p>	<p>There is currently no easement to drain water on the current title or title diagram (refer to Appendices 6a and 6b of this RtS). The easement was released on the consolidation plan.</p>
<p>Earthworks</p>	<p>Noted. Earthworks are to be undertaken in accordance with the submitted civil engineering drawings and geotechnical report.</p>

Summary of issue/comment	Response
Conditions should be applied to ensure earthworks and retaining walls are undertaken in accordance with relevant standards. Additionally, an assessment of fall risk potential should be undertaken given the future users of the site.	Erosion control measures will be implemented as per the civil engineering drawings and in accordance with Managing Urban Stormwater: Soils and construction – Volume 1, 4 th edition) ("Blue Book") (Landcom, 2004). Fall risk of future users has been worked through during the Safety in Design process.
Stormwater drainage It is preferable for the OSD tank to be relocated from underneath the building to an open area to allow ease of future maintenance, inspection and operation.	Moving the OSD tank is not feasible. The OSD location has been considered in detail, and the current location was chosen because it is positioned centrally, with majority of the site being able to drain this point. The OSD can also be incorporated into the building structure and does not need to be designed for vehicle loading (which it would if it were, say, located in the car park). The OSD location ensures the children cannot access the tank area (because this area is fenced off from the central play area) and also ensures maintenance is possible, with access provided from the car park side of the building.
Stormwater drainage The submitted reporting fails to assess retention as well as water quality treatment in respect to gross pollutants in accordance with the controls outlined in Council's DCP.	The stormwater report at Appendix 13 of the EIS addresses water quality through the use of pit baskets across the site that collect coarse sediments, as well as filter cartridges within the OSD chamber that filter finer pollutants such as TSS, TN and TP. The report also identifies rainwater retention and reuse being incorporated into the design which acts as the first element of the water quality treatment train. Council's water quality targets and the targets within the Greenstar table (Appendix 30 of the EIS) are met with the water quality treatment train. Conservatively, the rainwater tanks were not modelled in MUSIC.
Roads/access The development proposes to utilise the existing site access, but an additional roundabout is proposed.	This is correct.
Roads/access Removal of carparking spaces.	Council's comment on this item appears incomplete. Notwithstanding, it is noted that a number of existing parking spaces within the site will be removed as part of the proposal. However, these spaces serviced the former Anglican School, and therefore loss of the spaces is not problematic. The proposal provides for 29 new parking spaces, which is suitable for the proposed use as discussed in the EIS.
Contamination Contamination reports were found to be acceptable.	Noted.

Summary of issue/comment	Response
Air quality The air quality report was found to be acceptable.	Noted.
Noise The noise report was found to be acceptable.	Noted.
Biodiversity The submitted BDAR was found to be acceptable.	Noted.
Shoalhaven Water The applicant/developer should review Council's Building Over Sewer Policy to ensure the proposal does not affect the existing sewage main that crosses the lot on the western side.	<p>The project civil engineers, Henry & Hymas, have confirmed that the design for the project has been carried out with consideration of the existing 225mm asbestos rising main, and that no impacts on the pipe are anticipated. A detailed response by the engineer is attached at Appendix 9 of this RfS.</p> <p>No specific mitigation measures are proposed. As per Shoalhaven Water's advice, plans will be submitted in accordance with Shoalhaven Water Survey Design and WAE Specification for approval prior to any works commencing.</p>
Bus bay location Council does not agree to provision of a bus bay on Croobyar Road.	<p>It is clarified that no bus bay is proposed along Croobyar Road. This is evident in the originally submitted architectural drawings at Appendix 3 of the EIS and in the updated drawings submitted as part of this RfS.</p> <p>A bus bay was investigated at an earlier stage of the project; however, given the type of school, it is not expected that any of the students will use public transport to commute to and from the school. Therefore, no provision for a bus is being proposed as part of this project.</p> <p>The proposal has been designed to accommodate all drop-off/pick-up within the site.</p>
Size of drop-off / pick-up zone All drop-off/pick up arrangements including bus bays should be positioned on site. Width of drop-off/pick up zone minimum 6.2m width to allow for vehicle to pass parked vehicle to prevent internal queuing. Proposed roundabout to comply with swept paths and manoeuvrability of a bus with 14.5m length (Long Rigid Bus – STATE TRANSIT Bus Infrastructure Guide).	<p>All drop-off/pick-up will occur on site, the drop-off/pick-up zone is less than 4m in width, but this is considered acceptable given the zone is gated off during the time when students board/alight a vehicle, and the process is strictly regulated and supervised by staff. Unlike at general schools, students will not get into the car or out of the car unless the car is parked within the gated off area. Therefore, it is not necessary to allow a vehicle to pass the pick-up and drop-off area.</p> <p>In regards to potential queuing, it is noted that arrivals will be managed through appropriate scheduling to mitigate the potential for vehicle queuing. Minibus drivers and parents will be allocated specific time slots to ensure that arrivals are staggered. With this arrangement, it</p>

Summary of issue/comment	Response
	is expected that queuing would not exceed 3-5 vehicles at any one time.
<p>Parking</p> <p>The proposal is for 34 FTE staff, but only 30 staff car parking spaces with no visitor parking is proposed. Adequate staff parking must be provided.</p>	<p>Shoalhaven DCP requires 1 car parking spaces per 5.5 students for school development (rate combines both staff and students). Based on 80 future students (which includes a future extension not included in the subject application), the proposal is required to provide 15 spaces. To account for this school's higher teacher-to-student ratio, the proposal provides for 29 spaces, which is nearly double the minimum required.</p> <p>It is also noted that 34 full time equivalent (FTE) does not mean that 34 staff will be present at the school simultaneously given that all staff are not teaching staff.</p>
<p>Footpath</p> <p>A 1.8m footpath must be provided along Croobyar Road for the entire street frontage to the Princes Highway intersection to increase connectivity and accessibility.</p>	<p>DoE will accept a condition of consent for a footpath to be provided along the site frontage if required.</p> <p>A connection to Princes Highway, however, would require a footpath along the frontage of the Heritage Bakery site. DoE should not be required to bear the cost for this extended portion of the footpath.</p>
<p>Landscape</p> <p>Is there room for large trees on the entrance road (western side of site)?</p> <p>Tree planting on Croobyar Road appears incomplete as it does not continue for the length of the carpark.</p> <p>Poa labillardieri does not perform well. Consider Lomandra varieties instead.</p> <p>Westringia fruticosa becomes leggy if not pruned annually.</p> <p>Canopy trees recommended for carpark.</p>	<p>Additional large trees along the entrance road are not suitable because of the risk of limbs falling into the outdoor play areas.</p> <p>Two additional trees have been added along Croobyar Road, completing the row. This row of trees was previously "incomplete" due to concerns regarding clearance distances around the substation. The clearances have since been verified, and the two additional trees are outside of the clearance zone.</p> <p>It is possible to substitute the Poa species for Lomandra at the detailed design phase.</p> <p>It is expected that any planted shrubs will be pruned annually.</p> <p>Trees in the car park have been selected for their clean trunk and canopy. The selected species include Eleaocarpus reticulatus (5m-wide canopy), Tristaniopsis laurina (6m-wide canopy) and Corymbia eximia nana (7m-wide canopy).</p>
<p>Waste</p> <p>Waste management plan supported.</p>	Noted.

6.2 Endeavour Energy

The table below provides a response to the comments by Endeavour Energy in its submission letter dated 6 May 2021.

Table 4. Response to Endeavour Energy

Summary of issue/comment	Response
Network capacity/connection The proposed padmount station should be designed in accordance with Endeavour Energy's requirements.	Noted. The proposal is capable of complying with Endeavour Energy's requirements.
Site remediation The site contains pole-mounted substation no. 72144. Soil contamination by various forms of electricity infrastructure (e.g., transformer oil associated with leaking substations and pole treatment chemicals at the base of timber poles) is not uncommon and may warrant further; however, such contamination usually not significant.	Noted. It is considered that any potential minor contamination associated with the substation could be addressed effectively via the unexpected finds protocol recommended in the submitted Preliminary Site Investigation at Appendix 17 of the EIS.

6.3 DPIE – Environment, Energy and Science

The table below provides responses to the comments by DPIE Environment, Energy and Science – Biodiversity and Conservation Division in its submission letter dated 25 May 2021.

Table 5. Response to Environment, Energy and Science

Summary of issue/comment	Response
Flooding and stormwater Assessment of flooding and stormwater impacts is acceptable.	Noted.
BDAR The Biodiversity Development Assessment Report (BDAR) adequately assesses the proposal's biodiversity impacts. The areas of native vegetation outside the project footprint should be retained and protected. Appropriate mitigation must be put in place to ensure the area of works is appropriately delineated and managed.	Noted. The construction area will be appropriately delineated and managed in accordance with a construction environmental management plan prepared for the project.

6.4 Heritage NSW – Heritage Council

The table below provides responses to the comments by Heritage NSW – Heritage Council in its submission letter dated 26 May 2021.

Table 6. Response to Heritage NSW – Heritage Council

Summary of issue/comment	Response
Archaeological assessment The archaeological potential and archeological impact assessments are adequate.	Noted.

Summary of issue/comment	Response
<p>Significance assessment</p> <p>Heritage NSW considers that the site significance assessment should have been expanded and refined to include assessment for the site prior to the construction of the Anglican College has not been included.</p>	<p>Tocomwall, the project heritage consultant, made attempts to contact the Milton Ulladulla Historical Society in order to determine if the site holds any local community significance. Attempts were made via phone and webform. No responses were received.</p> <p>Nonetheless, the background research undertaken for the subject area prior to the 1990s indicates that the site was likely used as part of dairy industry within the locality. No objects of significance were identified within the study area. Furthermore, the subject area has been significantly modified since the construction of the former Anglican School and no longer retains any of the context or features from the pre-1990 period.</p> <p>Given the above, it is considered that no further assessment regarding the significance of the site is required.</p>
<p>Seek advice from Council</p> <p>Advice should be sought from Shoalhaven Council regarding the adjacent local heritage items.</p>	<p>Council provided no further comment regarding the heritage items in its submission.</p>

6.5 Heritage NSW – Aboriginal Cultural Heritage

The table below provides responses to the comments by Heritage NSW – Aboriginal Cultural Heritage in its submission letter dated 31 May 2021.

Table 7. Response to Heritage NSW – Aboriginal cultural heritage

Summary of issue/comment	Response
<p>Unexpected finds procedure</p> <p>An unexpected finds procedure must be in place throughout the proposed works in accordance with the relevant guidelines.</p>	<p>Noted. It is expected this will be required as a condition of consent.</p>
<p>Further consultation</p> <p>Further consultation with RAPs is required to determine where artefacts recovered during construction and through test excavations are to be stored or reburied.</p>	<p>Noted. It is expected this will be required as a condition of consent.</p>
<p>Aboriginal site monitor</p> <p>An Aboriginal site monitor should be present during works that impact subsurface within the location of the artefact scatter and associated PAD. This will require the site and PAD boundaries to be defined and mapped prior to works commencing.</p>	<p>Noted. It is expected this will be required as a condition of consent.</p>

Summary of issue/comment	Response
Human remains <p>If suspected human remains are located during any stage of the works, works must stop immediately and the appropriate actions taken.</p>	Noted. It is expected this will be required as a condition of consent.
Registration with AHIMS <p>The artefact scatter and associated PAD must be registered with the Aboriginal Heritage information Management System (AHIMS), and Aboriginal Site Impact Recording Forms must be submitted to AHIMS following construction.</p>	Noted. It is expected this will be required as a condition of consent.

6.6 Transport for NSW

The table below provides responses to the comments by Transport for NSW in its submission letter dated 02 June 2021.

Table 8. Response to Transport for NSW

Summary of issue/comment	Response
School zone <p>A school zone consistent with TfNSW requirements is required to be implemented in Croobyar Road.</p> <p>Installation of all school zone signage, speed signage and pavement markings is to be undertaken prior to commencement of operation.</p> <p>TfNSW must inspect the required school zone signage and markings prior to official handover.</p> <p>The school zone shall be maintained in accordance with approvals issued by TfNSW for the life of the development.</p>	Noted. It is expected this requirement will form a condition of consent.
Car and bus pick-up and drop-off <p>Pick-up and drop-off of students shall not occur within Croobyar Road. All such activity should occur within the site.</p>	It is confirmed that no bus bay is proposed along Croobyar Road and that all pick-up and drop-off will occur within the site.

6.7 Environment Protection Authority

The table below provides responses to the comments by the Environment Protection Authority in its submission letter dated 17 May 2021.

Table 9. Response to EPA

Summary of issue/comment	Response
Noise and vibration <p>Implement all reasonable and feasible noise control measures at the site including (but not</p>	Noted. It is expected the measures detailed in the submitted acoustic report will be required as a condition of consent.

Summary of issue/comment	Response
<p>limited to) the measures in the submitted acoustic report.</p> <p>Additionally, the proponent should establish a consultation and notification strategy with sensitive receivers.</p> <p>A separate noise impact assessment is recommended for any works undertaken outside of recommended standard construction hours.</p>	<p>Consultation and notification measures will be included in the Construction Noise and Vibration Management Plan to be prepared by the appointed contractor.</p> <p>No works are proposed outside of standard construction hours. A separate noise impact assessment would be undertaken as part of any future application for extended work hours.</p>
<p>Water quality and sediment and erosion control</p> <p>It is recommended that the proponent consider all reasonable and feasible measures to reuse stormwater impacted by construction activities so as not to pollute the nearby watercourse.</p>	<p>Noted. Sediment and erosion control measures will be set out in the Construction Environmental Management Plan (CEMP), which will be required as a condition of consent.</p>
<p>Air quality</p> <p>All reasonable and feasible dust mitigation measures must be undertaken during construction activities to prevent dust emissions.</p>	<p>Noted. Dust mitigation measures will be set out in the CEMP, which will be required as a condition of consent.</p>
<p>Waste management</p> <p>Waste should be classified in accordance with the Waste Classification Guidelines.</p>	<p>Noted. It is expected this will be required as a condition of consent.</p>

7 Response to organisations

Total of 3 submissions from organisations were received including:

- 1 submission in objection from Ulladulla High School Parents and Citizens Association (P&C).
- 1 submission in objection from Ulladulla Area Schools Expansion Action Group.
- 1 submission providing comment from Boral Resources (Country) Pty Ltd.

The table below provides responses to the key issues raised in these submissions.

Table 10. Response to organisations

Organisation name	Summary of issue/comment	Response
Ulladulla High School P&C (objects)	Budawang School supported Development of a new Budawang School at Croobyar Road is supported.	Noted.
	Shelving of remainder of precinct The "shelving" of the remainder of the educational precinct is objected to, as there is an immediate need for a new high school.	See Section 4 of this RfS. DoE has determined there is no requirement for additional school facilities in the area at this time. The local community and stakeholders will be consulted at the appropriate stage regarding future use of the remainder of the lot.

Organisation name	Summary of issue/comment	Response
	Traffic analysis The traffic analysis should consider not just the Budawang School but the remainder of the site as well.	See Section 4 of this RtS. The proposal is for the Budawang School only, and therefore the submitted traffic analysis is adequate in scope. Further analysis would be undertaken as part of any future proposal for education facilities on the remainder of the lot.
	Site plan The site plan should factor in imminent development of the entire site.	See Section 4 of this RtS. The remainder of the lot is being reserved for educational purposes, but currently there are no imminent development plans. As such, the submitted site plan is considered acceptable.
Ulladulla Area Schools Expansion Action Group (Objects)	Whole lot assessment The whole lot should be assessed as a single project, with Budawang School forming Stage 1 and the new high school forming Stage 2.	See Section 4 of this RtS. The remainder of the lot is being reserved for educational purposes, but currently there are no imminent development plans. As such, the scope of the assessment in the EIS is adequate.
	Pedestrian and transport assessment Pedestrian and transport assessment considering the whole lot (Budawang School and future high school) should be undertaken now.	See Section 4 of this RtS. The proposal is for the Budawang School only, and therefore the submitted pedestrian and transport assessment is adequate in scope. Further analysis would be undertaken as part of any future proposal for education facilities on the remainder of the lot.
Boral Resources	Operation and acoustics The school should be aware the concrete batching plant at 13 Wilfords Lane operates 7am-6pm Monday to Friday and 7am-12pm Saturday, overlapping with the school's hours of operation. Additional acoustic treatments may be required given the special needs of students.	Industrial noise ingress to school spaces was assessed at section 9 of the originally submitted acoustic report. The assessment concluded that, given the industrial sites (including the batching plant) are required to comply with noise criteria applicable to the residence at 21 Croobyar Road, compliance at the residence will necessarily mean compliance at the proposed school. Accordingly, no additional acoustic treatments are required.

8 Response to public submissions

A total of 12 submissions were received from individual members of the public including:

- 5 submissions in objection.
- 2 submission in support.
- 5 submissions providing comment.

The table below identifies each submission, provides a brief summary of each submission and offers a response to the issues raised.

Table 11. Response to public submissions

Submission name and type	Summary of issue/comment	Response
R. Carpenter (objects)	<p>Use of remainder of lot</p> <p>The future use on the remainder of the lot should be included in the assessment.</p> <p>The traffic plan does not take into account traffic for future high school students.</p> <p>Bus parking for future high school students has not been assessed.</p>	See Section 4 of this RfS. The remainder of the lot is being reserved for educational purposes, but currently there are no imminent development plans. As such, the scope of the assessment in the EIS is adequate.
M. Doyle (comments)	<p>Use of remainder of lot</p> <p>The application does not consider the entire lot, particularly in regards to traffic.</p>	See Section 4 of this RfS. The remainder of the lot is being reserved for educational purposes, but currently there are no imminent development plans. As such, the scope of the assessment in the EIS is adequate.
Name Withheld (comments)	<p>Hospital use preferred</p> <p>Site should be used for a hospital, particularly given the helipad is situated next door.</p>	The adjacency of the helipad is noted. However, the lot is owned by DoE and is reserved for educational purposes.
C. Ebbeck (objects)	<p>Overcrowding in existing schools</p> <p>The public school system in the Ulladulla region is overcrowding, and the proposal will not fix this issue.</p>	See Section 4 of this RfS. DoE has determined there is no requirement for additional school facilities in the area at this time. The local community and stakeholders will be consulted at the appropriate stage regarding future use of the remainder of the lot.
M. Smith (comments)	<p>Road upgrades and school crossings</p> <p>Road upgrades and crossings are required for the Budawang School and Milton Middle School. The crossing needs to be well signposted, and a separate bus bay is required. Footpaths and centre road fencing are also required. Upgrades should be based on 400-800 middle school children.</p>	<p>See Section 4 of this RfS. The remainder of the lot is being reserved for educational purposes, but currently there are no imminent development plans. As such, the scope of the assessment in the EIS is adequate.</p> <p>It is noted that Budawang School students are unlikely to walk to school, and therefore crossings are not critical for the Budawang School.</p>
N. Price (comments)	<p>Use of remainder of lot</p> <p>The future use on the remainder of the lot should be included as part of the proposal, with the Budawang School comprising</p>	See Section 4 of this RfS. The remainder of the lot is being reserved for educational purposes, but currently there are no imminent development plans. As such, the

Submission name and type	Summary of issue/comment	Response
	Stage 1 and the future high school comprising Stage 2.	scope of the assessment in the EIS is adequate.
M. Dath (objects)	Finalise plans for Ulladulla High School The plans for Ulladulla High School should be finalised before building starts.	See Section 4 of this RtS. DoE has determined there is no requirement for additional school facilities in the area at this time. The local community and stakeholders will be consulted at the appropriate stage regarding future use of the remainder of the lot.
J. Gregory (supports)	Bus movements Bus movements should be considered for possibly several hundred using the site.	See Section 4 of this RtS. The remainder of the lot is being reserved for educational purposes, but currently there are no imminent development plans. As such, the scope of the assessment in the EIS is adequate.
	Hydrotherapy pool Will there be public access to the pool directly from Croobyar Road? Supervision of the pool requires clarification.	As explained in the traffic letter at Appendix 8 of this RtS, groups of community members will be allowed to access the hydrotherapy building outside of school hours subject to prior arrangement with the school. The groups will be allowed to utilise the main entry and car park for access. Details regarding supervision of the pool are not resolved at this stage; these will be communicated to the community at a later date.
	Reuse equipment from old buildings Equipment from old buildings to be demolished should be required, not thrown away, where possible.	Equipment/furniture from old buildings will be recycled/considered for reuse where practicable.
	Trees Indicative trees look great but will take some years to reach this height.	<p>The selected trees are suitable for the spaces they occupy. The trees are generally cleaned-trunked, provide good shade and cause minimal risk to children in a playground setting.</p> <p>The tree selection is identified within section 7.8 of the design report at Appendix 4 of the EIS, which includes an indicative plant schedule (p. 67) noting mature height and spread.</p> <p>Tree sizes at installation are yet to be determined, but usually they are planted at 100-litre pot size, so will be installed at a size of 1.2 to 1.5m in height.</p>
	Use of remainder of lot	See Section 4 of this RtS. DoE has determined there is no requirement for additional school facilities in the

Submission name and type	Summary of issue/comment	Response
	Discussions regarding Ulladulla High School using the site for years 7 and 8 is supported.	area at this time. The local community and stakeholders will be consulted at the appropriate stage regarding future use of the remainder of the lot.
Name Withheld (supports)	University campus The remainder of the lot should be used as a university campus.	The remainder of the lot has been reserved for educational purposes, but there are is no plan for a university. See Section 4 of this RtS further discussion.
G. Curry (comments)	Impacts on remainder of lot Upgraded Budawang is supported, but it must not preclude further development of the site for a school of 400-700 students.	See Section 4 of this RtS. The remainder of the lot is being reserved for educational purposes.
	Hydrotherapy pool Current trips to the local leisure centre are a great excursion for students, allowing them to get outside of their familiar environment. An on-site hydrotherapy pool would mean students are restricted to school grounds.	This concern is noted. It is considered, however, that the myriad benefits of having an onsite facility (i.e., convenience, flexibility, full control of scheduling, substantial cost reductions, and increased learning time due to reduced time in commute) outweigh the loss of an excursion for students.
C. Stewart (objects)	Overdevelopment The proposal is an intensive use with significant hardstand over a relatively small site area, creating a number of potential issues including runoff into creek lines, heat island effect and insufficient landscaped area.	<p>The site area for the proposed school is similar to other similarly sized schools for specific purposes. Buildings, pathways, covered outdoor learning area, car park and hardstand account for approximately 47% of the site area, which is considered suitable.</p> <p>The proposed landscaping including significant new canopy tree plantings, will assist in mitigating heat island effect.</p> <p>With most developments there is typically an increase in impervious areas across the site, and this is the case with this development; however, the design incorporates an on-site stormwater detention (OSD) system to limit the post-developed flows. With the incorporation of OSD, the design matches pre-developed flows in the 5-year event and actually reduces flows in the 20-year and 100-year events to less than pre-developed flows. This will limit scouring at the creek.</p>
	Bulk and siting of buildings	The hydrotherapy's 3m front setback is considered acceptable. The

Submission name and type	Summary of issue/comment	Response
	<p>The hydrotherapy building is only 3m from the boundary, with its roofline only 2m from the boundary. This should be increased to 6m as per the requirement for residential development.</p> <p>The bulk will have unacceptable visual impact on the nearby Heritage Bakery. The proposal should provide its own screen plantings rather than rely on the bakery's trees.</p>	<p>building is oriented such that its shorter end faces the street, thereby minimising bulk when seen from the public domain. Also, the north elevation of the hydrotherapy building has been designed intentionally as a public façade for the school with identification signage and pedestrian entry. Furthermore, there is no consistent setback along the southern side of Croobyar Road that the hydrotherapy building's 3m setback would disrupt.</p> <p>Regarding visual impacts on the Heritage Bakery, the trees on the bakery site will assist in impact mitigation, but they are not essential for ensuring an acceptable visual outcome. Firstly, it is noted that several trees between the proposed buildings and bakery lie within the ownership of DoE. Landscape drawing L-0002 illustrates retention of trees labelled T19-T22, which lie between the hydrotherapy building and the bakery.</p> <p>Secondly, the hydrotherapy building is single-storey with a shallow roof pitch of 4 degrees. The ridgeline at RL 58.00 is almost 5m lower than the ridgeline of the two-storey bakery, which is has been surveyed as RL 62.91.</p> <p>Thirdly, the proposed hydrotherapy building is not immediately adjacent to the Heritage Bakery but rather over 38m west of the original sandstone building of the bakery.</p> <p>Finally, the bakery's verandah of the heritage store faces away from the site, meaning views from the veranda will not be affected.</p>
	<p>Tree removal</p> <p>The proposed tree removal is excessive, particularly along Croobyar Road. The parking area should be redesigned to allow for further tree retention.</p>	<p>The proposal has been designed to retain trees where possible, and significant replacement plantings have been provided for the proposed tree removal.</p> <p>Tree numbers T1-T18, which are located along Croobyar Road and are proposed to be removed, will be replaced with trees dotted throughout the car park to provide shade and visual amenity. Landscape drawing L2001 shows 21 new trees and 1 existing tree within the car park area. Additionally, planting will be</p>

Submission name and type	Summary of issue/comment	Response
		<p>included on the Croobyar Road side of the fence line to provide further visual amenity to the streetscape and minimise views of the car park from the streetscape.</p> <p>It should also be noted that trees numbers T1 to T18 have been assessed by the arborist as being of only Low to Medium retention value. Based on a review of historical satellite imagery, these trees appear to be quite young, showing significantly smaller canopies in 2012.</p> <p>Along the eastern edge of the site, the design retains a significant number of trees. Landscape drawing L-0002 illustrates retention of trees labelled T19- T22, T32-T33, T38-T42 and T44-T49. Additionally, the design has been developed to allow the retention of trees T24-T29 to the south of the hydrotherapy building. A retaining wall has been included to enable these trees to be incorporated into the landscape design.</p>
	<p>Tree selection</p> <p>There is insufficient/misleading information regarding the species and size of the future tree plantings in the carpark area. The proposed blueberry ash, water gum and dwarf bloodwoods are small compared to the existing brushboxes and will not grow to provide sufficient shade in the carpark.</p>	<p>Car park tree selection and indicative mature sizes are as follows:</p> <ul style="list-style-type: none"> • Eleaocarpus reticulatus: 12m height and 5m-wide canopy. • Tristaniopsis laurina: 12m height and 6m-wide canopy. • Corymbia eximia nana: 10m height and 7m-wide canopy. <p>These trees have been selected with the intention of providing medium-sized trees that offer good canopy size and are native and evergreen.</p> <p>The Corymbia species has been selected because it is relatively fast growing.</p> <p>All species have been selected for their neat appearance and clean trunk for visibility. It is not recommended to plant large trees such as brushboxes within a carpark as these can lift pavements and cause hazards over time.</p>
	<p>Construction phase parking and traffic movement</p> <p>Construction parking should occur within the lot, not on the street,</p>	<p>Construction parking will occur within the DoE land, not on the street.</p>

Submission name and type	Summary of issue/comment	Response
	given on-street parking is already constrained.	
	Signage illumination The illuminate signed along Croobyar Road should be turned off at night to reduce unacceptable light pollution.	SINSW has advised that the sign will be switched off at night. This can be enforced via condition of consent.
	Wind The EIS fails to consider Milton's strong August-October westerly winds in its assessment of wind impacts.	<p>The courtyard form of the site planning creates a sense of enclosure to the central playground, reducing the impact of wind within this area.</p> <p>Landscaping throughout the site will help to buffer the wind. Also, to the south of the Budawang site lie the existing buildings of the former Shoalhaven Anglican School. These will also provide some break to the wind.</p> <p>The comment regarding westerly winds is noted and will be considered in the detailed design of the sensory playground.</p>
	Use of driveway as turnaround Patrons leaving the Heritage Bakery use the site's current road opening as a turnaround. How will this be addressed?	The proposal seeks to utilise the existing driveway, which is considered a positive feature of the application that avoids the need for additional roadworks. It is outside the scope of this application to address local drivers' habit of using the road opening as a turnaround.
	Flawed consultation Earlier community consultation regarding the site was flawed as it included many questions that non-Budawang School people were not able to answer, e.g., questions about the usefulness of various methods of instruction.	Consultation was carried out through a number of channels, including letterbox drop, survey and project website updates, as described in the consultation report at Appendix 24 of the EIS. The survey questions were targeted for the broader community, not just for Budawang School families.
Name Withheld (objects)	Negative social impacts <p>Evidence shows that optimal learning outcomes are achieved in mainstream inclusive education settings rather than segregated settings. The segregated educational setting of the proposed school will result in negative social impacts.</p> <p>Segregated education is a breach of Australia's international human rights obligations under the UN</p>	<p>This is a broader policy issue rather than a specific matter for consideration under the current planning assessment. Nonetheless, advice has been received from DoE's Disability Strategy team to assist in a response.</p> <p>The Disability Strategy team notes that DoE works with parents and carers to personalise support so that every student is engaged and learning to their fullest capability. For most students, this means attending their local school with individualised</p>

Submission name and type	Summary of issue/comment	Response
	<p>Convention on the Rights of Persons with Disabilities.</p> <p>The right of children with disability to attend their local government schools is a right protected by the Disability Discrimination Act 1992.</p> <p>The Disability Standards for Education (2005) established under the DDA Act state that Australian students with disability should enjoy the same opportunities and choices in their education as students without disability.</p>	<p>support. More than 85% of students with disability currently learn in mainstream classrooms in mainstream public schools.</p> <p>All parents and carers have a right to enrol their child in their local public school. Parents and carers are also entitled to apply to enrol their child in a support class in a mainstream school or school for specific purposes.</p> <p>This is consistent with the Australian Government's interpretation of the United Nations Convention on the Rights of Persons with Disabilities Article 24, which allows the use of both mainstream education and specialist schools for persons with disability and, consequently, respects the rights of parents of children with disabilities to choose whether to put their children in mainstream or specialist education.</p>

9 Conclusion

This RfS has considered the submissions received in response to the public exhibition of SSD-8845345.

Submissions were received from public authorities, community organisations and the general public. Further information has been provided to address these matters. Minor amendments have also been made due to design development.

The proposed development as amended is considered to warrant approval for the following reasons:

- Further information has been provided to address all comments received during exhibition of the proposal.
- The amended proposal will result in a high quality development that achieves the original aims of the proposal while resulting in no unacceptable environmental impacts.

Based on the supporting material provided in this RfS in addition to the material provided in the original EIS, DPIE has now been provided with sufficient information and documentation to progress the assessment of SSD-8845345. It is requested that DPIE complete the assessment of the SSD and proceed to determination.

