



Department of Planning, Industry and Environment
4 Parramatta Square
12 Darcy Avenue
Parramatta NSW 2150

Attn: Jenny Chu

8 September 2021

Re: Response to Submissions – Kingscliff Public School Redevelopment – SSD-8378620

Dear Jenny,

We refer to your letter of 2 July 2021 in relation to the abovementioned State Significant Development Application.

We have reviewed your request for further information, including responding to the submissions from Tweed Shire Council (the Council) and various agencies. Please find attached a detailed response to the issues raised in your letter, the submission from Tweed Shire Council and submissions from public agencies.

The attached response to submissions is supported by the following information:

- Amended Architectural Drawings prepared by Bickerton Masters (Attachment 1);
- Correspondence - Kingscliff Schools Drainage and Flooding Assessment - Kingscliff High School Responses, dated 26 July 2021 prepared by GHD (Attachment 2);
- Kingscliff Public School – SSD Report – Structural prepared by Acor Consultants (Attachment 3);
- Amended Traffic and Transport Impact Assessment prepared by Bitzios (Attachment 4);
- Amended Construction Management Plan prepared by MBB (Attachment 5);
- Correspondence prepared by Acoustic Works dated 27 July 2021 (Attachment 6);
- Amended Utilities Infrastructure Report, prepared by Northrop (Attachment 7);
- Amended Stormwater and Civil Drawings prepared by ACOR Consulting (Attachment 8);
- Detailed Site Investigation, including updated Acid Sulfate Soils Plan prepared by Douglas Partners (Attachment 9);
- Contaminated Report Summary Table prepared by Douglas Partners (Attachment 9);
- Technical Advice Regarding Organochlorine Pesticides prepared by Douglas Partners (Attachment 9); and
- Kingscliff Public School – Aboriginal heritage – response to comments prepared by EMM Consulting (Attachment 10).

Where relevant, the above documentation identifies amendments that have been made to the proposal in response to the submissions. These amendments are discussed in the attached response to submissions.

Further to the above, a final Social Impact Assessment has been included as part of this RtS and is included at Attachment 11.

We trust that the additional information and amended documentation addresses the issues raised and is sufficient to enable you to complete your assessment and determination of the application.

Should you wish to discuss any of the above matters, please do not hesitate to contact me on (02) 9380 9911 or by email at jmcguinness@sjb.com.au.

Yours sincerely

A handwritten signature in black ink, reading 'jmcguinness' in a cursive, lowercase style.

Joanne McGuinness
Associate

Encl.

Response to Submissions

Kingscliff Public School Redevelopment - (SSD-8378620)

1. Department of Planning, Industry and Environment (DPIE)

1.1 General

“The Drainage and Flooding Assessment advised that the site contains limited stormwater infrastructure and the proposal may impact the stormwater runoff and flows and that further assessments are required to determine the stormwater network requirements and design. The Department requires an updated Drainage and Flooding Assessment and corresponding plans which confirm that the development has appropriately considered and provides suitable arrangements with regard to stormwater infrastructure and runoff and flows.”

Response: As detailed in the correspondence dated 26 July 2021 prepared GHD (Refer to Attachment 2) the proposal has provided suitable infrastructure to manage stormwater run off and flows through the site, as detailed in the Northrop Concept Stormwater Design Report included with EIS. Specifically, GHD note that the Concept Stormwater Design Report addresses the following:

- Sediment and erosion control measures required at the subject site to manage stormwater quality during construction.
- Pre-development and post-development stormwater flows from the proposed redevelopment of the subject site.
- Stormwater quantity in accordance with the Tweed Shire Council Engineering Specification (D5) and nominated On-Site detention requirements to address increases in peak runoff due to the proposed redevelopment. The OSD measures are reflected on the civil design drawings prepared for the site and are demonstrated in the assessment to mitigate peak flows from the site under post-development conditions back to predevelopment flows.
- Stormwater quality requirements for new developments in accordance with the Tweed Shire Council Engineering Specifications (Section D7). On the basis of discussions with Council, the proposed development was noted to include the replacement of existing demountable structures with multi-storey buildings and therefore would not constitute any additional “dirty” water from the proposed redevelopment. Stormwater quality requirements or treatment measures were therefore not proposed

“The Structural Report stated appropriate plans were not available for the engineer at the time of the assessment being undertaken. An updated Structural Report prepared by an engineer with access to all relevant plans must be provided.”

Response: An amended Structural Report has been prepared by ACOR Consulting (Refer to Attachment 3). Specifically, the following sections of the Structural Report have updated to refer to the relevant drawings:

- Section 1.4 - Reference Document List updated (refer page 7-8)
- Section 3.4 - Reference to EFSG departure submissions (refer page 16-17)
- Section 4.1.5 - Revised concrete slab thickness following EFSG Departure submission (refer page 18)

- Section 4.2.5 - Revised concrete slab thickness and additional band beam details for Building 3 (refer page 20)
- Section 4.3.5 - Revised concrete slab thickness and additional band beam details for Building 4 (refer page 21).

“The number of trees identified for removal in the EIS differs from those presented within the Arboricultural Impact Assessment and clarification. The number of trees to be removed must be confirmed and updated documentation provided as appropriate.”

Response: Twenty four (24) trees are proposed for removal. The arborist report identifies twenty four (24) trees for removal. The EIS identifies twenty four (24) trees for removal throughout, except on page 67 (Section A16-Preservation of Trees or Vegetation-DCP) where twenty one (21) trees are incorrectly listed for removal.

“The Waste Management Plan does not adequately address operational waste management arrangements. The Waste Management Plan must be amended to satisfy the SEARs, including waste storage and servicing access arrangements.”

Response: The Waste Management Plan (WMP) included with the EIS, provides comprehensive details of the operational waste management requirements and arrangements of the school. Accordingly, further clarification was sought from the DPIE regarding their comments on the WMP.

DPIE advised that the comments pertained to the timing of waste collection services and whether these would overlap with school drop off and pick up and create a potential conflicts between the waste collection vehicles and school buses on Sutherland Street.

The school has confirmed that the waste collection generally occurs around 7am and has been scheduled to avoid any overlap with bus drop-off times. The earliest bus drop-off for students do not occur before 8am as demonstrated in the extract of the Bus Route Information from the Traffic and Transport Impact Assessment TTIA (Attachment 4) included at Figure 1.

Table 3.4: Bus Route Information

Route Number	Route	Start	Finish
AM			
1222	From North Kingscliff & Noble Park	8:15	8:30
1224	From Fingal Heads, Chinderah, Tweed Coast Road, Cudgen Road and Kingscliff High School	8:08	8:29
1217	From Oyster Point & Kingscliff (1 st trip)	8:00	8:27
1217	From Kingscliff & Chinderah (2 nd Trip)	8:41	8:54
1219	From Salt / Casuarina North	8:18	8:30
1221	From Round Mountain Road / Cudgera Creek	7:43	8:31
1228	From Bogangar & Casuarina South	8:07	8:30
1237	From Pottsville, Koala Beach, Hastings Point & Cabarita	7:37	8:30
1227	From West Tweed, Bilambil, Terranora, Oxley Cove & Barneys Point	8:04	8:33
1232	From Banora Point East	8:15	8:32

Figure 1: Extract from Table 3.4 Bus Route Information, TTIA prepared by Bitzios

“Whilst solar access diagrams were provided in the EIS, an assessment of the impacts was not included. An assessment of the solar impacts must be provided.”

Response: As detailed in the EIS, the proposal will not have unreasonable shadow impacts. This is evidenced in the extracts of the shadow diagrams prepared by SJB Architects for 9am, 12 noon and 3pm at the winter solstice, included in Figures 2, 3 and 4.

The proposal has negligible overshadowing impacts on the adjoining properties to the south at 30 Orient Street and 17 Sutherland Street.

At 9am, a slither of additional overshadowing encroaches into 30 Orient Street by up to a maximum of 1.5m. However, from mid-morning onwards there will be no additional overshadowing to 30 Orient Street.

At 3pm, a similar slither of additional overshadowing encroaches into 17 Sutherland Street by up to a maximum of 1m (approx.). However, there is no additional overshadowing to No. 17 prior to 3pm.

No other adjacent properties are affected by overshadowing from the proposal.

While there is some additional overshadowing of the school itself throughout the day, the play areas within the northern and central parts of the site are unaffected by overshadowing during the morning, and for a large part of the afternoon. This ensures student have access to winter sun during lunch and recess breaks.

Additional overshadowing of the public domain is limited to a small section of Sutherland Street at 3pm.

Having regard to the above, and the shadow diagrams included in the EIS, the proposal does not have unreasonable overshadowing impacts.

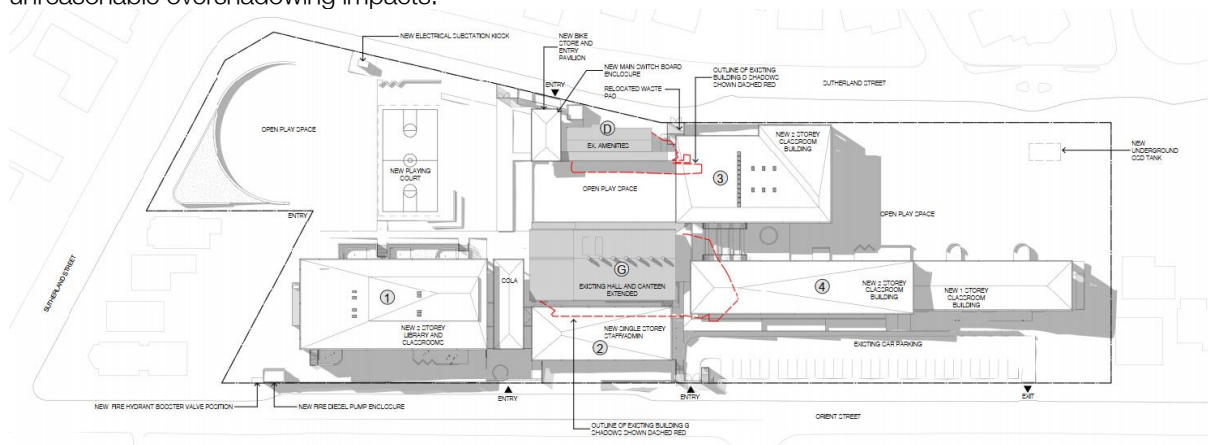


Figure 2: Extract of Shadow Diagrams 9am Winter Solstice, SJB Architects, EIS

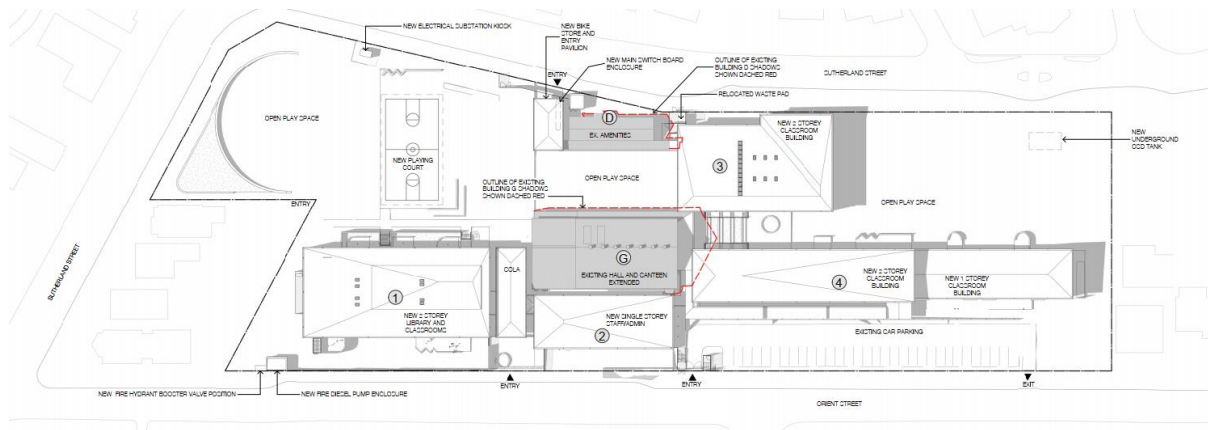


Figure 3: Extract of Shadow Diagrams 12pm Winter Solstice, SJB Architects, EIS

- *all proposed line marking associated with the development.”*

Response: Plans of the external works are provided in Appendix A to the amended TTIA.

1.3 Staging

“Consideration should be given to construction noise and vibration impacts on teachers and students that will be involved in learning activities and associated activities during the 19-month construction phase. Mitigation and management measures should be outlined to reduce construction noise and vibration impacts throughout ongoing operation.”

Response: The staging of the works has been developed to minimise the exposure of noise through maximum segregation between construction and the school operations.

During construction, it is expected that mobile noise and vibration data loggers will be placed and recorded in strategic locations to monitor the site periodically during construction. The contractor will consider and implement strategies to minimise noise and vibration which may include (but not limited to):

- Use of rubber matting to assist in suppressing noise from falling masonry
- Excavators with hydraulic pulverisers to be used in lieu of hydraulic hammers to minimise noise and vibration during demolition of concrete structures
- Scheduling of deliveries outside of peak AM and PM periods for the school
- Vibration monitoring
- Acoustic barriers around the perimeter of the site (additional screening around noise sensitive areas if required)

Further details of the staging are provided Section 4 of the amended Preliminary Construction Management Plan prepared by MBB and included at Attachment 5.

The staging of the works has been carefully developed to ensure maximum segregation between the proposed construction areas and the existing school operations. During the Stage 1 works, the main construction area will be located towards the southern part of site, with the existing school remaining operational in the northern area. The school is divided by the existing centrally located hall located, which will further assist in providing a further buffer against noise emissions.

During Stages 2 and 3 the existing school operations will be relocated to the new school buildings within the southern area of the site, completed in Stage 1. A new construction compound will be established within the northern part of the site for Stages 2 and 3, thereby maintaining clear segregation between construction works and school operations.

A more detailed staging plan and further consideration of potential noise and vibration impacts on school operations will be addressed in the detailed Construction Environmental Management Plan required to be prepared as condition of consent, for the approval of the Planning Secretary prior to commencement of construction.

“The Construction Management Plan does not address construction of the new entry pavilion and bike storage and it is unclear whether the works would impact staff access to the onsite carpark. This should be addressed.”

Response: An updated staging plan has been provided in the amended Preliminary Construction Management Plan (refer to Section 4, Attachment 5).

Partial construction of the new entranceway will be constructed as part of the development of the new administration building, which is being undertaken under a separate approval pathway. This will provide a

new entrance for staff and students off Orient Street to access site while construction of the new entry pavilion and bike store is being undertaken.

The staff carpark will remain operational throughout the duration of construction.

1.4 Public domain

“The RtS should address pedestrian access to the school from the east, including consideration for the need to improve access for students using the eastern pedestrian entrance on Sutherland Street.”

Response: The school entrance on Sutherland Street is accessed via the following pathways and crossings:

- Moss Street pathway
- The coastal path
- The eastern side of Sutherland Street, which is currently under construction by Council, will connect to the existing pathway on Moss Street
- The existing pathway on the western side of Sutherland Street connecting to both the northern and southern refuge crossings
- The two existing refuge crossings located north and south of the eastern school access aligns with the key pedestrian desire lines.

The existing crossings are appropriate to accommodate the pedestrian demand for the eastern catchment located on either side (north and south) of the school's bus zone and existing on-street parking in front of the eastern access. Due to the location and operations of these traffic facilities, it is not recommended that an additional centrally located crossing facility be installed directly fronting the eastern school access. Further details are provided in the TTIA (refer to Attachment 4).

“Detailed are required setting out the extent and width of the upgrades to be undertaken to nearby footpaths / shared paths.”

Response: As detailed in the TTIA (Attachment 4), the proposal includes a series of new pathways and associated crossing facilities surrounding KPS. These include:

- New pathway on western side of Orient Street (360m long x 1.5m wide);
- New pathway on eastern side of Orient Street (130m long x 1.5m wide); and
- Path widening on the western side of Sutherland Street near the bus zone. The path width varies between the back of kerb to the property boundary, but is approximately 3m.

1.5 Noise and vibration

“Further information must be provided to demonstrate the appropriateness of the categorisation of the site as ‘urban residential’ at night time periods, particularly having regard to the zoning of the land and the relative low density development.”

Response: Acoustic Works have provided further clarification regarding the categorisation of the site as urban residential, which is included at Attachment 6.

Acoustic Works have advised that the receiver noise amenity category is based on multiple factors as shown in Section 7.3.2 of the acoustic report submitted with the EIS. While the zoning of the land is considered, the existing ambient background noise levels are the driving factor. Based on the measured Rating Background Level (RBL) during the monitoring period, the evening and night periods were found to exceed RBL 40dB(A) in the evening and 35dB(A) in the night period. Therefore, in accordance with Table 2.3 of the NSW Noise

Policy for Industry 2017, the Urban Amenity criteria was applied to the residential receivers during the evening and night periods.

2. Tweed Shire Council

2.1 Water and Wastewater

"2.1.1 Water

a. It is anticipated that there is capacity in the existing network to service the proposal. However, please provide a quantification of any expected peak demands in accordance with TSC Development Design Specification D11 and the TSC Fees and Charges Policy to confirm the adequacy of the existing network.

b. Please provide amended plans demonstrating compliance with TSC Development Design Specification D15:

- Please show a 5.0 metre wide easement centrally located about the infrastructure (if possible) with no buildings, structures, footings or landscaping greater than 1.0 metre in maturity within the easement;*
- The surveyed location of water assets (adjacent to the southern boundary) on the plans with clearances from the outside face of the infrastructure in accordance with TSC Development Design Specification D15;*
- The zone of influence from any footings extending 300 mm below the invert of the main;*
- A maximum batter of 1 in 3 over the main, or, no greater than the existing site levels. (Please review the batter shown on Drawing no. KPSSKC103.11- PS by Acord Consultants, titled Site Works Sections Sheet 2 of 2; and*
- The amount of fill over the main."*

Response: The quantification of the proposed water flows in accordance with TSC Development Design Specification D11 and the Fees and Charges Policy can be found in Appendix B of the amended Utilities Management Report prepared by Northrop, included at Attachment 7.

A 5 metre wide easement, centrally located about the water infrastructure, in accordance with TSC Development Design Specification D15 has been included as part of the amended Stormwater and Civil Drawings prepared by ACOR Consulting (refer to Attachment 8 Drawing No. KPS-C04.12.

The imposition of an appropriate condition is supported requiring on-site investigations to accurately survey and mark out the location of the easement and the registration of the easement with the LRS

"2.1.2 Sewer

c. TSC has been advised by the consulting engineer and the contractor's representative that the proposed buildings on the Southern side of the school property shall be proposed to be serviced by a new gravity connection to Council's sewer in Sutherland Street. Additionally by having this secondary sewer connection for the lot the private sewer pump station shall not be required. Unfortunately this sewer connection arrangement has not been reflected in the application documents and therefore the applicant is requested to update the Utilities Report and Civil Engineering Plans to show this connection and demonstrate that this connection shall be feasible. This shall include providing longitudinal sections and a survey of the sewer connection point; and

d. TSC requests that the submission documents are update to provide a quantification of the proposed sewerage flows to the sewer connection locations (Noting Item 2 above) in accordance with TSC Development Design Specification D12 and the Fees and Charges Policy to confirm the capacity of the receiving sewer system."

Response: The sewer connection arrangement to Council's sewer in Sutherland Street are incorporated in the amended Civil Drawings prepared by Acor Consultants (refer to Attachment 8, Dwg No. KPS-C10.10) and amended Utilities Management Report (refer to Attachment 7, Section 2.3.1).

The quantification of the proposed sewerage flows in accordance with TSC Development Design Specification D12 and the Fees and Charges Policy can be found in Appendix A of the updated Utilities Infrastructure Report prepared by Northrop, included at Attachment 7.

2.2 Traffic

- a. The parking proposed does not adequately cater for demand. The plans should be revised to provide an additional 13 spaces on-site to cater for staff.*

Response: A designated staff car parking area was provided in 2010 to accommodate the growing demands. The car park currently exhibits spare capacity. The school is constrained in terms of its ability to accommodate additional on site parking. The provision of an additional 13 car space on site as suggested by Council would result in a reduction in plays space of approximately 130m².

Accordingly, following further consultation between SINSW and Council, it is proposed to provide nine (9) on-street spaces on the school's Sutherland Street frontage to the south of the bus bay as illustrated in Appendix A of the TTIA. This is an existing grassed area that is currently utilised for car parking informally. Formalising this area for car parking with the provision of nine (9) spaces will accommodate the net increase in staff associated with the expansion.

Further to the above, on-street parking has been observed to have existing spare capacity to accommodate staff parking demand without adversely impacting on parking availability, residential amenity and road operations.

Details of the car parking demand and proposed parking provision is provided in Section 4 and 7 of the TTIA.

- b. That the adjacent road network be reassessed on-site, given the proposed measures to improve traffic flow and safety (moving all buses to Sutherland Street and extending the 'kiss and drop' in Orient Street) have already been implemented. While the changes appear to have improved safety and reduced congestion, there is still extensive delays and safety issues on Sutherland Street. Consideration should also be given to measures to address:*

- *Issues with the right turns into and out of Orient Street at the Sutherland Street intersection. The need for a right turn ban from Orient Street was recommended for review once the bus zones and 'kiss and drop' zones is relocated.*
- *Through traffic being completely blocked on Sutherland Street, particularly northbound, by motorists queuing to turn left into Orient Street.*
- *Buses being delayed by queues on Sutherland Street.*
- *Through traffic being blocked on Orient Street.*
- *Any adverse effects of the changed traffic conditions on surrounding intersections.*

Response: Bitzios conducted further observations of the adjacent road network in July 2021. Recent updates to the school's transport arrangements, including the separation of the KnD and the bus zone, have substantially improved the efficiency and operations of the road network. Additional updates including new kerbside allocation signage and line marking on Orient Street are planned as part of the proposal and will further improve operations and safety for all road users.

The items raised by Council are addressed in detail in Sections 3.5 and Section 4 of the amended TTIA and are summarised below.

- *Right turns into and out of Orient Street at the Sutherland Street intersection*

Based on the intersection layout, banning a right turn was considered to have merit given the limitations to sight lines during the afternoon peak period. However, following further consultation with Council, which

included feedback from the Local Traffic Committee (LTC), a right turn ban out of and into Orient Street is not proposed to be installed at this stage, given the low turning volumes during the peak period (5 vehicles per peak hour).

- ***Through traffic being completely blocked on Sutherland Street***

The potential for KnD vehicle queues extending back to Sutherland Street was previously observed to occur for approximately 8 minutes in the PM peak. Impacts to through traffic were exacerbated and only present due to parallel on-street parking, which required vehicles turning left to store in the northbound travel lane for a short period of time.

Following this original observation, recent changes to remove buses from Orient Street and extend the KnD were observed to reduce the queue length and the number of instances and time vehicles extend back to Sutherland Street.

To assist queue management associated with the KnD in the short-term, it is recommended that No Stopping signage between 2:30PM to 3:30PM Mon-Fri be installed on Sutherland Street east of Orient Street. Further details of the external are provided in Section 4 and Appendix A of the TTIA.

- ***Buses being delayed by queues on Sutherland Street***

Further site observations have been undertaken following the relocation of school bus services to the eastern side of the school on Sutherland Street and subsequent lengthening improvements to the Orient Street kiss'n'drop facility.

These observations indicated that bus operations had improved in comparison to previous arrangements. During the first bus egress, a delay of approximately 1 minute was observed at 3:08pm. Following this, no further queues were present.

Overall, the relocation of buses to Sutherland Street from Orient Street has resulted in a noticeable improvement in bus delays and bus accessibility to the dedicated bus zone.

- ***Through traffic being blocked on Orient Street***

Apart from the kiss'n'drop facility and school crossing, no formalised parking or controls are present on Orient Street.

The proposal seeks to improve the operations of Orient Street through a new school crossing as well as signage and line marking updates to formalise parking and travel lanes.

The width of Orient Street currently accommodates northbound kerbside on street parking, southbound kerbside KnD facility and two through travel lanes. The proposed line marking upgrades seek to formalise these arrangements.

For narrower sections of Orient Street to the south, on street parking can be managed through the installation of signage and line marking. This will distribute on-street parking, maintain access to driveways and maintain two-way traffic flow during peak pick-up periods.

- ***Any adverse effects of the changed traffic conditions on surrounding intersections.***

The Rapid Transport Assessment (RTA) undertaken for KPS identified a range of opportunities to improve the road and active transport system for both the school and the surrounding community. It is important to note that these items are not the sole responsibility of KPS or its operations, but rather a legacy of the area.

As a result of the RTA, the extension of the KnD on Orient Street and relocation of all buses to Sutherland Street significantly improved transport operations during afternoon periods. In addition, it is understood that

the RTA assisted in informing Council's grant applications to construct pathways on the eastern side of Sutherland Street.

The proposal will further build on these initiatives with improvements to vehicle parking and traffic operations on Orient Street and Sutherland Street.

The proposal also includes the construction of key missing links of pedestrian pathways surrounding the school to promote walking to school and reduce the reliance on private vehicle trips. Further details of the proposed missing links are provided in Sections 3.4, 4.1 and Appendix A of the TTIA.

c. The 'kiss and drop' on Orient Street has already been extended and its operation should be reviewed and any modifications needed should be included in the Traffic Report and plans.

Response: Based on recent site observations the KnD was observed to operate more efficiently with the reduction in potential vehicle and bus conflicts. The School Transport Plan (STP) included at Appendix B of the TTIA provides guidance for management and efficient utilisation of the KnD.

Line marking and delineation of Orient Street will formalise and separate the travel lane, KnD and on-street parking (refer to External Works Concept Plans contained in Appendix A of TTIA).

d. The existing 'kiss and drop' on Sutherland Street has been removed and the bus zone extended. The efficiency and operations of the new arrangement should be reviewed and increased in width and length if required. Any modifications needed should be included in the Traffic Report and plans.

Response: Based on recent site observations the bus bay was observed to operate more efficiently with the separation of KnD vehicles and buses.

Further improvements are expected with the provision of the proposed signage and line marking works occur (Refer to Appendix A of the TTIA).

e. The Traffic Report is revised to propose measures to improve pedestrian/cyclist safety at the five way roundabout given it was identified as a barrier to active transport uptake. This could be used by Council for funding nominations.

Response: Following consultation with Council, the provision of a shared path on the northern side of Sutherland Street will improve active transport accessibility and allow cyclist to avoid this potential 'barrier'. (Refer to External Works Concept Plans contained in Appendix A of TTIA).

f. The Traffic Report raised concerns with the informal parking on Sutherland Street and cars blocking the footpath. The informal parking is proposed to remain but the plans do not appear to include measures to mitigate this risk. This should be reviewed and addressed in the plans.

Response: As outlined above, the informal verge parking will be addressed with proposed kerb and channel works along the eastern side of Sutherland Street. This will formalise the current parking arrangements and provide an additional nine (9) parallel parking spaces along this segment (Refer to Section 4, 7 and Appendix A of the TTIA).

g. The Traffic Report recommends that pedestrian deficiency D9 (lack of crossing on Sutherland Street) is not upgraded. This should be reviewed with consideration to the new shared path being installed on the eastern side of Sutherland Street (between Moss Street and Seaview Street) and the new traffic arrangements."

Response: Link D9 is not specifically recommended to be upgraded due to its proximity to the relocated bus zone and the increase in buses accessing the school from the east.

As an alternate to this potential crossing point, two (2) existing pedestrian refuge crossings are provided on either end of the school on Sutherland Street (i.e. west of Palmers Lane fronting the school and to the south of Hungerford Lane intersection). Both of these crossings are located away from the intersection conflict points and connect the proposed new shared path to the KPS (Refer to Attachment A of the TTIA).

2.3 Environmental Health

2.3.1 Acid Sulfate Soil

a. Please revise the Acid Sulfate Soil Management Plan included within the Detailed Site Investigation for Contamination at Kingscliff Public School, 12 Orient Street, Kingscliff prepared by Douglas Partners dated 4 May 2021 (Project No. 97611.00, Document No. R.002.Rev2) that identifies an onsite location for available for treatment of acid sulfate soil and meets the requirements of the Waste Classification Guidelines – Part 4: Acid Sulfate Soils (NSW Environment Protection Authority, November 2014).

Response: The Acid Sulfate Soils Management Plan (ASSMP) contained within the Detailed Site Investigation (DS) prepared by Douglas Partners has been updated to identify an on site location for the treatment of acid sulfate soils. The proposed treatment area is located in the south-eastern part of the site, as identified on Drawing No. 2, Appendix C of the DSI included at Attachment 9.

2.3.2 Lighting

b. The applicant shall consider the potential impacts of lighting upon surrounding properties as a result of the demolition and construction works and operation of the site. Particular attention should be made to use of the site outside of school hours.

Response: The school is not currently used for shared community facilities. However, Out of Hours School Care (OHSC) is currently operated from the school.

To minimise the potential impacts of outdoor lighting within the school generally, on the surrounding properties, the following is proposed to be addressed via the imposition of appropriate conditions:

- Prior to the installation of outdoor lighting, evidence will be submitted to the satisfaction of the certifier to demonstrate that all outdoor lighting has been designed to comply with the relevant Australian Standards relating to obtrusive lighting.
- Prior to the commencement of operation, evidence will be submitted to demonstrate that installed lighting associated with the development achieves the objective of minimising light spillage to surrounding properties.

All construction lighting will face inwards towards the site and will be turned off at the end of each day.

2.3.3 Contamination

c. All contaminated land reports submitted for Council review as of 1 July 2020 must be accompanied by the Northern Rivers Contaminated Land Program - Contamination Report Summary Table available at <https://www.tweed.nsw.gov.au/ContaminatedLand>. Please provide this document from the environmental consultant for review.

Response: A Contaminated Report Summary Table has been prepared by Douglas Partners and is included at Attachment 9.

6.3.4 Pre-demolition Testing

d. Organochlorine pesticides were applied extensively within the Tweed Shire beneath structures, predominantly beneath concrete slabs, to provide a chemical barrier to termites. The environmental consultant shall confirm that sub-slab testing has been carried out where required to determine the presence of pesticides and confirm that the area in the vicinity of the demolition works is suitable for the proposed use.

Response: Douglas Partners (DP) has provided advice regarding the potential contamination of Organochlorine pesticides (OCPs) at the site, which is included at Attachment 9. DP has advised the following:

- During the 2020 DSI for Contamination, OCPs were identified as a contaminant of potential concern (CoPC) at KPS.
- Soil samples were collected from a total of 29 sampling locations located across the site area. Of these, 24 sampling locations were located directly within the SSDA development area. One sampling location (KP1) penetrated the concrete pavement, with the remainder of the sampling locations in unpaved areas
- One (1) soil sample from each sampling location was analysed for a suite of CoPC that included OCPs. The samples analysed, were generally collected from shallow depths ranging from 0.1 m to 0.5m below ground level (bgl), where it was considered that contamination was most likely to be present, as OCPs were generally applied to the surface.
- OCPs were not detected above the laboratory limit of reporting (LOR) in any of the samples analysed and the LOR was below the adopted site assessment criteria (SAC), which comprised the health investigation levels (HIL) for a school land use scenario (i.e., HIL-A) of Schedule B1, *National Environment Protection (Assessment of Site Contamination) Measure 1999*, as amended 2013 (NEPM).
- Based on the results of the previous investigations, it considered unlikely that OCPs would be present within the proposed development area at concentrations likely to be harmful to potential human receptors. Furthermore, the conclusions of the DSI remain valid, which:
 - Did not indicate that the site presents a significant risk of harm to human health or the environment; and
 - Did not indicate significant contamination issues at the site that could restrict the proposed development.
- If significant amounts of OCPs were used to control insects in buildings located within or close to the proposed development area, there is some potential for localised OCP contamination. If this is the case, it is possible that there has been mobilisation of OCPs into the development area, although if contamination is present and is located below concrete slabs, the potential for it to mobilise is limited due to the reduced potential for precipitation to infiltrate the ground beneath the slabs.

Although the potential for OCP contamination to be present beneath paved areas in the proposed development area is considered to be low, the imposition of a condition is supported requiring the collection of additional soil samples within the areas of concern following demolition and further testing for the presence of OCP contamination. Should the presence of OCP contamination be found, any remediation works shall be conducted in accordance with a Remediation Action Plan prepared by a suitably qualified environmental practitioner.

6.3.5 Dewatering

e. Although the site is in an elevated location, works may intercept groundwater as identified in consultant reports. Please provide a dewatering management plan that:

- I. considers Council's Dewatering in the Tweed Guideline available at https://www.tweed.nsw.gov.au/Documents/Planning/TSC12355_Dewatering_in_the_Tweed_Guideline.pdf;*
- II. meets the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG 2018) available at www.waterquality.gov.au/anz-guidelines;*
- III. includes site plans which indicate the extent of the excavation area and estimated zone of influence of the dewatering activity relative to any adjoining buildings together with an assessment of any impacts likely to occur to any adjoining buildings as a result of the dewatering activities;*
- IV. details on the site plan the location of the area that will be utilised for the positioning of any treatment tank or sedimentation pond on the site including any reserve area to be used for such purpose in the event of the need for additional treatment facilities to be incorporated on the site;*
- V. details of the proposed method of mechanical aeration to be used in the event that it is necessary to aerate the groundwater to achieve an acceptable Dissolved Oxygen level prior to the offsite discharge of groundwater and where this will be incorporated on the site;*
- VI. includes written advice from the operator of any on site groundwater treatment system stating that the system to be used will be able to treat the groundwater to the required treatment level prior to discharge. Note. Particular attention is to be given to achieving the required detention times prior to discharge of the groundwater. Advice that the system is simply capable of achieving the necessary treatment will not be acceptable; and*
- VII. considers the Detailed Site Investigation for Contamination at Kingscliff Public School, 12 Orient Street, Kingscliff prepared by Douglas Partners dated 4 May 2021 (Project No. 97611.00, Document No. R.002.Rev2) and Preliminary Geotechnical Investigation for Kingscliff Primary School, Orient Street, Kingscliff prepared by Douglas Partners dated 3 April 2020 (Project No. 98084.00, Document No. R.001.Rev0), and acid sulfate soil intercepted during dewatering activities."*

Response: The preparation of a dewatering management plan is supported through the imposition of an appropriate condition requiring the plan be prepared and submitted for approval prior to commencement of construction.

2.3.6 Noise

f. Please provide a site management plan for operation of the Kingscliff Public School including any events held on the site out of school hours (e.g. childcare and community use) that details how noise from onsite activities will be managed and controlled so as to prevent the generation or emission of intrusive noise.

Response: Out of Hours School Care is currently conducted from the site. No other events are currently held at the school.

In accordance with DPIE's standard conditions of consent, an Out of Hours Event Management Plan will be prepared in consultation with Council.

The Plan will be submitted to Council and the Planning Secretary for information prior to the commencement of the first out of hours event. The Plan will include the following information:

- The number of attendees, time and duration;
- Arrival and departure times and modes of transport;
- Where relevant, a schedule of all annual events;
- Measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);

- Details of which parts of the school site would be used, and where appropriate, restricting use before 8am and after 10pm;
- Measures to minimise localised traffic and parking impacts; and
- Include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.

6.3.7 Warm Water Systems and Cooling Systems

g. Please confirm whether any regulated systems as identified in the Public Health Act 2010 are proposed to be installed, modified or removed from the site as a result of the proposed works.

Response: The proposal does not include any works relating to warm water systems or cooling systems as identified in the Public Health Act 2010.

2.4. Developer Contributions

Please note that Council is likely to request payment of relevant developer contributions, including CP07 – Drainage which applies to new and redevelopment works within the West Kingscliff drainage catchment.”

Response: As outlined in the EIS, an exemption to the contributions plans is considered appropriate in the circumstance, given DoE is a Crown, and relies on government funding to provide new facilities for the benefit of the school community and wider community. The levying of a development contribution would divert a portion of these public funds, which have been specifically provided to fund upgrade ageing school infrastructure, to local services without any direct nexus to the impact on those services. The project in itself meets the purpose of the plan in that it provides key community infrastructure for Kingscliff and therefore levying under the contribution plan number 7 is not considered appropriate.

Notwithstanding the above, as outlined in the TTIA (refer to Attachment 4) a number of upgrades are proposed to the surrounding infrastructure as part of the development, which will not only benefit the school, but the wider community. This includes the provision of the following missing links in the pedestrian network:

- A new 360m path on the western wide of Orient Street; and
- A new 130m pathway on eastern side of Orient Street

Further to the above, on-site stormwater detention tank is proposed on the southern portion of the site to accommodate any increases in post-development flow rates.

3. Transport for NSW

3.1 EIS, TTIA and supporting documents – General Comments

“1. The TTIA provides a copy of the Traffic Network Diagrams (Appendix E). The data in these diagrams appears to be incomplete:

- *The “background volumes” sheets do not show any background data for the local streets, Omar, Seaview and Olga Streets. Additionally the diagrams do not accurately represent the street connections or how they may be used by traffic generated by the existing and proposed development.*
- *There is no explanation in the appendix to inform where the data has been sourced from.*
- *It is unclear if the “with development” volumes for the local streets are demonstrating the additional traffic generated by the increase in new students only, or is intended to also include the existing traffic.*

TfNSW recommends the Consent Authority seek clarification from the proponent in regards to the background traffic volumes, growth rates, generated traffic volumes, for both the existing and the proposed development.”

Response: As per Section 6.2 of the amended TTIA, existing traffic volumes were obtained from traffic surveys undertaken by Traffic Data and Control (TDC) on Thursday 19 November 2019 at the following intersections:

- Sutherland Street / Viking Street
- Sutherland Street / Pearl Street
- Sutherland Street / Orient Street
- Orient Street / Viking Street.

The local streets of Omar, Seaview and Olga Streets were not subject to traffic survey data collection and therefore are survey volumes are not listed.

Based on traffic data for surrounding intersections and site observations, these other local streets are not heavily used school routes considered to have potential impacts as a result of the development, and accordingly do not require assessment.

A compounding growth rate of 1.54% per annum was used to forecast background traffic to future years. This is consistent with the medium growth scenario adopted for the Tweed Road Development Strategy (TDRS).

3.2 Cumulative Impacts on the Road Network

“2. Recent assessments of nearby developments by TfNSW have identified concerns with potential queuing at intersections located along the identified Construction Access Route shown in Figure 4.1 of the Preliminary CTMP.

TfNSW recommends the Consent Authority request further sensitivity analysis be undertaken by the applicant to understand the cumulative impacts on the surrounding road network, during both construction and operational stages, by this proposed development, in addition to the proposed redevelopment of the nearby Kingscliff High School (KHS), Tweed Valley Hospital (TVH) and any other major infrastructure project or development within the immediate Kingscliff region. Where applicable, Austroads turn warrant assessments should be undertaken for all intersections, to consider the merit for any turn treatments and / or central medians to prevent turning movements at key locations.

The Consent Authority should be satisfied that warrant assessments reflect expected demand (individual and cumulative).”

Response: Further site observations were conducted in July 2021 to address concerns raised in Council’s submission. The noted developments or their associated construction traffic impacts are not within the immediate catchment of the KPS or key intersections assessed. Therefore, the requested additional sensitivity tests are not considered necessary in terms of identifying traffic impacts that would require mitigation measures to imposed.

No major traffic matters are considered to be outstanding and/or not addressed.

3.3 Existing Background Traffic and Kiss 'n' Drop activity.

"3. Section 6.2 of the TTIA refers to background traffic and a survey undertaken on 19 November 2019, which captured this information for four key intersections (shown in Figure 3.2) surrounding the approach to the public school, and assessments of the existing trips generated by the existing school have been demonstrated in Tables 6.1 and 6.2.

- The background traffic survey focuses on intersections only and as a result do not appear to identify the midblock queuing occurring in Orient Street and Sutherland Street, which appear to be due to the misuse of the existing Kiss 'n' Drop facilities in both streets.*
- It is noted that the PM peak hour traffic shows a difference in volume to the AM peak hour, in both the survey traffic volumes and the Existing Trip Generation totals shown in Tables 6.1 and 6.2. The change appears to occur for the KHS Non-staff traffic volumes only. This may be due to the Kiss 'n' Drop facility being misused in the afternoons, as observed in Section 3.5 of the TTIA where it states, "Parents / carers began to arrive for pick-up approximately 45 minutes before school concluded".*

TfNSW recommends that further investigations be undertaken to determine if the misuse of the Kiss 'n' Drop facilities are the potential cause for the difference in traffic generated by the KPS Non-Staff during the AM and PM peak hours in the background traffic data, as a result of parents arriving earlier than the designated PM peak hour period.

TfNSW further recommends that Kiss 'n' Drop facilities be addressed further in the School Travel Plan (STP), to include communications to parents informing on the appropriate use of the facility. TfNSW notes that this is a behavioural issue that is not uncommon, however, in order to implement the STP appropriately, this should be addressed and mitigation measures proposed with ongoing monitoring to prevent future misuse of the facility."

Response: Further site observations were conducted by Bitzios in July 2021 and have been discussed with Council and are detailed in Section 3.5 of the TTIA. As outlined in the response to Council's submission, recent updates to the school's transport arrangements, including the separation of the KnD and the bus zone, have substantially improved the efficiency and operations of the KnD. Previous issues with misuse have been resolved through updated signage provisions.

Section 4 of the TTIA identifies proposed additional signage and line marking which will further improve operations. Further operational improvements will be able to be managed through the implementation of STP recommendations

3.4 Proposed Works in the Road Reserve

"4. TfNSW notes the below works in the road reserve identified in the TTIA:

Reconfiguration – Bus Drop off / Pick up and Kiss 'n' Drop facilities.

Section 1.3 and Section 3.5 of the TTIA identifies a number of safety concerns in both Orient and Sutherland Streets. These concerns include but are not limited to mid-block U-Turn manoeuvres, intersection congestion, informal parking arrangements, vehicles queueing and causing conflicts with designated Bus zones and school crossing locations, constrained two-way traffic movements and informal street crossings occurring away from the designated school crossing.

Section 6.7 further addresses the conflicts between the Kiss 'n' Drop facilities and the Bus zones on both Sutherland Street and Orient Street, in addition to Sutherland Street potentially reaching and exceeding its capacity in the forecasted years.

TfNSW understands the development recommends a reconfiguration of both the Kiss 'n' Drop facilities and the Bus zone locations. This reconfiguration appears to be consolidating all Kiss 'n'

Drop facilities to be located on Orient Street, and all Bus zones to be solely located on Sutherland Street. It is noted however that no plans have been included in the development application demonstrating the proposed reconfiguration.

TfNSW supports this reconfiguration in principle, through the separation of heavy vehicles (buses) from light vehicle activities, reducing the potential for conflict between buses, vehicles and children.

Clearer detail is required however, to understand the extent of the proposed works to be built in the road reserves of both Sutherland and Orient Streets.

TfNSW recommends that the Consent Authority request further detailed drawings of the proposed works occurring in the road reserves of the surrounding streets relevant to the school. These drawings should be informed by information gathered through further consultation with the bus operator Surfside Bus Lines, TfNSW and KPS to determine what infrastructure is needed for both the proposed reconfiguration design and to accommodate the proposed increase in students (further addressed below).

Response: Further site observations have been undertaken following the relocation of school bus services to the eastern side of the school on Sutherland Street and subsequent lengthening improvements to the Orient Street KnD facility.

Based on recent site observations the KnD was observed to operate more efficiently with the reduction in vehicle and bus conflicts. The STP included at Appendix B of the TTIA provides further guidance for the management and efficient utilisation of the KnD.

Line marking and delineation of Orient Street will formalise and separate the travel lane, KnD and on-street parking (refer to External Works Concept Plans contained in Appendix A of the TTIA).

Existing bus services were reviewed in consultation with the bus operators and as part of a review for several schools across the Tweed Shire. Information provided during this process outlined that buses were generally highly utilised and near capacity for some routes. The primary service provider Surfside Buslines undertakes annual review changes in consultation with TfNSW and based on NSW bus pass applications. It is noted that school bus services are closely integrated across multiple schools in the Tweed Shire including primary schools, high schools and private schools.

Discussions between SINSW and TfNSW bus planning and contracts representatives are ongoing around potential improvements as part of a future network review, as well as shorter term updates as part of their annual bus service review processes. This has also included a review of passenger information such as Trip Planner and real-time bus tracking.

Upgrades – Footpaths, student crossings, central medians and delineation

TfNSW supports the observations made in the application that there are numerous gaps in the active transport network surrounding the school, including a lack of continuity in footpath links, narrow footpaths, minimal shared paths being available and insufficient safe crossing locations, in particular on Sutherland, Orient, and Omar Streets.

Section 3.4.1 and Figure 3.6 List a number of Active Transport Deficiencies (numbered D1 to D12) within the immediate vicinity of the school.

- *Items D3, D4 and D10 are identified as being included in the KPS redevelopment scope of works. All other items are “expected to be (but not confirmed) to be included into the revised PAMP and Bike Plan.” This is supported by TfNSW, but is recommended to be confirmed by in further consultation with Council.*
- *Section 5.2 of the TTIA further addresses concept designs for D6 and D10.*
 - o *D6 is shown in Figure 5.2, demonstrating a concept design for the relocation of an existing pedestrian refuge on Sutherland Street. It is unclear why such detail has been*

addressed in the TTIA for D6, when it is not proposed to be included in the scope of works for the redevelopment and has been identified as being “undertaken as part of a separate project by Council.”

- *D10 is shown in Figure 5.3, demonstrating a concept design for an additional dedicated school crossing on Orient Street.*

TfNSW supports the proposal to improve student safety in the immediate vicinity of the school on Orient Street by identifying the need to provide a school crossing location further to the west than the existing crossing, to support students crossing the street midblock.

- *Sections 3.4.1 and 3.5.1 of the TTIA refer to observations of pedestrians crossing the road midblock at informal locations along Orient Street and the paths fronting the school not being wide enough for shared use.*

TfNSW recommends that further investigations be undertaken in consultation with both Council and TfNSW to identify where the informal crossings are occurring, which directions the active transport users are arriving and departing from, which mode they are travelling by and whether there is a need for both an upgrade to the existing crossing and / or a new crossing to be located away from the existing.

TfNSW further recommends, prior to developing concept designs any further for all works in the road reserve, in addition to the abovementioned consultations, all of the proposed treatment/s and works in the road reserve (including the Bus reconfigurations) should be referred to the Local Traffic Committee for review and comment on all relevant regulatory facilities.”

Response: Early concept designs for works within the road reserve were provided to Council, which were considered at the Local Traffic Committee in February 2021.

Following Council’s submission to the EIS, further site observations were conducted by Bitzios in July 2021. The results of these observations were discussed in subsequent consultations with Council.

In short, the improvements to be delivered as part of this proposal will ensure the provision of suitable crossing facilities that reflect the main desire lines observed by Bitzio’s in July 2021.

3.5 Parking

“5. The redevelopment proposes to increase the number of students and teachers (over a 10 year timeframe). TfNSW notes that the redevelopment does not propose to support this proposed increase by providing any further parking onsite, however does propose to support it with the implementation of the School Travel Plan (STP) to encourage both students and staff to use active transport modes.

Although a STP has been developed with proposals to reduce the percentage of students and staff travelling to and from school via the use of individual private vehicle/s, further education with the staff appears to be required to ensure the existing staff car park is utilised 100% to avoid unnecessary overflow out onto the street when off-street parking is still available.

TfNSW recommends the Consent Authority be satisfied that the local streets can support all future parking needs, both onsite and on-street, for the proposed increase in students and staff and works with the proposed reconfiguration.”

Response: Further consultation have been undertaken with Council regarding car parking provision. As outlined in Section 2.2 above in the response to Council’s submission, it is proposed to formalise the existing informal car parking arrangements occurring on the verge along Sutherland Street with the provision of nine (9) parking spaces.

With the existing on-site car parking provision, the additional nine (9) spaces on Sutherland Street and the capacity in on-street parking, there is adequate parking to meet the demands generated by the proposal.

3.6 Construction Traffic Management Plan (CTMP)

“6. TfNSW key concerns during the construction process is around the safety and efficiency of the key intersections, and any potential impacts on pedestrians and cyclists coming and going from the school. It is noted that the CTMP is of a preliminary nature, as such, a construction contractor and finer detail around the construction methods are not (yet) available.

Notwithstanding this, TfNSW notes that it is unclear what impacts the traffic generated by construction staff will have on the surrounding road network. Figure 4.1 and Section 4.4.4 address the Construction Access Route. It is understood by TfNSW this route is addressing the construction design vehicles listed in Section 4.2.1. It is unclear if this is also intended to be the transport route for construction staff as the identified parking locations are located beyond the school site.

Although the number of Construction staff is unknown, including their generated traffic volumes and movements, TfNSW supports the recommendations in Section 4.3.3 of the Preliminary CTMP, that construction staff be encouraged to carpool to work, to reduce the number of worker vehicles and that “The availability of on-street parking should be considered when determining the peak work force.” TfNSW further supports the recommendation to utilise existing public car parks located within walking distance of the development site, accessible by a network of public footpaths and stairs.

Section 3.3.2 in the Preliminary CTMP identifies the existing crossover from Orient Street to School Lane as being the primary construction access to the development site. It should be noted this crossover is located in the immediate vicinity of the designated school crossing and interacts with an existing footpath along Orient Street. Section 4.3.4 states that “Any impacts to pedestrian pathways or cycle routes will be managed under the CTMP”, however no mitigation measures have been proposed at this stage to manage the potential for conflict between pedestrians or cyclists and construction vehicles arriving or departing the site.

TfNSW recommend the Consent Authority conditions the applicant, to prepare the final CTMP in consultation with TfNSW and Tweed Shire Council, prior to the secretary’s acceptance of the document. The updated CTMP should further detail the expected construction traffic volumes / trip generation. The start and finish times for the construction staff should be included in this updated information and further include any mitigation measures to prevent conflicts between construction vehicles, other vehicles, pedestrians and / or cyclists around the School Lane crossover and during drop-off and pick-up times.

Notwithstanding the above requested additional information, TfNSW recommends that a final updated CTMP should be consistent with the Consent Authorities typical format for SSD and be a requirement of any project approval. The final document should to include a Driver Code of Conduct (DCoC), be prepared in consultation with the relevant Road Authorities and approved by the Consent Authority prior to the commencement of vehicle movements associated with the major project.”

Response: As recommended by TfNSW, the imposition of a condition of consent requiring the preparation of a final CTMP is supported, in line with the DPIE’s standard conditions of consent.

The CTMP will be prepared in consultation with Council and TfNSW, for the approval of the Planning Secretary.

3.7 Buses

“7. TfNSW notes that the current school bus operator is Surfside Bus Lines and notes consultation was undertaken as part of the TTIA development.

The bus services are addressed throughout the TTIA, in particular in Section 3.4.2 which addresses public transport servicing both public and school bus services, Section 3.6 which addresses the current breakdown of both students and staff utilising the bus services and states that “buses are generally well used by students and during the site visit several school buses were observed to be at capacity. However, there is little opportunity to further increase public transport mode share without new services.” and in the assessment summary Section 9.1 where it states that the existing bus services generally experience high occupancy rates.

TfNSW support the implementation of the STP to encourage an increase in students taking up active transport options, however TfNSW notes, a review of the existing Surfside services had not been undertaken for some time.

TfNSW recommend the Consent Authority request the proponent to further consult with TfNSW and the bus operator to understand the impacts both the increase in student numbers will have on the current bus services, in addition to the increase in overall students taking up the bus services on implementation of the STP.”

Response: It is understood that TfNSW routinely consult with bus operators on refining school bus routes and student patronage needs. In addition, school student numbers and details are directly provided to TfNSW through the School Student Transport Scheme (SSTS).

Existing bus services were reviewed in consultation with the bus operators and as part of a review for several schools across the Tweed Shire. Information provided during this process indicated that buses were generally highly utilised and near capacity for some routes. The primary service provider, Surfside Buslines, undertakes annual review changes in consultation with TfNSW and based on NSW bus pass applications. It is noted that the bus services are highly integrated across multiple schools in the Tweed Shire including primary schools, high schools and private schools.

Discussions between SINSW and TfNSW bus planning and contracts representatives are ongoing around potential improvements as part of a future network review, as well as shorter term updates as part of their annual bus service review processes. This has also included a review of passenger information such as Trip Planner and real-time bus tracking.

3.8 Bicycle and end of trip facilities

“8. The TTIA states the school currently has provision for approximately 90 bicycle parking spaces located against the northern wall of the home economics building, fronting the Oxford Street cul-de-sac, and will provide additional bicycle parking spaces as the population of the school increases.

TfNSW Recommend prior to the issue of the Construction Certificate, the Consent Authority condition bicycle parking and end of trip facilities be provided for staff and students in accordance with Australian Standard AS1742.9:2018 Manual of Uniform Traffic Control Devices - Bicycle Facilities, and Cycling Aspects of Austroads Guides including, locate bicycle parking and storage facilities in secure, convenient, accessible areas close to the main entries incorporating adequate lighting and passive surveillance and in accordance with Austroads guidelines.”

Response: This statement does not relate to the subject application, but relates to the SSD application for Kingscliff High School (Ref SSD 8744305).

3.9 Active Transport Considerations

“Future Transport 2056 emphasises the importance of walking and cycling for short trips and reinforces the importance of walking and cycling to increase the catchment of public transport as part of the whole customer journey.

Building Momentum - State Infrastructure Strategy 2018-2038 includes recommendations related to walking and cycling, including integrating transport with land use; managing travel demand; unlocking capacity in existing assets; and improving population health outcomes through more active transport.

The Traffic & Transport Impact Assessment (TTIA) includes adding an additional 4 staff and 33 student bicycle parking spaces, then incrementally adding additional bicycle spaces as school enrolment increases to meet the requirements of the Lake Macquarie Development Control Plan (DCP), 2014. Bicycle parking will be monitored yearly as part of the School Travel Plan.

Recommendation

It is requested that prior to the issue of the Construction Certificate, the applicant be conditioned to provide bicycle parking and end of trip facilities for staff and visitors in accordance with Lake Macquarie Development Control Plan, 2014 and Australian Standard AS1742.9:2018 Manual of Uniform Traffic Control Devices – Bicycle Facilities, and Cycling Aspects of Austroads Guides including:

- Locate bicycle parking and storage facilities in secure, convenient, accessible areas close to the main entries incorporating adequate lighting and passive surveillance and in accordance with Austroads guidelines.”*

Response: While TfNSW’s recommendation regarding the location of bicycle parking and facilities is supported in principle, the conditions of consent should require bicycle parking and end of trip facilities to be provided in accordance with Australia Standard AS1742.9:2018 Austroads Guides

It is noted, that TfNSW incorrectly references Lake Macquarie DCP instead of Tweed Shire Council DCP.

3.10 School Travel Plan (STP)

“TfNSW has reviewed the School Travel Plan (STP) provided in Appendix B of the TTIA Current NSW policies state the importance of walking and cycling to increase access to local centres. The STP has a good foundation, but it should be a priority for the proponent to secure funding, human resourcing (including an appropriately trained and resourced travel plan co-ordinator) and an agreed timeframe for completion of key actions identified in the GTP to support sustainable transport outcomes. The recommendations below are meant to improve the initial STP and the proposed initiatives to encourage sustainable transport to the site.

Recommendations

Prior to the issue of the first Occupation Certificate, the Applicant should finalise the STP in consultation with TfNSW. The School Travel Plan should include, but not be limited to:

- Includes maps with the school catchment area, cycling infrastructure, isochrone lines for walking and cycling distances, staff suburb/location data;*
- Includes staged aspirational mode share targets for staff and students;*
- Include the provision of existing and staged bicycle parking for students and staff, dedicated end-of-trip facilities including but not limited to lockers, showers and change rooms and e-bike charging station(s) for staff and students to support an increase in the non-car mode share for travel to and from the site;*
- Considers more incentives for staff to use active and public transport such as:*
 - o School subsidised panniers or backpacks for staff committed to active travel;*
 - o Salary sacrifice options for purchases bikes or other micro-mobility options;*

- Time in staff meetings to share tips and support for staff wanting to start cycling;
 - An active travel champion who models active travel and shares experiences and positive messages;
 - Bike maintenance equipment for use onsite & bike lights for emergency loans;
- Considers more incentives for students to use active and public transport such as:
 - Bikes buses (which are similar to walking school buses but for cycling);
 - Gamification for students using and promoting active and public transport;
 - Activities for students to create and share transport photos/videos/stories/art/maps from their trips to school;
 - Regular events, such as active transport breakfasts and trips after school with bike buses, walking buses and real buses departing school with students, parents and teachers;
 - Cycling skills and bike maintenance courses;
 - Promoting to parents the potential of active travel to school as an opportunity to stay active themselves;
- Considers how educational material that explores the benefits and potential of sustainable transport can be incorporated into classes for different stages in the curriculum;
- Includes an enhanced Travel Access Guide (TAG) with:
 - Recommended cycling and walking routes to key destinations (such as beaches, parks and shops) with indicative times and from different directions within the school catchment area;
 - More information on the buses (are there bus stops missing from the map?);
- Explores different channels to communicate transport information and advice such as:
 - Transport noticeboard at key location within the site in the form of a travel access guide;
 - School assembly;
 - Newsletter and website;
- Includes a comprehensive communication strategy which includes communications activities related to all the initiatives, the channels that will be used and who will be responsible; and
- Include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the STP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.”

Response: In accordance with TfNSW recommendations, the School Travel Plan has been updated to incorporate additional information. This includes updated TAG material. The amended STP is provided in Appendix B of the updated TTIA (Attachment 2).

4. NSW Environment Protection Authority

4.1 Noise and Vibration

“The EPA anticipates significant demolition/construction noise and vibration impacts and operational phase noise impacts on the neighbouring sensitive receiver locations. The proponent should ensure that background noise monitoring and subsequent assessment of demolition/construction and operational noise impacts is undertaken in accordance with the guidance material provided in the EPA’s Noise Policy for Industry (NPI) 2017.

Recommendation

The EPA emphasises that demolition, site preparation, bulk earthworks, construction and construction-related activities should be undertaken during the recommended standard construction hours, being: –

- (a) 7am to 6pm Monday to Friday;*
- (b) 8am to 1pm Saturday, and*
- (c) No work on Sundays or gazetted public holidays*

Recommendation

The proponent be required to ensure construction vehicles (including concrete agitator trucks) involved in demolition, site preparation, bulk earthworks, construction and construction-related activities do not arrive at the project site or in surrounding residential precincts outside approved construction hours."

Response: Agree that demolition, site preparation, bulk earthworks construction and construction-related activities be undertaken during the recommended standard construction hours, being:-

- (a) 7am to 6pm Monday to Friday;
- (b) 8am to 1pm Saturday, and
- (c) No work on Sundays or gazetted public holidays

Furthermore, we will ensure construction vehicles involved in demolition, site preparation, bulk earthworks, construction and construction-related activities do not arrive at the site or surrounding residential precincts outside of the approved construction hours of work.

4.2 Dust control and management

Recommendation

The proponent be required to:

- (a) Minimise dust emissions on the site; and,*
- (b) Prevent dust emissions from the site.*

Response: All reasonable steps to minimise dust generated during all works will be undertaken, including (but not limited to the following:

- Exposed surfaces and stockpiles are suppressed by regular watering;
- Construction trucks entering or leaving the site will have their loads covered
- Construction vehicles associated with the development do not track dirt onto the surrounding public roads;
- Public roads used by construction vehicle trucks are kept clean; and
- Land stabilisation works are carried out progressively on site to minimise exposed surfaces.

4.3 Sediment control

"Managing Urban Stormwater Soils and Construction, 4th Edition published by Landcom ('Blue Book') provides guidance material for achieving effective sediment control on construction sites. The proponent should implement all such feasible and reasonable measures as may be necessary to prevent water pollution in the course of developing the site.

The EPA emphasises the importance of –

- (a) not commencing demolition, site preparation, bulk earthworks, construction and construction-related activities until appropriate and effective sediment controls are in place, and*
- (b) daily inspection of sediment controls which is fundamental to ensuring timely maintenance and repair of those controls."*

Response: All erosion and sediment control measures will be effectively implemented and maintained at or above design capacity for the duration of the works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment.

4.4 Waste control and management (general)

All wastes generated during the project must be properly assessed, classified and managed in accordance with the EPA's guidelines to ensure proper treatment, transport and disposal at a landfill legally able to accept those wastes.

Recommendation

The proponent be required to ensure that all waste generated during the project is assessed, classified and managed in accordance with the EPA "Waste Classification Guidelines Part 1: Classifying Waste, 2014".

Response: All waste generated during the project will be assessed, classified and managed in accordance with the EPA "Waste Classification Guidelines Part 1: Classifying Waste, 2014".

5. Heritage NSW

"Heritage NSW agrees with the current Management Recommendation ACHAR outcomes, based on the current state of the archaeological investigation. Heritage NSW provides to following recommendations in addition to the management and mitigation measures included in the ACHAR and EIS:

- *Newly identified archaeological sites must be submitted to AHIMS;*

Response: The imposition of a condition requiring newly identified archaeological sites be submitted to AHIMS is supported.

- *Heritage NSW generally recommends that all assessment should be undertaken prior to the approval of impacts to Aboriginal cultural heritage. Without adequate and complete assessment, in this instance subsurface testing, to establish the cultural significance it cannot be demonstrated that more places of significance or places which may further enhance the significance of the known Aboriginal cultural heritage in the area will not be found. The Registered Aboriginal Parties (RAPs) could also not have provided informed comments on the project. As such, Heritage NSW recommends that test excavations of unvalidated areas be undertaken prior to the approval of impacts to potential Aboriginal Cultural Heritage; and*

Response: As detailed in the correspondence prepared by EMM included at Attachment 10, at meeting with Heritage NSW on the 16 July 2021, additional archaeological excavations as recommended by Heritage NSW were clarified and will be incorporated into the Aboriginal Cultural Heritage Management Plans (ACHMP) that form a key component of the recommendations. A copy of the minutes of the meeting with Heritage NSW is also included at Attachment 10.

Based on the discussions with Heritage NSW, we understand these excavations are required in the northern portion of the site beneath existing demountables and other temporary structures proposed for removal. HeritageNSW did not identify any other areas of concern within the site.

Due to the need to maintain the functionality of the site, the additional archaeological investigations cannot occur prior to construction, but will need to be incorporated into the construction program. Specifically, the construction of buildings to the south will be required to allow the removal of the demountables and ensure adequate teaching locations remain. As such, we support the imposition of a condition requiring submission of the ACHMP prior to any construction, which details the nature and timing of the archaeological excavations. However, we request that the condition allows for flexibility in the timing of the archaeological investigations, and in this regard does stipulate prior to commencement of construction and the like. This will ensure that the school can remain operational. The archaeological investigations will be required during Stage 2 (refer to Figure 4 in the Construction Management Plan)

- *Conditions for the creation and implementation of an ACHMP are provided in Attachment A.*

Response: The imposition of a condition requiring the preparation of an ACHMP prior to the commencement of construction, to the satisfaction of the Planning Secretary, is supported.

6. Environment, Energy and Science Group (EESG)

The recommended mitigation and management measures specified in Table 6 of the Biodiversity Development Assessment Report prepared by Kleinfelder dated 6 May 2021, should be included in the conditions of consent.

Response: Agree to the recommended mitigation and management measures specified in Table 6 of the Biodiversity Development Assessment Report prepared by Kleinfelder dated 6 May 2021 being included in conditions of consent.

Attachment 1: Amended Architectural Drawings prepared by Bickerton Masters

Attachment 2: Correspondence - Kingscliff Schools Drainage and Flooding Assessment. Kingscliff Public School Responses, dated 26 July 2021, prepared by GHD

Attachment 3: Kingscliff Public School – SSD Report – Structural prepared by Acor Consultants

Attachment 4: Amended Traffic and Transport Impact Assessment prepared by Bitzios

Attachment 5: Amended Preliminary Construction Management Plan prepared by MBB

Attachment 6: Correspondence prepared by Acoustic Works dated 27 July 2021

Attachment 7: Amended Utilities Infrastructure Report, prepared by Northrop

Attachment 8: Amended Stormwater and Civil Drawings prepared by ACOR Consulting

Attachment 9: Detailed Site Investigation, including updated Acid Sulfate Soils Plan; Contaminated Report Summary Table; Technical Advice Regarding Organochlorine Pesticides prepared by Douglas Partners

Attachment 10: Kingscliff Public School – Aboriginal heritage –
response to comments, prepared by EMM Consulting
dated 10 August 2021

Attachment 11: Social Impact Assessment prepared by Elton