



Submissions Report

Alterations and Additions to
St Philips's Christian College,
Cessnock

Prepared by Barr Planning

for St Philip's Christian Education Foundation Ltd

November 2022



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Response to Submissions Report November 2022

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Executive Summary

This Submissions Report supports State Significant Development Application SSD-10360337. The development proposal is for the alterations and additions to St Philip's Christian College, Cessnock Campus.

This Submissions Report forms an addendum to the Environmental Impact Assessment (EIS) and should be read in conjunction. The information within this Submissions Report prevails where inconsistencies exist. The Submissions Report has been prepared in accordance with *State significant development guidelines – preparing a submissions report, Appendix C (November 2021)*.

SSD-1036033 was placed on public exhibition from Thursday 17 February 2022 to Wednesday 16 March 2022 inclusive in accordance with DPE's policy. Within this time 15 submissions were received from Council, Public Authorities and Individuals. The key matters raised relate to:

- Traffic impacts, namely the intersection of Wine Country Drive and Lomas Lane;
- Flood impacts, specifically impacts on adjoining properties and the safe evacuation of staff and students;
- Environmental impacts, particularly around vegetation removal and associated impacts, hydrological impacts and land use conflict; and
- Procedural matters which include addressing inconsistencies with the EIS, permissibility of the aquatic centre, lot consolidation and operation of the school such as proposed staff numbers and operation times.

This Submissions Report responds to the matters raised. Consequently, a number of minor elements have been altered to address the matters. These include:

- Proposing a signalised intersection to replace the proposed roundabout at the intersection of Wine Country Drive and Lomas Lane.
- Updating the development sequence to bring forward the intersection upgrade from Stage 2 to Stage 1B.
- Minor alteration to the landscape and architectural plans.

The development proposal as modified and refined continues to have a high level of consistencies with State and local statutory and strategic planning policies. The proposed alterations to the development proposal are considered to further reduce possible environmental and social impacts. The site remains highly suitable for the proposed development being zoned RU2 Rural Landscape which is identified as a 'prescribed zone' under part 3.34, section 3.34(1) of the State Environmental Planning Policy (Transport and Infrastructure) 2021. The proposed development remains in the public interest by providing additional school and childcare facilities at an established location which will adequately meet the anticipated future enrolment growth withing the Cessnock Local Government Area.

1 Introduction

This Submissions Report has been prepared on behalf St Philip's Christian Education Foundation Ltd in relation to SSD Application No. SSD-10360337. The application was submitted to the Department of Planning and Environment (DPE) in January 2022.

The application is for the alterations and additions to St Philip's Christian College Cessnock, located at 10 Lomas Lane and 210 Wine Country Drive, Nulkaba. The development includes the alteration of a number of existing buildings and the addition of new buildings and facilities. The alterations and additions will facilitate an increase in student and staff population to 1732 and 216 respectively.

The application was placed on exhibition between Thursday 17 February 2022 and Wednesday 16 March 2022 on the NSW Planning Portal Major Projects website. During this time, responses from public agencies, local Council and the community and other relevant stakeholders were received. The purpose of this Submissions Report is to address the matters raised throughout the public exhibition period.

This Submissions Report has been prepared in accordance with the *DPE State Significant Development Guidelines – Preparing a Submissions Report (Appendix C) November 2021*. This Report should be read in conjunction with the Amendment Report and supporting documentation submitted under separate cover.

1.1 Details of Exhibition

The SSDA was placed on public exhibition from Thursday 17 February 2022 to Wednesday 16 March 2022 inclusive in accordance with DPE's policy. Within this time submissions were received from:

- Reid Johnson
- Rebecca and Geraldine Woodward
- Ross Wilson
- Neil and Debra McGuigan
- Withheld
- Cessnock City Council (CCC)
- Department of Planning and Environment (DPE)
- Department of Planning and Environment – Crown Lands
- Department of Planning and Environment – Biodiversity & Conservation (BCD)
- Department of Planning and Environment – Heritage NSW
- Department of Primary Industries - Fisheries
- Department of Planning and Environment – Water
- Department of Primary Industries – Agriculture
- Transport for New South Wales (TfNSW)
- NSW Rural Fire Service (RFS)

The project team has reviewed these submissions, carried out further consultation, updated documentation (where relevant) and has responded to each item raised. The following document summarises the responses and directs DPE to the relevant report/document where each item has been addressed.

1.2 Proposed Modifications in Response

In addition to the information required to address the submissions, the architectural and landscape plans have been amended. The amendments specific to each building and the landscape plan are detailed below. Additional impact assessment in relation to the proposed changes is provided in Section 3.2 of this Submissions Report.

1.2.1 Intersection upgrade

The original SSD Application proposed a roundabout at the intersection of Wine Country Drive and Lomas Lane. The plans have been amended to reflect signalised intersection upgrade.

1.2.2 Landscape Plan

The landscape plan has been modified to:

- Removal of the gravel path and meeting place within the remnant forest.
- Inclusion of connecting footpath from DALE 1 and 2 Buildings to Aquatic Centre.

1.2.3 Architectural Plans

All building plans have been updated to include relative levels as requested, this detail has not been specifically detailed in the information below. The architectural plans include details of the proposed signage as described in Section 4.3.3 of this Submissions Report, therefore this has not been specifically mentioned below. A new plan set has been included in the architectural plans to detail the connecting pathways.

Site Series Plan

- Updated to reflect amended landscaping plan.
- Updated to include preferred intersection upgrade of Lomas Lane and Wine Country Drive.

Staging Plan

- Updated to reflect the signalised intersection at Lomas Lane and Wine Country Drive.
- Change to the development sequence to include intersection upgrade in Stage 1B.

Junior School

- Removal of glass partition and installation of glass doors to allow access to the connecting walkway.
- Elevated walkway to connect to Middle School Building.

- Minor alteration to roof plan to remove semi-circular lower portion of roof to allow for connecting walkway.

Middle School – B1

- Alteration to ground and first floor layout.
- Increase to overall building depth from 28.8m to 34.2m.
- Minor increase to length of building from 43.2m to 44m.
- Minor increase (90mm) to overall building height
- Articulation of the façade.
- Inclusion of a lift to provide access to the first floor.
- Provision of library.
- Connecting walkway to Senior School Building.
- Removal of covered outdoor learning area.
- Alteration to roof plan to reflect alteration to building layout.
- Inclusion of public art screens.
- Installation of trellis screening on north elevation.

Middle School – B2

- Alteration to ground floor layout from Year 7 GLAs to Staff and Administration building.
- Ground floor includes digital media rooms and café/makers/dance room.
- Alteration to first floor layout.
- Inclusion of walkway connection to Junior School Building.
- Increase to overall building depth from 28.8m to 34.2m.
- Increase to overall length from 36m to 42m.
- Minor increase (90mm) to overall building height
- Alteration to roof plan to reflect alteration to building layout
- Alteration of the façade.
- Removal of school crest sign.
- Removal of covered outdoor learning area.
- Installation of trellis screening on north elevation.

Senior School C3

- East elevation to solid wall to be replaced with glass windows.
- Minor building height increase from 10.10m to 10.39m.

Library /Chapel

- Inclusion of stair access to connecting walkway.
- Removal of enclosed area.
- Inclusion of access door.

The Hub

- Finished floor level at ground altered from 59.5m to 59.1m.

- Top of roof height altered from 67.025m to 66.6m.
- Minor reduction to overall building height (25mm).

Sports Hall

- Finished floor level at ground altered from 57.5m to 57.7m.
- Parapet height altered from 69.745m to 69.835m.
- Minor reduction to overall building height (110mm).

DALE

- Finished floor level at ground altered from 59.5m to 59.7m.
- Top of roof height altered from 65.9m to 66.1m.

Waste Depot

- Inclusion of swept paths.

1.2.4 Environmental Impact Statement

This Submissions Report forms an addendum to the EIS, accordingly the EIS should be read in conjunction with this Report. To this extent, physical amendments to the EIS have not been made. Where inconsistencies exist, the information in this Submissions Report prevails.

1.3 Supporting Documentation

The changes are detailed in the following updated documentation. These documents are uploaded as separate documents to the Major Projects website.

Table 1 Supporting Documentation

Document	Author	Appendix No.
Amended Architectural Plans Rev F	SHAC	C1
Revised Landscape Concept Masterplan Rev C	Moir Landscaping	C2
Addendum to Transport and Accessibility Impact Assessment	Stantec	C3
Stantec Memo to TfNSW	Stantec	C4
Addendum to Aboriginal Cultural Heritage Assessment	McCardle Cultural Heritage	C5
Addendum to Flood Impact Assessment Report	BMT	C6
Flood Evacuation Response Plan	BMT	C7
Updated Biodiversity Development Assessment Report (BDAR)	MJD Environmental	C8
Response to Submission – Biodiversity considerations	MJD Environmental	C9
Amended Civil Engineering Plans Rev 5	Northrop	C10

Updated Arboriculture Impact Assessment Report	Accurate Tree Assessment	C11
Letter of Support for Traffic Lights	Cessnock City Council	C12
Community Consultation Meeting Minutes	St Philip's Christian College	C13
Addendum to Bushfire Threat Assessment	Newcastle Bushfire Consulting	C14

2 Analysis of Submissions

This section provides a summary of the submissions received including a breakdown of respondent type, nature/ position and number of submissions received.

2.1 Breakdown of Submissions

There were fifteen (15) submissions received, which includes one each from:

- Cessnock City Council (CCC)
- Department of Planning and Environment (DPE)
- Department of Planning and Environment – Crown Lands
- Department of Planning and Environment – Biodiversity & Conservation (BCD)
- Department of Planning and Environment – Heritage NSW
- Department of Primary Industries - Fisheries
- Department of Planning and Environment – Water
- Department of Primary Industries – Agriculture
- Transport for New South Wales (TfNSW)
- NSW Rural Fire Service (RFS)

There were a total five (5) letter form submissions received from individuals of the local community. One submission was in favour of the proposed development, four were objections or sought further information. Of the submissions from the local community, only one submission identified their locality in reference to the development, being within 1km of the school boundary. It is assumed, based on the content of the submission, that the rest of the submissions came from residents in close proximity (within 5km) to the school.

All submissions were managed by DPE, which included registering and uploading the submissions onto the 'Major Projects' website.

2.2 Categorising Key Issues

The key issues raised by the submissions have been broken down into the following broad categories:

- Project Design Matters
- Procedural Matters
- Environmental Matters
- State Emergency Matters

The broad categories are further broken down into sub-categories to enable analysis of the key matters.

2.2.1 Procedural Matters

Permissibility

DPE and CCC raise concern surrounding the permissibility of the proposed aquatic centre in the current land use zone if it is to be defined as a recreation facility (indoor).

Existing consents related to the land

DPE request comment regarding any inconsistency between conditions of consents that relate to the land and whether any consent must be surrendered to avoid such inconsistency.

DPE request clarification on details pertaining to two complying development certificates related to development on the site.

Lot consolidation

The application pertains to four separate allotments. DPE requests the lots are consolidated to ensure the school is located on one (1) title.

Management of school facilities, hours of operation and staffing

DPE identify that the EIS does not adequately address the management of the school facilities and requests further information.

DPE seeks clarification on the overall future staffing numbers.

Inconsistent information relating to school buildings

DPE identify a number of discrepancies within the EIS in relation to school buildings. DPE request clarification.

Biodiversity Development Assessment Report (BDAR)

BCD raise that the BDAR submitted is missing information required under the *Biodiversity Assessment Method 2020 (the BAM)*. BCD request the BDAR is updated to:

- Meet the BAM requirements;
- Surveys to be completed in accordance with Surveying threatened plants and their habitats (2020); and
- Include discussion of the development impacts on Black Creek.

Aboriginal Cultural Heritage Assessment Report (ACHAR)

Heritage NSW raise that the ACHAR does not presently meet the Secretary-General's Environmental Assessment Requirements (SEARs) for Aboriginal cultural heritage.

2.2.2 Environmental Matters

Flooding

Of the fifteen (15) submissions, three (3) raise concerns surrounding flood impacts resultant from the proposed development. This includes impacts on adjoining property owners and safe evacuation of staff and students.

Traffic and carparking

DPE seek discrepancies in the Transport and Accessibility Impact Assessment and matters raised with traffic and carparking to be addressed.

TfNSW raise a number of concerns to be considered to improve the overall safety of the locality and minimise potential conflict.

One (1) public submission raises that traffic impacts at the intersection of Fletcher Street and Wine Country Drive.

Vegetation removal and impacts on endangered ecological communities (EEC)

DPE identify that the Arboriculture Assessment Report does not include assessment of the removal of trees within the remnant Black Creek forest. Further the Bushfire Assessment Report is to identify whether vegetation removal or pruning of the remnant Black Creek forest is required to establish the asset protection zone. DPE raise that options to avoid impacts on the existing EEC are to be considered.

Hydrological impacts

DPE Water seek further clarification regarding St Philip's Christian College's water take entitlement and determine whether any licences are required. Further DPE Water seek further assessment regarding impacts on ground and surface water.

Land use conflict

The Department of Primary Industries – Agriculture notes the school buildings are clustered on the western boundary which is in proximity to the existing vineyard located west of Wine Country Drive. Concern is raised regarding potential land conflict and possible adverse impacts on local agricultural production.

2.2.3 State Emergency Response Matters

Flooding

BDC and DPE identify the need for an updated Flood Emergency Response Plan.

Bushfire

The RFS identify the need for a Bush Fire Emergency Management and Evacuation Plan. They further identify asset protection zones, property access and water and utility services comply with the *Planning for Bushfire Protection Guidelines 2019*

A response to each of the individual submission is provided in Section 4.1 of this Submissions Report.

A response is provided to each submission received by Cessnock City Council (CCC) or Government Agencies in Section 4.2 of this Submissions Report.

The Department of Planning and Environment – Crown Lands, Department of Primary Industries – Fisheries and the NSW Rural Fire Service did not object to the proposal.

2.2.4 Project Design Matters

Intersection upgrade of Lomas Lane and Wine Country

Three (3) public submissions raise that the proposed roundabout at the intersection of Wine Country Drive and Lomas Lane does not adequately consider safe access to rural properties.

Timing of southern access and intersection upgrade

CCC and TfNSW raise matters surrounding the timed construction of the southern intersection and the Lomas Lane and Wine Country Drive intersection upgrade. CCC suggest the construction of the southern access should be part of Stage 1 and the intersection upgrade should be part of Stage 2. TfNSW recommends the intersection upgrade to be brought forward from Stage 2 to Stage 1A.

DPE raise that the full student population increase cannot occur until the road network upgrades associated with Stage 2 are completed.

Minimum floor levels

BCD identify that the finished floor levels of new buildings should include the climate change scenario.

Bulk earthworks

DPE request alteration to the civil plans to clearly depict the extent of cut and fill across the site. DPE further seek whether the balance of the cut will be reused on site or removed and at what stage of the development the earthworks are proposed.

3 Actions Taken since exhibition

Since the SSDA was exhibited, the Applicant has undertaken further consultation with TfNSW, State Emergency Services (SES) and concerned residents to discuss the issues raised within their submissions. Additional documentation and assessment by subconsultant experts, as detailed in Section 1.3, has been prepared to aid the response to the matters raised.

As a result of the submissions made, amendments to the development proposal have been made as detailed in Section 1.2 of this Submissions Report. Additional environmental impact assessment against the proposed modifications is provided in Section 3.2.

The following Section details the further engagement undertaken with relevant stakeholders.

3.1 Further Engagement

3.1.1 Traffic

Stantec have continued to liaise with TfNSW to discuss alternative options for the upgrade of the intersection of Wine Country Drive and Lomas Lane. The application proposed a roundabout to facilitate safe traffic movement.

In response to the design comments provided by TfNSW in relation to the civil works layout for the proposed roundabout a concept design plan for a dual lane roundabout in accordance with Austroads has been prepared. This design provides two approach and departure lanes for both north and southbound traffic on Wine Country Drive, separate left and right turn lanes into Lomas Lane, a vehicle crossing and access into the properties on the western side of Wine Country Drive and developed to accommodate a B-double undertaking a U-turn at the roundabout. The resulting design encroaches on neighbouring properties and requires significant land acquisition.

In addition to the concept design for the roundabout being prepared, a concept design for a four-way signalised intersection has also been prepared. The signalised intersection can be constructed within the existing road reserve, avoiding land acquisition. Stantec have assessed the merit of a signalised intersection at Lomas Lane and Wine Country Drive noting that the proposed signalised layout is expected to operate at Level of Service B in both the AM and PM peak half hour periods. From an operational perspective both layouts are able to adequately cater for future traffic volumes, with minimal delays and queuing on all approaches.

Ongoing consultation with TfNSW is being conducted.

Cessnock City Council have provided a letter of support for the installation of a signalised intersection at the intersect of Wine Country Drive and Lomas Lane, provided at Appendix C13.

3.1.2 State Emergency Services (SES)

A Flood Emergency Response Plan to respond to the submissions made by BCD and DPE. Consultation with CCC and the SES was conducted as part of the preparation of the Flood Emergency Response Plan.

A response from SES was received 15 August 2022. This response detailed that the State emergency services has no statutory authority to endorse the FERP, however provide advice based on the principles outlined in the NSW Floodplain Development Manual, 2005.

The advice includes:

- Seeking updated flood information should be sought from Council to address flood impacts for events up to and including the Probable Maximum Flood (PMF).
- Evacuation to occur early to avoid evacuation through flood waters.
- Sheltering in place is not supported.
- Gauges can be prone to failure in severe weather and the person responsible for maintaining the gauge should be clearly identified.

BMT's addendum to the Flood Impact Assessment and FERP have taken the comments into consideration.

3.1.3 Residents

St Philip's Christian College has conducted further consultation with the neighbours who provided a submission to the SSDA. Additional consultation was held on 25 August 2022 and 26 August 2022. The purpose of the consultation was to listen to the resident's concerns and inform the residents of the proposed intersection design options.

Residents were concerned about access to their properties. Some residents were particularly with regard to future commercial opportunities should they seek to open a cellar door or the like. The residents considered that the signalised intersection may result in greater noise impacts were generally more favourable towards the roundabout option, if they were provided with a more substantial access to their properties via a fourth leg.

Other residents were concerned with access to and from the farming property and the intent for the property to remain as a working farm into the future. The signalised intersection option was favoured by these residents as it would resolve their safety concerns.

3.2 Additional Impact Assessment

The amendments to the application are detailed in Section 1.2 of this Submissions Report. The following information provides additional environmental impact assessment with respect to the proposed changes. The proposed alterations are not considered to result in significant adverse environmental impacts and are believed to address the matters raised within the submissions.

3.2.1 Intersection upgrade

The intersection of Lomas Lane and Wine Country Drive requires upgrading to manage the traffic generation resulting from the proposed increased student and staff population. The school is committed to delivering the necessary staged works prior to any corresponding staged increase in the student population.

Comments from TfNSW in relation to the provision of two lanes and deflection to aid traffic movement and safety were applied to the roundabout design, shown in Figure 1 below. The proposed roundabout design has been developed to accommodate a B-Double undertaking a U-Turn.

The amended roundabout design shows that the implemented recommendations results in significant increase to the size and scale of the roundabout. Consequently, the roundabout encroaches on to private property, meaning land acquisition is required to facilitate the intersection upgrade. Given the current concern surrounding adequate access to property as a result of the intersection upgrade an alternative solution has been considered. **Figure 2** demonstrates the proposed layout of a signalised intersection.

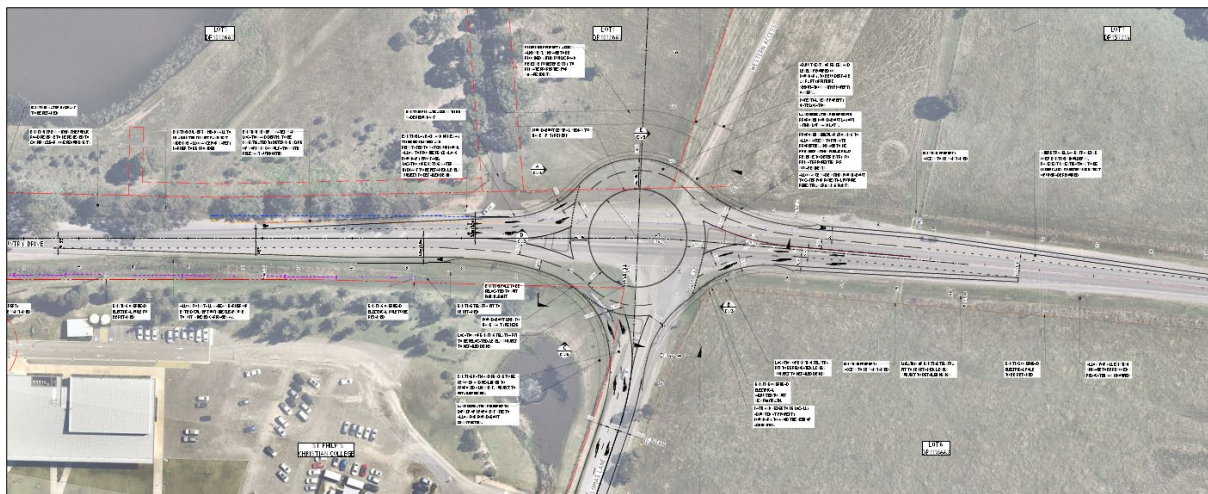


Figure 1: Amended roundabout design, Northrop 2022

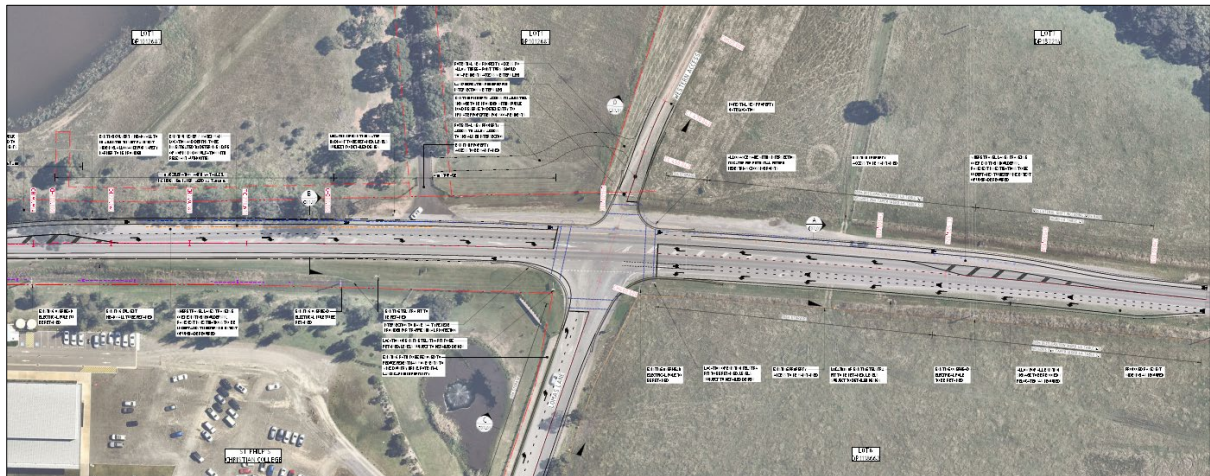


Figure 2: Proposed signalised intersection, Northrop 2022

The signalised intersection can be constructed within the existing road reserve, avoiding land acquisition. SIDRA intersection analysis has been undertaken for both layout options to determine the anticipated operation of the intersections in 2031. The models including projected 2031 traffic volumes (1.5 per cent background growth applied) with additional school traffic generated by 1,732 student population and associated staff. In 2031 the dual lane roundabout is anticipated to operate at Level of Service A in both the AM and PM peak half hour periods. The proposed signalised layout is expected to operate at Level of Service B in both the AM and PM peak half hour periods. From an operational perspective both layouts are able to adequately cater for future traffic volumes, with minimal delays and queuing on all approaches.

Considering the public submissions and the land acquisition constraints, the signalised intersection is considered an appropriate solution to resolve traffic congestion and safe movement of traffic from both the school and private property. This proposal is supported by Cessnock City Council.

At the time of writing this Submissions Report, the proposed signalised option has been presented to TfNSW for comment. A response is pending. The Applicant has consulted with the affected property owners to discuss the intersection upgrade options.

3.2.2 Construction Staging

The Staging Plan has been updated to propose the construction of the Wine Country Drive and Lomas Lane intersection upgrade is part of Stage 1B. This will support traffic management in accordance with student population growth to avoid adverse traffic impacts.

The proposed southern access onto Wine Country Drive is proposed to be completed prior to in the increase in students numbers at Stage 1A. It is not considered necessary to provide both the southern access point and the Lomas Lane intersection upgrade within Stage 1A. The student cap will ensure the student population will not increase above 1,417 until the completion of the Stage 1B works. To

this extent, the road will function within acceptable tolerance limits with respect to the anticipated traffic generation for the proposed increments of increase in student population.

The separation of the external traffic infrastructure works into Stage 1A and Stage 1B, will also ensure the construction impacts and disruption to Wine Country Drive is minimised.

3.2.3 Landscape and Vegetation

Removal of pedestrian path in remnant forest vegetation

The meeting place and footpath that was located through the remnant forest providing pedestrian connection from the boardwalk to the meeting place and beyond has been removed.

The removal of the footpath was in response to concerns raised by DPE and BCD. The removal of the footpath avoids disturbance of the remnant Black Creek forest and trees within the EEC. Accordingly, the design change will have a positive ecological impact.

Shared cycleway/ footpath

The updated landscape plan set includes the provision for a shared cycleway/ footpath connecting the school facilities to the proposed aquatic centre. The path is located south of the new DALE building. The purpose of the pathway is to provide safe connectivity between all school facilities.

The location of the shared path does not require the removal of any additional native vegetation. Whilst the construction of pathway will result in additional minor earthworks, the additional feature is not considered to result in a substantial adverse environmental impact.

The Addendum to the Flood Report prepared by BMT assesses the risk of pedestrian travel path in relation to flood. The report concludes that the proposed footpath would be inundated in the 5%AEP event and above, and therefore is not to be used for evacuation purposes during these events. This will be reflected in the Flood Emergency Evacuation Management Plan.

Vegetation removal

Vegetation removal is isolated to the northern portion of the site. The EIS detailed 9 trees were proposed for removal to enable the bus turnaround area at the eastern entry. It was identified that a further 4 planted native trees require removal to enable the construction of the senior school building and chapel. An amended arboriculture report assesses the impact of the tree removal and recommends the removal will have minimal environmental impact. An overall tree removal plan is contained within the amended arboriculture report. No other trees within the site have been identified as requiring removal. Furthermore, detailed design of elements such as the boardwalk and footpath can ensure impact on trees is avoided.

The associated road widening works required within the Lomas Lane road carriageway to permit bus queuing indicated vegetation removal is likely to be required. Accordingly, further ecological

assessment has been undertaken to assess the likely ecological impacts. The BDAR has been amended to take into consideration potential future vegetation removal along Lomas Lane.

3.2.4 School Building Alterations

Junior School

The alterations to the junior school building will have minor aesthetic alterations to the building. There is no change to the overall building footprint or building height. Accordingly, there is negligible alteration to amenity impacts. The inclusion of the elevated walkway does not materially alter the proposed building yet facilitates easy access/ movement between the junior and middle school buildings. The proposed alterations are not considered to significantly alter the environmental impact of the proposed junior school building.

Middle School Building

The updated architectural set alters the building shape, dimensions and floor plan of the middle school buildings. The alterations include minor variation to the building footprint. The depth of the building has been increased from 28.8m to 34.2m with the length of the building increasing from 43.2m to 44m. Subsequently the gross floor area (GFA) for the building increases from 2005.9m² to 2021.8m². The building height is increased by 90mm.

The alterations include façade articulation to create a semicircular extension to the centre of the building. Elevated walkways are included to connect the middle school building with the junior and senior buildings.

The alterations to the middle school building footprint are considered minor with respect to the original proposal. The more significant alteration is the floorplan layout which details the future use of room and fit out. The alterations are not considered to substantially alter the environmental impact that has already been considered as part of the SSDA. Whilst the overall GFA increases, the earthworks associated with the overall development does not alter. Connection to services and management of stormwater will remain consistent with environmental impacts already assessed.

Senior School Building

The height of the senior school building (C3) has been increased from 10.100m to 10.390m, being 290mm. The increased height is not considered to substantially alter the presentation of the building to the public domain. The C3 building remains consistent with the existing built form on site. The minor increase in height is considered to have negligible amenity impact.

The Hub and Sports Hall

The architectural plans show a change to the finished floor level ground and top of roof level for both the hub building and the sports hall as detailed in the table below. The alteration results in an overall height decrease to both the hub building and the sports hall being 2.5mm and 110mm respectively. The reduction in height is not considered to alter the environmental impact of the buildings.

Table 2: Alterations to Proposed Levels

	Original RL	Amended RL
The Hub		
Finished Floor Level Ground	59.5	59.10
Top to Roof Level	67.025	66.6
Sports Hall		
Finished Floor Level Ground	57.5	57.7
Top to Parapet Level	69.745	69.835

Waste Depot

The architectural plans provide swept paths for the waste depot. The paths demonstrate that a garbage truck can enter and exit the area in a forward direction. This minimises the potential for vehicle collision when entering and exiting the site. Thus improving the overall safety of the school.

4 Response to Submissions

4.1 Summary of Response to Submissions

The following submissions were received during the public exhibition process, matters raised have been grouped and a response to each matter is addressed in **Table 3**.

Table 3 Response to Submissions

Summary of Issue raised		Response	Supporting Documentation
Public Submissions			
1.	<i>Reid Johnson</i>		
1.1	Support. No Issue	Not applicable	Not applicable
2.	<i>Rebecca and Geraldine Woodward</i>		
2.1	Traffic Increase & Safe Access to Properties: - Object to the proposal as there has been no consideration as to the traffic at the intersection of Fletcher Street and Wine Country Drive - Traffic flow affected by student number increase along Wine Country Dr and through Fletcher Street intersection Would like a roundabout at Fletcher Street due to safety issues around the queuing traffic, as this is the only entrance/exit for homes serviced off Wine Country Drive. - Neither the SEARs, the Scoping Report or Appendix G9- Transport and Accessibility Impact Assessment has considered the traffic impact along Wine Country Drive, except for Lomas Lane.	The Fletcher Street and Wine Country Drive intersection is located approximately 1.3km south of the site. The TAIA details that the scope of the project does not require a broader assessment of the surrounding road network north and south. Accordingly, further assessment has not been provided.	NA
3	<i>Ross Wilson</i>		
3.1	Traffic Increase & Safe Access to Properties: - Access to property dangerous during busy pick and drop off times - Access road to properties near proposed roundabout at Lomas Lane also needs addressing.	Ongoing consultation is occurring with neighbours and TfNSW to address access and safety concerns.	C13 - Consultation Meeting Minutes, SPCC, 25-26 August 2022
4.	<i>Neil McGuigan</i>		
4.1	Traffic Increase & Safe Access to Properties: - Neither proposed upgrades accessing Lomas Lane from Wine Country Drive take into consideration the access requirement to the four lots on the western side of Wine Country Drive - The speed limit of 80km is dangerously affecting the safe access or egress into the easement.	Ongoing consultation is occurring with neighbours and TfNSW to address access and safety concerns. TfNSW identify that a 40km/h School Zone speed limit is not permitted under the current School Speed Zone Guidelines. Accordingly, alteration to the speed limit along Wine Country Drive is not supported. The preferred signalised intersection would allow for safe turning movements into and out of the access points of the western properties.	C3 - Addendum to Transport and Accessibility Impact Assessment, Stantec, 8 September 2022

5.	<i>Withheld</i>		
5.1	Traffic Increase & Safe Access to Properties: - Does not want the roundabout to be built at Lomas Lane/Wine Country Drive as will negatively impact property access and safety. - The farming property's driveway will exit directly into the path of the through-travel land of proposed roundabout. Seeks discussion for options for resolution of issue.	Ongoing consultation is occurring with neighbours and TfNSW to address access and safety concerns. The proposed signalised intersection responds directly to the resident concern by removing the proposed roundabout.	C13 - Consultation Meeting Minutes, SPCC, 25-26 August 2022
	Fails to address Austroads design advice:	The response to submission prepared by Stantec advises DPE that the intersection concept plans have been designed in accordance with the Austroads Guide to Road Design Part 4A and the relevant standards.	C10 - Updated Civil Engineering Plans, Northrop, 06 October 2022
	Appendix G9 Transport & Accessibility Impact Assessment does not provide commentary on driveway access retention, the noted 70-80 km/hr speed is safety risk not addressed.	The proposed signalised intersection includes the retention of the existing driveways. Further consultation with TfNSW will be conducted to ensure the design meets required safety standards. TfNSW does not support a reduction of speed along Wine Country Drive.	NA
	Inconsistent with the rural character of the area and ongoing farming activity: 'Vineyards District Study' prepared by RMCG on behalf of Cessnock Council dated March 2017 identifies owners' site being located within the 'viticulture district' and details guidelines for management of future road upgrades. Design of proposed roundabout fails consider movement of farm vehicles for owners property.	The proposed signalised intersection is considered less obtrusive on the rural landscape in comparison to a roundabout. The scale of the roundabout is considered inconsistent with the rural landscape by creating a large concrete mass and deflection of the existing road. In comparison the signalised intersection generally maintains the existing road proportion within the landscape. A signalised intersection would be able to accommodate cattle trucks and farm vehicles.	NA

4.2 Summary of Council and Agency Submissions

The following submissions were received as a result of the Agency referral process. **Table 4** provides a response to the matters raised.

Table 4 Summary of Council and Agency Submissions

Summary of Issue raised		Response	Supporting Documentation
1.	Cessnock City Council		
1.1	The Aquatic Centre is to be open to the public and available for limited community use when not being utilised for school sport and recreation. This development would be defined as a 'recreation facility (indoor)' which are currently prohibited in the RU2 Rural Landscape zone. In reviewing the works proposed, it is noted that the aquatic centre will be open to the public, have a separate access and is not located within the curtilage of the school buildings. Council would reinforce previous comments and concerns that the proposed aquatic centre is not considered to be subservient to the dominant land use and can operate independently from the school. Accordingly, the aquatic centre is not considered to be ancillary to the dominant land use.	Planning Circular PS 21-008 defines ancillary use as: <i>'a use that is subordinate or subservient to the dominant purpose'.</i> In this instance, the proposed aquatic centre, being located with the school grounds is considered a school facility used for the education of students in Personal Development, Health and Physical Education (PDHPE) programs and will be primarily used by the school community. It is proposed that the facility will be run and operated by staff employed by St Philip's Christian College. To this extent, the proposed aquatic centre is subservient to the dominant purpose being an education establishment.	NA

		St Philip's Christian College operates a 38-week year. Accordingly, the facility will be used by the school for educational purposes 73% of the year, demonstrating the predominant use. The proposed weekly operating times are specified in Section 4.3.2 of this Submissions Report. Whilst the weekly operating hours allow for 67% of the operating time to be accessed by the public, it is assumed that during Monday to Friday public operating times will include training sessions available to school students. Accordingly, whilst nominated as public use hours the timeslot will include school training supporting the dominant use. The aquatic centre will be available to the school community and public throughout the school holiday periods. The Chapter 3 of the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> outlines the aims for educational establishments and child care facilities. A key aim of the Policy is to encourage: <i>proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.</i> Pursuant to section 3.36 clause 6(b) the Consent Authority must consider whether the development enables the use of school facilities to be shared with the community. As detailed above the aquatic centre is a school facility and ancillary to the educational establishment. The operation of the facility allows for shared use by the community without significant adverse amenity or safety impacts. Thus supporting the objectives of Chapter 3 of the Transport and Infrastructure SEPP. The proposal provides a high-quality school facility which has the ability to be accessed by the broader community promoting both physical and social benefit. To this extent, the permissibility of the aquatic centre is justifiable as a school facility, ancillary to the educational establishment and meets the relevant aims and provisions of Chapter 3 of the Transport and Infrastructure SEPP.	
1.2	In accordance with the Cessnock Development Control Plan 2010, Chapter C.9 Development on Flood Prone Land the following comments are noted: No structures permitted in a floodway. Council's mapping differs to the flood report which shows the currently developed site as being flood affected?	The flood categorisation map (BMT Report (2021) Figure 3.3 Council Black Creek Stage 2 1% AEP Flood Function) sourced from Council's online mapping service shows the predicted floodway mapped within the site. The flood impact assessment undertaken by BMT relies on the XP-RAFTS hydrologic and TUFLOW hydraulic model developed as part of the BMT (2017) flood impact assessment which defined the baseline flood behaviour for the site based on the 2009 approved development conditions. The TUFLOW model was updated to incorporate the latest site survey and drainage structures information as well as representation of existing buildings. Therefore, the models utilised provide an up-to-date and more accurate representation of flood conditions on site. Both the hydrologic and hydraulic models adopted herein have been validated against results derived from previous studies (including Council's studies), which demonstrated reasonable consistency with the previous studies results. The post-development flood maps contained in Annex C of the BMT	C6 - Addendum to Flood Impact Assessment, BMT, 25 August 2022

		Report demonstrates that the proposed new buildings and extensions are located outside of the 1% AEP event and outside of the high hazard risk areas. Accordingly, the proposed structures are not considered to be located within the floodway. Whilst the proposed development fill extent encroaches on the mapped floodway and offsite flood impact is predicted to occur for the 2% AEP event and above, the peak flood level increase beyond the acceptable 20mm threshold is marginal and the impacted extent is confined within the Black Creek corridor, and neither affects the existing residential building within the neighbouring lot nor significantly alter the flood hazard of the impacted area (hence not significantly altering the existing flood risk).	
	Onsite refuge is not permitted. The evacuation comments indicate that onsite refuge is considered	A Flood Emergency Response Plan (FERP) framework has been prepared for the site to assess feasible evacuation routes. Early evacuation is the recommended primary flood emergency response strategy. The FERP details that there is sufficient time to evacuate the school. However, as per the 2009 approved FERP, sheltering-in-place will also be recommended as a secondary strategy should the primary strategy fail for some reason.	C7 - Flood Emergency Evacuation Plan, BMT, 25 August 2022
	Flood free access is not demonstrated for a 1% AEP and will rely on the construction of the access in the south, TfNSW will need to agree on the southern access	The 2021 FIA details the southern access to Wine Country Drive would be flood free up to the 0.2% AEP event. TfNSW was notified of the development during the notification period. TfNSW provided a response to the proposal, dated 1 April 2022. The response acknowledges the proposal of the new southern Wine Country Drive access intersection. TfNSW do not specifically object to the proposed southern access, thus it is considered that TfNSW agree on the proposed southern access.	C6 - Addendum to Flood Impact Assessment, BMT, 25 August 2022
	Distribution of flood water is shown to increase between 20-50mm along the eastern boundary to Lot 892 DP 574957	The BMT Report 2021 models an increase of flood water between 0.02-0.05m along the eastern boundary at and above the 2% AEP event. Section 5.2.2 of the BMT Report analyses this data and the resultant impact. The Report concludes that modelling indicates the exceedance is marginal and importantly does not significantly alter the flood hazard level. Accordingly, whilst an impact on the adjoining landowner is identified, either the existing residential building within the lot is not affected and the impact is considered within acceptable tolerance limits. The increase in flood water on the adjoining properties up to the PMF does not impact upon any existing structures or access. To this extent, whilst an impact is apparent, the extent is low without substantial risk to life as a result of a flood event.	C6 - Addendum to Flood Impact Assessment, BMT, 25 August 2022
1.3	Wine Country Drive is a classified (state) road and the relevant roads authority for Wine Country Drive is Transport for NSW (TfNSW). Whilst TfNSW should be consulted specifically in relation to intersection and road upgrades proposed, Council would make the following comments: - The proposed southern access should be constructed as part of Stage 1, and - Construction of the roundabout should occur in Stage 2.	This comment is noted and agreed. The proposed southern access is proposed to be constructed as part of Stage 1A and the upgrade of the Wine Country Drive/ Lomas Lane intersection is now proposed to be brought forward and delivered as part of Stage 1B.	C3 - Addendum to Transport and Accessibility Impact Assessment, Stantec, 8 September 2022

2.	Department of Planning and Environment		
2.1	Surrender of previous consents The Department requests that any inconsistencies and/or conflicts between the conditions of previous development approvals/consents that apply to the site and the proposed development be addressed as part of the SSD application, including (but not limited to) any inconsistencies with the approved hours of operation, overall student numbers, the community use of school facilities, etc. You must therefore confirm in the Response to Submission (Submissions Report) report if any of the existing development consents would need to be surrendered as part of the SSD application. If so, all previous consents to be surrendered should be identified and justification provided.	Approval of the SSDA will have conditions which relate to the future operation of the school. The consent will supersede any prior consent. To this extent, it is not considered that there will be any inconsistencies between previous approvals and the approval under SSD-10360337.	NA
2.2	Proposed Aquatic Centre The application was lodged as State Significant Development (SSD) for alterations and additions to an existing school with a capital investment value of more than \$20 million, consistent with clause 15(2) of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) (as in force at the time of lodgement). Based on the Scoping Report prepared as part of the Request for SEARs, the Department was informed that the proposed Aquatic Centre formed part of the alterations and additions to the existing school, consistent with the SRD SEPP categorisation. However, section 4.2.2 of the Environmental Impact Statement (EIS) defines the proposed Aquatic Centre as a ‘recreation facility (indoor)’ consistent with the definition in the Cessnock Local Environmental Plan 2011 (CLEP 2011). This component of the application is, therefore, wholly prohibited as indoor recreation facilities are not a permissible use in the RU2 Rural Landscape zone under the CLEP 2011. The Submissions Report must confirm if the proposed Aquatic Centre forms part of the SSD application as either: - alterations and additions to the existing school, consistent with SRD SEPP, or - a recreation facility (indoor) as defined under the CLEP 2011 (i.e. to be assessed as a separate component to the alterations and additions to the existing school). The Department advises that it is not opposed to the development of a school aquatic centre, including community use of the facility subject to the impact of the proposed development being acceptable. However, the Department must first be satisfied that the development is sufficiently related to the State significant development (SSD) application, is defined accordingly in the application and is ancillary to the ongoing use of the site as an educational establishment. The Applicant should be aware that the Department would not support the development of a ‘recreation facility (indoor)’ on the basis that it would be a prohibited use in the RU2 zone under the CLEP 2011 and as such is not categorised as SSD (on its own). Cessnock City Council (Council) has also provided comment on this matter, please refer to Council’s submission on the application and address the concerns accordingly.	The proposed aquatic centre is a school facility. It will be operated by the school and provides a sporting facility for use primarily by students and staff as part of the school’s physical education and health programs. As described above, the aquatic facility is ancillary to the educational establishment and supports the ongoing dominant land use. The characterisation of the facility in the EIS as an ‘indoor recreation facility’ is incorrect.	NA

2.3	Proposed Aquatic Centre – Community Use The Department encourages the use of school facilities by the local community (where appropriate) including use of the school sporting facilities such as sports ovals and aquatic centres, etc. Notwithstanding, these facilities should be managed by the school, rather than an external or independent operator (as proposed in Department of Planning and Environment 4 section 4.2.2 of the EIS). Further, school facilities should only be made available to the community outside of core school hours. In this regard, the Department requests that the RtS confirm: - that the proposed Aquatic Centre would be managed by the Applicant. - that community use of the Aquatic Centre would only occur outside of the core school hours. The community use operating hours of the facility must be detailed. - the total number of staff proposed for the Aquatic Centre operation. - details on how students would access the proposed facility given the distance and disconnect from the main school campus and noting that the current paths of travel are exposed to weather	The Aquatic Centre will be operated by SPCC Cessnock. All staff will be school employees. The staff numbers have been updated to reflect the addition of these staff, as detailed in Section 4.3.1 of this Submissions Report. There will be segregation between community and school use of the Aquatic Centre The proposed hours of community use are detailed in Section 4.3.2 of this Submissions Report. Community use hours are outside of core school hours. The total number of Aquatic Centre staff is 5 FTE. This includes administration, swim teachers and lifeguards, and specialist maintenance staff, as follows: <table><tr><td>Manager</td><td>1</td></tr><tr><td>Admin</td><td>0.5</td></tr><tr><td>Swim teachers</td><td>2</td></tr><tr><td>Lifeguards</td><td>1</td></tr><tr><td>Maintenance</td><td>0.5</td></tr><tr><td>Total (FTE)</td><td>5</td></tr></table> The Landscape and Architectural Plans have been updated to include a shared pathway link between the Aquatic Centre and the new DALE building. Middle and Senior School students (Years 5 – 12) would be expected to walk from the main school buildings to the Aquatic Centre. The school’s own fleet of minibuses is available to transport Junior School (K – Year 4) students to the Aquatic Centre from the Junior School Building. In inclement weather buses would be utilised to transport Middle and Senior school students.	Manager	1	Admin	0.5	Swim teachers	2	Lifeguards	1	Maintenance	0.5	Total (FTE)	5	C2 - Amended Landscape Plan Moir, 8 September 2022 C1 - Amended Architectural Plans, SHAC. 2 November 2022
Manager	1														
Admin	0.5														
Swim teachers	2														
Lifeguards	1														
Maintenance	0.5														
Total (FTE)	5														
2.4	Lot Consolidation and Land Use The school is currently approved to operate on Lot 1 DP 126765 and Lot 1 DP 744377 under DA8/2009/677 issued by Council. The SSD application includes two additional land parcels being Lot 2 DP 600895 and Lot 518 DP 837571. The Department considers that all land parcels that make up the development site should be consolidated to ensure the school is located on one Title (i.e. a single Lot and DP). You are requested to advise if there are any matters that would hinder the consolidation of land parcels within the site in the future.	It is the intention of the proponent to consolidate all lots within the subject site, as soon as practicable following the issue of development consent. There are no known issues would hinder the consolidation of land parcels within the site in the future.	NA												

	Further, Section 3.4.1 of the EIS states that the application proposes to change the use of the additional land parcels from rural to educational establishment, consistent with the remainder of the site. The Department advises that changing the CLEP 2011 land use definition cannot occur as part of the SSD application, and that a rezoning process would need to be initiated separately under Part 3 of the Environmental Planning and Assessment Act 1979. The school would therefore continue to operate in the RU2 Rural Landscape zone for which Educational Establishments are a permitted use.	The SSDA is not requesting a change in zoning, but a change in land use. The current zoned RU2 Rural Landscape is a prescribed zone and permits education establishments as development with consent, in accordance with Clause 3.34 and 3.36 of Chapter 3 of the Transport and Infrastructure SEPP. It is understood that the RU2 zoning of the land will continue. The intent of the application is to ensure that all the land that is subject of the development is approved for the purposes of a school, ensuring that the use of the land would be for an educational establishment – school, going forward and able to utilise the exempt development provisions in Chapter 3 of the Transport and Infrastructure SEPP.	NA
2.5	2.5 Flooding The Department requests the RtS address the following matters in relation to flooding: - Confirm if the Flood Impact Assessment (FIA) accounted for the 16,280 cubic metres of fill that is proposed to be imported to the site (and subsequent change in site levels) in the assessment of both onsite and off-site flooding impacts. - The FIA has identified that a Flood Emergency Response Plan (FERP) is required to be updated at a detailed design stage or prior to construction. The Department requests that this occurs as part of the Submissions Report to enable a comprehensive flood risk assessment. The updated FERP is required to be prepared in consultation with Council and the NSW State Emergency Service. - The FIA has not undertaken a detailed assessment of the flood planning levels for each of the proposed buildings to ensure that floor levels are above the 1% Annual Exceedance Probability (AEP) flood extent. Further assessment of the proposed finished floor levels across each individual building and the associated flood impacts and risks is required to demonstrate that the buildings are not impacted by the 1% AEP affecting the site.	BMT have confirmed that the fill has been accounted for in the FIA. BMT have prepared a FERP technical framework which includes consultation with Council and the NSW State Emergency Service. An operational flood emergency response plan based on the technical framework will be required to outline the protocols to be implemented prior to, during and post flood emergency situations The proposed finished floor levels (FFL), detailed in the table below were provided to BMT. It has been confirmed that the FFLs are above the 1% AEP peak flood level and include a minimum of 0.5m freeboard.	C6 -Addendum to Flood Impact Assessment, BMT, 25 August 2022 C7 - Flood Emergency Response Plan, BMT, August 2022 C6 - Addendum to Flood Impact Assessment, BMT, 25 August 2022

	<table><tr><td></td><td>Lower Ground RLs</td><td>Ground Floor RLs</td><td>First Floor RLs</td></tr><tr><td>Junior School</td><td></td><td>59.4</td><td>63</td></tr><tr><td>Middle School</td><td></td><td>59.5</td><td>63.2</td></tr><tr><td>Senior School</td><td></td><td>59.5</td><td>63.2</td></tr><tr><td>Library and Chapel</td><td></td><td>59.5</td><td>63.2</td></tr><tr><td>Admin / Welcome Centre</td><td></td><td>59.5</td><td>63.2</td></tr><tr><td>Trade Training Centre</td><td></td><td>59.7</td><td>63.4</td></tr><tr><td>The Hub</td><td></td><td>59.1</td><td></td></tr><tr><td>Performing Arts Centre</td><td>57.5</td><td>59.5</td><td>69.05</td></tr><tr><td>Sports Hall</td><td>57.7</td><td>59.7</td><td>60.9*</td></tr><tr><td>Narnia</td><td></td><td>59.8</td><td></td></tr><tr><td>Welcome Café</td><td></td><td>59.5</td><td></td></tr><tr><td>DALE</td><td></td><td>59.7</td><td></td></tr><tr><td>Aquatic Centre</td><td></td><td>60.5</td><td></td></tr><tr><td>Waste Depot</td><td></td><td>62.485</td><td></td></tr></table> * Split level height		Lower Ground RLs	Ground Floor RLs	First Floor RLs	Junior School		59.4	63	Middle School		59.5	63.2	Senior School		59.5	63.2	Library and Chapel		59.5	63.2	Admin / Welcome Centre		59.5	63.2	Trade Training Centre		59.7	63.4	The Hub		59.1		Performing Arts Centre	57.5	59.5	69.05	Sports Hall	57.7	59.7	60.9*	Narnia		59.8		Welcome Café		59.5		DALE		59.7		Aquatic Centre		60.5		Waste Depot		62.485		
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A detailed assessment of the vehicular and pedestrian paths of travel from the car parking areas and buildings to the southern Wine Country Drive egress point is required. This should include overlays of the flood risk in the path of travel for a range of flood events up to the probable maximum flood (PMF).	Detailed assessment of the vehicular path of travel has been prepared and provided in the FIA, 2021. The new pedestrian path connecting the DALE building to the Aquatic Centre has been assessed by BMT. The assessment determined that the pedestrian pathway would be inundated in the 1% AEP flood event. BMT recommend that: - the shared path is not used for flood emergency egress, and - the pathway should not alter the existing ground elevation, i.e. the path should be built to grade to avoid further flood impacts. Overlays of the floor risk are presented in the addendum to the FIA.	C6 - Addendum to Flood Impact Assessment, BMT, 25 August 2022																																																												
The 2009 FERP concluded there would be an effective warning time of 1 to 1.5 hours during a Probable Maximum Flood (PMF) event and that flood levels during the PMF would be expected above the 1% AEP for approximately 6 hours. The strategy of seeking on-site refuge for this period of time is not supported, particularly for vulnerable users of site including minors and young children. The Department requests the updated FERP includes detailed arrangements for the full evacuation of the site.	An updated FERP has been prepared and provides detailed arrangements for the full evacuation of the site. The primary flood emergency response strategy is for early evacuation of the site. Should the primary strategy fail, the FERP provides sheltering in place as a secondary response strategy.	C7 - Flood Emergency Response Plan, BMT, 25 August 2022																																																												

	The Department requests that the existing arrangements for evacuating school students be analysed and the future evacuation methods be provided in detail and compared to the existing evacuation methods. It should be noted that the school students will not be able to self-evacuate. Consequently, the FERP must include analysis of scenarios where parents would arrive to pick up children prior to a flood event impacting access routes to the site and what impact that would have on the surrounding roads.	As above. Further commentary and support of the FERP by the traffic engineer is provided within the Addendum to the Flood Impact Assessment (BMT, 2022)	C6 - Addendum to Flood Impact Assessment, BMT, 25 August 2022 C7 - Flood Emergency Response Plan, BMT, 25 August 2022
	- Council's concerns in relation to flooding are to be addressed as part of a revised FIA. The Department requires you to address Council's concerns as part of a revised FIA, including the following matters: - no structures are permitted within the floodway. - on-site refuge during flood events is not supported. - flood free access is not demonstrated for a 1% AEP. - flood water is shown to increase by 20-50mm along the eastern boundary of Lot 892 DP 574957.	The BMT letter forms an addendum to the FIA and addresses the concerns raised by Council.	C6 - Addendum to Flood Impact Assessment, BMT, 25 August 2022
2.6	Traffic and Car Parking The Department requests the RtS address the following discrepancies in the Transport and Accessibility Impact Assessment (TAIA) and matters associated with traffic and car parking: Section 2.3 outlines the circumstances of a previous transport study. This study is considered to be inaccurate as it forecasts a population of 1500 students, as opposed to the 1732 students proposed as part of the SSD. Consequently, a revised traffic analysis with the correct forecast is required to be undertaken.	Section 2.3 of the TAIA provides a summary of the previous transport study to ensure appropriate context. The revised traffic analysis in the TAIA focuses on a future student population of 1,732 and makes no reference to the earlier 1,500 student population.	C3 - Addendum to Transport and Accessibility Impact Assessment, Stantec, 8 September 2022
	Section 2.5 identifies that the school currently provides private bus services with 11 bus movements in the morning and 13 bus movements in the afternoon. The TAIA should confirm if additional bus movements are required to support the proposed increase in student numbers.	The requirement for additional bus services will be monitored as the student population increases. The proposal includes an expansion of the bus storage facilities and formalisation to better cater to both existing and any such increase in bus travel demand. In addition, and as part of the green travel plan, new bus services and routes will be identified and considered to further reduce the reliance on travel by private car.	C3 - Addendum to Transport and Accessibility Impact Assessment, Stantec, 8 September 2022
	Section 2.8 and section 6.1 incorrectly identify the existing number of students. The table must be amended to reflect the true number of existing enrolments	Tables 2.2 and 6.3 of the TAIA have been updated to reflect the existing student enrolment as provided in the Addendum to the Transport and Access Impact Assessment (Stantec, 2022).	C3 - Addendum to Transport and Accessibility Impact Assessment, Stantec, 8 September 2022
	Section 3.5 states the proposal would provide a total of 335 on-site car parking spaces, however the EIS (Table 5) identifies up to 350 on-site car parking spaces. Please provide clarification on the total number of car parking spaces across the site.	A total of 335 car parking spaces is provided. The EIS incorrectly stated 350.	NA

	Given that the proposed Aquatic Centre should be assessed as alterations and additions to the existing school, the assessment of car parking rates should be based on a school development, rather than an indoor recreation centre. The car parking rates must be revised to reflect this factor.	The aquatic centre is a school facility and will be operate as such. Given that the school and community use is restricted outside of core school hours, community users will not have access to general school parking. Accordingly, a first principles assessment was completed to ensure a robust and practical approach to the likely parking demand near the Aquatic Centre. Overall, the parking assessment is considered appropriate and accurate in assessing the likely future peak parking demands associated with the aquatic centre.	C3 - Addendum to Transport and Accessibility Impact Assessment, Stantec, 8 September 2022
	Section 6.5.3 identifies that under scenario 3 (concurrent operation of the Aquatic Centre and two rugby matches) on a Saturday, the intersection of Wine Country Drive and the new southern access point would experience of Level of Service (LoS) E. Further consideration should be given to improved road network design or alternative site access arrangements (i.e. from Lomas Lane) to improve the LoS at this intersection.	Scenario 3 is considered a worst-case scenario and is only likely to occur in the winter season where rugby games are scheduled. A range of management measures can be implemented to limit the effects of peak demand associated with the rugby matches. For example, the scheduling of two concurrent rugby games should be avoided and/ or scheduled outside peak periods to mitigate the traffic effects of vehicles exiting the site at the same time. Staggered start and finish match times would also mitigate the associated traffic impacts an ensure satisfactory LoS at the southern access. In the event that larger weekend events occur on the sports fields, temporary and managed use of the Lomas Lane site access could be utilised.	C3 - Addendum to Transport and Accessibility Impact Assessment, Stantec, 8 September 2022
	A comprehensive assessment of the community use facilities are their car parking generation and traffic impacts must be provided.	In conjunction with the above responses, the TAIA includes a detailed assessment of the anticipated parking demands and traffic impacts associated with the aquatic centre and sports field which will be also used by the community. No other school facilities are proposed for community use and therefore no additional work is considered necessary with no meaningful change in the resultant transport impacts associated with these facilities expected as a result of any additional work.	C3 - Addendum to Transport and Accessibility Impact Assessment, Stantec, 8 September 2022
2.7	Road Upgrades		
	The Department requests the RtS confirm whether there would be any increase in the existing student population prior to the completion of the Stage 1a road network upgrades.	See Section 4.3.4 for student caps in accordance with construction stages. The anticipated total student numbers proposed in Stage 1A is 1,417, an additional 136 students from the existing number of 1,281. The proposed southern access is proposed to be constructed as part of Stage 1A. The proposed Lomas Lane and Wine Country Drive intersection upgrade is to form part of Stage 1B. From the commencement of Stage 1B enrolments up to 1,449 are proposed. Upon completion of the intersection upgrade, the student population can increase to 1,732.	NA
	Further, the RtS must confirm that the proposed maximum school population of 1732 students would not be achieved until the road network upgrades associated with Stage 2 are complete and operational.	The school is committed to delivering the necessary staged works prior to any corresponding staged increase in student population. All external road works including the proposed southern access (Stage 1A) and the upgrade of the Wine Country Drive/ Lomas Lane intersection to a signalised intersection (Stage 1B) is to be completed in Stage 1. The anticipated total student numbers proposed in Stage 1A is 1,417 and Stage 1B is 1,449. The student cap of 1,732 is proposed to be reached in Stage 3.	NA

	The Department also requests the RtS address the following matters: a number of surrounding landowners have raised concern regarding existing vehicular (driveway) access on the western side of Wine Country Drive. The TAIA should be revised accordingly (including diagrams) to address these concerns and to ensure that all landowners have continued safe vehicular access to their property.	The roundabout concept design was revised by Northrop to consider the existing property accesses on the western side of Wine Country Drive, with the aim to ensure equal or improved access arrangements as part of the Wine Country Drive / Lomas Lane intersection upgrade. The amended design requires land acquisition to facilitate the requested design requirements from TfNSW, shown in Figure 1. Given the complex nature of land acquisition negotiation, a signalised intersection concept design has also been considered. The signalised intersection is the preferred option (Figure 2) and has been forwarded to TfNSW for assessment. The concerns raised by the surrounding landowners, have been discussed with these landowners. See discussion in Section 3.1.3 of this Submissions Report.	C10 - Update Civil Engineering Plans, Northrop, 06 October 2022
	Further information must be provided to confirm that the road widening works proposed along Lomas Lane to accommodate bus bays are contained entirely within the development site and/or road reserve and are not located on any adjoining land not in ownership of the Applicant.	The updated civil engineering plans demonstrate that all of the proposed road upgrades within Lomas Lane are within the road reserve and therefore not located on any adjoining land.	C10 - Update Civil 06 October 2022 Plans, Northrop, 06 October 2022
2.8	Endangered Ecological Communities (EECs) The proposal includes the removal of 0.16 hectares of Plant Community Type (PCT 1594) – River-Flat Eucalypt Forest on Coastal Floodplains to construct a pedestrian pathway through an area of remnant forest. PCT 1594 is listed as critically endangered under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> and is endangered under the NSW <i>Biodiversity Conservation Act 2016</i>. The Department considers that the removal of existing vegetation, and particular areas of EEC, should be avoided where possible. Further, biodiversity offsets must only be utilised where direct impacts are unavoidable. Options to avoid impacts on the existing EEC must be considered as part of the RtS, including either the removal or redesign of the pathway so that its alignment avoids impacting the remnant forest area.	The landscape plan has been updated to remove the proposed pathway and meeting place from the remnant vegetation to avoid any environmental impacts on the EEC. The BDAR has been updated to account for the removal of the pathway and meeting place.	C2 - Amended Landscape Strategy and Masterplan, Moir, 8 September 2022 C8 - Updated BDAR Report, MJD Environmental, November 2022
2.9	Vegetation Removal The Department requests the RtS address the following matters in relation to the proposed vegetation removal: - The Arboricultural Impact Assessment (AIA) identifies that nine trees in the location of the proposed bus turning area are required for removal. However, no assessment is provided on the proposed tree removal within the Black Creek remnant forest area. - The AIA and Landscaped Strategy must be updated to include a tree removal location plan for the entire site	The proposal has been amended and there are no works proposed in the remnant forest and no tree removal proposed. A site wide tree removal location plan is contained within the updated Arboriculture Assessment Report. An additional 4 trees have been identified for tree removal. The report concludes the tree removal will have minimal environmental impact.	NA C11 – Updated Arboriculture Assessment Report, Accurate Tree Assessments, September 2022

	The Bushfire Assessment Report identifies the required asset protection zones which encroach into the Black Creek remnant forest area. Further information is needed to identify which trees (if any) within this area would require removal or pruning.	Addendum to Bushfire Threat Assessment has confirmed that no tree removal or pruning is required in the Black Creek remnant forest area.	C14 - Addendum to Bushfire Threat Assessment, 30 September 2022
2.10	Bulk earthworks The Department requests the RtS address the following matters in relation to bulk earthworks: - The Concept Civil earthwork plans prepared by Northrop do not clearly depict the cut and fill across the site. The single colour scheme used to identify the sliding scale of cut vs fill needs to be clearly identifiable. This plan should also include references to the existing natural ground levels. Section plans should also be provided to identify the extent of fill in certain locations. - Confirm if distributed soils would be re-used on the site (i.e. for landscaping) or if soil would be required to be disposed of offsite. - Confirm when bulk earthworks are proposed to be undertaken in the staged development timeline.	The civil plans have been amended to clearly distinguish between cut and fill requirements across the site. Section plans have been provided within the amended plan set which identify the natural ground level and the extent of cut and fill at certain locations. The intent of the development that there will be a cut / fill balance with soil retained on site. To this extent, no off-site disposal of soils is proposed. The amended civil engineering plans detail the proposed earthworks to occur for each stage of the development.	C10 - Amended Civil Engineering Plans, Northrop, 06 October 2022 C10 - Amended Civil Engineering Plans, Northrop, 06 October 2022 C10 - Amended Civil Engineering Plans, Northrop, 06 October 2022
2.11	Community use of school facilities The EIS does not provide adequate information regarding the management of school facilities that are proposed to be shared with the community. The Department requests the RtS to address the following: - identify each school facility that is proposed to be made accessible to the community, including timing for when these facilities would be made available. - describe how access to the site and individual facilities would be achieved (noting that security boom gates are detailed on the architectural plans). - detail the community use of on-site car parking (i.e. confirm if the community would have access to the school's car parking areas during core school hours). - describe how the school would manage student safety at times when the community has access to the school grounds. - describe any security measures that would be implemented after core school hours.	Community uses of the school facilities include the Sports Fields and the Aquatic Centre. The proposed hours of operation for community use for the sports fields and the Aquatic Centre have been updated, as per Section 4.3.2 of this Submissions Report. Generally, school use and public use of facilities will not overlap. Community access to the school facilities is limited to outside of core school hours. Specifically, the sports fields will only be available to the public on weekends and the aquatic centre before and after school and on weekends. Whilst there is potential overlap of public and school use of the aquatic centre before and after school, any student using the facility will be separation between community use and student use, actively supervised by staff. To this extent, the proposed use times limits interaction between students and the public minimising potential safety concerns. Further to the proposed segregation between community and school use times the school will implement suitable safety mitigation measures to ensure the safety of staff and patrons. This could include measures such as security lighting or CCTV. Considering the proposed public use times are limited to before or after school and weekends the school carpark will be available for students and staff throughout the school day.	NA
2.12	School Buildings The Department requests the RtS address the following matters in relation to the proposed school buildings:	The total number of 7 new buildings as per Table 6 in the EIS. Table 5 incorrectly refers to 8 new buildings.	NA

	confirm the total number of new buildings proposed (noting that Table 5 and Table 6 in the EIS identify 8 and 7 new buildings, respectively). The associated documents including the Site Plan should be updated accordingly to identify the new buildings and those buildings that would be subject to alteration or addition.		
	section 3.1 of the EIS and the Site Plan at the south-western corner of the site are inconsistent in 'letter labelling' the facilities. Please ensure that the labelling in the EIS and on the Site Plan (including legend) are correct.	Amended architectural plans have been provided with updated labelling to remove any inconsistency.	C1 - Amended Architectural Plans, SHAC, 2 November 2022
	the new buildings and buildings subject to alterations and additions must detail the proposed RLs on the floor plans.	RLs have been provided on the updated architectural plan set.	C1 - Amended Architectural Plans, SHAC, 2 November 2022
	for Building B and C, reference in the EIS is made to the middle school, senior school and library/chapel being connected by an elevated covered walkway. The covered walkway and paths of travel are not shown on the site plans, individual floor plans or building elevations. The proposed structure must be detailed appropriately in plans	The elevated walkways have been detailed within the amended architectural plans.	C1 - Amended Architectural Plans, SHAC, 2 November 2022
	the Trade Training Centre is proposed to increase its gross floor area (GFA) by 3710m², as stated in Table 6 of the EIS. However, page 53 of the EIS states that the Trade Training Centre building will have an overall GFA of 3710m². The Department requests you to confirm the new GFA and the total GFA for this building.	The existing GFA for the Trade Training Centre is 711.7m ² . The overall proposed GFA for the ground floor measures 2,412.1m ² , equating to an overall increase of 1,700.4m ² . The proposed GFA for the second floor measures 1,013.8m ² . Accordingly, the proposed Trade Training Centre will have a final GFA measuring 2,714.2m ² .	C1 - Amended Architectural Plans, SHAC, 2 November 2022
	the Hub Building is proposed to increase by 1190m² as stated in Table 6 of the EIS. However page 53 of the EIS states that the Hub building will have an overall GFA of 1190m². The Department requests you to confirm the new GFA and the total GFA for this building.	The existing GFA for the Hub Building is 1,005.7m ² . The proposed GFA for the Hub Building measures 1,158.6m ² . Accordingly, the proposal results in an overall GFA increase of 152.9m ² .	C1 - Amended Architectural Plans, SHAC, 2 November 2022
2.13	Hours of operation		
	The hours of operation for certain school facilities are inconsistently referenced in the EIS. The inconsistent hours are in bold underline in the below table. The proposed hours of operation must be confirmed in the Submissions Report.	The proposed hours of operation have been updated to reflect this, as per Section 4.3.2 of this Submissions Report.	NA
	the EIS proposes hours of operation of the Sports Fields until 10pm Monday to Friday, 6pm Saturdays and 5pm Sundays. However, the EIS identifies that the sports fields are not flood-lit and that the facilities will only be used during daylight hours. Please confirm if the sports fields would be flood-lit and if so, consideration must be given to potential lighting impacts on the surrounding landowners	The sports field are not proposed to be floodlit and only used during daylight hours. The proposed hours of operation for the sports field will be until 8:00pm Monday to Friday, 6:00pm Saturday and 5:00pm Sunday. The proposed hours of operation have been updated to reflect this, as per Section 4.3.2 of this Submissions Report.	NA

	the EIS must clearly identify for the possible community use facilities, the hours of operation allocated to the school use and the hours of operation allocated to community use.	Community uses of the school facilities include the Sports Fields and the Aquatic Centre. The proposed hours of operation for community use for the sports fields and the Aquatic Centre have been updated, as per Section 4.3.2 of this Submissions Report.	NA
2.14	Signage The Department requests the RtS address the following matters in relation to signage: - The two proposed pylon signs along Wine Country Drive must be capable of adjusting illumination levels, not involve any moveable images or displays and that the illumination of the signs be turned off outside of the school hours. - The proposed building identification signs must be clearly delineated on the architectural plans. The EIS and architectural plans as submitted are inconsistent in delineating if the school crest sign or building identification sign are proposed.	Noted, the pylon signs will be capable of adjusted illumination and the sign will not be illuminated outside of the latest hours of operation for a facility approved by the consent. The information displayed on the digital notice board component will be a static image. Scrolling or flashing text, video or moving images will not be used. The building identification signage is included within the amended Architectural Plan set, as updated and set out in Section 4.3.3 of this Submissions Report. The typical name would likely include the use of the building and the building or block number. The indigenous names will be derived through collaboration with Aboriginal stakeholders as part of the ongoing designing with Country process.	NA C1 - Amended Architectural Plans, SHAC, 2 November 2022
2.15	Staff Numbers The Department requests the RtS confirm the total number of proposed staff, noting that Table 7 in the EIS has incorrectly calculated the proposed number of staff.	Table 7 of the EIS contains an incorrect figure. The number of Senior School staff is 45 and not 46. A total of 221 staff are proposed.	NA
2.16	Complying Development Certificates (CDCs) Clarification is sought on the following CDCs previously issued for the site: - the date on which CDC Application No. 9/2015/126/1 was issued. - the application number for the CDC that was issued on 8 August 2019 (senior school building).	8 November 2015 Complying Development Certificate No. J180403 was issued by Vic Lilli and Partners on the 8 August 2019 for the construction of a new two (2) story senior school on an existing educational site approved pursuant to State Environmental planning Policy (Educational Establishments and child Care Facilities) 2017.	NA
3	Department of Planning and Environment – Crown Lands		
	As no Crown land, roads or waterways are affected by the proposal, Crown Lands has no comments at this time.	No further action required.	NA
4	Department of Planning and Environment – Biodiversity & Conservation Division		
4.1	Table 24 of the Biodiversity Assessment Method 2020 (the BAM) lists the minimum information requirements for a BDAR. Several of these requirements are missing from the information provided in the EIS, including: - Data including plot field data, plot field data sheets, GIS coordinates, shapefiles and report maps as separate .jpeg files are missing. - The BAM Calculator has not been submitted via the Biodiversity Offsets and Agreement Management System	BAM plot data is collected digitally therefore no BAM plot data sheets are included within the report. BAM plot data is included within the BDAR, see Appendix B, with floristics listed in Appendix C Relevant information is provided in the appendices listed above. Shapefiles, report maps and relevant .jpegs are included in the BAM data package prepared and submitted to Cessnock City Council (CCC) directly at the time of project finalisation. Information such as the GIS shapefiles of updated stream order buffers have been included in the data package and resent to CCC as part of this RFI.	C9 - MJD Environmental – Response to Submissions Letter, 12 May 2022 C8 - Updated BDAR Report, MJD Environmental, November 2022

	Figures and tables should include all relevant details listed in Table 24. For example, the Site and/or Location map should include the IBRA region and subregion and areas of connectivity The BDAR needs to meet the minimum requirements for information, maps, tables, and data detailed in Table 24 of the Biodiversity Assessment Method 2020 to enable detailed review by BCD	The BAM project has been submitted via BOAMS to the listed consent authority (CCC) on 21st January 2022 at the time of finalisation. Hunter Regional Planning Team (DPE) has since been added as a case party, as part of the preparation of this RFI. Figure 1 has been updated to include the IBRA and subIBRA, as well as connectivity and watercourses, within the figure and figure legend. Figure 2 has been amended to include watercourse buffers, as per table 14, Appendix E, BAM 2020. Relevant buffers applied and stream order categories are included in the figure legend.	
4.2	Section 3.2 of the BDAR references the NSW Guide to Surveying Threatened Plants as a guide to inform the vegetation survey methods. This guide is dated 2016 and has been superseded by the Surveying threatened plants and their habitats which was published in 2020 The vegetation surveys should be completed in accordance with the <i>Surveying threatened plants and their habitats (2020)</i> NSW survey guide.	Updates have been made in text with the BDAR, see page 8 Section 3.2 Methodology: Field Assessment, and relevant amendments to the bibliography, page 48.	C8 - BDAR Report, MJD Environmental, November 2022
4.3	The Strahler stream order of Black Creek is unclear. Section 2.1.3 of the BDAR identifies Black Creek as a 4th Order stream, however Figure 2 indicates that it is a 5th order stream. A 40- metre riparian corridor should be applied for a 4th or 5th order stream, in accordance with Table 14, Appendix E of the BAM. No discussion has been provided on wetlands which may be affected by the proposed development. The BDAR should clarify the Strahler stream order of Black Creek and include a discussion around appropriate buffers and any wetlands that may be directly or indirectly impacted by the proposed development.	Updates have been made to the BDAR; see text amendments page 5, section 2.1.3 Rivers, Streams, Estuaries and Wetlands. Information regarding the number of 1st, 2nd, 3rd, 4th, 5th and 6th Strahler order streams within the 1500 m buffer of the subject land has been included, as well as required riparian buffers and discussion of wetlands within proximity to the subject land.	C8 - BDAR Report, MJD Environmental, November 2022
4.4	The project's SEARs (SSD-10360337) require the proponent to "assess the impacts of the development, including any changes to flood risk on-site or off-site". The flood impact assessment currently provides information on the post development impact on peak flood levels (afflux). This is discussed in 5.2.2 of the report and illustrated in figures D1 – D8. Further information on changes to the following flood risk parameters should be provided to enable BCD to assess any potential impacts: peak flood level timings, particularly for the inundation of Lomas Ln. Changes to the timing of inundation of Lomas Lane, in different AEP events, may impact the potential evacuation of the school and other properties on that road.	The afflux maps provided show there's minimal peak flood level impact on Lomas Lane. The timing of inundation of Lomas Lane has not changed as a result of the development. Figure 1.1 contained within the BMT Addendum demonstrates the inundation duration in Lomas Lane at the adjacent to the eastern access to the school.	C6 - Addendum to Flood Impact Assessment Report, 25 August 2022

	impacts on the access to other properties adjacent to Lomas Ln. This would include any changes to AEP events or timings that the accessways become inundated and un-trafficable. BCD advises that the proponent provide further information as to the flood risk, including any changes to the timing of the inundation of Lomas Ln and any accessways to properties from that road.		
4.5	The school is designated as a low flood island for emergency management purposes. This is the worst-case scenario for flood risk, as evacuation routes are inundated before the school property is inundated. If the school occupants are not evacuated prior to the inundation of the evacuation routes they will be trapped at the school during the flood event. The school occupants will need to shelter in place in a higher refuge room as the flood inundates the entire school area. The report “estimated that the 4-hour duration storm as the governing storm duration and suggested that the effective warning time during a PMF event would be in the order of 1 to 1.5 hours”. This short effective warning timeframe would suggest evacuation of the school may not be possible resulting in the occupants being trapped on-site in rare flood events. The flood impact assessment prepared by BMT for the current proposed development has assessed the preliminary flood emergency response plan (FERP) prepared by Worley Parsons (2009) in support of the original proposed school development. The Worley Parsons (2009) preliminary FERP recommended that a detailed FERP will need to be developed in close coordination with the SES and Council. BCD has not been provided with evidence that this has taken place. Noting the high flood emergency management risk to the school, BCD requires the detailed FERP to be developed, reviewed, and amended and presented by BMT in the current flood assessment to support an increased number of school occupants. BCD suggests that any approvals for further development of the site be contingent on a review of the adequacy of an amended detailed FERP. BCD recommends that the proponent review and amend the current detailed flood emergency response plan (FERP). It is suggested that any approvals for further development of the site be contingent on a review of the adequacy of an amended detailed FERP.	An amended FERP has been prepared and provided as part of this Submissions Report.	C7 - Flood Emergency Response Plan, BMT, 25 August 2022
4.6	Figures B8 and C8 only have one red colour graduation for the PMF water level, that correlates to > 60.25m. Further information is required for assessing flood risk of the PMF for emergency management and compared with other AEP events for the proposed development / adjacent properties.	Additional colour graduations are added to the required figures and provided as part of the BMT Addendum.	C6 - Addendum to Flood Impact Assessment Report, 25 August 2022

	BCD recommends that additional colour graduations, above 60.25m are added to Figures B8 and C8 in the flood impact assessment.		
4.7	The current flood impact assessment recommends minimum floor levels based upon the 1% AEP event plus 500mm freeboard. BMT's report predicts that potential increases in rainfall intensity of 20% due to climate change, will increase the maximum 1% AEP flood levels on the site by up to 300mm. Section 5.3 of the report states "that school building floor levels (designed based on the height of the 1% AEP + 0.5m freeboard) would remain higher than the 1% AEP peak flood levels under the climate change scenario." The NSW Floodplain Development Manual (2005) outlines why a freeboard component is recommended in flood planning levels - "the purpose of freeboard is to provide reasonable certainty that the reduced risk exposure provided by the selection of a particular flood as the basis for the flood planning level is actually provided given the following factors": ▪ uncertainties in the estimates of flood levels, ▪ differences in water levels due to local factors, ▪ wave action, ▪ climate change, ▪ cumulative effect of subsequent infill development of existing zoned land. The flood impact assessment is proposing to use 300mm of the 500mm freeboard for climate change. This will not allow sufficient potential variations in the other factors that are incorporated in the freeboard. It should be noted that the knowledge of predicted climate change has increased significantly since 2005 when the Floodplain Development Manual was prepared. It is also current best practice to include climate change in the AEP flood levels, independent of freeboard, for major developments. The Cessnock DCP chapter 9 – Development on Flood Prone Land, Appendix 1 – Major Flood Assessment Reports requires assessment of flood levels for all AEP events including climate change. BCD recommends that the estimated climate change impact on flood levels, for the design life of the development, be included in the 1% AEP flood level. The minimum floor level should be based on the 1% AEP flood level (including climate change) plus 500mm freeboard.	The FFLs of the proposed buildings have a minimum freeboard of 0.5m above the 1% AEP peak flood levels. Whilst BCD's recommendation is acknowledged, the nominated Flood Planning Levels (FPLs) are in accordance with Council's DCP requirements (i.e., the 1% AEP peak flood level plus a minimum freeboard of 0.5m). Section 5.3 of the 2021 FIA presented an assessment of impact of climate change on the 1% AEP peak flood levels which demonstrated that climate change will result in a maximum flood level increase of 0.3m within the site. This demonstrates that the nominated FFLs would remain flood-free under climate change scenario with a minimum freeboard of 0.2m. Notwithstanding, all FFLs of the proposed buildings have freeboard beyond the minimum 0.5m required by Council's DCP	C6 - Addendum to Flood Impact Assessment Report, 25 August 2022
5	Department of Planning and Environment – Heritage NSW		

5.1	Heritage NSW advises that the Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by McCardle Cultural Heritage Pty Ltd (MCH) does not presently meet the SEARs for Aboriginal cultural heritage. Further information is required to fully understand the nature, extent and potential impacts to Aboriginal cultural heritage within the St Philip's Christian College campus. Please see Attachment A to this letter for detailed advice on the information required. We are concerned about the existing development works conducted on this land and the potential impact on Aboriginal cultural heritage. It is unclear whether any form of approval was granted to permit impact to Aboriginal objects through the development works conducted to date. Heritage NSW is required to refer any potential unauthorised harm of Aboriginal objects to the Department of Planning and Environment compliance team. Please note that these comments relate only to Aboriginal cultural heritage regulation matters. You may wish to seek separate advice from Heritage NSW in relation to matters under the Heritage Act 1977. Heritage NSW recommends that the following points be addressed to fully identify the proposed impacts, nature and extent of Aboriginal cultural heritage within the development area. A revised ACHAR and archaeological technical report may be required to adequately address these matters. - Consideration must be made of the <i>Lomas Sustainability Park: Property Plan, an initiative of St Phillips Christian College Cessnock, prepared by LJ Pearson</i>. The features identified in the report must be assessed and ground truthed to determine whether they are Aboriginal objects and site cards submitted to the AHIMS database if appropriate. - Clarify the current areas of mapped disturbance in the ACHAR. Establish how and when this occurred and clarify whether any subsurface archaeological testing has been undertaken to establish whether the mapped potential archaeological deposits (PADs) contain Aboriginal objects. - A clear and archaeologically sound justification must be made in the ACHAR to explain the revised PAD boundaries and the removal of large sections of PAD originally mapped by AECOM (2010). If testing has occurred to support the removal of PADs this must be included in the ACHAR.	The Lomas Sustainability Park report provides brief archaeological information. The addendum to the ACHA provides details as to features identified in the report and any actions required. It is noted that the marked tree is not a scar tree, accordingly a AHIMS site card will not be submitted. It is noted that the possible Gunyah sites are not confirmed, and the site is heavily disturbed through ploughing, grazing and flooding. Aerial photographs confirm that these marking are no longer present. As these marking (known if an archaeological site or not) have been destroyed through land uses and natural processes, no AHIMS site card will be submitted. The mapped disturbances in the ACHA are derived from Nearmap aerial photographs dating back to 2010. These maps show great detail regarding the progress of the development as well as all locations of disturbances and impacts. These disturbances were mapped and combined to produce the final disturbance map in the MCH ACHA. Since the AECOM 2010 assessment, as evidenced by the Nearmap aerial photographs and discussed in Sections 3.9, 6.3, and 6.6 of the ACHA, disturbances such as excavation works, have occurred in some sections of the PADs, thereby reducing the PADs. PAD 4 identified by AECOM is a 1st order creek located in a flood plain, this is a stream order and landform that was not utilised for more than transitory activities such as hunting and gathering which	C5 - Addendum to Aboriginal Cultural Heritage Assessment Report, McCardle, 22 April 2022
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		manifests in the archaeological record as a background scatter of disused artefacts and as such, this is not a PAD. The PADs were re-named according to landform type as the AECOM PAD labels were confusing and complicated.	
	If no subsurface testing has occurred, Heritage NSW recommends a program of testing to establish whether the PADs contain Aboriginal objects, establish levels of disturbance and inform ongoing management of the entire school site.	No test excavations have occurred, as the portions excluded from the original PADs have been disturbed and impacted on by land uses since the AECOM 2010 assessment and as such there is no justification to undertake archaeological test excavation in locations that are highly disturbed. The remaining PADs will not be impacted on by the proposed development and as such archaeological test excavation is not required.	
	Clarify the proposed impacts, associated landscaping and drainage works. Any works directly or indirectly impacting areas of known sites and/or PAD as originally mapped by AECOM, must be clearly identified. This includes tree planting, mowing, landscaping, drainage works, footpaths, laydown areas as well as indirect impacts such as increased erosion, flow regimes and/or overland flow as a result of the proposed development works.	The design of the proposal has intentionally avoided PADs or known sites	
	Photos provided are dark and small and are missing scales in line with requirement 7b of the <i>Code of Practice for Archaeological Investigation of Aboriginal Objects</i>.	See images provided in the ACHA Addendum.	
	A management plan for all existing sites needs to be developed to facilitate the long-term protection and management of Aboriginal sites within the school property. Based on the above points and required clarification of impacts to Aboriginal objects, Heritage NSW can provide further advice on the appropriate timing of preparing this management plan. For future reference, the applicant must ensure all documents are appropriately proofread and finalised before submission to Heritage NSW for review.	As, none of the proposed works will impact on PADs or sites, a plan of management is not required. However, as the school expands, and the use of land intensifies a Plan of Management for the protection and management of Aboriginal sites within the school is appropriate. This will ensure that general maintenance activities such as landscaping, mowing and agricultural related activities such as fencing can be undertaken in appropriate areas or with suitable mitigations. It is suggested that this plan be prepared prior to the construction commencing.	
6	Department of Planning and Environment – Water		
6.1	Water Take & Entitlement Impact: Recommendation prior to determination. That the proponent: Quantify the maximum annual volume of water take due to aquifer interference activities and demonstrate sufficient entitlement can be acquired in the relevant water source unless an exemption applies under Schedule 4 of the Water Management (General) Regulations 2018	NSW Aquifer Interference Policy defines an aquifer as a geological structure or formation, or an artificial landfill, that is permeated with water or is capable of being permeated with water, more commonly understood to mean a ground water system that is sufficiently permeable to allow water to move within it and yield productive volumes of groundwater. The Geotechnical Report (RCA, Sept. 2021) noted: <i>Groundwater was encountered at 3.5m depth within the sandy alluvial soils in BH3 from Ref [2] and groundwater would generally be expected to be present within the sandy alluvial soils. Groundwater conditions and levels are expected to vary with climatic and site conditions.</i>	NA

		The NSW Aquifer Interference Policy describes aquifer interference as one of the following activities: ▪ The penetration of an aquifer; ▪ The interference with water in an aquifer ▪ The obstruction of the flow of water in an aquifer; ▪ The taking of water from an aquifer in the course of carrying out mining or any other activity prescribed by the regulations; and ▪ The disposal of water taken from an aquifer in the course of carrying out mining or any other activity prescribed by the regulations. The Water Management Regulations 2018 define an aquifer interference activity to include: ▪ The extraction of sand; and ▪ The extraction of road base material. The Geotechnical Report notes possible building foundations as being either high level footings, piered or piled. Dependent on the final footing design, it is unknown whether the aquifer will be penetrated resulting in aquifer interference. The proposed development is not considered to obstruct the flow of water in the aquifer and the development is not associated with mining, sand extraction or road base material extraction. To this extent It is considered unlikely proposed development will result in aquifer interference. It is also noted that SPCC Foundation Limited holds a water licence (WAL No. 17651). This licence permits water-take from Black Creek water source for the purposes of irrigation only. The proposed development does not propose to increase the water right to irrigate the land. To this extent, it is considered that the school maintains sufficient entitlement under Schedule 4 of the Water Management (General) Regulations 2018	
Explanation	▪ Complete a review of proposed changes to existing basins/wetlands and proposed new basins/wetlands that will capture runoff against the requirements of the water regulatory framework. The key elements to consider are as follows: ○ The maximum retention capacity of dams on minor streams need to be considered for whether it is within the Maximum Harvestable Right Dam Capacity (MHRDC) for the property or satisfies an exclusion in Schedule 1 of the Water Management (General) Regulation 2018. ○ Water holding structures on minor streams that exceed the MHRDC or do not satisfy an exclusion need to be either; 1) resized to within the MHRDC, 2) constructed to prevent runoff capture or 3) considered for licensing. ○ Where licensing is required the proponent will need to demonstrate the ability to acquire sufficient entitlement.	Based on calculations from Water NSW, the maximum harvestable right dam capacity for the site is 3.36ML. The total volume of dams on site exceeds this volume however, the sole function of the dams is to provide storage volume to mitigate increases to site runoff and environmental management purposes and are therefore exempt under Water Management (General) Regulations 2018 Schedule 1 part 2 and 3. It is understood that the school have a Water Licence in place for extraction from Black Creek for onsite usage, reference 20AL206218.	C10 - Amended Civil Engineering Plans, Northrop, 06 October 2022

	▪ Inadequate assessment has been provided to quantify the water take due to aquifer interference associated with project. Appendix G18 Preliminary Geotechnical Investigation Report indicates groundwater interception is likely to occur however no predictions are provided of water take. In accordance with the NSW Aquifer Interference Policy groundwater take needs to be quantified and accounted for. ▪ Note that for projects where the predicted capture and/or movement of groundwater is less than 3 ML/yr, an exemption of the requirement to hold an access licence is available under Schedule 4 of the Water Management (General) Regulations General 2018 subject to conditions or measuring take. ▪ Clarification is requested of how the additional basins/wetlands and changes to existing basins/wetlands fit within the regulatory framework for water licensing. The report indicates the requirement for additional sediment basins, conversion of some basins to permanent ponds/wetlands and increased capacity in others. No reference however has been provided of how they fit within exemption provisions or licensing requirements. Dams on minor streams which capture runoff and are designed to hold water need to be considered under either the Maximum Harvestable Right Dam Capacity (MHRDC), a relevant exclusion under Schedule 1 of the Water Management (Regulation) 2018, or for the need to hold entitlement. A review is requested of the proposed surface water structures against the regulatory framework.		
6.2	Groundwater Impacts: Recommendation prior to determination That the proponent complete an assessment of impact against the 'minimal impact considerations' of the NSW Aquifer Interference Policy. Explanation: All SSD/SSI projects that intercept the water table require an assessment against the 'minimal impact considerations' of the NSW Aquifer Interference Policy (AIP). It is the responsibility of the proponent to present on the potential impacts of the project submitted for approval under the Environmental Planning Assessment Act (1979). (see: https://www.industry.nsw.gov.au/__data/assets/pdf_file/0005/151772/NSW-Aquifer-InterferencePolicy.pdf)	As detailed above, the development is not considered to result in aquifer interference. Despite the assumption that the development does not result in significant adverse impacts upon ground water, an assessment against the relevant 'minimal impact considerations' in the Aquifer Interference Policy is provided below. Based on the 2013 Groundwater Productivity Maps, it is considered that the site falls within a 'high productivity' area. An assumption has been made that the land is considered coastal sand water sources based on the coastal-draining catchment area mapped for the site. To this extent, the assessment below is provided against 'coastal sand water sources'. ▪ The development is not anticipated to result in more than 10% variation in the water table. As detailed above, the development proposal does not include and water supply works. Accordingly, there is negligible cumulative impact. ▪ The development does not include additional water supply works, accordingly there will be not alteration to water pressure. ▪ Stormwater water quality will be managed across the site in accordance with CCC DCP provisions and any relevant standards and policies. The Aquifer Interference Policy also identifies activities that would be considered as having a minimal impact on water dependent assets. For the project these would include the following proposed or ancillary works: ▪ grey water re-use on gardens; ▪ trenching for services ▪ access tracks; and	NA

		building and work pads.	
6.3	Surface Water Impacts: Recommendation prior to determination - That the proponent refer to the NSW River Styles Database and confirm if likely geomorphic impacts of the project on downstream environments may occur and identify mitigation options to prevent incision, erosion and infrastructure damage Recommendation post approval - Outlets onto watercourses must be in accordance with the NRAR Guidelines for Controlled Activities on Waterfront Land. The NRAR Guidelines can be found at https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities/guide Explanation: The EIS does not adequately consider the requirements of the Water Management Act 2000. Section 4.11.2 of the EIS notes that as a SSD, the project is exempt from approval under that Act. However, the development is not exempt from being consistent with the Act and must address the requirements in the SEARs which includes surface water and watercourse impacts. The EIS has considered off-site flood impacts, but not potential geomorphic impacts arising from increased flood flow velocities. With 24,500 cubic metres of fill into the site, the floodplain for Black Creek will in effect be constricted by the new building footprints. The effects of such constrained flow during peak flood events has not been explored. The proponent should, with reference to the NSW River Styles Database, consider the likely geomorphic impacts of the project on downstream environments, most notably the broad bridge crossing Black Creek on Lomas Lane. Mitigation options to prevent incision, erosion and infrastructure damage may need to be explored.	Based the NSW River Styles Database, Black Creek has fine grained bed. To assess the potential geomorphic impacts of the proposed development, the following hydraulic indicators have been assessed. - Peak Flow Impact: Table 1.3 presents the predicted peak flows for the pre-development and post-development scenarios downstream of the site for the 38%, 2% and 1% AEP events. The results indicate that the proposed development will not result in an increase in peak flow in Black Creek downstream of the site. - Velocity Impact: Figures E-1 to E-3 show predicted peak velocity impacts downstream of the site for the 38%, 2% and 1% AEP events. These demonstrate that the proposed development will not result in an increase in peak velocity in Black Creek downstream of the site. - Bed Shear Stress Impact: Figures E-4 to E-6 show predicted peak bed shear stress impacts downstream of the site for the 38%, 2% and 1% AEP events. These demonstrate that the proposed development will not result in an increase in peak bed shear stress in Black Creek downstream of the site. Given the above results, the proposed development is not anticipated to increase scour potential and hence unlikely to cause geomorphic impacts in the creek.	C6 - Addendum to Flood Impact Assessment, BMT, 25 August 2022
7	Transport for New South Wales (TfNSW)		
7.1	TfNSW has reviewed the referred information and provides the following comments to assist the consent authority in making a determination: Staging of works - The submitted TIA has provided a limited assessment on how the State road network will operate satisfactorily between Stages 1A & 2. Of particular concern is the intersection of Wine Country Drive (WCD) and Lomas Lane, which performs poorly during school peak periods. Even with traffic redistributed via the new southern Wine Country Drive access intersection, it is envisioned that this existing intersection will continue to operate at unsatisfactory levels and present safety concerns for all road users. As a suitable alternative, TfNSW strongly suggests	The proposed southern access is proposed to be constructed as part of Stage 1A and the upgrade of the Wine Country Drive/ Lomas Lane intersection is now proposed to be a singalised intersection. Provided that TfNSW is agreeable to the proposal, the Wine Country Drive/ Lomas Lane intersection upgrade is proposed to be brought forward and delivered as part of Stage 1B.	C3 - Addendum to Traffic Impact Assessment, Stantec, 8 September 2022

	bringing forward the construction of the new roundabout at this intersection from Stage 2 to Stage 1A.		
7.2	▪ Works Authorisation Deed (WAD) - As road works are required on WCD, TfNSW will require the developer to enter into a WAD with TfNSW. TfNSW would exercise its powers and functions of the road authority, to undertake road works in accordance with Sections 64, 71, 72 and 73 of the Roads Act, as applicable, for all works under the WAD (Attachment A). Comment: It is requested that Council advise the developer that the Conditions of Consent do not guarantee TfNSW's final consent to the specific road work, traffic control facilities and other structures or works, for which it is responsible, on the road network. TfNSW must provide a final consent for each specific change to the classified (State) road network prior to the commencement of any work. The WAD process, including acceptance of design documentation and construction, can take time. The developer should be aware of this and allow sufficient lead time within the project development program to accommodate this process. It is therefore suggested that the developer work through this process as soon as possible with the TfNSW. ○ All road works under the WAD shall be completed prior to issuing any Occupation Certificate for Stage 1A. ○ All works associated with the subject development shall be undertaken at full cost to the developer and at no cost to TfNSW or Council, and to Council's requirements.	Noted and agreed. Early discussions with TfNSW regarding the WAD have commenced, acknowledging that this can be a lengthy process and that enrolments are linked to the completion of external infrastructure. It is suggested that each roadwork package should be the subject of a separate WAD and that the consent should be conditioned to require the completion of roads works under each WAD to be complete prior to issuing any occupation certificate for building proposed in Stage 1A and 1B, respectively.	C3 - Addendum to Traffic Impact Assessment, Stantec, 8 September 2022
7.3	▪ Redundant crossings - The closure of all existing redundant vehicle access crossings fronting WCD prior to the issuing of any Occupation for Stage 1A.	Noted and agreed.	NA
7.4	▪ Corner Splay - Dedication at no cost to Council / TfNSW of the corner splay / site frontage required to facilitate the proposed WCD / Lomas Lane roundabout.	Noted and agreed.	NA
7.5	▪ Pedestrians WCD - No pedestrian access should be permitted to WCD	Noted and agreed.	NA
7.6	▪ Pedestrians Lomas Lane – It is unclear how traffic and pedestrians will safely be managed through the proposed northern bus zone, carparks, kiss and ride, driveways, classroom areas etc. Any arrangement must ensure that travel paths are separate and conflict points are minimised. Additional attention to the current design is required to address this safety concern.	Bus set-down and pick-up will only occur on the southern kerb of Lomas Lane, with buses able to use the internal turnaround area towards the eastern end of the site. The northern bus zone is intended as a layover area only and recognises the need for additional bus storage given that the school serves as the start of several school bus routes. The central school access will continue to be closed to vehicular traffic during school peak periods, providing pedestrian only access for students travelling by bus. Pedestrian crossings are provided	C3 - Addendum to Traffic Impact Assessment, Stantec, 8 September 2022

		internal to the car park with the school committed to maintaining a high level of on-site management to allow the kiss and ride and car park to operate well during the set-down and pick-up periods.	
7.7	During Construction – To ensure the safety of the entire school community (students, staff, parents, children etc.), all temporary access points (construction phase) are to be removed when completed with no pedestrian access provided through these areas.	Noted and agreed.	NA
7.8	School Zone Wine Country Drive - A 40 km/h School Zone speed limit is not permitted under the current School Speed Zone Guidelines and would not be supported by TfNSW.	Noted.	NA
7.9	School Zone Lomas Lane - The existing school zone must be modified to suit the proposal, with signage to be extended further to the east to cover the proposed driveways.	Noted. Additional signage and line marking will be installed as part of the Lomas Lane road upgrade works. Signage and line marking plans will be developed as part of detailed design.	C3 - Addendum to Traffic Impact Assessment, Stantec, 8 September 2022
7.10	Service Station / Fast Food Restaurant – The existing service station / fast food restaurant on the western side of WCD will create opportunities for the school community during weekday and weekend activities to walk across WCD. This arrangement should be discouraged through both design and management, as it presents an unsafe pedestrian risk along WCD.	Noted and agreed. There are no footpaths or linkages proposed that would encourage that would encourage pedestrian activities outside of the school grounds. It is also noted that the school has a canteen and separate café providing food options for students, staff, parents and visitors during the week days.	C3 - Addendum to Traffic Impact Assessment, Stantec, 8 September 2022
7.11	- Green Travel Plan (GTP) - TfNSW appreciates that the preparation and maintenance of a GTP and Transport Access Guide (TAG) will be conditioned as part of the consent for the school (Green Travel Plan: 9.1.2. What is a Green Travel Plan, p57). The GTP will need to be reviewed by TfNSW once it has been prepared. The GTP should identify and determine a course for the delivery of mode share targets, and strategies that encourage the use of sustainable transport options, particularly between the site and public transport (bus) stops, that reduce the dependence on and proportion of single occupant car journeys to the site, based on credible data. The proponent is strongly encouraged to visit the TfNSW Travel Demand Management page which houses travel plan templates and toolkits - here. The GTP should: - Be prepared by a suitably qualified traffic consultant in consultation with TfNSW; this includes a Traffic Impact Assessment (TIA) and GTP - Include objectives and modes share targets to reduce car use and increase public and active transport (i.e. site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP; - Include specific tools and actions to help achieve the objectives and mode share targets;	This comment is noted and agreed. As detailed in Section 9 of the TAIA, preliminary green travel considerations have been made and will be further developed in consultation with TfNSW and Council to inform the future development of a school GTP.	C3 - Addendum to Traffic Impact Assessment, Stantec, 8 September 2022

	○ Include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; ○ Include consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets; ○ Include a detailed Implementation Plan comprising specific tasks needed to complete the proposed actions, the person/s responsible for completion of the task, completion date and anticipated costs; and ○ Include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development. ○ The applicant can refer to our Transport for NSW website for Travel Demand Management (TDM) https://www.mysydney.nsw.gov.au/travelchoices/tdm with really useful resources and templates for GTPs. This also includes both hard activities and soft activities for GTP green travel plan initiatives.		
7.12	▪ Car parking - TfNSW request that consideration be given to providing charging stations for EVs, and a parking management plan that prioritises use by staff and students on a needs basis to further reduce car use – this could include providing dedicated spaces for those who are carpooling / car sharing to encourage carpooling	The Senior School Car Park accessed via the Wine Country Drive access is located close to the new 1000kVA kiosk substation and is considered the most appropriate place for EV charging stations to be installed in the future. This would allow the development of appropriate infrastructure to provide for safe and efficient transmission of electricity from the local grid on a dedicated circuit to the electric vehicle. The Senior School Car Park can also provide priority carparking reserved for carpooling or ride share which will also form part of the school's GTP.	C3 - Addendum to Traffic Impact Assessment, Stantec, 8 September 2022
7.13	▪ Cycling - It is understood that there are limited cycling options to encourage cycling at present but would recommend that this is reviewed as there are opportunities for encouraging active modes for those living within the walking / cycling catchment. TfNSW recommends that some secure, covered and accessible bicycle parking is provided around the site, and this is monitored on a regular basis to ensure that there is adequate supply which will assist to encourage cycling as a mode. Some further guidance on bicycle parking and end of trip facilities can be found in the cycleway design toolkit.	The master plan concept provides for bicycle racks at the main school entrances to cater for any future cycle demand. Details will further be assessed as part of the school's GTP including monitoring procedures to ensure cycling is encouraged and accommodated. Once cycle connectivity to the school and surrounding area is improved, further bicycle parking and facilities will be provided. Such structures could be developed as exempt development pursuant to the Transport and Infrastructure SEPP Chapter 3.	C3 - Addendum to Traffic Impact Assessment, Stantec, 8 September 2022
7.14	General design comments on the civil works layout for consideration and will impact on the scope of the development. ○ It seems that to achieve the satisfactory LOS indicated in the submitted SIDRA report, the roundabout would require 2 lanes through the roundabout into a merge after the exits in both directions to perform adequately.	The design comments have been considered by Northrop and Stantec. Accordingly, a concept design for the roundabout accommodating the design requirements including two approach lanes on the northern and southern Wine Country Drive approaches has been prepared, shown in Figure 1. The approach includes one dedicated through lane and one dedicated turn lane, with a corresponding single departure lane on each.	C3 - Addendum to Traffic Impact Assessment, Stantec, 8 September 2022

		The concept design indicates that significant land acquisition is required from a number of adjoining neighbours to facilitate the roundabout option. Accordingly, an alternate option of a signalised intersection has been provided to TfNSW for consideration. Whilst the intersection functions satisfactorily, the scale of the roundabout is obtrusive. The signalised intersection can perform satisfactorily without the encroachment on neighbouring property.	
	To slow vehicles on WCD approaching the roundabout more effectively, the Deflection should be increased on the roundabout entry similar to Austroads Part 4b) Page 23.	The concept intersection layout has been designed in accordance with the relevant sections of the Austroads Guide to Road Design.	
	The roundabout should consider on road cyclists and pedestrian refuges in the splitter islands.	Safe movement of pedestrians and cyclists will be considered as part of the signalised intersection design. It is noted that Cessnock City Council are proposing to construct a cycleway from Cessnock to Nulkaba to terminate a Lomas Lane.	
	The proposed roundabout can be constructed from Concrete however would accept if this pavement was converted to a Heavy-Duty Flexible Pavement if required for constructability	Noted.	
	A shoulder width of 2m should be included for the WCD access intersection.	Ongoing stakeholder consultation will ensure appropriate design through the detailed design stage.	
	Neighbour submissions – If the roundabout is designed in accordance with Austroads then it is safe to have proper access off one of the roundabout legs.	See comments with the regard to neighbour consultation.	
	DPE Enquiry – The design for the roundabout needs to consider the existing shared entry / exit access driveway servicing 307-311 Wine Country Drive.	This comment is noted and agreed. See comments with the regard to neighbour consultation.	
8	<i>Department of Primary Industries (DPI) – Fisheries</i>		
	The proposal does not include any dredging, reclamation, harm to marine vegetation, or blockage of fish passage. Therefore, DPI Fisheries does not need to issue any advice on the proposal.	No further action required.	NA
9	<i>Department of Primary Industries – Agriculture</i>		
9.1	It is also noted that most impacts to surrounding sensitive receptors has been addressed in the Environmental Impact Statement (EIS) with mitigation measures proposed. However, potential land use conflicts between rural land uses and the college have not been addressed in the EIS. In particular, the clustering of buildings to the west of the site may result in conflicts with the adjacent vineyard, west of the college. Spray drift from chemical sprays is an example of where land use conflicts can occur. NSW DPI therefore requests that the proposed alterations and additions to the College address potential	The proposed development is not considered to adversely impact potential agricultural production in the locality. St Philip’s Christian College Cessnock has been operating in this locality for almost two and a half decades, providing quality education to the community. The surrounding agricultural land and associated production is not believed to have been adversely impacted by the operation of the school. Primary industries and Agricultural Studies is offered at the college to Years 9 – 12 and covers a wide range of agricultural skills and experiences including livestock and production of food and skills. The existing grounds in the southern part of the site will be retained as an agricultural precinct.	NA

	land use conflicts between surrounding agricultural land uses and the college, including any mitigation measures. The following should be addressed in relation to the proposal:	As part of this development, the traffic impacts that are associated with the school which includes movement of construction machinery to and from the site has been considered. On-going community consultation is occurring as part of the development application process to ensure surrounding properties can continue to function effectively.	
	the potential for the proposed development to adversely impact local agricultural production in the vicinity,		
	the potential for land use conflict between the proposed development and agricultural land uses,	The proposed development is not considered to be a conflict of land use for the following reasons: - The school has previously been approved as a suitable land use in this locality and has been established for a long period of time; - The nearest point of the agricultural use (edge of vineyard) opposite the site to the nearest school building (senior building) is approximately 190m. This is a sufficient buffer between the two land uses to avoid any potential conflicts such as chemical spray drift and noise/amenity impacts. - The proposed road network upgrades will facilitate better traffic movement including the movement of farm machinery on surrounding properties.	
	whether the proposed development will encroachment on buffers around existing agricultural land uses and if so, the solutions proposed to minimise land use conflict	The Cessnock DCP details that development adjacent to a commercial vineyard should maintain a 100m buffer to avoid chemical spray drift and manage unreasonable noise impacts. As detailed above, the separation between the agricultural production and the school measure approximately 190m, accordingly the school does not encroach within the prescribed buffers. The new buildings proposed maintain the same boundary offset fronting Wine Country Drive. To this extent, the new buildings will not encroach within the buffer area.	
	the potential impacts of neighbouring agricultural activities on the proposed development and the measures proposed to avoid or mitigate any potential adverse impacts.	As above.	
10	NSW Rural Fire Service		
	The NSW Rural Fire Service (RFS) raises no objection to the proposed development, subject to conditions.	The recommended conditions have been reviewed and the applicant raises no concern with the imposition of the conditions as indicated.	NA

4.3 Project Clarifications or Amendments

4.3.1 Updated Student and Staff Numbers

The school will operate the Aquatic Centre as a school facility and the Aquatic Centre Staff are to be included in the overall staff numbers. The below table replaces Table 7 in the EIS.

Table 5 Updated Student and Staff numbers

Sub-school/Facility	Student Numbers	Staff Numbers
Junior School	488	49
Middle School	535	41
Senior School	546	45
DALE Special School	80	20
Administration		45
Sub-total	1649	200
Narnia Early Learning Centre	83	16
Aquatic Centre	0	5
Total	1732	221

4.3.2 Hours of Operation Details

The below table replaces Table 8 in the EIS.

Table 6 Updated Hours of Operation

Facility	Days	School Use	Community Use	Overall Hours
Prep School (4-5 Years old)	Monday to Friday School Terms	07:00 – 18:00	Nil	07:00 – 18:00
Junior School Middle School Senior School DALE School	Monday to Friday School Terms	08:00 – 15:30	Nil	08:00 – 15:30
Administration / Office	Monday to Friday	07:00 – 18:00	Nil	07:00 – 18:00
OOSH	Monday to Friday All Year (except four weeks in summer)	07:00 – 18:00	Nil	07:00 – 18:00
Narnia Early Learning Centre	Monday to Friday All Year (except four weeks in summer)	07:00 – 18:00	Nil	07:00 – 18:00

Gymnasium (located with Sports Hall)	Monday to Saturday School Terms	05:00 – 20:00	Nil	05:00 – 20:00
Performing Arts Centre – After Hours *Also used during school hours	Limited times during the year for school productions, events, etc.	15:30 – 22:00	Nil	15:30 – 22:00
Sports Fields – After Hours *Also used during school hours	Monday to Friday	15:30 – 22:00	Nil	07:00 – 22:00
	Saturday	07:00 – 18:00		
	Sunday	08:00 – 17:00		
Aquatic Centre	Monday to Saturday	05:00 – 20:00	Nil	07:00 – 18:00
	Sunday	07:00 – 18:00		
Aquatic Centre	Monday to Friday	09:00 – 15:00	05:00 – 09:00 15:00 – 20:00	05:00 – 20:00
	Saturday	Nil	05:00 – 20:00	05:00 – 20:00
	Sunday / Public Holidays	Nil	07:00 – 18:00	07:00 – 18:00
Sports fields	Monday to Friday	08:00 – 15:30	15:30 – 20:00	15:30 – 20:00
	Saturday	Nil	07:00 – 18:00	07:00 – 18:00
	Sunday / Public Holidays	Nil	08:00 – 17:00	08:00 – 17:00
Performing Arts	Monday to Friday	08:00 – 15:30	15:30 – 22:00*	08:00 – 22:00
	Saturday		08:00 – 22:00*	08:00 – 22:00
	Sunday / Public Holidays		08:00 – 18:00*	08:00 – 18:00
Library / Chapel	Monday to Friday	08:00 – 15:30	08:00 – 21:00**	08:00 – 21:00
	Saturday	Nil	Nil	Nil
	Sunday / Public Holidays	Nil	Nil	Nil

*Limited times during the year for school productions, events etc. This facility will not be able to be hired / used for occasional community uses

**occasional use of library / chapel after hours until 21:00 Monday – Friday to allow for events such as parent teacher interviews, gatherings and parent meetings etc. Once the Performing Arts Centre is built this building could also accommodate these uses.

The proposed community uses are consistent with the NSW Government Sharing of School Facilities Policy. This policy applies to NSW public schools only, however part 3.4, section 3.36, clause 6b states that prior to determining a development application, the consent authority must consider whether the development enables the sharing of school facilities with the community. It is considered that the proposed development is consistent with the intent of the clause. The proposed facilities a positive contribution not only to the school, but to the broader community.

4.3.3 Building Identification Signage Details

The building identification signage is set out in the **Table 7** below. It is noted that signage that has a surface area less than 8m across an elevation and meets the other development standards outlined in Schedule 5 of the Transport and Infrastructure SEPP can be installed exempt development. The typical name would likely include the use of the building and the building or block number. The indigenous names will be derived through collaboration with Aboriginal stakeholders as part of the ongoing Designing with Country process.

Table 7 Building Identification Signage Detail

Building	Elevation	Details	Dimensions
A1 Junior (existing)	Western	Junior School	4900wide X 1500high
		Indigenous Name (tba)	4900wide X 1500high
A4 Junior (proposed)	Northern	Typical Name (tba)	4900wide X 1500high
		Indigenous Name (tba)	4900wide X 1500high
		School Crest	1500 diameter
B1& B2 Middle (proposed)	Northern	Typical Name (tba)	4900wide X 1500high
		Indigenous Name (tba)	4900wide X 1500high
		School Crest	1500 diameter
C1 Senior (existing)	Western	Typical Name (tba)	4900wide X 1500high
		Indigenous Name (tba)	4900wide X 1500high
		School Crest	3000 diameter
C4 Library/Chapel (proposed)	Northern	Typical Name (tba)	4900wide X 1500high
		Indigenous Name (tba)	4900wide X 1500high
		School Crest	2600 diameter
D Admin & Welcome Centre (proposed)	South-Western	Typical Name (tba)	4900wide X 1500high
		Indigenous Name (tba)	4900wide X 1500high
		School Crest	3000 diameter
E2 Trade Training Centre	Southern	Typical Name (tba)	4900wide X 1500high
		Indigenous Name (tba)	4900wide X 1500high

		School Crest	1500 diameter
F The Hub	Southern Northern Western	School Crest	3000 diameter
		School Crest	3000 diameter
		Typical Name (tba)	4900wide X 1500high
		Indigenous Name (tba)	4900wide X 1500high
G Performing Arts Centre (proposed)	Western	Typical Name (tba)	4900wide X 1500high
		Indigenous Name (tba)	4900wide X 1500high
		School Crest	3000 diameter
H1 Sports Hall (existing)	Western	Activate	6000wide X1000high
		Centre	3000wide X 500high
		School Crest	2000 diameter
H2 & H3 Sports Hall (proposed)	Eastern	Typical Name (tba)	4900wide X 1500high
		Indigenous Name (tba)	4900wide X 1500high
J Narnia (proposed)	Western	Typical Name (tba)	4900wide X 1500high
K Welcome Café (proposed)	Southern	Typical Name (tba)	4900wide X 1500high
		Indigenous Name (tba)	4900wide X 1500high
N2 Dale	Western	Typical Name (tba)	4900wide X 1500high
O Aquatic Centre (proposed)	South	School Crest	2800 diameter
	West	Swim	24000wide X 1000high

4.3.4 Updated Development Sequencing

The below table replaces Table 10 in the EIS.

Table 8 Updated Staging for Buildings, Infrastructure and Student Numbers

Stage	Nominal timing	Building	Building description	Demolition / Removal	Infrastructure	Breakdown Nos.	Student	Student Cap Total
1A	2022 – 2024	A3	Junior School	Tree removal	- New southern access off WCD and new internal road / angle parking as far north as Building C2 - Widening of Lomas Lane for bus bays - New bus turnaround area and connection to northern carpark (+ 5 spaces) - New 1000kVA Substation - Minor upgrade to intersection of Lomas Lane and WCD	Junior School 452 Middle School 404 Senior School: 418 DALE: 60 Narnia: 83	1417*	
		A4	Junior School					
		C2	Senior School					
		J	Narnia					
		E7	Demountable					
1B	2025 – 2027	B1	Middle School	Administration (existing)	- Reconfiguration of existing northern car park - Signalised intersection upgrade to Lomas Lane and WCD	Junior School 456 (+ 4) Middle School: 422 (+ 18) Senior School: 423 (+ 5) DALE: 65 Narnia: 83	1449	
		B2	Middle School	Narnia (existing)				
		S	Waste Depot					
2	2027 – 2031	E2	Trade Training Centre	Nil	Upgrade sewer pump station (if required)	Junior School 488 (+ 32) Middle School: 513 (+ 91) Senior School: 482 (+ 59) DALE: 80 (+ 15) Narnia: 83	1646	
3a	2032 – 2034	C3	Senior School	Demountable E3, E4, E5, E6, E7	Extend internal access road / angle parking adjacent to Building C3	Junior School: 488 (+ 22) Middle School: 535 (+ 64) Senior School: 546 DALE: 80 Narnia: 83	1,732	
3b	2034 – 2036	D	Welcome and Admin Centre	Nil	Nil			
		K	Café					
		N2	DALE					
4a	2038 – 2040	H2	Sports Hall	Nil	Nil		1,732	

4b	2040 2041	–	C4	Library/Chapel	Nil	▪ Extend internal access road to wrap around Building C4		
5a	2043 2045	–	H3	Sports Hall	Nil	Nil		1,732
5b	2048 2050	–	F	Canteen/Café Hub	Nil			
			O	Aquatic Centre	Nil	▪ Shared pathway between N2 DALE and Aquatic Centre.		
5c	2050 2052	–	G	Performing Arts Centre	Demountable E2	▪ Service access driveway/ramp to PAC		

*Error in EIS was 1471 not 1417

5 Updated Project Justification

The purpose of this Submissions Report is to consider the matters raised by Council, State Agencies and community individuals and provide justification for the development as altered and refined. The proposed alterations and refinements have been prepared in response to the matters raised. It is considered that the amendments:

- Address the matters raised within the submissions and retains that the proposed development will not result in substantial adverse environmental impact;
- Reduce impacts on the EEC and in turn has positive ecological impacts;
- Avoid vegetation removal where possible and includes compensatory planting to mitigate ecological impacts;
- Includes the proposed signalised intersection as a positive benefit for surrounding landowners and the rural landscape and would permit safe movement of pedestrians in connection with the shared pathway connection between Cessnock and Lomas Lane;
- Retains avoidance of impacts on Aboriginal cultural heritage.
- The supporting documentation demonstrates that the amended development can suitably manage risk to life as a result of flood or bushfire event.

It is considered that the development as amended and refined remains suitable for the site and is deemed to be in the public interest.

Considering the information presented with this Submission Report and the content contained within the Amendment Report and the EIS, it is recommended that the Department approve this SSDA subject to appropriate conditions.

6 References

Appendix G9 Transport and Accessibility Impact Assessment (GTA Stantec).

Austrroads: Guide to Road Design Part 4: Intersections and Crossings 7.2.3 Rural Roads

Barr Planning Environmental Impact Statement:

Cessnock Development Control Plan 2010

G4 Civil Engineering Design Report (Northrop Engineers)

Groundwater Productivity Map, Department of Primary Industries, Office of Water, 2013

NSW Aquifer Interference Policy, Department of Primary Industries, a division of NSW Department of Trade and Investment, Regional Infrastructure and Services, 2012

“Vineyards District Study’ prepared by RMCG on behalf of Cessnock Council dated March 2017

Appendices

Appendix A Submission Register

Table 9 Submissions Register

Group	Name	Section where issues addressed in Response to Submission Report
Individuals	Reid Johnson	Section 4.1 Pg 22
	Rebecca and Geraldine Woodward	Section 4.1 Pg 22
	Ross Wilson	Section 4.1 Pg 22
	Neil and Debra McGuigan	Section 4.1 Pg 22-23
	Withheld	Section 4.1 Pg 23
Council	Cessnock City Council	Section 4.2 Pg 23-25
State Departments	Department of Planning and Environment	Section 4.2 Pg 26-35
	Department of Planning and Environment – Crown Lands	Section 4.2 Pg 35
	Department of Primary Industries – Fisheries	Section 4.2 Pg 45-46
	Department of Planning and Environment – Water	Section 4.2 Pg 39-41
	NSW Department of Primary Industries – Agriculture	Section 4.2 Pg 45
	Department of Planning and Environment – Biodiversity & Conservation	Section 4.2 Pg 35-37
	Heritage NSW	Section 4.2 Pg 37-39
State Agencies	Transport for New South Wales (TfNSW)	Section 4.2 Pg 31-45
	NSW Rural Fire Service	Section 4.2 Pg 46

Appendix B Updated Mitigations measures

Table 10 Summary of Updated Mitigation Measures

Impact	Potential Impact	Approach	Residual Impact
Traffic and Access	Increased traffic movements at the intersection of Wine Country Drive and Fletcher Street.	The intersection will continue to function with the required level of service.	Low
	Increased school population exacerbates traffic congestion and queuing during peak drop-off and pick-up times making access to Wine Country Drive difficult.	Stage 1A – construct second school access from Wine Country Drive. Stage 1B – construct signalised intersection at intersection of Wine Country Drive and Lomas Lane	Low – Moderate
	Encroachment of roundabout onto private property to facilitate safe movements	Proposed signalised intersection avoids land acquisition and facilitates safe movement between private driveways and the intersection.	Low – Moderate
Permissibility: Aquatic Centre	Not permissible in the zone	The aquatic centre is a school facility and ancillary to the dominant use.	Low
Flooding	Development presents flood risks to future users of the school	Flood Emergency Response Plan has been prepared to mitigate risk.	Low
	Development results in off-site flood impacts	Minimise filling in those parts of the site known to have a greater sensitivity to offsite flood impacts and undertake modelling to test impacts	Low
Biodiversity	Development adversely impacts on biodiversity	Development sited to minimize requirement for vegetation clearing. Implement mitigation actions recommended in BDAR.	Low

Aboriginal cultural heritage	Development impacts on Aboriginal cultural heritage items	All development to remain outside mapped Potential Archaeological Deposit (PAD) areas.	Low
Bushfire	Development requires vegetation removal or pruning in the EEC	Bushfire maintenance plan to be updated and current vegetation management regime to continue. The Addendum to Bushfire Threat Assessment has confirmed that no tree removal or pruning required.	Low
Crime	Increased crime activity associated with additions to school and community use of school facilities	Integration of design with Crime Prevention Through Environmental Design Principles Community will be segregated from student use where practical and will be supervised by school staff.	Low – Moderate

Appendix C Supporting information

These have been provided as separate documents with the NSW Major Projects portal.

Table 11 Supporting Documents

Appendix	Document	Consultant	Date
C1	Amended Architectural Plans Rev F	SHAC	02 November 2022
C2	Revised Landscape Concept Masterplan Rev C	Moir Landscaping	08 September 2022
C3	Addendum to Transport and Accessibility Impact Assessment	Stantec	08 September 2022
C4	Stantec Memo to TfNSW	Stantec	02 August 2022
C5	Addendum to Aboriginal Cultural Heritage Assessment	McCardle Cultural Heritage	22 April 2022
C6	Addendum to Flood Impact Assessment Report	BMT	25 August 2022
C7	Flood Evacuation Response Plan	BMT	25 August 2022
C8	Updated Biodiversity Development Assessment Report (BDAR)	MJD Environmental	November 2022
C9	Response to Submission – Biodiversity considerations	MJD Environmental	November 2022
C10	Amended civil engineering plans	Northrop	06 October 2022
C11	Updated Arboriculture Assessment Report	Accurate Tree Assessments	September 2022
C12	Letter of Support for Traffic Lights	Cessnock City Council	26 August 2022
C13	Community Consultation Meeting Minutes	St Philip's Christian College	25-26 August 2022
C14	Addendum to Bushfire Threat Assessment	Newcastle Bushfire Consulting	30 September 2022