



planning consultants

## Response to Submissions Report

State Significant Development - SSD-11920082

Hastings Secondary College Port Macquarie Campus Upgrade

16 Owen Street, Port Macquarie

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## Attachments

1. Acoustic Statement, Revision A, dated 9 September 2022
2. Visual Impact Assessment, Addendum letter dated 16 November 2022
3. 0193 Roof Access Safety Systems
4. PMC-FJMT-AR-C-20003, Rev A
5. Technical data sheet – roof hatches

# 1 Introduction

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On 25 May 2021, School Infrastructure NSW (SINSW) submitted State Significant Development Application (SSDA) No. 11920082 to the then Department of Planning, Industry and Environment (DPIE) for the upgrades to Hastings Secondary College (Port Macquarie Campus) – at 16 Owen Street, Port Macquarie (the site).

The SSDA was approved on 1 December 2021.

A Section 4.55(2) was submitted in April 2022, requesting the following amendments to the proposal:

- Amendment of stair locations to avoid existing services;
- Removal of works to Building L;
- Installation of mechanical plant on canopy roof, east of CAPA building;
- Installation of external stairs to CAPA building;
- Reconfiguration of Building A entry, including reconfiguration of undercover walkway;
- Reconfiguration of landscaping at entrance;
- Addition of landscaping to north of Building B and north of PCYC;
- Alteration of scope of works to Building B;
- Change in materials;
- Change to window placement and louvers on CAPA building;
- Minor internal modifications

The s4.55 Modification was notified from 1 August to 15 August 2022, with the following submissions received:

- Department of Planning and Environment:
  - Updated Visual Impact Assessment required to address proposed mechanical plant;
- Transport for NSW:
  - Previous advice on School Travel Plan remains relevant;
- Port-Macquarie Hastings Council:
  - No comment;
- Essential Energy (recommendations);
  1. If the proposed modified development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
  2. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
  3. In addition, Essential Energy's records indicate there is overhead and underground electricity infrastructure located within close proximity of the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
  4. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).

# 1 Introduction

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5. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW ([www.safework.nsw.gov.au](http://www.safework.nsw.gov.au)) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines / Underground Assets.
- Community Submissions
    - Mechanical Plant – Loss of further views
    - Mechanical plant - Noise
    - Mechanical plant - Location

The project team has reviewed these submissions and this document summarises the Applicant's responses and directs the Department to the relevant reports where each item has been addressed in more detail.

The site is zoned R3 Medium Density Residential under *Port Macquarie-Hastings Local Environmental Plan 2011*. Development for the purpose of an educational establishment is permissible with consent in the R3 zone.

The proposed works have been designed to, and will be carried out in, the interests of the public. The works will meet the project objectives to provide upgraded and new facilities.

## 1.1 Project Description

The NSW Department of Education proposes upgrades to Hasting Secondary College (Port Macquarie Campus) to provide new and upgraded facilities. This will involve site preparation work (including demolition), the removal of 26 trees, civil works, landscaping, and construction works.

The upgrades will support high-quality educational outcomes to meet the needs of students within the local community as follows:

- Demolition works to accommodate new works;
- Upgrade to school entry, including signage;
- Construction of new two (2) storey Creative and Performing Arts (CAPA) building, including external stairs;
- Mechanical plant on top of walkway, east of CAPA building;
- Construction of new Police Citizens Youth Club (PCYC);
- Partial refurbishment of Building L;
- Partial refurbishment and alteration to Building B;
- New lift connections, covered outdoor learning area (COLA) and covered walkways;
- Associated earthworks, landscaping, stormwater works, service upgrades; and
- Tree removal/ tree safety works.

## 1.2 Proposal Overview

**Table 1** provides a summary of the key components of the proposal, including the amendments made since exhibition of the approved EIS as part of this Modification.

# 1 Introduction

**Table 1 Summary of Key Aspects of Project**

Aspect	Description – as approved	Description – as amended
<b>Project Summary</b>	Site preparation, demolition works, tree removal, construction of new Creative and Performing Arts (CAPA) building, construction of new Police Citizens Youth Clubs (PCYC) building, internal refurbishments to existing buildings, upgrades to landscaping, core facilities and associated works.	<i>No change</i>
<b>Site Preparation</b>	<ul style="list-style-type: none"> <li>o Removal of 26 trees;</li> <li>o Demolition of part buildings/ awnings, landscaping (concrete etc), beams and other structures (Refer to dwg 130031(4), 130032(4) and 130033(4) for full extent of demolition works; and</li> <li>o Civil works.</li> </ul>	<i>No change</i>
<b>Built Form</b>	<p><b>Building B</b> Refurbishment of Building B includes demolition of internal partitions to create one (1) larger general learning space</p> <p><b>Building L</b> Refurbishment of Building L includes demolition of internal partitions and fixtures and to create four (4) support unit home bases, PE Staff room, two (2) PE General learning spaces, one (1) staff/ study support unit and ancillary uses (amenities, store, comms room, withdrawal spaces)</p> <p><b>PCYC</b> The PCYC is proposed as a joint use facility and will provide 17 car parking spaces, two (2) disabled spaces, two (2) minibus spaces, two (2) courts, three (3) multipurpose rooms, one (1) gym and ancillary facilities (offices, change rooms, storerooms, kitchen area and youth hub) Subject to separate business case and funding.</p> <p><b>CAPA</b> The CAPA is a new two storey building and will provide an additional four (4) general learning spaces, two (2) seminar/ rehearsal rooms, one (1) health/ PE/ Performing Arts Workshop, two (2) visual arts general learning space, one (1) visual arts work shop, ancillary facilities (store, amenities, comms room, staff room, dark room, kiln) and display windows.</p> <p>CAPA approved height 11m to parapet</p>	<p><b>Building A</b> Reconfiguration of Building entry including undercover walkway</p> <p><b>Building B</b> Remove demolition of internal partitions.</p> <p><b>Building L</b> Removed Ground level works</p> <p><b>PCYC</b> <i>No change</i></p> <p><b>CAPA</b> The CAPA is a new two storey building and will provide an additional four (4) general learning spaces, two (2) seminar/ rehearsal rooms, one (1) health/ PE/ Performing Arts Workshop, two (2) visual arts general learning space, one (1) visual arts work shop, ancillary facilities (store, amenities, comms room, staff room, dark room, kiln) and display windows. External Stairs. Change to window placement and louvres. Addition of approximately 170 solar panels on the roof top.</p> <p>The use and access arrangement of the CAPA roof is for maintenance purposes only as required by Asset Management Unit (AMU). Specifications of the roof access are attached to this report.</p> <p>CAPA proposed height to parapet – 10.554m.</p>

# 1 Introduction

**Table 1 Summary of Key Aspects of Project**

Aspect	Description – as approved	Description – as amended
<b>Mechanical plant</b>	N/A	Mechanical Plant located to the east of CAPA building on roof of walkway. Mechanical plant is set back from Owen Street by approximately 28.5m and has an overall height of 11.815m.
<b>Landscaping</b>	Landscaping works including the planting of 72 new trees, native entry planting, large and small-medium shrubs, ground covers and planting to fences.	Reconfiguration of landscaping at school entry
<b>Entry and Signage</b>	A brick entry statement wall with metal lettering of the School name is proposed along Owen Street. The signage comprises 3 lines of lettering 'HASTINGS SECONDARY COLLEGE PORT MACQUARIE CAMPUS' at 300mm high with a depth of 100mm. Totem poles and artwork.	<i>No change</i>
<b>Utility Infrastructure</b>	<p>A new electrical substation is proposed along Owen Street.</p> <p>There is no impact to the main distribution room for telecommunications. New building distributors will be connected back to the existing communication and telecommunications infrastructure via new fibres.</p> <p>A 65mm water supply will be required to supply the simultaneous potable water demand for the site. The potable water system will require an upgrade in water connection from the Owen Street water main.</p> <p>Replace existing LP gas storage vessels with single 2.5 tonne LP gas storage tank at south eastern side of site.</p> <p>New fire booster along Owen Street</p>	<i>No change</i>
<b>Site Area</b>	3.45ha	<i>No change</i>
<b>Uses</b>	Educational establishment and PCYC	<i>No change</i>
<b>Access</b>	Vehicular access for maintenance is provided off Burrawan Street. Additional vehicle access is proposed off Owen Street to access the proposed carpark of the PCYC. No current vehicle parking is located on site.	<i>No change</i>
<b>Car parking</b>	<ul style="list-style-type: none"> <li>o Zero (0) on-site parking (current)</li> <li>o On-Street parking – Owen Street – 151 spaces</li> <li>o Council Car park – Oxley Oval -44 spaces</li> <li>o Proposed on-site parking – School (0),</li> <li>o Proposed on-site parking - PCYC – 17 car parking spaces, 2 disabled spaces and 2 mini-bus spaces.</li> <li>o Drop off bay – located along Owen Street (current and proposed)</li> <li>o Bus zone – located along Owen Street (current and proposed)</li> </ul>	<i>No change</i>
<b>Bicycle parking</b>	<ul style="list-style-type: none"> <li>o 0 spaces existing – 155 spaces required – 152 provided adjacent to Building A, three (3) to be provided in vicinity of PCYC.</li> </ul>	<i>No change</i>

# 1 Introduction

Table 1 Summary of Key Aspects of Project

Aspect	Description – as approved	Description – as amended
Hours of operation	<ul style="list-style-type: none"> <li>Operational hours of Hastings Secondary College Port Macquarie Campus 07:30 – 16:30 (this includes extension classes, band, dance and choir)</li> <li>School Bell times of Hastings Secondary College Port Macquarie Campus 08:15 – 14:15 Mon-Fri</li> <li>PCYC operating hours – 06:00 – 22:00 Mon - Sun</li> </ul>	No change
Community use	<ul style="list-style-type: none"> <li>The PCYC will be available for community use from 6:00am – 07.45am and from 14:45 – 22:00 seven (7) days per week.</li> </ul>	No change
Construction hours	<ul style="list-style-type: none"> <li>7am – 6pm Monday to Friday</li> <li>No construction deliveries between 7.30am to 9:00am, and between 1:30pm to 3:00pm on school days.</li> <li>7am – 1pm Saturday; and</li> <li>Sunday and Public Holidays: No planned work</li> </ul>	No change
Jobs	<ul style="list-style-type: none"> <li>Up to 10 full time consultant positions</li> <li>Up to 42 full time construction jobs.</li> <li>13-month construction period</li> </ul>	No change
CIV	Exceeds \$20 million	No change

Figure 1 demonstrates the approved and proposed heights of the CAPA building and mechanical plant to the rear of the CAPA building on top of the covered walkway.

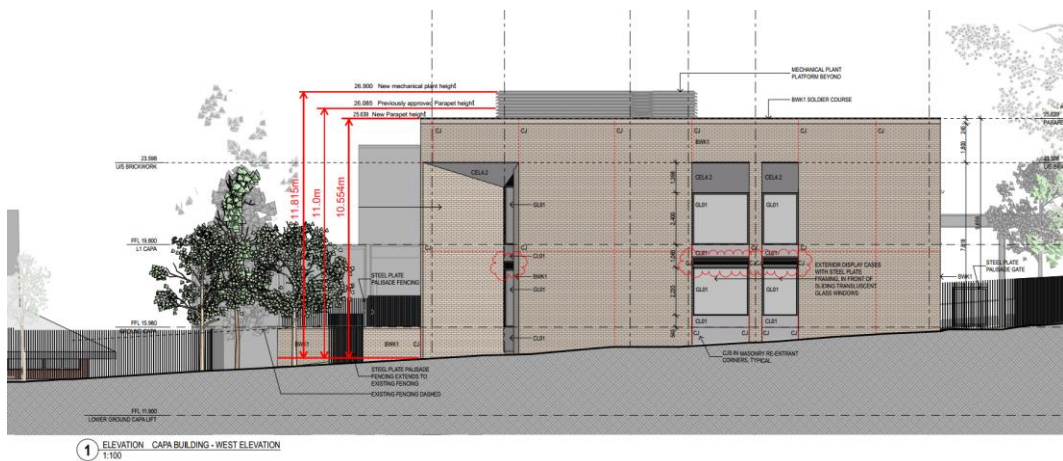


Figure 1 Approved and proposed heights (source fjmt and FKG)

## 2 Analysis of Submissions

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The s4.55 modification was placed on public exhibition from 1 August 2022 until 15 August 2022. Hard copies of the modification and appendices were available at Port Macquarie-Hastings Council offices and soft copies were available on the Department of Planning and Environment (DPE) Major Projects website.

During the exhibition period, government agencies and members of the community were able to make submissions on the application.

A total of five (5) submissions from the public and public authorities were received during the exhibition period.

Submissions were received from the following public authorities:

- Port Macquarie-Hastings Council;
- Transport for NSW; and
- Essential Energy.

The key matters raised in the submissions include:

- Impact on views and acoustic impact arising from the proposed mechanical plant.

## **3 Actions Taken During and After s4.55 Modification Exhibition**

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### **3.1 Additional Environmental Assessment**

As part of this Response to Submissions, the following additional assessments/ addendums to reports submitted with the s4.55 modification were undertaken:

- Visual Impact Addendum – Private Domain; and
- Acoustic Statement – Noise and Vibration Report.

### **3.2 Mitigation Measures**

No additional mitigation measures are proposed in addition to those as approved.

## 4 Response to submissions

### 4.1 Department of Planning and Environment (DPE)

Following receipt of the authority and public submissions, DPE issued a Response to Submissions Letter which summarises matters raised relevant to those submissions as set out in Attachment 1 of the DPE letter. These ‘key issues’ are addressed in full in the table below.

Issue	Response	Reference
Public submissions raised concerns about impacts of the rooftop mechanical plant above the CAPA Building to private views. An updated Visual Impact Assessment of impacts to views from the private domain must be provided that appropriately assesses the impacts of the proposed modification having regard to the applicable planning principle (i.e., Tenacity Consulting v Warringah Council [2004] NSWLEC 140).	<p>An addendum letter to the Visual Impact Assessment was prepared by Ethos Urban, which included an assessment of private views. Visual assessments were undertaken for 21 Owen Street and Mainsail Unit 10.</p> <p>The Visual Impact Assessment Addendum letter concludes that the proposal’s visual impact is acceptable and reasonable as it maintains the same scale, aesthetic and broad design elements established under approval SSD-11920082.</p> <p>The VIA Addendum notes the additional 815mm height from the mechanical plant from the approved 11m height and that the location of that plant and concludes that it is appropriately screened form direct view. The new proposed external stairs are screened by an existing fin wall and are not visible from Owen Street.</p> <p>The VIA addendum supports the proposal as originally submitted without any physical change or further mitigation.</p>	Visual Impact Assessment – Addendum Letter, Prepared by Ethos Urban, Version 4, dated 16 November 2022

### 4.2 Port Macquarie – Hastings Council Submission

Port Macquarie Council reviewed the s4.55 modification documents and provided a submission. There were no concerns from Port Macquarie-Hastings Council.

## 4 Response to submissions

### 4.3 Transport for NSW

In accordance with the Coastal Management SEPP 2018 and State and the Regional Development SEPP 2011, TfNSW was given the opportunity to provide comment on the s4.55 modification application. Comments from TfNSW and responses are summarised in the Table below.

Issue	Response	Reference
<p><b>Previous comments listed below on School Travel Plan remain in place.</b></p> <p>(1) TfNSW referred the application internally to the 'Sydney Land Use Planning &amp; Development Section'. This agency provided the following recommendations prior to occupancy:</p> <p><b>School Travel Plan</b></p> <ul style="list-style-type: none"> <li>- Provides details and maps of end of trip facilities, including number and location of all secure bike parking, casual bike parking, showers and lockers;</li> <li>- Considers if additional end of trip facilities are needed;</li> <li>- Considers further pedestrian improvement that could be advocated for, such as potential pedestrian crossings e.g. on Gordon St near Owen St;</li> <li>- Considers more incentives for staff to use active and public transport such as:               <ul style="list-style-type: none"> <li>- Subsidised bus fares for new staff for a period of time or for all staff at the start of the year;</li> <li>- School subsidised panniers or backpacks for staff committed to active travel;</li> <li>- Fleet e-bikes to travel for work, particularly to travel between campuses (and potentially to use to trial what it is like to ride to/from work);</li> <li>- Bike maintenance equipment for use onsite &amp; bike lights for emergency loans;</li> </ul> </li> <li>- Considers more incentives for students to use active and public transport such as:               <ul style="list-style-type: none"> <li>- Bikes buses and walking school buses (mentioned in communication strategy but not in list of actions);</li> <li>- Gamification for students using and promoting active and public transport;</li> <li>- Activities for students to create and share transport photos/videos/stories/art/maps from their trips to school;</li> <li>- Regular events, such as active transport breakfasts and trips after school to a local park, beach or other place of interest;</li> </ul> </li> <li>- Cycling skills and bike maintenance courses;</li> <li>- Considers innovative, site-specific interventions that address local challenges, such as conducting workshops on how to take your surfboard on your bike, and spaces for students and staff to safely keep boards;</li> <li>- Considers how educational material that explores the benefits and potential of sustainable transport can be incorporated into classes for different stages in the curriculum;</li> <li>- Incorporates a role for a sustainable travel champion (potentially a staff member, parent, or senior student) that focuses on modelling the desired behaviours and positive communication around active and public transport;</li> <li>- Includes an enhanced Travel Access Guide with:</li> </ul>	<p>Noted.</p> <p>These are the same comments as original SSDA submission and have been conditioned within the consent (Condition D21). No update to the School Travel Plan has been provided as part of this RtS as it will be provided Prior to Commencement of Operation as per the condition of consent,</p>	<p>N/A</p>

## 4 Response to submissions

Issue	Response	Reference
<ul style="list-style-type: none"> <li>- recommended cycling and walking routes to key destinations (such as Westport campus, shops and beaches) with indicative times, and from different directions within the school catchment area;</li> <li>- Location and access for end of trip facilities; and</li> <li>- Replace “Families who live approximately 2km from the school, have the options of cycling to school” with something more inclusive and positive such as how quickly you can get to school cycling if you live 2km away.</li> </ul>		

### 4.4 Essential Energy

The following table summarises the comments received from Essential Energy and provides a response.

Issue	Response	Reference
<b>(1)</b> If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment	Should modifications to the proposal be made, a referral to Essential Energy will be made, to provide further comments.	N/A
<b>(2)</b> Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.	All encumbrances in favour of Essential Energy (or its predecessors) that have been noted on the title of the property, will be complied with.	N/A
<b>(3)</b> In addition, Essential Energy's records indicate there is electricity infrastructure located within the property and within close proximity of the property. Any activities within these locations must be undertaken in accordance with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.	All works to be undertaken within close proximity to electricity infrastructure will be undertaken in accordance with the ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.	N/A
<b>(4)</b> Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).	Prior to any construction works taking place, a “Dial Before You Dig” enquiry will be made, in accordance with Part 5E (Protection of Underground Electricity Power Lines) of the electricity Supply Act 1995 (NSW).	N/A
<b>(5)</b> Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW ( <a href="http://www.safework.nsw.gov.au">www.safework.nsw.gov.au</a> ) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.	Noted.	N/A

## 4 Response to submissions

### 4.5 Public Submissions

Two public submissions were received. The key concerns raised in the public submissions and a response are summarised in the tables below.

#### 4.5.1 Noise Impacts

Issue	Response	Reference
(1) Noise impact to residents along Owen Street from proposed mechanical plant	<p>The mechanical plant is located 60m from the Owen Street boundary.</p> <p>Noise level criteria for mechanical plant noise emissions is set in the Noise &amp; Vibration Impact Assessment (Submitted with the SSDA, being 44dB(A) for evening time period – between 6pm and 10pm. The mechanical plant will not be running during night time period – from 10pm to 7am.</p> <p>The predicted noise level at the boundary of the receiver (Owen Street) is 30dB(A) which meets the noise level criteria for mechanical plant noise emissions.</p>	Acoustic Statement prepared by JHA, dated 9 September 2022

#### 4.5.2 View Loss

Issue	Response	Reference
(1) Further view loss from the addition of the mechanical plant to the east of the CAPA building on top of the walkway roof.	Refer Section 4.1 of this report	Visual Impact Assessment – Addendum Letter, Prepared by Ethos Urban, Version 4, dated 16 November 2022

## 5 Evaluation and Conclusion

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### 5.1 General

Following submission and exhibition of Application No. SSD 11920082 s4.55(2), DPE has issued the RTS package for all authority and public submissions received in regard to this application.

This RTS Report summarises responses to the matters raised in submissions and directs DPE and other readers to the relevant report where each item has been addressed in more detail.

All matters raised in the RTS package provided by DPE have been addressed and resolved.

DPE has now been provided with sufficient documentation to enable the assessment of SSD 11920082 to continue.

It is requested that DPIE complete the assessment of the DA and proceed to determination in the earliest possible time based on the assessment material provided in the original EIS and the supporting assessment material provided in this RTS Report.