

Submissions Report No. 2  
New High School in Bungendore  
SSD-14394209

On behalf of  
NSW Department of Education  
November 2022





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\*This document is for discussion purposes only unless signed and dated by the persons identified.

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**Appendix 2:** Response to SES by Martens and Associates

**Appendix 3:** Updated architectural drawings by TKD

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**Appendix 5:** Updated civil drawings by M & G Consulting Engineers

**Appendix 6:** Report on stormwater management by M & G Consulting Engineers

**Appendix 7:** Consolidated transport assessment by PDC

**Appendix 8:** Updated signage and line-marking drawing by PDC

**Appendix 9:** Bus swept paths for roundabout by PDC

**Appendix 10:** Social impact advice by Urbis

## Executive Summary

This Submissions Report has been prepared by Mecone Group Pty Limited on behalf of the NSW Department of Education to support the proposed new high school in Bungendore (SSD-14394209).

The Environmental Impact Statement (EIS) for the project was exhibited from 20 September 2021 to 18 October 2021. The project was subsequently amended and re-exhibited from 20 September 2022 to 10 October 2022.

A total of 206 unique submissions were received during re-exhibition, including 126 objections (61%), 76 supporting submissions (37%) and 4 comments (2%). Additionally, an objection was received from Queanbeyan-Palerang Council, and advice was received from several government agencies.

Key issues raised by objectors during re-exhibition included site suitability, social impacts, transport impacts, consultation process, heritage impacts, economic impacts and built form.

The statements provided in support of the proposal included reference to the need for a new high school in Bungendore, central location, proximity to services, design and size, limited traffic impacts, safety, accessibility, and employment opportunities.

The project team has provided additional information and refined the design to address the issues raised. Key design refinements include:

- Increase in on-site parking from 44 to 56 spaces, which is in excess of the 52 spaces required by mode share for staff, visitors and students.
- Deletion of perpendicular parking on the southern side of Turallo Terrace and replacement with 22 parallel spaces, to offset the 20 formalised parking spaces lost from Majara Street.
- Deletion of all perpendicular parking on the northern side of Turallo Terrace that fronts the private residents, and retention of 19 perpendicular parking on the northern side of Turallo Terrace in front of the pre-school to offset the 15 scouts parking lost when Abbeyfield construct their facility on the Scout carpark.
- Provision of 11 drop-off/pick-up spaces on west side of Majara Street outside of the primary school to replace and extend the 5 existing drop-off/pick-up spaces currently located on the south side of Gibraltar Street. Total quantity of drop-off/pick-up spaces is 21 as follows:
  - 6 on the south side of Turallo Terrace.
  - 4 on the north side of Gibraltar Street.
  - 11 on the west side of Majara Street.
- Waste enclosure in carpark shifted towards the centre of the carpark to reduce impacts on 16 Majara Street.
- Minor changes to utilities infrastructure:
  - Proposed kiosk substation shifted to site outside of proposed water and sewer easements.
  - Gas meter, water meter and fire hydrant booster shifted to the west of the entry forecourt to reflect relocation of substation and to comply with authority requirements.
  - The mitigation measures provided as part of the EIS and first Submissions Report remain relevant. A new mitigation measure has

been added to address flood risk—preparation of a site-specific flood evacuation response strategy.

Overall, the project as refined will result in a high-quality fit-for-purpose educational establishment that achieves the original aims of the project while resulting in no unacceptable environmental impacts.



# 1 Introduction

This Submissions Report has been prepared by Mecone Group Pty Limited on behalf of the NSW Department of Education (DoE) (the applicant) to support the proposed new high school in Bungendore (SSD-14394209).

The Environmental Impact Statement (EIS) for the project was exhibited from 20 September 2021 until 18 October 2021. The project was subsequently amended re-exhibited from 20 September 2022 to 10 October 2022.

The purpose of this report is to summarise and respond to the issues raised during re-exhibition. It has been prepared with regard to Appendix C of the State significant development guidelines—preparing a submissions report (DPE, October 2022).

A total of 206 submissions were received during re-exhibition, including 126 objections (61%), 76 supporting submissions (37%) and 4 comments (2%). These submissions are summarised and addressed in **Section 7** of this report.

Additionally, an objection was received from Queanbeyan-Palerang Council, and advice was received from several government agencies. The Council objection and agency advice are addressed in **Section 5** and **Section 6**, respectively, of this report.

The Department of Planning and Environment (DPE) addressed a letter to the applicant dated 14 October 2021 requesting a response to the submissions and agency advice received during exhibition of the amended project. DPE issued a further letter dated 26 October 2022 outlining the key issues identified in the submissions. The key issues letter is addressed in **Section 4** of this report.

This report is supported by and should be read in conjunction with the following documents:

- **Appendix 1:** Submissions analysis including submissions register by Micromex.
- **Appendix 2:** Response to SES by Martens and Associates.
- **Appendix 3:** Updated architectural drawings by TKD.
- **Appendix 4:** Updated landscape drawings by Context.
- **Appendix 5:** Updated civil drawings by M+G Consulting Engineers.
- **Appendix 6:** Report on stormwater management by M & G Consulting Engineers.
- **Appendix 7:** Consolidated traffic assessment by PDC.
- **Appendix 8:** Updated signage and line-marking drawing by PDC.
- **Appendix 9:** Bus swept paths for roundabout by PDC.
- **Appendix 10:** Social impact advice by Urbis.

**Note:** The traffic assessment at **Appendix 7** is a consolidated version of the traffic assessment for the project carried out to date. It incorporates the information presented in GHD's Transport Assessment appended to the EIS and PDC's Transport Assessment Addendum appended to the Amendment Report, as well as the refinements made as part of this second Submissions Report. It does not present any additional traffic modelling.

## 2 Analysis of submissions

Micromex has prepared an analysis of submissions (**Appendix 1**) with an aim to understand key concerns raised by the public and organisations during re-exhibition, and to explore the main reasons for objecting or supporting the project. Micromex's report also contains a submissions register that identifies where in this report individual submissions are addressed. Key findings from Micromex's report are outlined below.

A total of 206 unique submissions were received including:

- 126 objections (61%).
- 76 supporting submissions (37%).
- 4 comments (2%).

There were fewer unique submitters during re-exhibition (206) than during the original exhibition (319). The majority of submitters still object to the proposed development (61%), although this has dropped from the 76% in the original exhibition. There are now 37% that support the development, up from 23% in the original exhibition.

Just over a third (35%) of those who object to the development provided a supporting comment. These comments were almost entirely along the lines of, "I support but have reservations..."

Regarding location, only 132 of the 206 unique submissions included the submitter's suburb. One hundred three (103) of the 132 identified submitters were from Bungendore, with 29 submitters mentioning other locations, including two from the ACT and three from Queensland.

Refer to Micromex's report for further detailed analysis of the submissions.

## 3 Actions taken since exhibition

### 3.1 Project refinements

The applicant has made the following refinements to the project as a result of comments received during public exhibition and ongoing design development:

- On-site parking spaces have increased from 44 to 56, which is more than the 52 spaces required by mode share for staff, visitors and students.
- Turallo Terrace on-street parking has been amended to:
  - Delete perpendicular parking on the southern side of Turallo Terrace and replace with 22 parallel spaces, including 2 accessible spaces, to offset the 20 formalised parking spaces lost from Majara Street.
  - Delete all perpendicular parking on the northern side of Turallo Terrace that fronts the private residents.
- Retain 19 perpendicular parking on the northern side of Turallo Terrace in front of the pre-school to offset the 15 scouts parking lost when Abbeyfield construct their facility on the Scout carpark. This includes 2 accessible spaces.
- Provision of 11 drop-off/pick-up spaces on west side of Majara Street outside of the primary school to replace and extend the 5 existing drop-off/pick-up spaces currently located on the south side of Gibraltar Street. Total quantity of drop-off/pick-up spaces is 21 as follows:
  - 6 on the south side of Turallo Terrace.
  - 4 on the north side of Gibraltar Street.
  - 11 on the west side of Majara Street.
- Waste enclosure in carpark shifted towards the centre of the carpark to reduce impacts on 16 Majara Street.
- Minor changes to utilities infrastructure:
  - Proposed kiosk substation shifted to site outside of proposed water and sewer easements.

- Gas meter, water meter and fire hydrant booster shifted to the west of the entry forecourt to reflect relocation of substation and to comply with authority requirements.
- Minor landscape adjustments to suit the above changes. There have been no changes to quantity of trees to be removed or proposed. A number of trees formerly proposed in the on-site carpark have been relocated within the site retain the same total quantity of proposed trees (131).

Updated architectural, landscape and civil drawings illustrating the changes are attached at **Appendix 3**, **Appendix 4** and **Appendix 5**, respectively.

## 3.2 Consultation

The following additional consultation activities have been carried out following exhibition of the amended project.

### **Community information sessions**

To update the community about the project, and to answer any questions following the lodgement of the first Submissions Report, School Infrastructure NSW (SINSW) held two community information sessions at the Bungendore Public School library. These were on Tuesday 20 September from 5.30pm to 7pm, and Wednesday 21 September from 4pm to 5.30pm.

Over the two days, six representatives from SINSW were in attendance. The principal for Bungendore High School also attended to answer questions relating to school operations.

Nearly 70 people from the community attended. Some attendees volunteered to SINSW that they were representatives of local community groups, or were already known to the project team through previous engagement.

### **Stakeholder engagement at the information sessions**

Engagement with stakeholders at the information session included engagement with local residents as well as individuals who are involved with local community groups.

SINSW also met with representatives from Save Bungendore Park Inc on 21 September 2022.

A Senior Project Director from SINSW also provided an update to Queanbeyan-Palerang Councillors and staff following the information session on 21 September 2022.

The collateral at the sessions included information boards about the project, a four page information pack, contact cards, the most recent Works Notification and Project Update (which include details about the temporary high school) and a fly-through on a large screen on continuous loop. These materials are available on the SINSW Project Webpage at: <https://www.schoolinfrastructure.nsw.gov.au/projects/n/new-high-school-in-bungendore.html>

### **Communication resources and stakeholder engagement for the Information Sessions and following lodgement of the first Response to Submissions**

The following have been published since the information sessions:

- 2x project updates.
- Information pack.
- 6x information boards.
- Flythrough video.
- Update to the SINSW project webpage.

Two topics were repeatedly raised during the information sessions:

- Support for a new local high school.
- The location of the new high school.

SINSW committed to providing the community an update following the information sessions. A project update was shared on 27 October, which included additional clarification on the site-selection process.

## 4 Response to DPE key issues

Following its initial assessment of the amended project and review of submissions and agency advice, DPE commented on a number of key issues in a letter to the applicant dated 26 October 2022. Table 1 provides responses to these key issues.

**Table 1.** Response to DPE key issues

Issue	Response
<b>Social impact assessment</b>	
Update the proposed mitigations in accordance with the Social Impact Assessment Guideline 2021. Mitigations are required to be tangible, deliverable by the applicant and likely to be durably effective.	<p>The proposed mitigation measures were developed in consultation with the applicant and with regard to the guidance outlined in the DPE SIA Guidelines Technical Supplement, "Factors to consider when developing mitigation measures".</p> <p>If mitigation measures could not be committed by the applicant or be reasonably effective in reducing the extent of social impact, they have not been included in the SIA report. The residual impact rating reflects this.</p> <p>As such, the mitigation measures have not been updated.</p> <p>Refer to the social impact advice by Urbis at <b>Appendix 10</b> for further discussion.</p>
The terms "social locality" and "area of social influence" is used inaccurately in the SIA. The SIA guidelines require the social locality to be identified and analysed, which correlates with area of social influence in international guidelines. However, the SIA has separate sections on each of these concepts, Sections 4.1 and 4.5. Revise the SIA to correct the terms use and provide a social locality map to support your conclusion.	The DPE SIA Guidelines outline six concepts to consider in the development of a social locality, which informed Sections 4.1 and 4.5 of the SIA Report dated September 2021. For clarity, Sections 4.1 and 4.5 of the SIA have been combined and renamed "social locality" in the social impact advice at <b>Appendix 10</b> .
<p>The social baseline is required to be revised to detail the social context of the site and surrounding area. Please provide the:</p> <ul style="list-style-type: none"> <li>• current need for the development, including the number of students in the new school catchment, breakdown of the number of students currently attending private and public schools and the current travel modes and trip times</li> <li>• existing operation of the social infrastructure currently on the site, including operation times, and the nature and extent of the users, including vulnerable users (if any)</li> </ul>	Section 4 of the original SIA provides an appropriate social baseline. For detailed responses to the issues raised, refer to the social impact advice at <b>Appendix 10</b> .

Issue	Response
<ul style="list-style-type: none"> <li>public transport in the social locality to inform accessibility of the social infrastructure and future access to community use of the school.</li> </ul>	
<p>Update the SIA to include details on the extent and intensity of the social impact of the closure and interim relocation of the community centre, swimming pool, library and Council service centre.</p>	<p>The original SIA and the SIA addendum assessed the social impact of the closure and interim relocation of all facilities identified by DPE.</p> <p>For clarity, this is addressed in Section 2.1 and 2.3 of the SIA addendum, as well as Sections 6.3, 6.4 and 6.5 of the original SIA.</p>
<p>Noting the proposal no longer includes the provision of new community facilities on the site, the Department encourages Community Use Arrangements of the school. Consider sharing the school facilities with the community and update the acoustic assessment to consider out of hours community use as necessary.</p>	<p>The SIA addendum included a recommendation in Section 2.3 for DoE to "Implement joint use arrangements for community use of school facilities outside of school hours. This could help contribute to meeting some of the need for a community centre in town, while relocations plans are developed by Council" (15: 2022). A similar recommendation was also provided in the original SIA. As this comment had already been addressed in the SIA Addendum, no further action is required.</p> <p>Regarding noise impact, the latest Noise and Vibration Assessment provided (Appendix 5 of the Amendment Report) considers noise emissions from the school during the evening period, including emissions from the hall, where any future community use of the school would likely occur. The assessment assumes a noise level of 80dBA in the hall, which represents the noise level during a musical performance. The assessment concludes that noise emissions from the development will not exceed the intrusiveness criteria at surrounding residences (background noise level + 5dBA).</p>
<b>Traffic and carparking</b>	
<p>Revise the carparking allocation, having regard to the mode share targets and likely car occupancy rates, so that operational parking, including students, visitors, and all staff, can be accommodated onsite and reliance on street parking can be avoided.</p>	<p>On-site parking spaces have increased from 44 to 56, which exceeds the 52 spaces required by mode share for staff, visitors and students. All on-site spaces are 2.5m wide, which is suitable for accommodating the anticipated mix of users.</p>
<p>Advise how traffic would be managed to enable parents to access the drop-off/pick-up on Turallo Terrace, during times of flood /closure of Turallo Terrace to the east, noting all vehicles would need to approach from the west and safety turn around during the busy dropoff period.</p>	<p>During flood events, the Turallo Terrace drop-up/pick-up would be closed off and sign-posted to indicate Gibraltar Street drop-off/pick-up should be used instead.</p> <p>In its response to comments made by State Emergency Services (SES), Martens and Associates has recommended that a site-specific flood evacuation response strategy be prepared for the school at the detailed design stage (<b>Appendix 2</b>). Details regarding the temporary closure of the Turallo Terrace drop-off/pick-up will be written into this strategy.</p>

Issue	Response
Relocate proposed disabled parking on Turallo Terrace as close as possible to the school entrance.	Disabled parking on Turallo Terrace has been relocated further east to be closer to the school entrance. Refer to the updated architectural plans at <b>Appendix 3</b> for details.
<b>Site area</b>	
Clarify the proposed site area given the site area was reduced as part of the amended proposal.	The proposed site area is now 25,350sqm.
<b>Roundabout design</b>	
Provide turning circle diagrams to demonstrate that the roundabouts can accommodate bus movements, or if necessary, update the roundabout design to enable bus movements to be accommodated.	Kerb adjustments are required to facilitate the bus movements. The architectural, landscape and civil drawings have been updated accordingly ( <b>Appendix 3, 4 and 5</b> , respectively). Swept paths are provided at <b>Appendix 9</b> .
<b>Onsite detention</b>	
Provide plan BHS-CE-2053 which shows on-site detention details as referenced in Plan BHSCE-2031 and the Amendment Report, but not provided on the civil drawings.	Plan BHS-CE-2053 is provided in the updated civil drawings at <b>Appendix 5</b> .

## 5 Response to Council

Table 2 provides a response to the comments by Council in the submission letter dated 14 October 2022.

**Table 2.** Response to Council

Council comment	Council recommendation	Response
<b>1. Permissibility</b>		
There is presently a call for papers relating to the Bungendore High School proposal under Standing Order 52 of the NSW Legislative Council. There may be issues raised which impact on the permissibility of the development on the acquired crown land.	That Council withhold comment on this matter pending any findings from the current NSW Government Standing Order 52 and retain the right to object on permissibility grounds.	The first Submissions Report described how the permissibility issues have been resolved. The applicant has no further comments on the matter.
<b>2. Crown land impacts</b>		
The issue has been clarified and Council has no reason or expertise to suggest that the clarification is not valid.  However, there is presently a call for papers relating to the Bungendore High School proposal under Standing Order	That the Submission Report response be noted and the objection remain pending any findings from current NSW Government Standing Order 52 and that Council retain the right to object on Crown Land impacts.	The first Submissions Report described how the permissibility issues have been resolved. The applicant has no further comments on the matter.  Crown Lands has raised no issues in its most recent letter

Council comment	Council recommendation	Response
52 of the NSW Legislative Council. There may be issues raised which impact on the ability of the Department of Education to proceed with the development on the acquired crown land.		dated 29 September 2022 following notification of the Submissions and Amendment Reports.
<b>3. Utilities</b>		
<u>Water</u> Utilities is satisfied with the responses provided for water, sewer, waste, stormwater and trade waste.  From previous submission: An easement will need to be created over the water main in the eastern verge of Majara St to benefit Council. The easement should include a provision that no structures be erected over the easement.	The Submission Report response be noted.	Noted.  Regarding the easement, the applicant wishes to reiterate its response from the first Submissions Report that no new buildings or footings will be located over the water main, but a covered walkway (with no footings) will be located over the main. The terms of the easement should take this into account.
<u>Sewer:</u> Utilities is satisfied with the responses provided for water, sewer, waste, stormwater and trade waste.	The Submission Report response be noted.	Noted.
<u>Stormwater</u> The school project necessitates the relocation of the Abbeyfield site. As such, the request to extend the stormwater main through to the footprint of the proposed extended levee is reasonable.	That the applicant be responsible for extending the stormwater infrastructure to a point north of the proposed Abbeyfield site through to the footprint of the proposed extended levee, and any rights of way, installing any headwalls and dissipation works required.	The design details for the extension of the existing 1350 Dia stormwater drainage pipe are detailed on the updated civil drawings at <b>Appendix 5</b> .



Council comment	Council recommendation	Response
<p>The civil design report does not discuss OSD design or assessment in significant detail. There is a screenshot of a basic DRAINS model showing performance of concept OSD for the 20% AEP only. Council would expect there to be detailed discussion on the OSD design including commentary on all relevant assumptions, model parameters, tank construction (internal weir, orifice/s diameter, surcharge location etc). Council should request a copy of the detailed DRAINS model for review and endorsement as a suggested condition of consent.</p> <p>Page 29 of the Submissions Report states that an OSD tank is detailed on M+G drawing BHS-CE-2053. This drawing is not in the set and cannot be assessed. The civil design report does not discuss storm water quality design or assessment in significant detail other than noting certain types of pollutant retention devices and noting the Council retention targets. Whilst it is noted that MUSIC modelling is to be conducted, Council often find that it is common for developers to have difficulty meeting our targets and we would like to see some modelling outputs confirming compliance with our D7 specification. Perhaps this can be included in the recommended condition of consent noted for the DRAINS model above.</p> <p>From previous submission: An easement will need to be created over the water main in the eastern verge of Majara St to benefit Council. The easement should include a provision that no structures be erected over the easement.</p>	<p>That the applicant be requested to provide an independent report on storm water run-off from new building roof spans, including the impact on the Mick Sherd Oval and that this be included in the proposed conditions of consent.</p> <p>That the applicant be required to submit a copy of the detailed DRAINS model for review by Council prior to the commencement of work. This work is to include details of MUSIC modelling to ensure compliance with Council's D7 specification can be achieved.</p>	<p>A report on the stormwater management of the site is included at <b>Appendix 6</b>. The details of the DRAINS and MUSIC modelling are included in the report.</p> <p>Regarding the stormwater easement, the applicant wishes to reiterate its response from the first Submissions Report that no new buildings or footings will be located over the water main, but a covered walkway (with no footings) will be located over the main. The terms of the easement should take this into account.</p>

#### 4. Erosion and sediment control

Council is satisfied that the applicant understands the need for compliance with this requirement.	Council reiterates its request for the consent authority to impose conditions requiring the preparation, implementation and maintenance of an erosion and	The applicant accepts DPE's standard condition requiring implementation of erosion
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Council comment	Council recommendation	Response
However, there appear to be some inconsistencies in the earthworks cut/fill plan. It appears to show fill on top of an existing building. It is recommended that a long section through the school avenue to demonstrate overland flow of the broader stormwater network be provided.	sedimentation plan throughout the construction of the development.  Further the applicant should be requested to address inconsistencies in the earthworks cut/fill plan.	and sediment control measures.  The inconsistencies in the bulk earthworks plan have been addressed in the updated civil drawings at <b>Appendix 5</b> .

## 5. Traffic and roads

<p><u>Parking facilities:</u></p> <p>The proposed 90 degree angle parking in Turallo Terrace has been increased to meet the shortfall identified by Council. The parking appears to meet User Class 2 requirements under AS2890.1 which seems generally appropriate though aisle width is bare minimum for this User Class and could be improved.</p> <p>Council does not support the construction of either the proposed 90 degree angle parking on Turallo Terrace detailed in the original plans or the additional 58 spaces proposed on Turallo Terrace in the amended plans because of:</p> <ul style="list-style-type: none"> <li>• The adverse impacts on the residential premises in this locality.</li> <li>• The congestion likely to occur around conflicts with parking at the pre-school and scout hall;</li> <li>• Increased safety concerns caused by more vehicle movements in the area particularly vehicles reversing into traffic lanes from the 90 degree parking.</li> </ul>	<p>That Council advise they do not support any formalised parking on the north or south side of Turallo Terrace being included in SINSW plans. As such Council objects to the development on the basis that the required additional 58 parking spaces have not been provided.</p> <p>Car parking for the following on Turallo Terrace is supported for:</p> <ul style="list-style-type: none"> <li>• Two disabled parking spaces closer to the school entrance.</li> <li>• The proposed six proposed drop-off/pick-up spaces.</li> </ul>	<p>The design has been modified to increase the number of on-site spaces from 44 to 56, in excess of the 52 spaces required by mode share for staff, visitors and students.</p> <p>In addition, the applicant has amended the parking configuration on Turallo Terrace to:</p> <ul style="list-style-type: none"> <li>• Delete perpendicular parking on southern side of Turallo Terrace and replace with 22 parallel spaces, including 2 accessible spaces, to offset the 20 formalised parking spaces lost from Majara Street.</li> <li>• Delete all perpendicular parking on the northern side of Turallo Terrace that fronts the private residents.</li> <li>• Retain 19 perpendicular parking on the northern side of Turallo Terrace in front of the pre-school to offset the 15 scouts parking lost when Abbeyfield construct their facility on the Scout carpark.</li> </ul>
<p>Council is also concerned that inadequate assessment has been done of the potential traffic and road safety impacts of the development on the wider street network around the school. Further studies should be done to look at impacts within 500m of the school and to take into account the impacts caused</p>	<p>That the applicant provide an independent Traffic and Road Safety Report encompassing a 500m circumference from the proposed site of all surrounding streets, terraces, roads and highways.</p>	<p>The applicant is carrying out the requested report in order to inform detailed design. It is considered that the report is not required for determination of the subject development application.</p>

Council comment	Council recommendation	Response
by the frequent closure of Street due to flooding.		
<u>Roundabouts – manoeuvring:</u> Turning curves for a both 12 & 14 m buses need to be done at the Gibraltar/Majara Street and Gibraltar /Butmaroo roundabouts noting that this road is on our public transport route and adjacent to the train station. It isn't clear in the transport assessment addendum.	That the applicant provide engineered designs, noting any works to be carried out on verges adjacent to the proposed roundabouts on Gibraltar/Majara and Gibraltar/Butmaroo to facilitate turning movements for both 12 & 14 m buses, noting that these roads are on the public transport route and adjacent to the train station. It isn't clear in the transport assessment addendum. Note: During rail track works up to 3 full size coaches a day require to pull into the train station car park.	Kerb adjustments are required to facilitate the bus movements. The architectural, landscape and civil drawings have been updated accordingly ( <b>Appendix 3, 4 and 5</b> ). Swept paths are provided at <b>Appendix 9</b> .
<u>Roundabouts – landscaping:</u> Council is satisfied that the landscape plans confirm that the roundabouts will be appropriately landscaped.	The Submission Report response be noted.	Noted.

#### 6. Student pick-up and drop-off

The report suggests that Council's concerns have been addressed by the relocation of three pick up/drop off spaces from the northern side of the Gibraltar Street. This does not result in an increase in kiss and drop spaces it simply rearranges their location. This matter should be resubmitted to the applicants requesting an additional three spaces in for the development as a whole.	The Council maintain its objection until a total of 21 drop-off/pick-up spaces are provided as follows: <ul style="list-style-type: none"> <li>Gibraltar Street – 15 spaces</li> <li>Turallo Terrace – 6 spaces</li> </ul>	A total of 21 drop-off/pick-up spaces are proposed including 6 on the south side of Turallo Terrace, 4 on the north side of Gibraltar Street and 11 on the west side of Majara Street outside of the primary school to replace and extend the 5 existing drop-off/pick-up spaces currently located on the south side of Gibraltar Street. Refer to the updated architectural plans at <b>Appendix 3</b> .
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#### 7. Public transport

Nil	No further comment required.	Noted.
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#### 8. Access to 16 Majara Street

Council is satisfied that the applicant will provide the necessary Right of Carriageway but the requirement should be a formal condition of consent.	The Submission Report response be noted and the request for imposition of the condition remain.	Noted.
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#### 9. Crossings and Pedestrian Movement

<u>Crossings:</u>	That Council provide the following comments on the deficiencies in	These items have been addressed as follows:
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Council comment	Council recommendation	Response
<p>Despite the applicant's ongoing discussions the conditions requested by Council have not been satisfied and should still be imposed.</p> <p>Comments from staff indicate the following technical matters need to be resolved:</p> <p>The lines and signs drawing needs to be updated to show</p> <ul style="list-style-type: none"> <li>• The school crossing on Gibraltar St dimensioned appropriately</li> <li>• Parking changes with removal of the temp school</li> <li>• QPRC standard on K &amp; D is for a painted blue line on the kerb</li> <li>• Fencing on the northern side of Gibraltar St to redirect students is not shown</li> <li>• Sheet AR DA HS – 1010 rev c notes a low height wall seating wall</li> <li>• Sheet AR DA HS -3000 south elevation from Gibraltar Street shows fencing to the east but not on the street frontage</li> <li>• Section 1 / 2020 shows no fence</li> <li>• Not shown AR DA HS-9100</li> </ul>	<p>the design of the crossing and maintain its objection.</p> <p>The following technical matters need to be resolved:</p> <p>The lines and signs drawing needs to be updated to show:</p> <ul style="list-style-type: none"> <li>• The school crossing on Gibraltar St dimensioned appropriately</li> <li>• Parking changes with removal of the temp school</li> <li>• QPRC standard on K &amp; D is for a painted blue line on the kerb</li> <li>• Fencing on the northern side of Gibraltar St to redirect students is not shown</li> <li>• Sheet AR DA HS – 1010 rev c notes a low height wall seating wall</li> <li>• Sheet AR DA HS -3000 south elevation from Gibraltar Street shows fencing to the east but not on the street frontage</li> <li>• Section 1 / 2020 shows no fence.</li> <li>• Not shown AR DA HS-9100</li> </ul>	<ul style="list-style-type: none"> <li>• The civil drawings have been updated to show Gibraltar Street crossing dimensioned appropriately (<b>Appendix 5</b>).</li> <li>• Parking changes associated with the temporary school do not form part of this application.</li> <li>• Colour details for the drop-off/pick-up design can be addressed during the section 138 approval process.</li> <li>• Re fencing on the northern side of Gibraltar Street: The Submissions Report incorrectly noted that this fencing was provided. In fact, the proposed design treatment is low-height walls and entry plantings. This approach is suitable from a safety perspective and provides a better aesthetic outcome.</li> </ul>
<p><u>Turello Terrace crossing:</u></p> <p>Comments from staff indicate the following technical matters need to be resolved:</p> <ul style="list-style-type: none"> <li>• Use of dragon's teeth on Turallo Terrace isn't dimensioned or regular i.e. only on one approach</li> <li>• The wombat crossing on Turallo Terrace will not function as designed. It isn't raised and will not slow traffic. The detailed plan, section 2 &amp; 4 on drawing BHS CE 2200 disagree with each other.</li> </ul>	<p>The following technical matters need to be resolved:</p> <ul style="list-style-type: none"> <li>• Use of dragon's teeth on Turallo Terrace isn't dimensioned or regular i.e. only on one approach</li> <li>• The wombat crossing on Turallo Terrace will not function as designed. It isn't raised and will not slow traffic. The detailed plan, section 2 &amp; 4 on drawing BHS CE 2200 disagree with each other.</li> </ul>	<p>The updated signage and line-marking drawing at <b>Appendix 8</b> shows the dragon's teeth details.</p> <p>The civil drawings have been updated (<b>Appendix 5</b>) so that the wombat crossing on Turallo Terrace will function as designed. The detailed plan and sections have been revised accordingly. Additionally, in the updated architectural drawings at <b>Appendix 3</b>, the text "raised wombat crossing" has been added for clarity.</p>
<p><u>Pedestrian links:</u></p> <p>The applicant has satisfactorily addressed this concern.</p>	<p>The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.</p>	<p>Noted.</p>

## 10. Waste collection and deliveries

Council comment	Council recommendation	Response
Council does not support the flexibility requested. Waste collection is a common source of noise complaints and, coupled with the need to provide on-site safety during school hours results in restricted opportunities for collection during normal business hours. Thus, specifying the hours of collection in a condition is important.	That Council reiterate the need for a condition relate to the times for waste collection.	As noted in the first Submissions Report, it is expected waste collection will occur between 6am and 7:30am. The applicant requests that DPE impose its standard operational waste condition of consent for operational waste management, which does not explicitly specify hours but instead refers to the EIS and/or submitted waste management plan.
<b>11. Entrance and access</b>		
The changes to the waste storage collection point are acceptable. It is noted that a consequence of the change is that additional carparking is to be provided at the northern end of the existing carpark behind the existing Council building. This new area should be provided with sufficient space at the end of the aisle to allow for vehicles to turn around should all carparks be full.	That the consent authority ensure that vehicles at the extension to the northern end of the existing carpark are provided with sufficient space at the end of the aisle to allow for vehicles to turn around should all carparks be full.	A turning bay has been provided in the northern section of the carpark to ensure vehicle can turn around should all spaces be full. Refer to the updated architectural drawings at <b>Appendix 3</b> .
<b>12. Flooding</b>		
The matters raised have been adequately addressed by the Applicant.	The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.	Noted.
<b>13. Developer contributions</b>		
Section 7.11—The parties agree on this matter.	No further comment required.	Noted.
Section 64— The legal situation is understood however, Council believes the condition remains relevant until such time as the Department makes and receives a request for exemption from payment of the contributions.	That the Department of Education, as an agent of the Crown, request and receive from the Minister for Urban Affairs and Planning, now the Minister for Planning, an exemption under s306(4) of the Water Management Act and further determination remain in the proposed conditions of consent.	Noted. The applicant intends to request and receive from the Minister an exemption under s306(4) of the <i>Water Management Act 2000</i> .
<b>14. Bushfire assessment</b>		
No further comments required as a result of amendments to design.	No further comment required.	Noted.

Council comment	Council recommendation	Response
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#### 15. Fire services and disability access

No further comments required as a result of amendments to design.	No further comment required.	Noted.
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#### 16. Section 68 local government approvals

Internal water and sewer services—These conditions should be reimposed.	That the consent authority impose conditions requiring water, sewer and trade waste installations to be inspected by Council staff.  That the consent authority impose a condition requiring that a copy of the works as executed drawings of the water, sewer, stormwater and trade waste installations be provided to Council within three months of the occupation of the site.	The applicant accepts these conditions.
Trade waste discharges—These conditions should be reimposed.	That the consent authority impose conditions requiring water, sewer and trade waste installations to be inspected by Council staff. That the consent authority impose a condition requiring that a copy of the works as executed drawings of the water, sewer, stormwater and trade waste installations be provided to Council within three months of the occupation of the site.	The applicant accepts these conditions.

#### 17. Building design and amenity

Council is satisfied that the design amendments have addressed its concerns.	That the Submission Report response be noted.	Noted.
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#### 18. Heritage

Building A—Council is satisfied that the design amendments have addressed its concerns.	That the Submission Report response be noted.	Noted.
Digital sign—The digital sign has been removed from the development as requested. No further comment required.	The Submission Report response be noted and Council's objection on these grounds be removed.	Noted.
Fence around Station master's and Signalman's Cottages—The concerns raised by Council have been clarified and clearly delineated on the Landscape plans. With these changes Council should have no further	The Submission Report response be noted and Council's objection on these grounds be removed.	Noted.

Council comment	Council recommendation	Response
concerns with fencing around the two heritage cottages.		
Rotunda & Bush Balladeers Stone Memorial— All parties seem to agree that the Rotunda should be relocated at the applicant's cost. A condition confirming this requirement should be imposed.	That until negotiations are finalised Council request that the condition be imposed.	The applicant accepts this condition.

#### 19. Use and maintenance of Mick Sherd Oval and games courts

All of Council's concerns have been addressed by amendments to the design. As such the recommended conditions are no longer required.	The Submission Report response be noted and the requested conditions be deleted from the proposed conditions of consent.	Noted.
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#### 20. Contamination

<p>As the detailed site investigation has now been completed the requirement for the report as a condition of consent is no longer needed.</p> <p>It is noted that the report requires the imposition of several conditions of consent relating to unexpected finds and asbestos removal. With these conditions in place Council can be satisfied that the site is suitable for its proposed use as a school. Council notes that there may be some appetite for establishing additional parking at the existing car parking facilities at the Bungendore Railway Station. If such negotiations are progressed they should be cognisant of potential contamination on the railway carpark land.</p>	The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.	Noted.
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#### 21. Other matters

No further comments required as a result of amendments to design.	No further comments required.	Noted.
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#### 22. Environmental health matters

The applicant has adequately addressed these concerns.	The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.	Noted.
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Council comment	Council recommendation	Response
<b>23. Tree protection</b>		
Substantial works will be carried out within Council's road reserves. Council seeks to protect trees that are located within the road reserve from damage during the construction period and recommends a condition of consent be address requiring protection of these trees.	That a condition of consent be imposed to protect all trees that could be affected from any works pertaining to Council's road reserves.	The applicant accepts this condition.

## 6 Response to agency advice

### 6.1 Biodiversity and Conservation Division (BCD)

The BCD raised no issues in its letter dated 28 September 2022. BCD noted that if any additional any additional infrastructure is proposed on flood prone land in the future, formal approval should be sought from Council.

The applicant notes this advice.

### 6.2 Heritage NSW

Heritage NSW raised no issues in its letter dated 26 September 2022, and recommended two conditions of consent for unexpected finds protocols relating to historic heritage and burials.

The applicant accepts these conditions.

### 6.3 Heritage NSW – Aboriginal Cultural Heritage (ACH)

In its email dated 19 September 2022, Heritage NSW – ACH advised it has no comments and that the project does not need to have the project referred again.

### 6.4 Transport for NSW (TfNSW)

In its letter dated 28 October 2022, TfNSW noted it has no objections to the amended application, subject to a number of recommended conditions. Table 3 addresses these conditions.

**Table 3.** Response to TfNSW

Recommended condition	Response
<b>Matters to be addressed by conditions</b> <u>1. School Zone</u> a) A school zone that complies with current TfNSW requirements is required to be implemented within the adjoining road network (e.g. Majara Street, Gibraltar Street, and Turallo	The applicant accepts this condition or a condition to this effect.

Recommended condition	Response
<p>Terrace). The developer/landowner shall provide details on the school zone and the associated speed zone reductions (e.g. location of required signage, pavement marking, etc) to TfNSW for approval at least 12 weeks prior to occupation of the site. The developer/landowner should liaise with the TfNSW Community Partnering South East Tablelands Precinct Team regarding the above (Vanessa Wilson, Senior Manager Community and Place Partner – _4253 2618).</p> <p>b) Installation of all required/approved school zone signage, speed management signage and pavement markings is to be undertaken at the developers/landowners expense and are to be in place prior to commencement of occupation of the development.</p> <p>Note:</p> <p>- Section 138 approval under the Roads Act 1993 will be required before commencing works in the adjoining roads.</p> <p>c) Following the installation of school zone signage, speed management signage and associated pavement markings, as required by condition 1 b) above, the developer/landowner must arrange an inspection with TfNSW for formal approval/handover of assets. The handover of assets must occur prior to the commencement of occupation of the development.</p> <p>d) The approved school zone shall be operated and maintained in accordance with approvals issued by TfNSW for the life of the development.</p>	
<p><u>2. Bus Bay</u></p> <p>a) Before finalising the school bus bay within Gibraltar Street, discussions shall be had with the school bus providers to determine the suitability of the bus bay (e.g. its length to cater for the required/determined number of buses), any concerns/issues and identification of appropriate mitigation measures to be implemented.</p>	<p>The applicant accepts this condition or a condition to this effect.</p>
<p><u>3. Pedestrian Crossings</u></p> <p>a) The new pedestrian crossing to be provided in Gibraltar Street and Turrillo Terrace shall be raised (i.e. wombat crossings). The design should comply with Austroads Guide to Road Design and Guide to Traffic Management including applicable supplements.</p> <p>b) The details on the proposed pedestrian crossings shall be submitted to the Queanbeyan-Palerang Regional Council Local Traffic Committee for review and comment before the submission of a detailed design to Council as part of obtaining Section 138 approval under the Roads Act 1993.</p>	<p>The applicant accepts this condition or a condition to this effect.</p>



Recommended condition	Response
<p><u>4. School Travel Plan</u></p> <p>a) Before occupation/use of the development as a school, the NSW Department of Education shall:</p> <p>i) Finalise the School Travel Plan (STP) in consultation with Council and the TfNSW Travel Demand Management Team (Sophia Grieve - sophia.grieve@transport.nsw.gov.au); and</p> <p>ii) Submit a copy of the final Travel Plan to TfNSW and Council.</p> <p>b) Every 6 months the operation of the STP shall be reviewed with the travel plan being updated annually. As part of updating the STP consultation should be had with Council, TfNSW and the school community/parents.</p>	<p>The applicant accepts this condition or a condition to this effect.</p>
<p><u>5. Bus Service Implementation</u></p> <p>a) Before the commencement of construction the NSW Department of Education shall contact the TfNSW Rural and Regional Contracts team (Salma Cook, Commercial Manager Southern Region – _4962 9313) and provide the required information to enable the school to be registered on the School Student Transport Scheme (SSTS) portal which will allow students to enrol for a bus pass.</p> <p>b) A minimum of 8 months before the occupation/use of the development as a school, the NSW Department of Education shall contact the TfNSW Rural and Regional Contracts team (Salma Cook, Commercial Manager Southern Region – _4962 9313) to enable discussions with bus operators. This is required to ascertain whether TfNSW can vary existing school bus routes under a Bus Service Alteration Request (BSAR) with existing buses or determine if a new service is required.</p>	<p>The applicant accepts this condition or a condition to this effect.</p>
<p><u>6. General Requirement</u></p> <p>a) Before occupation /use of the site as a high school all required works within the adjoining road reserves (e.g. pedestrian fencing, signage/line marking, kiss and drop areas, etc) must be to the satisfaction of Queanbeyan-Palerang Regional Council, generally in accordance with the plans approved as part of the Section 138 Consent issued, Austroads Guide to Road Design and other relevant standards. Written confirmation must be obtained from Queanbeyan-Palerang Regional Council to confirm the above.</p>	<p>The applicant accepts this condition or a condition to this effect.</p>
<p><u>7. Rail Corridor Requirements</u></p> <p>a) Prior to the commencement of any works, the applicant shall:</p> <p>i) submit a Risk Assessment/Management Plan and detailed Safe Work Methods Statement</p>	<p>The applicant accepts this condition or a condition to this effect.</p>

Recommended condition	Response
<p>(SWMS) for the approved works to UGLRL (via email to <a href="mailto:thirdpartyworks@uglregionallinx.com.au">thirdpartyworks@uglregionallinx.com.au</a>) for review and comment on the impacts on the rail corridor.</p> <p>ii) obtain written approval from UGLRL and TfNSW (via email to <a href="mailto:thirdpartyworks@uglregionallinx.com.au">thirdpartyworks@uglregionallinx.com.au</a>) regarding the works including but not limited to the construction of the new school and car parking space involving penetration of ground to a depth of at least 2m below ground level with 25m measured horizontally from the relevant rail corridor. The applicant is advised to provide clear details of any excavation activities there will be taking place adjacent to the rail corridor.</p> <p>iii) provide an accurate survey (via email to <a href="mailto:thirdpartyworks@uglregionallinx.com.au">thirdpartyworks@uglregionallinx.com.au</a>) locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of UGLRL on behalf of TfNSW.</p> <p>iv) ensure appropriate fencing is in place along the rail land to always prevent unauthorised access to the rail land. Before installing any fencing work, the Applicant must obtain approval from TfNSW. The Applicant is advised to contact UGLRL's third party works for the team via <a href="mailto:thirdpartyworks@uglregionallinx.com.au">thirdpartyworks@uglregionallinx.com.au</a> for more information.</p> <p>v) ensure car park lighting, signs and surfaces with reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor have been designed to limit glare and reflectivity to the satisfaction of TfNSW and UGLRL (via email to <a href="mailto:thirdpartyworks@uglregionallinx.com.au">thirdpartyworks@uglregionallinx.com.au</a>). Should any issues be identified post-construction they are to be rectified by the proponent.</p> <p>b) The use of cranes and equipment in proximity to the rail corridor shall comply with the following:</p> <p>i) The applicant must submit an application to UGLRL for approval of the Transport Asset Holding Entity of New South Wales (TAHE) prior to any use of cranes and equipment in the air space over the rail corridor;</p> <p>ii) The applicant is required to provide a safety assessment of the works necessary for the development assessing any potential impact or intrusion on the Danger Zone (as defined in the UGLRL Network Rules and Procedures) and that any works are undertaken by a qualified Protection Officer; and</p> <p>iii) The use of Equipment must be in accordance with the AS 2550 series of Australian Standards, Cranes, Hoist and Winches, including AS2550 15-</p>	

Recommended condition	Response
<p>1994 Cranes – Safe Use – Concrete Placing Equipment.</p> <p>c) The applicant must not and, must ensure its employees and all other persons do not enter any parts of the rail land at all times (e.g. during construction and the developments ongoing operation) unless otherwise permitted in writing in advance.</p> <p>d) The proponent must incorporate all the measures recommended in the approved Noise and Vibration Assessment in its development. The Consent authority must ensure that:</p> <p>i) the recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to commencing of the construction activities; and</p> <p>ii) the required recommendations of the acoustic assessment have been completed in accordance with the recommendations of the Noise and Vibration Assessment before occupation/use of the site as a high school.</p> <p>e) Before occupation /use of the site as a high school, permanent fencing of the rail corridor impacted by the school development must be in place to prevent unauthorised access. Written confirmation that the fencing is in place and is adequate shall be obtained from TfNSW and UGLRL or the authority at that time who has been appointed to manage the CRN.</p>	

## 6.5 Crown Lands

In its letter date 29 September 2022, Crown Lands noted that the site had been compulsorily acquired by the Minister for Education and Early Learning and that no lineal infrastructure will now traverse Crown Land. Crown Lands advised it has no further comments at this time.

## 6.6 Civil Aviation Safety Authority (CASA)

In its email dated 21 September 2022, CASA advised it has no objections to the project in its original or amended form and that there are no aviation or safety implications.

## 6.7 State Emergency Services (SES)

SES issued a letter on the original project dated 21 July 2022 and a further email on the amended project dated 14 October 2022. In its comments on the amended project, SES notes it has no further comments on the project but rather makes reference to its previous letter, particularly the following points:

- *In the context of future development, self-evacuation of the community should be achievable in a manner which is consistent with the NSW SES's principles for evacuation.*
- *Development must not conflict with the NSW SES's flood response and evacuation strategy for the existing community.*

- Evacuation must not require people to drive or walk through flood water.
- Development strategies relying on deliberate isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation.
- Development strategies relying on an assumption that mass rescue may be possible where evacuation either fails or is not implemented are not acceptable the NSW SES.
- NSW is opposed to development strategies that transfer residual risk, in terms of emergency response activities, to NSW SES and/or increase capability requirements of the NSW SES.
- The preferred emergency strategy for school sites prone to flooding is early closure prior to the commencement of flooding and before the start of the school day.

A letter by Martens and Associates (MA) consulting engineers dated 13 September 2022 has been prepared to address the SES's original letter (**Appendix 2**).

MA notes that the main concern of SES is that part of the Agricultural Plot (Ag Plot) is affected by the 1% annual exceedance probability (AEP) flood extent. MA assesses that this represents a low flood risk, as the buildings associated with the Ag Plot are outside the probable maximum flood (PMF) extents, and sufficient warning time will be available to move staff and students to areas above the PMF level.

To address SES's comments regarding flood evacuation strategy, MA recommends that a detailed site-specific flood evacuation response strategy be prepared by a suitably qualified flooding engineer at the detailed design stage to ensure the school is prepared for, can respond to, and recover from, significant flood events. This requirement is now included in the updated mitigation measures in **Section 9** of this Submissions Report.

## 6.8 Rural Fire Service

The NSW Rural Fire Service (RFS) has recommended conditions of consent in its letter dated 29 September 2021. Table 4 addresses these conditions. Overall, the majority of the conditions can be achieved by the current design or by routine maintenance during operation. A few of the requirements – namely, tree spacing, shrub location and shrub coverage – may necessitate revisions to the landscape design. The applicant requests that DPE impose a condition requiring submission of an updated landscape design that addresses all of the RFS requirements, to the satisfaction of the Planning Secretary.

**Table 4.** Response to RFS

Recommended condition	Response
1. From the commencement of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire school site must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019. When establishing and maintaining an IPA the following requirements apply: <ul style="list-style-type: none"> <li>• tree canopy cover should be less than 15% at maturity;</li> </ul>	The applicant accepts this condition. The current landscape plan achieves this requirement.
<ul style="list-style-type: none"> <li>• trees at maturity should not touch or overhang the building;</li> </ul>	The applicant accepts this condition. The requirement can be implemented as part of routine maintenance.

Recommended condition	Response
<ul style="list-style-type: none"> <li>lower limbs should be removed up to a height of 2m above the ground;</li> </ul>	The applicant accepts this condition. The requirement can be implemented as part of routine maintenance.
<ul style="list-style-type: none"> <li>tree canopies should be separated by 2 to 5m;</li> </ul>	The applicant accepts this condition. Compliance may require updates to the landscape design. The applicant requests that DPE impose a condition requiring an updated landscaping plan that addresses this requirement, to the satisfaction of the Planning Secretary.
<ul style="list-style-type: none"> <li>preference should be given to smooth-barked and evergreen trees;</li> </ul>	The applicant accepts this condition. The current landscape design achieves this requirement. The majority of trees are smooth barked, notably the avenue trees. Some rough bark and deciduous trees have been selected to relate to the local character.
<ul style="list-style-type: none"> <li>large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;</li> </ul>	The applicant accepts this condition. The current landscape design generally provides large gaps between planting areas.
<ul style="list-style-type: none"> <li>shrubs should not be located under trees;</li> </ul>	The applicant accepts this condition. Compliance may require updates to the landscape design. The applicant requests that DPE impose a condition requiring an updated landscaping plan that addresses this requirement, to the satisfaction of the Planning Secretary.
<ul style="list-style-type: none"> <li>shrubs should not form more than 10% ground cover;</li> </ul>	The applicant accepts this condition. Compliance may require updates to the landscape design. The applicant requests that DPE impose a condition requiring an updated landscaping plan that addresses this requirement, to the satisfaction of the Planning Secretary.
<ul style="list-style-type: none"> <li>clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;</li> </ul>	The applicant accepts this condition.  Compliance may require updates to the landscape design. The applicant requests that DPE impose a condition requiring an updated landscaping plan that addresses this requirement, to the satisfaction of the Planning Secretary.
<ul style="list-style-type: none"> <li>grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and</li> </ul>	The applicant accepts this condition. The requirement can be implemented as part of routine maintenance.
<ul style="list-style-type: none"> <li>leaves and vegetation debris should be removed.</li> </ul>	The applicant accepts this condition. The requirement can be implemented as part of routine maintenance.
2. Construction of Building F on Lot 701 DP 96240 must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant BAL12.5 requirements of the	The applicant accepts this condition.

Recommended condition	Response
NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019.	
<p>3. Access roads for special fire protection purpose (SFPP) developments must comply with general requirements of Table 6.8b of 'Planning for Bush Fire Protection 2019':</p> <ul style="list-style-type: none"> <li>• SFPP access roads are two-wheel drive, all-weather roads;</li> <li>• access is provided to all structures;</li> <li>• traffic management devices are constructed to not prohibit access by emergency services vehicles;</li> <li>• access roads must provide suitable turning areas in accordance with Appendix 3; and</li> <li>• one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression.</li> <li>• The capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways are to clearly indicate load rating.</li> <li>• hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;</li> <li>• hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005;</li> </ul>	The applicant accepts this condition.
4. The provision of water, electricity and gas services must comply with Table 6.8c of Planning for Bush Fire Protection 2019.	The applicant accepts this condition.
5. Emergency management must comply with Table 6.8d of Planning for Bush Fire Protection 2019.	The applicant accepts this condition.

## 7 Public and organisation submissions

This section provides responses to the issues raised in the organisation and public submissions. The issues and responses are categorised with regard to the guidance in Appendix C to the State significant development guidelines—preparing a Submissions Report (DPE, October 2022).

Key issues raised by objectors during re-exhibition included site suitability, social impacts, transport impacts, consultation process, heritage impacts, economic impacts and built form.

## 7.1 The project

### 7.1.1 Site location

#### Issues:

- Numerous other sites available that would accommodate a high school and be beneficial for residents. Location on outskirts of town is preferred.
- There are better locations for the school to fully embrace the town's agricultural themes.
- Site location will result in loss of the town's civic precinct.
- School would be better placed next to the new sports hub.
- Site is located on Crown land which was set aside for the town.

#### Response:

As outlined in the first Submissions Report, a 12-month site due diligence process was undertaken, with over 1000 hectares of land assessed. Each site was assessed based on its suitability to support the needs of the project. This included availability of services such as sewerage, electricity, and roads; the accessibility of the site; and environmental constraints such as bushfire, ecological impacts and flooding. A public expression of interest (EOI) was undertaken, as a site was not initially found that met the needs of the project. Three submissions were received for proposed locations through the EOI process. These were investigated thoroughly and, unfortunately, were also found to be unsuitable for this project. Following the due diligence process, the Majara/Gibraltar Streets precinct was identified as the most suitable location.

### 7.1.2 Site size and school capacity

#### Issues:

- Site not big enough to cater for the growing Bungendore community.
- No room for any potential expansion for the school site. There is risk the school will further encroach into the park, storeys will be added, or future students will be refused enrollment and forced to attend high school elsewhere.
- The site area is 29,205sqm, while the guidelines specify a minimum site area for a new high school of 40,000sqm.

#### Response:

Regarding site size, as discussed in the first Submissions Report, the 4ha requirement applies to regional/rural secondary schools *with capacity up to 2,000 students*. The teaching spaces in the proposed high school in Bungendore are sized as a stream 3 school to accommodate 450 students, and the core facilities (hall, library, admin and canteen) are sized for a stream 4 school to accommodate 600 students in case of future expansion. Therefore, even accounting for future expansion, it is clear that the required site area is much less than 4ha. The site provides outdoor open space in accordance with the Educational Facilities Standard and Guidelines (EFSG's) benchmark of 10sqm of open space per student, with additional space provided in case of future expansion. Based on 450 students, a total area of 4,500sqm would be required. The amended design provides a total of 7,717sqm of outdoor play space.

The school site has been acquired to facilitate the provision of a new high school in Bungendore. Land that has not been acquired for the school will remain a public asset and will not be subject to further encroachment by the school.

Regarding school capacity, the school has been sized to meet the current identified service need for 450 students. The design has also been future-proofed to meet future demand. Specifically, the core facilities (hall, library, admin and canteen) have been



designed for a stream 4 school with 600 students, and an area between the library and sports courts has been identified for potential additional learning spaces. Any future increase in school capacity above 450 students would be subject to a separate approval process.

As discussed in the social impact advice at **Appendix 10**, all publicly available enrolment and catchment data has been included in the submitted SIA as appropriate.

### 7.1.3 Built form, design and materiality

#### **Issues:**

- Design has open stairways which is considered to be a work health and safety breach.
- Design fails to consider scale and materiality of new buildings sitting amongst the local context of a small historic village.
- The development is cramped, and the redesign has encroached further into the park.

#### **Response:**

Stairways have been designed in accordance with EFGS and BCA requirements.

It is considered that the scale and materiality of the amended project (as shown in the Amendment Report) accord with the local character. The design of the building was revised to incorporate colours and materials that are compatible with the rural village character and heritage context of Bungendore. The buildings now incorporate timber look cladding, perforated steel with custom artwork and face brickwork. The amendments replace perforated metal screening and textured fibre cement. It is noted that Council has withdrawn its objection to the built form following the design amendments.

The amended project provides for a suitably sized, fit-for-purpose school and has not encroached further into the park. In fact, the site area has decreased given the removal of the community facilities from the project.

### 7.1.4 Ag Plot

#### **Issues:**

- Turning the existing parking chicane into the Ag Plot driveway means that Council will have to provide a new area of parking for drivers to bring their pets for off-leash walking.
- The Ag Plot is subject to flooding.
- Unpredictable snake behaviour is a concern.
- Ag plot is inappropriately located, being separated from the main school.

#### **Response:**

The Ag Plot driveway will cross over existing kerb and will not cover any existing parking.

Proposed buildings within the Ag Plot are outside the PMF extents and are therefore compatible with local flood risks. Council's LEP and DCP do not have any requirements for locating agricultural land outside the flood extents; rather, it is commonly accepted across NSW that agricultural activities are appropriate within the floodplain. Therefore, the Ag Plot being subject to flooding is not a significant issue.

If the Common is currently suitable for a dog park, it should be more than suitable for agricultural activities that will be fenced off, maintained, and free of large areas of long grass conducive to snake concealment.

The Ag Plot design complies with the EFGS and has been deemed suitable by the Department of Education. There are also distinct advantages in locating agrarian and animal husbandry activities away from the main campus.



### 7.1.5 Fencing

**Issues:**

- Fencing around the oval restricts public use.
- Palisade fencing around school land provides a strong visual message that the area is off limits to most residents, thus alienating the community from public land.
- Fencing around the Ag Plot is not used extensively in the area.

**Response:**

Fencing around the oval has been removed as discussed in the Amendment Report and first Submissions Report.

The palisade fencing around the school is EFSG-compliant and will provide for suitable delineation while maintaining sight lines.

The chain-wire fencing around the Ag Plot is also EFSG-compliant and is suitable for purpose given its location next to an off-leash dog park.

### 7.1.6 Landscaping

**Issues:**

- School lacks adequate open space.
- The amount of impermeable surface is concerning. Heat island not considered. Unclear whether COLAs will be paved.

**Response:**

As previously discussed, the school provides for outdoor open space in accordance with the EFSG benchmark of 10sqm of open space per student, with additional space provided in case of future expansion.

As previously advised, the COLAs will be paved, and the heat island effect will be addressed through minimisation of hard stand areas, extensive landscaping and increased tree canopy coverage (+50% compared to the existing environment).

### 7.1.7 Staging

**Issue:**

- Must be revisited given significant delays.

**Response:**

No staging is proposed.

### 7.1.8 Hours

**Issue:**

- The community will lose access to the park from 9:00am when school starts until 5:00pm when school ends.

**Response:**

Students will utilise the park for curriculum purposes. The exact details regarding hours are unknown at this stage and are subject to specific curriculum requirements and a joint use agreement with Council, which is yet to be finalised.

### 7.1.9 Signage

No issues identified.

#### 7.1.10 Joint use arrangements

**Issue:**

- EIS provides insufficient information regarding joint use arrangements.

**Response:**

As previously noted, the details of any joint use arrangement have not been finalised and are subject to ongoing discussions between Council and DoE. It is common for such arrangements not to be finalised prior to DA determination.

#### 7.1.11 School name

No issues regarding the school name have been identified.

#### 7.1.12 Other issues

**Issue:**

- Bungendore Country Music Muster (BCMM)—continued objection to the relocation of Balladeer's Place to Frogs Hollow as it is an obscure site, detached from the town centre and flood prone.

**Response:**

SINSW representatives discussed the project with two representatives of the BCCM and another community member on 14 March 2022.

There have been three engagements by SINSW with Council following the discussion which have referenced the BCCM. This has included urging Council interaction and assistance to engage the BCCM about the relocation of the Bush Balladeer's Place.

SINSW also emailed a contact at the BCMM with project information in July and September 2022.

During 2022, SINSW learned from Facebook posts that the BCCM would be (and has now subsequently) been wound-up. Notwithstanding, SINSW considers consultation about the relocation of the Bush Balladeer's Place as ongoing, noting Council plays a vital role in finding an appropriate alternative location.

## 7.2 Procedural matters

#### 7.2.1 Site selection process

**Issues:**

- Insufficient evidence provided to demonstrate why this is the best site.

**Response:**

As discussed in the EIS and first Submissions Report, a 12-month site due diligence process was undertaken, with over 1000 hectares of land assessed. Each site was assessed based on its suitability to support the needs of the project. Factors considered included availability of services such as sewerage, electricity and roads; site accessibility; and environmental constraints such as bushfire, ecological impacts and flooding. A public EOI was undertaken, as a site was not initially found that met the needs of the project. Three submissions were received for proposed locations through the EOI process. These were investigated thoroughly and, unfortunately, were also found to be unsuitable for this project. Following the due diligence process, the Majara/Gibraltar Streets precinct was identified as the most suitable location. Consultation also occurred with Council and 18 stakeholder groups that use Mick Sherd Oval.

#### 7.2.2 Adequacy of consultation

**Issues:**

- Lack of genuine consultation to the community before the announcement of the school.
- Stakeholder consultation was limited in range and not well documented.
- Local Community Groups' consultation was limited and completed in secret.
- Most people do not know who the community representative is.
- Misinformation regarding student capacity and joint use arrangements.
- Consultation with Bungendore Country Music Muster is not currently ongoing as indicated in submissions report.

**Response:**

Significant consultation for the project has occurred as detailed in the EIS and first Submissions Report. Additional consultation carried out following exhibition of the amended project is discussed at **Section 3.2** of this report.

Regarding the specific issue of ongoing consultation with Bungendore Country Music Muster, refer to comments above at **Section 7.1.12**.

### 7.2.3 Aboriginal land claims

No further issues regarding Aboriginal land claims identified.

### 7.2.4 Consistency with SEARs

**Issue:**

- Applicant has not considered the effect on operations of the public school and the preschool.
- The SIA was inadequate.

**Response:**

Surrounding development was considered in the design of the school and assessment of impacts. The transport report at Appendix 6a of the EIS considers the public school in its analysis.

The preschool has also been considered throughout the design and assessment of the project. No significant conflicts have been identified.

The SIA at Appendix 9 of the EIS and SIA Addendum at Appendix 11a of the Amendment Report were prepared by a qualified planner in accordance with the project SEARs. Additional commentary by the same qualified planner has been prepared as part of the subject report in response to issues raised by DPE; refer to **Section 4** and **Appendix 10** of this report for further details.

### 7.2.5 Consistency with SEARs

No issues regarding development contributions identified.

### 7.2.6 Other procedural issues/submissions process

**Issue:**

- Difficult to make a submission via DPE website.

**Response:**

The applicant has no control over the method of submission to the DPE website.

### 7.2.7 Poor response to submissions

**Issue:**

- A number of submissions were generally dissatisfied with the responses provided in the first Submissions Report.

**Response:**

The first Submissions Report was carefully prepared to consider and respond to the issues raised during public exhibition of the original proposal. The form and content of the report were generally in accordance with the requirements of Appendix C to the State significant development guidelines—preparing a submissions report.

## 7.3 Environmental, social and economic impacts

### 7.3.1 Economic impacts

**Issues:**

- The cost of the high school has blown out compared to Jerrabomberra High School.
- The cost figures that are being quoted are outrageous for a country high school for 450 students.

**Response:**

The cost of the school is in line with NSW budget figures and local requirements.

### 7.3.2 Transport – impacts on network operation

**Issues:**

- The closure of the road will impede Bungendore emergency services as they frequently use it to access McCusker Drive in the Elmslea State.
- State of the roads surrounding the site will not stand up to extra traffic. Drainage and potholes are already a problem.
- No consideration has been given to traffic movement in regard to the child care centre.

**Response:**

Emergency services will be able to travel around the school site to McCusker Drive with negligible delay compared to existing conditions.

Regarding road condition, new roundabouts at the intersection of Gibraltar Street and Majara Street and Gibraltar Street and Butmaroo Street will be provided to cater for increased traffic. Additionally, it is noted that the traffic volumes generated by the proposed high school would only typically occur during the school weekday morning (8.00- 9:30am) and afternoon (2:30-4pm) peak periods. Outside of these school peak periods, the local road network would typically operate with substantially less traffic volumes.

No significant traffic conflicts between the child care centre and school traffic are anticipated. Child care centre users may experience increased traffic along Turallo Terrace during school peak hours, but no acute safety or traffic flow conflicts have been identified. It is noted that the area will be designated a school zone and subject to a 40km/h speed limit during school peak hours, which will reduce the risk of crashes.

### 7.3.3 Transport – safety

**Issues:**

- Kiss and drop traffic from the primary school is already a safety issue, with cars illegally parking in some places.
- Increase in traffic places an increased danger for primary school students.

- Frontages to Butmaroo include the entrance to the tennis courts and a children's playground, posing a risk to small children.
- The T-Intersection at Turallo Terrace and Molonglo Street has poor visibility of traffic, causing it to be highly dangerous.

**Response:**

To address safety issues, the area around the school will be subject to school zone restrictions (40km/h during peak hours). New wombat crossings are proposed along Gibraltar Street and Turallo Terrace. The School Travel Plan will detail the management of pedestrians during school hours, noting the provision of a crossing supervisor is unlikely to be required. Provision of school zones and wombat crossings is expected to reduce the risk and potential for crashes with an expectation that drivers are aware of school zone restrictions and adapt their driving accordingly.

As noted in the first Submissions Report, the intersection of Turallo Terrace with Molonglo Street and Tarago Road is a standard T-junction intersection and is not considered to be subject to obstructions affecting driver sight lines. It is considered that there are adequate sightlines for drivers to satisfactorily and safely undertake turn manoeuvre due to the existing and standard geometric intersection layout and road conditions.

#### 7.3.4 Transport – adequacy of analysis

**Issue:**

- More transparent traffic analysis is needed including consultation with local transport providers.
- No proper traffic study has been conducted.

**Response:**

As detailed in the Consultation Outcomes Report at Appendix 23 of the EIS, consultation has occurred with TfNSW through the Transport Working Group, which is attended by representatives from TfNSW, Council and SINSW.

Traffic analysis has been provided as part of the Transport Assessment at Appendix 6a of the EIS and the Transport Assessment Addendum at Appendix 4a of the Amendment Report. The analysis has shown that the local road network, including upgrades proposed as part of this project, will accommodate the traffic impacts of the proposed high school for Year 2023 and Year 2033.

#### 7.3.5 Transport – vehicular access and parking

**Issues:**

- All car parking spaces are taken within walking distance of the primary school.
- 90 degree parking is not supported due to the adverse impacts on residential premises, increased congestion and safety concerns.
- Turallo Terrace is a residential area not a public car park
- Provision of the truck turn-in in the Council building carpark will further reduce parking and result in large trucks reversing in a busy area.
- The increase from 40 car spaces to 98 does not accord with the rural village character of Bungendore.

**Response:**

The project will provide for 56 on-site parking spaces, which is sufficient to cater for the school's needs. The truck turning area within the carpark is necessary for waste collection purposes and does not prevent the project from providing sufficient on-site parking.

To replace the 22 on-street spaces lost along Majara Street and 15 Scout Hall spaces lost due to the relocation of the Abbeyfield development, the project will provide for 41 on-street spaces along Turallo Terrace (reduced from the 98 identified in the Amendment Report). The spaces along the southern side have been changed to parallel parking.

It is noted that Turallo Terrace is already used for informal parking, and it is considered that the formalisation of parking along the road will improve road legibility and safety.

### 7.3.6 Transport – pedestrian network

#### **Issues:**

- Pedestrian amenity reduced with increased traffic.
- Walkability will decrease due to loss of grid pattern of the town.

#### **Response:**

Pedestrian amenity is not expected to reduce significantly due to school traffic. It is noted that increased traffic will only occur during school peak hours.

Walkability is also not expected to decrease notably. General public pedestrian travel between Gibraltar Street and Turallo Terrace will be possible via a walkway connection on the western side of the Mick Sherd Oval.

### 7.3.7 Transport – construction traffic and parking

#### **Issues:**

- Traffic management plan not provided.
- Residents from Turallo Terrace are heavily impacted due to heavy vehicle traffic.

#### **Response:**

A Preliminary Construction Traffic and Pedestrian Management Plan (CTPMP) and Addendum CTPMP have been provided at Appendix 6b of the EIS and Appendix 4b of the Amendment Report, respectively. A final CTPMP will be prepared prior to commencement of construction.

As indicated in the Preliminary Addendum CTPMP, heavy vehicle traffic into and out of the site will occur along both Turallo Terrace and Malbon Street, not just along Turallo Terrace. The impacts associated with heavy vehicles will be temporary in nature as they will only occur during the construction phase of the project.

### 7.3.8 Heritage

#### **Issues:**

- Development takes over the War Memorial and will likely change the look and feel of it.
- School building will be two stories high, which does not accord with the heritage character of the area.
- The location of the high school is on a heritage-listed park.
- A modern school is not in character with the town centre's heritage qualities.
- Potential for artefacts not seriously assessed.

#### **Response:**

Heritage issues have been assessed in detail in the Statement of Heritage Impact (SoHI) submitted with the EIS and in the updated SoHI submitted with the Amendment Report. The statements concluded that the project will result in no adverse impacts on heritage. It is also noted that Heritage NSW and Council are satisfied regarding heritage impact.

### 7.3.9 Aboriginal heritage

**Issue:**

- A grave is on site, possibly of Aboriginal heritage.

**Response:**

Aboriginal heritage has been investigated in accordance with all relevant legislation and guidelines.

As discussed in the EIS and first Submissions Report, the alleged grave is not a recorded site; its location is ambiguous; reports of the person supposedly interned are contradictory; the previous ground penetrating radar results (from 2012) are inconsistent; and there are no reliable records or photographic evidence. Additionally, none of the heritage studies or previous Aboriginal archaeological reports relating to the site mention a grave.

### 7.3.10 Tree removal

**Issue:**

- Removal of 75 trees will reduce the park's aesthetics and visual beauty.

**Response:**

As discussed in the first Submissions Report, an additional 131 trees (at 75 and 25L pot sizes) will be planted across the site as part of the school development. This will increase tree canopy cover in the school site by 50% compared to existing conditions, and will provide biodiversity, shade and amenity for the area.

The project refinements proposed as part of this Submissions Report do not change the total proposed tree quantity.

### 7.3.11 Noise – operational

**Issues:**

- After-hours impact of the hall and sports courts.
- Noise impacts due to students outdoors for part of the day.
- Increased traffic noise.

**Response:**

The acoustic reports submitted with the EIS and Amendment Report assess noise impacts to receivers with consideration of NSW EPA Noise Policy for Industry (NPfI) and NSW Road Noise Policy 2011. Design and modelling of the buildings have taken into consideration the noise amenity of the existing residents and commercial receivers.

Analysis shows that noise impacts to residential receivers from the gym/hall are predicted to comply with NPfI day/evening noise amenity requirements.

Noise resulting from additional traffic has also been assessed, and it has been found that the predicted noise is in compliance with the NSW Road Noise Policy 2011.

With respect to the outdoor noise from playground use, it is typical to apply a less stringent indicator of noise impact than the NSW EPA NPfI requirements (i.e. intrusiveness noise level of background + 5 dB(A)) given that it is present for short periods through the day and it is regarded as "community" noise and "non-offensive".

### 7.3.12 Noise – construction

**Issue:**

- Residents from Turallo Terrace are heavily impacted due to the demolition of the swimming pool, removal of trees and construction of new buildings.

**Response:**

Construction noise impacts to the residents of Turallo Terrace are assessed in the Noise and Vibration Assessment submitted with the EIS and updated Noise and Vibration Assessment submitted with the Amendment Report. The assessments conclude that the noise levels will generally exceed the Noise Management Level but (except for brief periods where the loudest plant will be operating at the northern school boundary) will be less than the Highly Noise Affected Level. Therefore, "reasonable and feasible" mitigation will need to be applied in accordance with "Control of Construction Noise and Vibration – Procedural Steps".

### 7.3.13 Lighting

**Issues:**

- After hours impact of the proposed hall and sports courts.

**Response:**

The lighting for the development will meet the requirements of the Australian Standard (AS4282) to prevent lighting from spilling into neighbouring properties. All lighting to sports areas have been designed in accordance with the Australian Standards for such facilities (AS2560).

### 7.3.14 Privacy

No issues regarding privacy have been identified.

### 7.3.15 Contamination

**Issues:**

- Potential lead contamination given the site is near Bungendore Station.
- Bus area for students is currently designated in an area of the railway that is fenced off due to lead contamination.

**Response:**

Douglas Partners Pty Ltd (DP) have completed several phases of environmental investigation works for the school site. The most recent is a Detailed Site Investigation (DSI) submitted with the Amendment Report. The DSI results showed no concentrations of lead greater than assessment criteria were reported in soil samples collected from the proposed school site.

There is no proposed bus area for students in a fenced off railway area.

### 7.3.16 Views

**Issues:**

- Development will generally impact surrounding views.
- Views to Gibraltar Hill and views to and from railway station and other heritage sites impacted.

**Response:**

There are no protected significant views in the locality. The proposed buildings and associated works will have no notable adverse impact on views to surrounding heritage items and no adverse impact on the views to/from the railway station and Gibraltar Hill. It is noted that the hill is to the east of the railway station, and the proposed school is located west of the station.



### 7.3.17 Overshadowing

**Issue:**

- Buildings will cause overshadowing of Mick Sherd Oval during winter months.

**Response:**

As noted in the first Submissions Report, the shadow diagrams prepared by TKD illustrate that shadowing to the oval is limited to very early morning around the winter solstice. The shadows are cast on the very edge of the park, leaving almost all of the runoff area in full sun, and the line-marked playing field is not impacted at all. This very minor shadowing which quickly moves entirely off the park soon after 9am.

### 7.3.18 Flooding

**Issues:**

- Ag plot not suitable for use given flood risk.
- To protect the proposed Abbeyfield site, the levee bank must be extended due to flood threat.

**Response:**

The flood risk to buildings within the Ag Plot is considered low, as the buildings associated with the Ag Plot are outside PMF extents, and sufficient warning time will be available to move staff and students to areas above the PMF level.

Regarding the extended levee bank, the applicant will be responsible for extending the stormwater infrastructure to a point north of the proposed Abbeyfield site through to the footprint of the proposed extended levee. Details of the extended infrastructure are provided in the updated civil drawings at **Appendix 5**.

### 7.3.19 Social – loss of green space/recreation areas

**Issues:**

- Loss of playground for children.
- Loss of park – will there be a replacement of this space elsewhere?
- Loss of only green space within the town.
- Portion of the park changed from public to enclosed land, alienating the community.
- Open spaces are important for mental health.
- The play area is too small for children to play in.

**Response:**

The children's playground within Bungendore Park will not be removed as part of the project.

The applicant will continue to seek a joint use arrangement for school use of Mick Sherd Oval during school hours. However, the SIA lodged with the EIS found that while use of Mick Sherd Oval will be restricted during the day, residents will continue to have access to a large area of neighbouring open space. Warren Little Oval and Park is located immediately opposite the oval, within 200m walking distance. It provides approximately 10ha of public open space including an oval, waterways, picnic areas and grassed spaces. This park therefore provides a large area of open space suitable for a range of structured and unstructured recreation activities. Given the functionality, size and proximity of Warren Little Oval and Park, it is likely that the casual, daytime recreation needs of the community can be accommodated by this space.

Also, as documented in the SIA, it is expected that other regular users of Mick Sherd Oval including local sporting teams and students at Bungendore Public School are unlikely to be impacted by this use. Access to the oval will be maintained for school holiday, weekend and after school use, with Bungendore Public School's intermittent use of the oval expected to be maintained under the proposed joint use arrangement. SINSW also consulted with 18 stakeholder groups who use Mick Sherd Oval and made design changes to accommodate their needs, including installation of flood lights.

#### 7.3.20 Social – loss of pool and other community facilities

##### **Issues:**

- Loss of access to the playing field during school hours.
- Multiple use civic centre of town replaced by a single infrastructure use that benefits only one group.
- Local swimming pool and oval are important elements of the culture of Bungendore.
- Further encroachment onto the park by shifting construction westwards.
- Loss of access to the community centre and council chambers.
- Loss of park land and community centre and no belief there will be a replacement completed in the short-term

##### **Response:**

As previously discussed in the EIS and first Submissions Report, a new pool is planned as part of the Bungendore Sports Hub being developed by Council.

The new Sport Hub is proposed to have six grass sports fields, six hard courts, floodlights, irrigation, amenities and sporting club facilities, car parking, shared pathways, and an aquatic centre, including an eight-lane outdoor swimming pool, which will be of a significantly higher quality than Bungendore Pool and is expected to provide an improved recreation experience. The applicant will provide funds to support the pool's construction, with the amount of funds to be determined by the NSW Valuer General through the *Just Terms Compensation Act 1991*. The new pool will be located less than 1km from the existing Bungendore Pool. Council's website indicates that the new pool is expected to be operational by the 2023-2024 summer season, resulting in the Bungendore community being without a public pool for a limited time period.

The community facilities have been removed from the high school project and will be replaced by new facilities to be constructed by Council at 19-21 Gibraltar Street.

#### 7.3.21 Social – way of life

##### **Issues:**

- Development will disrupt traditional community use of the park, which has continued over generations.

##### **Response:**

Bungendore Park is a community asset and will continue to be available for community use. A joint use agreement between the applicant and Council will facilitate continued community use of Mick Sherd Oval outside of school curriculum use. There are no changes to Mick Sherd Oval amenities (and the adjoining carpark), tennis club and playground.

#### 7.3.22 Social – other

##### **Issues:**

- Oval is already overutilised and the school use will exacerbate this.
- Council will ultimately have responsibility over the oval and may wish to avoid the additional risk and maintenance imposed by school use.

- Warren Little Oval and Park unsuitable as substitute open space due to its role as a detention basin during flood events.

**Response:**

Mick Sherd Oval will be subject to a joint use agreement, which will likely include a fee to support ongoing maintenance of the grounds.

Warren Little Oval is a functional community asset. Use of this oval may be disrupted during flood events; however, it is considered that this does not make the oval unsuitable for community use. In general, use of any uncovered outdoor space is often disrupted during flood events.

### 7.3.23 Sustainability

No issues regarding sustainability have been identified.

### 7.3.24 Biodiversity

No issues regarding biodiversity have been identified.

### 7.3.25 Soil and groundwater

**Issue:**

- EIS does not address soil runoff from AG plot.
- Impacts of stormwater runoff from new development concerning; 50% of surfaces are impervious.
- Inconsistencies in the cut/fill plan regarding erosion and sediment control.

**Response:**

As identified in the EIS and first Submissions Report, during the construction phase the soil runoff from the Ag Plot will be controlled by the measures identified in the sediment and erosion control plan. During operations, a bioretention swale at the northern end of the Ag Plot will ensure that there are no significant impacts on the environmental values of the receiving waterways.

### 7.3.26 Waste

**Issue:**

- EIS does not address waste collection.

**Response:**

Waste collection is addressed in detail in the waste management plan (WMP) submitted with the EIS and updated WMP submitted with the Amendment Report.

### 7.3.27 Other economic, social and environmental impacts

No issues identified.

### 7.3.28 Well-being, physical/mental health

**Issue:**

- There is a social and psychological impact of crowding the school into the centre of the town's park.
- Current plans for the school would have a net negative impact on the wellbeing of all residents.
- Access to outdoor green space is essential for the community's mental health.
- Complete lack of consideration for student welfare.

**Response:**

The social impacts of the project were carefully assessed in a Social Impact Assessment, Social Impact, Assessment Addendum and the additional social impact advice submitted with this second Submissions Report. This included consideration of way of life and health and well-being. The assessment concluded that the project would result in a neutral short term impact and positive long term social impact.

## 7.4 Justification and evaluation of project

### 7.4.1 Need for school

**Issue:**

- Need for a new high school in Bungendore area is questionable.

**Response:**

As discussed in the first Submissions Report, a new high school in Bungendore was identified as one of the 40 new and upgraded schools committed to for planning and delivery in 2019-20 by the NSW Government. The 2019 NSW Budget announcement included the investment of \$6.7B over four years to deliver more than 190 new and upgraded schools to support communities throughout the state.

### 7.4.2 Alternative site

**Issue:**

- A site on the outskirts of Bungendore is preferred as it will not result in the destruction of the town's heritage.

**Response:**

As discussed in the first Submissions Report, a 12-month site due diligence process was undertaken, and over 1000 hectares of land were assessed. Each site was assessed based on its suitability to support the needs of the project. This included availability of services such as sewerage, electricity and roads; the accessibility of the site; and environmental constraints such as bushfire, ecological impacts and flooding.

A public EOI was undertaken, as a site was not initially found that met the needs of the project. Three submissions were received for proposed locations through the EOI process. These were investigated thoroughly and, unfortunately, were also found to be unsuitable for this project.

Following the due diligence process, the Majara/Gibraltar Streets precinct was identified as the most suitable location.

### 7.4.3 Consistency with legislation

**Issues:**

- *State Environmental Planning Policy (Educational Facilities and Child Care Facilities) 2017* (Education SEPP) requires due regard to the loss of community space within the town area.
- Project inconsistent with the *Crown Land Management Act 2016* (CLMA). New issue raised regarding joint use of oval and "secondary use" provisions in CLMA.
- Project inconsistent with EP&A Act object "to promote the orderly and economic use of land".
- Project inconsistent with RE1 zone objectives.
- Project inconsistent with Education SEPP design quality principles.

- Project inconsistent with the principles of ESD in *Environmental Planning and Assessment Regulation 2021* (the Reg).

**Response:**

CLMA

As discussed in the first Submissions Report, the acquisition of the site was carried out in accordance with the CLMA and the *Land Acquisition (Just Terms Compensation) Act 1991*.

RE1 zone objectives.

A detailed discussion on the objectives of the RE1 zone was provided in section 5.9.1 of the EIS. The discussion establishes that the school has been designed to integrate with the existing visual character of Bungendore Park and ensure there is no loss of useable public open space.

The acquisition of part of Bungendore Park for the purpose of the school will not result in any adverse impact from an environmental or social perspective. The function of the park will largely remain as public open space. Mick Sherd Oval will remain operational with sufficient land surrounding the oval for spectators and passive recreation.

Education SEPP design quality principles

The architectural design report submitted with the EIS confirms the proposal is consistent with the design quality principles of the Education SEPP. The Education SEPP has been replaced with *State Environmental Planning Policy (Transport and Infrastructure) 2021*; however, the principles remain the same.

ESD principles in Reg 2021

The ESD principles were addressed in detail in section 7.5.1 of the EIS and also in the ESD report by Norman, Disney & Young at Appendix 27 of the EIS. Overall, it was found that the proposal is consistent with the ESD principles.

#### 7.4.4 Consistency with strategic plans

**Issues:**

- Project inconsistent with the council's Urban Forest Strategy as the school will replace green parkland and nature strips.
- Project inconsistent with The South East and Tablelands Regional Plan 2036 as the site presents a reduction in public green space and does not promote healthy communities.
- Council's LSPS identified the space to be designated for heritage protection.

**Response:**

While the project will slightly reduce the size of Bungendore Park, it will provide for extensive landscaping and will increase canopy tree coverage by 50% compared to the existing environment.

Regarding heritage protection, the heritage impacts have been assessed in detail as part of the EIS and Amendment Report, and it has been found that the project will have no adverse heritage impacts. It is noted that both Heritage NSW and Council are satisfied with the project from a heritage impact perspective.

## 7.5 Issues beyond scope of project

### 7.5.1 Abbeyfield development

**Issue:**

- Development will reduce the size of the Abbeyfield seniors facility.

**Response:**

The applicant is not aware of any current plans for the Abbeyfield seniors facility that would show that the size of the development has been reduced.

### 7.5.2 Braidwood Central School

**Issue:**

- The school may suffer a decrease in student numbers as students leave to attend Bungendore.

**Response:**

The proposed school has been sized to accommodate the identified service need in the area. Further planning to inform service need is currently underway, and this will determine the number of students to be accommodated at the new school as well as the other schools within the school community group.

### 7.5.3 Sports hub

**Issue:**

- The proposed sports hub is expected to be located in vicinity to the town's sewage works. This is problematic for the construction of a new swimming pool.

**Response:**

Construction of the sports hub does not form part of the subject application.

### 7.5.4 Other issues beyond project scope/temporary school

**Issue:**

- Location of temporary school unsuitable.
- Demountables do not provide for an appropriate educational experience.

**Response:**

The temporary school does not form part of the subject application.

## 8 Summary of supporting submissions

Seventy-six (76) submissions or 37% were in support of the proposal, up from 23% during the first public exhibition. The large majority of those who support the proposal reside within Bungendore. A summary of the statements made in the supporting submissions is provided below:

- I support a new high school but have reservations.
- Need for education facility in Bungendore.
- Central location/proximity to services and facilities.
- Positive addition to community/regional centre.
- Fully support the proposal—no objections.
- Access to/sharing of education facilities for primary and secondary students.
- Safety and accessibility.
- Minimal impact to recreation area and community facilities.
- Better new facilities, e.g. community centre, sports centre.
- Supporting economic and population growth.

- Supportive of design and size.
- Supports active lifestyles and improved quality of life.
- Employment opportunities.
- Limited impact on traffic, parking and pedestrian network.
- Cohesive to way of life and connecting the community.
- Re-use of Council building.
- Heritage significance/value will not be compromised.
- Additional facilities for the community, e.g. access to school gym, basketball courts and school hall.
- Adequate consultation and access to information.
- Other comment, e.g. school should be open to years 7-12 from the beginning.
- Potential for future development.
- Development can continue despite contamination, e.g. with remediation
- Great response to submissions.
- Alternate sites are not appropriate.

## 9 Updated mitigation measures

The mitigation measures set out in the EIS and first Submissions Report remain relevant. An additional area of impact—flood risk—has been added, along with a requirement to prepare a FEMP. An updated consolidated list of mitigation measures is provided below.

Item	Impact detail	Mitigation measures
Transport and accessibility	Potential conflict between construction vehicles and other vehicles/pedestrians.	Finalise and implement the construction traffic management plan.
	Surrounding intersections are expected to operate with spare capacity and at an acceptable level of service with the trips generated by the new high school and background traffic growth in 2030.	Implement the School Transport Plan to encourage sustainable transport modes.
Heritage	No adverse impacts on the significance of the site's heritage items or surrounding heritage items have been identified.  The site has low potential for archaeological artefacts.	Implement unexpected finds protocol.
Aboriginal heritage	The site has been identified as having no Aboriginal heritage significance and low potential for archaeological artefacts.	Implement unexpected finds protocol.  A heritage induction be provided to demolition and construction workers.

Item	Impact detail	Mitigation measures
Noise and vibration	Construction noise is expected to exceed the "noise affected" level at nearby residences but not exceed the "highly noise affect level" at any residence.	Implement reasonable/feasible noise management measures during construction.  Contractor is to prepare and implement detailed construction noise management plan.
	Noise from outdoor play areas will exceed noise emissions criteria at nearby residential receivers.	No special mitigation measures are considered necessary given the noise is not notably offensive.
	The school's PA system, bell and plant are not expected to exceed the relevant noise criteria.	Select and design bell, PA system and plant to achieve the relevant external noise levels identified in the acoustic report.
Contamination	Based on the results of the investigation, it is considered that the site is suitable, from a contamination perspective, for the proposed development at the site.  It is also considered that the fill material is suitable for reuse (from a contamination perspective) at the site .	Implement the general recommendations in the detailed site investigation, including preparation of a HAZMAT survey, preparation of a CEMP, protocols for asbestos discovery, removal and disposal of anthropogenic materials from fill material where practicable during construction phase, and classification of any fill material for off-site disposal.
Bushfire hazard	The site is exposed to low bushfire risk.	No APZ is required.  Implement standard mitigation measures identified in bushfire report.
Biodiversity	Minor direct impacts on native vegetation including removal of planted vegetation.	Implement standard mitigation measures as recommended in the BDAR (e.g., delineate site boundaries, minimise areas of disturbance and identify no-go zones around vegetation to be retained).
	Minor indirect and impacts on biodiversity (e.g., increased dust and noise) due to construction activities.	Implement standard construction management measures as recommended in the BDAR.
Tree protection	Potential construction impacts on trees to be retained.	Implement standard tree protection measures in arborist report for trees to be retained.
Soil and water	Erosion and sediment runoff during construction.	Implement standard measures as set out in the sediment and erosion control plan.
	Potential dust impacts on surrounding properties resulting from construction activities.	Implement standard mitigation measures to be detailed in future CEMP.



Item	Impact detail	Mitigation measures
Social impacts	Overall neutral impact in short term primarily due to lack of clarity and progress in Council's planning for temporary and permanent replacement facilities (i.e., pool, Council administrative building and community space), with the level of impact largely dependent upon the timeline for replacement of facilities.  In the long term, once Council permanently rehouses the services and functions currently provided on site, the proposal will create a positive social impact.	The impact could be managed and significantly mitigated if Council rehouses the services and functions currently provided on the site as soon as possible after their provision on the school site ceases.
	Potential reduced access to Council services.	Council to communicate clear plans to the Bungendore community and Council staff on future plans for Council and community services.
Flood risk	The site is subject to low flood risk. However, the Ag Plot and Turallo Terrace are within the 1% AEP flood zone. The drop-off/pick-up spaces along Turallo Terrace may be affected during a major flood event.	Flood evacuation response strategy to be prepared for the school, including details to the effect that all drop-off/pick-up is to occur along Gibraltar Street during a major flood event.

## 10 Conclusion

This Submissions Report has addressed the submissions received during public exhibition of the amended project.

Pursuant to Clause 37 of the Environmental Planning and Assessment Regulation 2021, the proposal has been refined to address the matters raised and as a result of design development. The amendments have been in accordance with the State Significant Development Guidelines.

The proposal as refined will result in high-quality development that achieves the original aims of the proposal while resulting in no unacceptable environmental impacts.

Based on the supporting material provided in this Submissions Report in addition to the material provided in the original EIS, first Submissions Report and Amendment Report, DPE has now been provided with sufficient information and documentation to finalise the assessment of SSD-14394209. We request that DPE complete the assessment of the application and proceed to determination.

