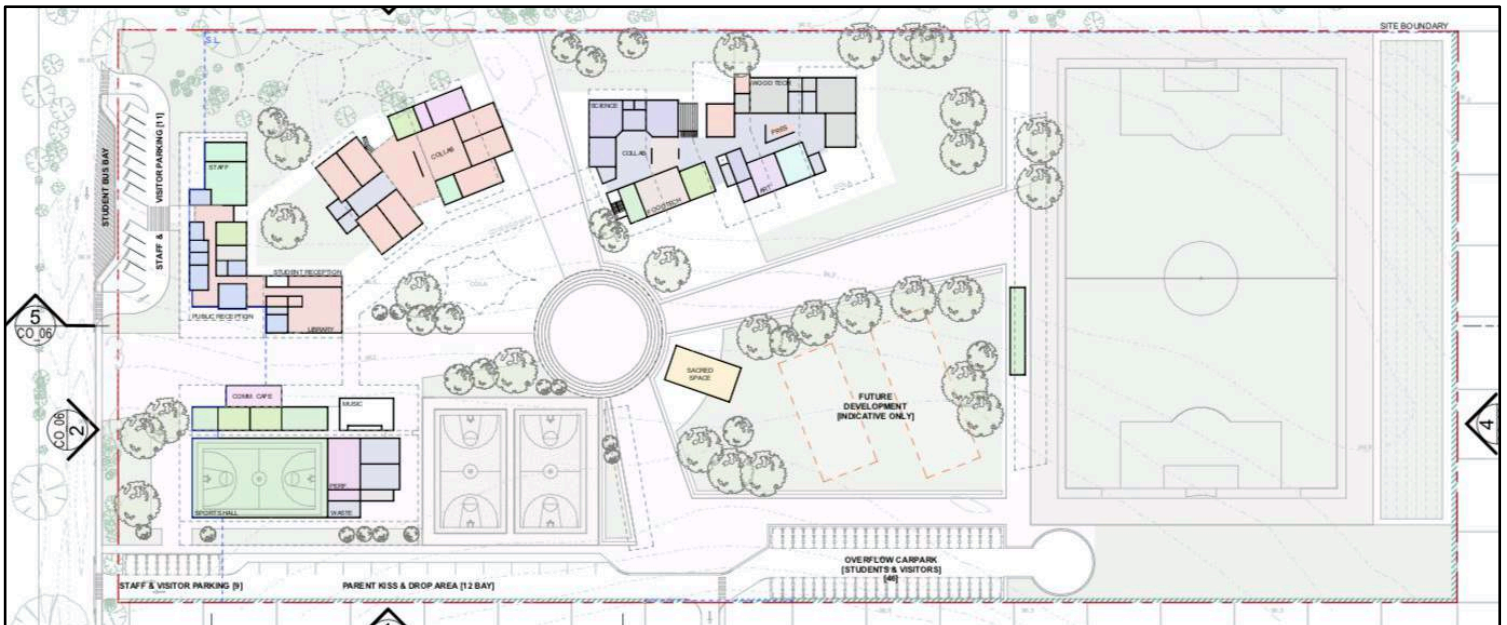
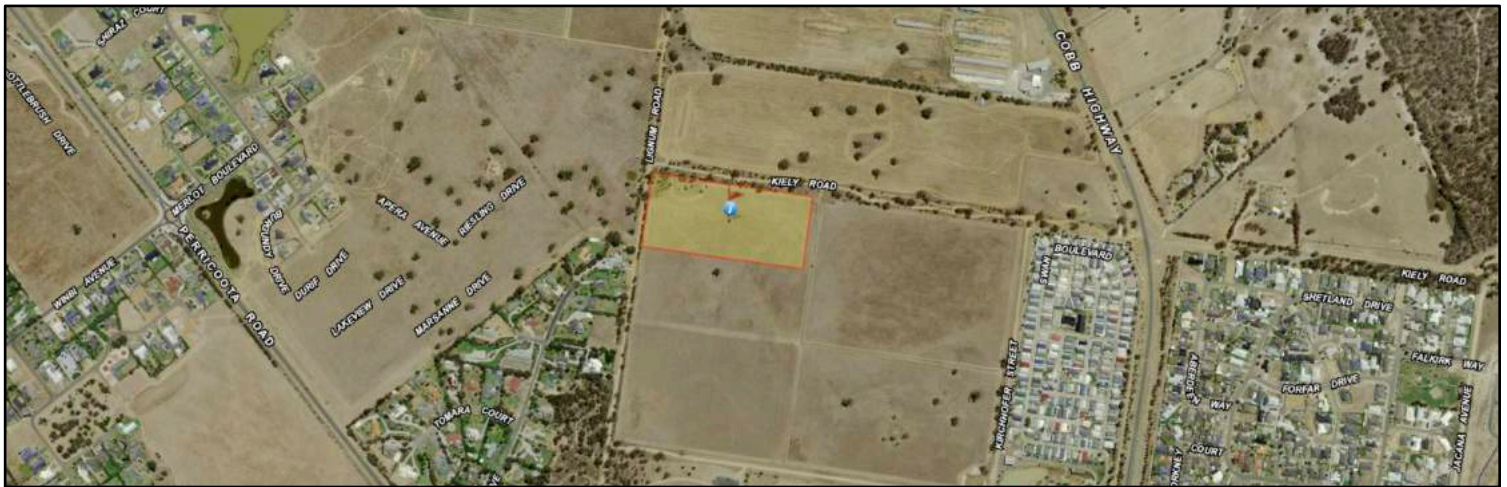


Blessed Carlo College Moama Request for SEARs

(Secretary's Environmental Assessment Requirements)
Lignum/Kiely Road, Moama NSW





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Request for SEARs
 (Secretary’s Environmental Assessment Requirements)
Blessed Carlo College
 Lignum/Kiely Road, Moama NSW

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Request for SEARs

(Secretary's Environmental Assessment Requirements)

Blessed Carlo College

Lignum/Kiely Road, Moama NSW

1 INTRODUCTION

The Wilcannia-Forbes Diocese proposes to establish a new Catholic School within the Moama township. The viability and timing for the new school, including both primary and secondary education streams, was assessed and confirmed via a demographic analysis report in November 2019. The report determined that the Moama school catchment:

- provides for a viable long-term catchment for the proposed Catholic primary school in Moama as it satisfies all new school planning benchmarks and provides for a healthy enrolment demand in the long term;
- satisfies all new school planning benchmarks indicating viability of the school to open from the year 2022; and
- satisfies all new Secondary school planning benchmarks indicating viability of the Secondary component to be activated from the year 2022.

Following preliminary consultation with DPIE-Major Projects, this formal request for the Secretary's Environmental Assessment Requirements (SEARs) has been prepared for consideration.

The following report provides an outline of the proposal, site details, including key town planning features and conceptual masterplan that is currently being workshopped with the Diocese Planning Committee and appointed design team. This report is to be read in conjunction with the following accompanying documents that provide further details of the site and overall project:

- SEARS and College Masterplan Report (Rev B – 1 July 2021) – Clarke Hopkins Clarke
- Provisional Contamination Assessment (7/12/18) – Landserv Environmental
- Property Report – NSW Planning Portal (2021)

2 SITE ANALYSIS

2.1 Site Description and Planning Control Summary

Site Description & Planning Control Summary:	
Land Description	Lot 76, DP751159 Lignum Road/Kiely Road, Moama
Area	Approx. 4.53ha
Dimensions	Approx. 145m Lignum Road frontage x 316m Kiely Road frontage
Street Address	Lignum Road/Kiely Road, Moama, 2731
Suburb	Moama
Parish	Tataila
County	Cadell
LGA Council	Murray River Council
Land Council	Moama Local Aboriginal Land Council
Ownership	Diocese of Wilcannia-Forbes
Occupancy Status	Vacant
LEP	Murray Local Environmental Plan 2011
REP	Murray Regional Environmental Plan No.2
Zoning	R1 General Residential
Height Control	N.A.
FSR	N.A.
Minimum Lot Size	450m ²
Heritage Area	N.A.
Heritage Item	N.A.
Cultural Heritage (AHIMS)	Nil
Land Acquisition	N.A.
Foreshore Building Line	N.A.
Riparian Lands	N.A.
Groundwater	N.A.

Terrestrial Biodiversity	Applicable, areas shown along existing tree cover over existing road corridors
Biodiversity Certification	N.A.
LSPS	Murray Local Strategic Planning Statement
SEPP – Education	Applicable
SEPP – 55 Remediation	No recorded sites
SEPPs – Other	Exempt & Complying, Infrastructure, Vegetation in Non-Rural Areas
DCPs	Murray Development Control Plan 2012
Bushfire Prone	N.A.
Flooding Impact – River	N.A.
Flooding Impact – Local	N.A.

2.2 Reference Maps & Figures



Figure 1: Subject Site - Aerial View & Cadastre Details (Source: SIXMaps2021)



Figure 2: Locality Aerial (Source: SIXMaps2021)



Figure 3: Topographic Map (Source: TopoMaps2021)

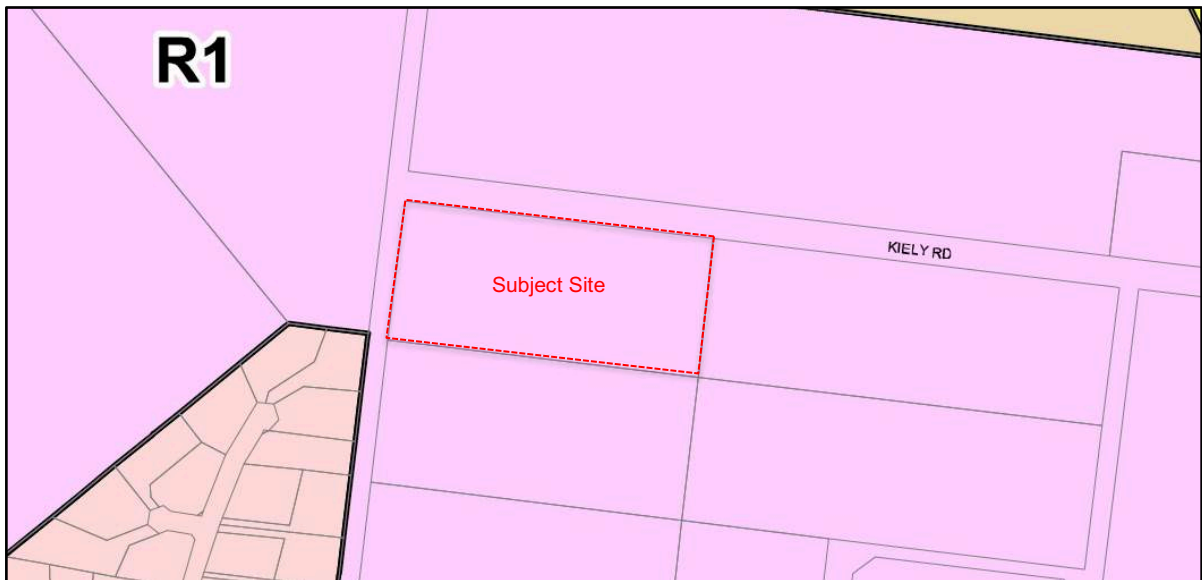


Figure 4: Zoning Map Extract (Source: MLEP2011)

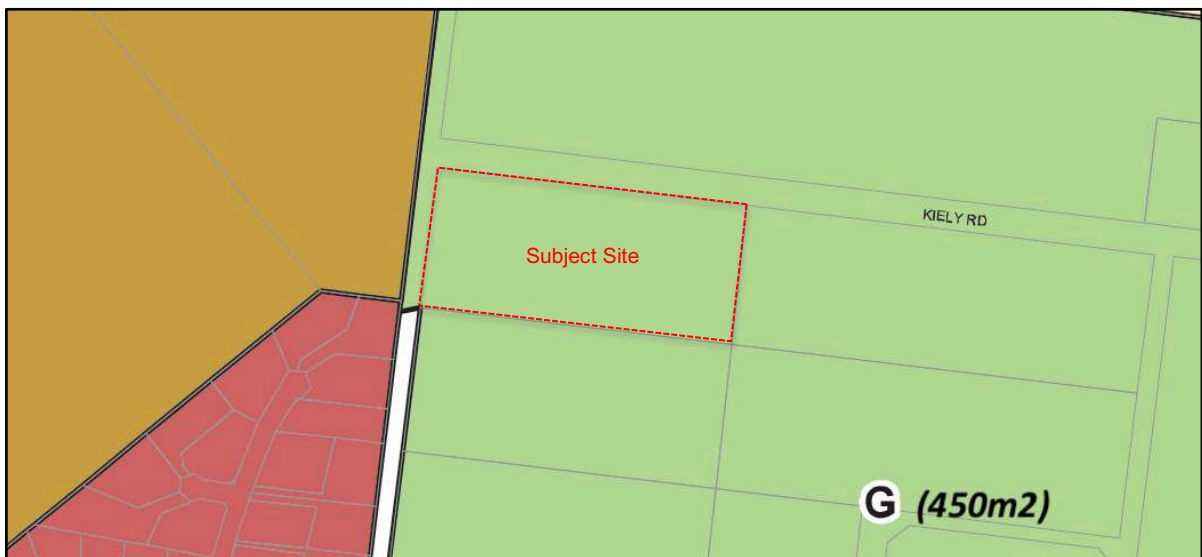


Figure 5: Minimum Lot Size Map Extract (Source: MLEP2011)

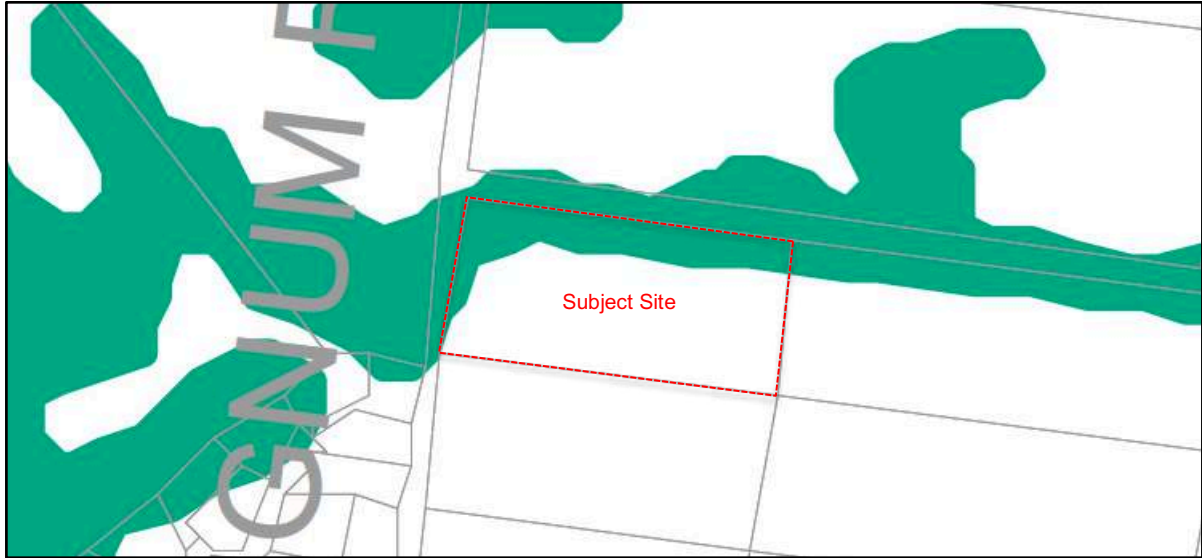


Figure 6: Biodiversity (Source MLEP2011)



Figure 7: Urban Release Area (Source MLEP2011)

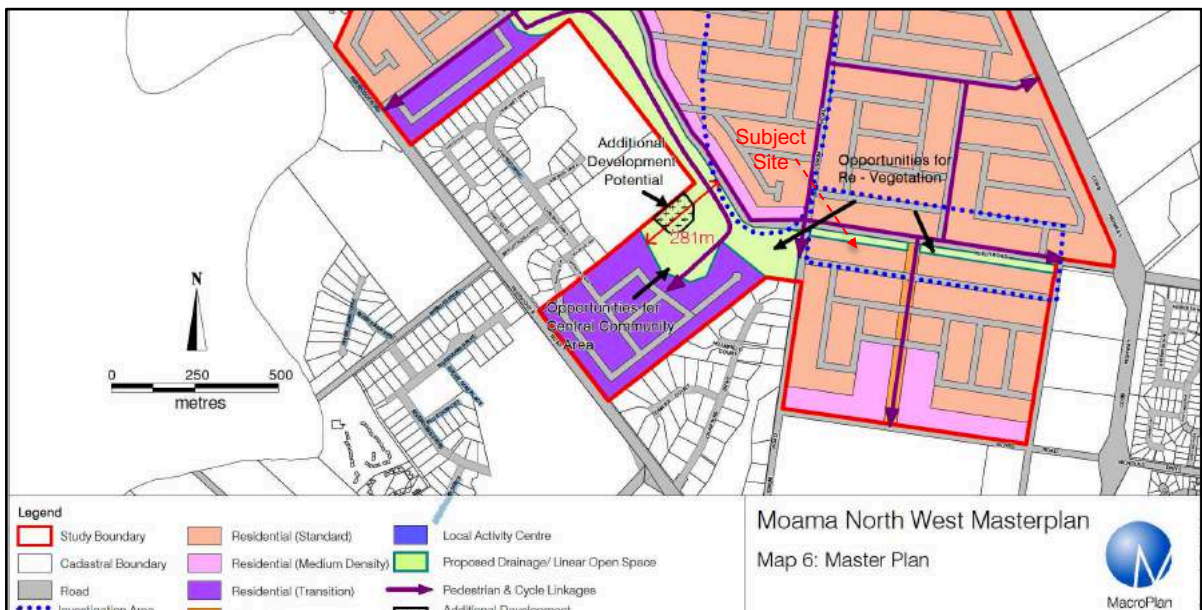


Figure 8: Moama NW Master Plan (Source: MacroPlan2009)

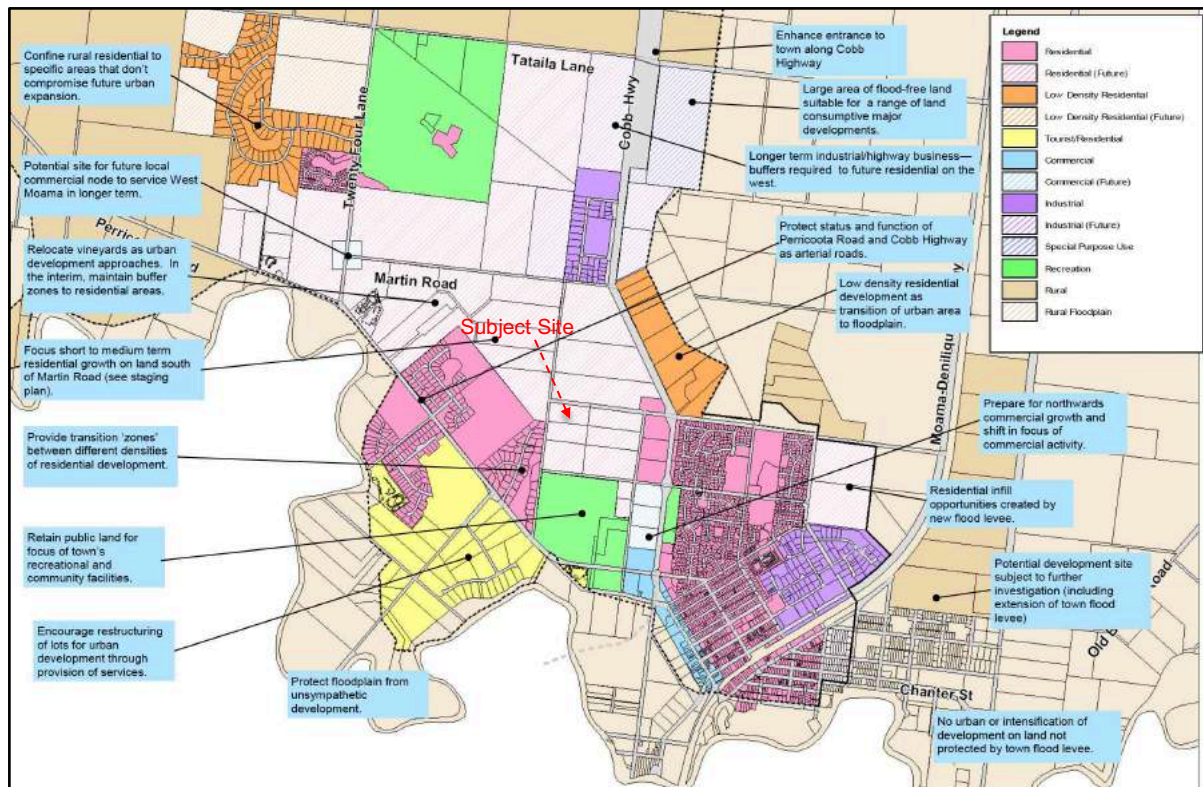


Figure 9: DCP Structure Plan (Source: MDCP2012)

The site is subject to various LEP mapping constraints as well as other strategic master planning investigations, as shown in the plan extracts above. Based on available mapping and legislation references, the land is:

- Subject to zoning and minimum lot size restrictions, however both are supportive of educational establishments within the scope of statutory development standards;
- Natural resource mapping indicates the presence of terrestrial biodiversity constraints that must be considered during the development design and assessment stages;
- Within an urban release area where the provisions of essential services that are critically important to enable consideration for urban development, including educational establishments;
- Located within the preferred residential growth area precincts identified in the Moama North West Master Plan, as well as the MDCP2012 Structure Plan. Consideration of constraints and opportunities identified in these master and structure plans are to be considered in the development design and layout of the proposed new school.

3 PROPOSAL & DRAFT CONCEPT MASTER PLAN

The new school proposal will involve a single stream primary and secondary catholic school environment catering for approximately 500+ students and 50+ teaching and administration staff. During construction there will be added local employment opportunities and ongoing social and economic benefits to the local and regional community.

The proposal details, overview and design response, are outlined in the accompanying document titled *SEARS and College Masterplan Report (Rev B - 1 July 2021)* – prepared by Clarke Hopkins Clarke (CHC) Architects.

The draft concept masterplan is currently being workshopped with the appointed design team including representatives of the Diocese and other key specialists including architectural, planning, engineering, landscape, ecology, cultural heritage and site health.



Figure 10: Draft Concept Master Plan Extract – Design in Progress (Source: CHC2021)

4 STRATEGIC & STATUTORY PLANNING CONSIDERATIONS

The site is located in an urban release and identified residential growth area of Moama. The following strategic and statutory planning documents are relevant to the proposal and are to be taken into consideration during the school’s design and development.

4.1 Riverina Murray Regional Plan 2036

The RMRP2036 provides the regional planning framework that guides the NSW Government in determining planning priorities and decisions. Priorities are set for each local government area. The proposed new school would meet relevant goals, priorities and actions of the plan.

Development of the site is to support the broad strategies outlined in the regional plan. For Moama, one of the key priorities is to plan for a range of community services and facilities to meet the current and future requirements of the community.

<https://www.planning.nsw.gov.au/-/media/Files/DPE/Plans-and-policies/riverina-murray-regional-plan-2017.pdf>

4.2 Murray Local Strategic Planning Statement

The Murray LSPS sets out the 20-year vision for land use planning in Murray River Council. It outlines how the community will manage growth and change to maintain the high levels of environmental amenity, liveability and landscape quality that characterise the area. The statement identifies the special characteristics that contribute to Murray River Council’s local identity, and it recognises the shared community values that the community want to maintain and enhance.

The proposed new school would be consistent with the relevant planning priorities and themes outlined in the LSPS.

4.3 Masterplans & Strategic Plans

The site has been included within various master planning and strategic planning investigations including the Moama North West Master Plan and DCP Structure Plan. The location of the new

school supports the vision outlined in those documents and detailed site planning for the school is to take into consideration the constraints, opportunities and objectives contained the plans.

4.4 State Environmental Planning Policies

SEPP (Educational Establishments and Child Care Facilities) 2017 is the principle environmental planning instrument to be used on the consideration of the new school development proposal. Together with the published SEPP guidelines, the design and development of the school is to be consistent with this SEPP.

SEPP (State and Regional Development) 2011 will also apply in relation to the determining authority, assessment and development approval process for a new school.

4.5 Murray Regional Environmental Plan No.2

The aims of the MREP are to conserve and enhance the riverine environment of the River Murray for the benefit of all users. The design and development of the proposed new school is to ensure the objectives of the MREP are met, such as *to ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray.*

4.6 Murray Local Environmental Plan 2011

The MLEP2011 set outs the statutory local planning provisions applicable to the subject land. The current R1 General Residential zoning permits the establishment of the new school, subject to other relevant development standards.

4.7 Murray Development Control Plan 2012

The MDCP2012 sets out local planning guidelines to assist in site development consistent with the views of the local community and planning authority. The DCP includes structure planning guidelines for the local area that the proposal is to be consistent with.

4.8 Developer Contributions Plans

Development of the land will be subject to the Murray Shire Development Contributions Plan (2007). Further consultation with Council will be necessary to confirm the extent and level of contributions required for this proposal.

5 ENVIRONMENT & INFRASTRUCTURE CONSIDERATIONS

Preliminary investigation has highlighted the following matters to be taken into consideration during the design and assessment of this proposal. Appropriate documentation and reports will be included in the SSD package and addressed in the content of the EIS.

5.1 Urban Design & Built Form

The site has a significant strategic position within a growing residential area of Moama. Opportunities for placemaking and exploring broad urban design principles will be a key objective of the design process.

The proposed school will have a significant street presence along the Lignum and Kiely Road environments. The proposal will address opportunities for creating a local landmark and establishing college identity within the broader neighbourhood area.

5.2 Adjoining Development

The proposed school site is located within a future residential neighbourhood development area. Surrounding land is in the process of master-planning, staged development assessment and subsequent construction.

Initial consultation has occurred with adjoining land developers, facilitated by Council. This open dialogue will aim to ensure that the interface between the future school and adjoining residential development maintains both residential amenity and accessibility/connectivity with the school environment.

5.3 Traffic & Access

The site has public road frontage to both Lignum and Kiely Road. Lignum Road will be the preferred choice for vehicular access. Kiely Road has been identified as a future open space corridor with the potential for replanting and embellishment for pedestrian and passive urban recreation use. No vehicular access is proposed or anticipated from Kiely Road.

A traffic, parking and transport assessment report will be prepared as part of the SSD documentation and EIS for the project. Discussions are currently underway with respective agencies to ensure the proposal has adequately addressed parking, loading and servicing, student drop-off areas, pedestrian and cycle connections, impact on existing and future road networks and intersections, and any public/community transport opportunities.

5.4 Essential Infrastructure Utilities

The site is service by essential infrastructure and utilities including public road access and access to electricity, gas and telecommunication networks. The following authorities have confirmed the location of infrastructure networks in the vicinity of the site:

- Essential Energy - Electricity
- APA - Gas
- NBN - Telecommunications
- Murray River Council – Water, Sewer, Drainage

There are ongoing discussions with the above agencies to ensure the proposal is adequately serviced by essential infrastructure and utilities.



Figure 11: Preliminary Utilities & Services Consideration (Source: CHC 2021)

5.5 Flooding & Stormwater Management

The site is not impacted by riverine flooding.

Stormwater management will be taken into consideration in site planning in conjunction with Council. Appropriate civil designs, incorporating water wise principles, will be prepared to ensure overland stormwater flows are managed to minimise impact on the broader stormwater network.

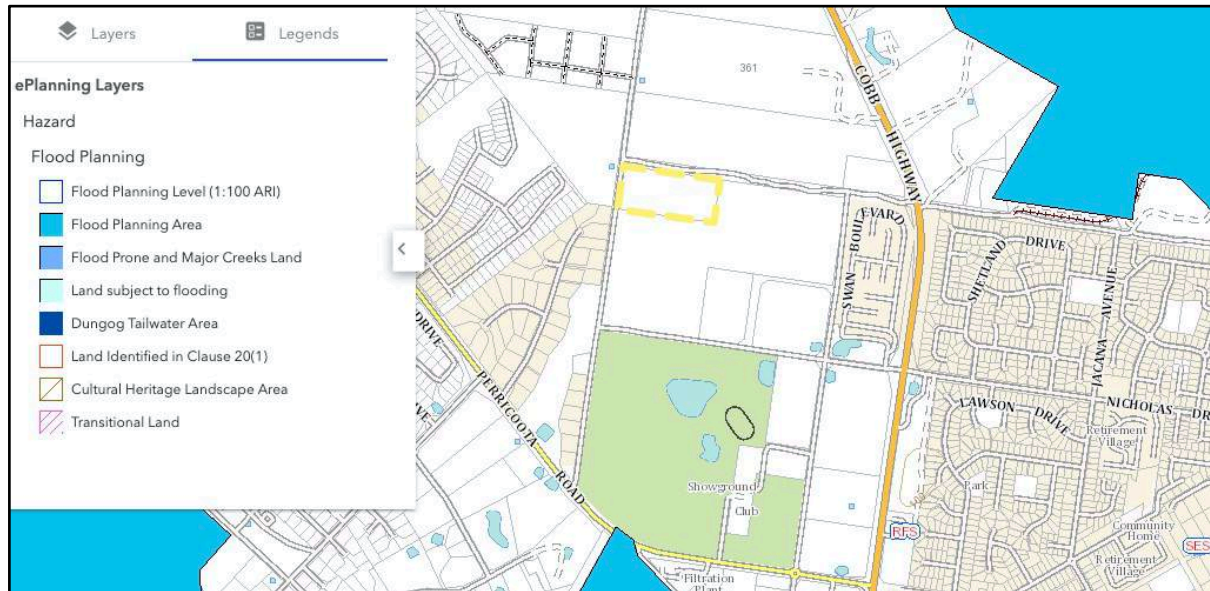


Figure 12: Flood Hazard Map (Source: NSWPP 2021)

5.6 Bushfire Management

The site is not mapped as subject to bushfire mapping. However, consideration will be given to the management of the school site whilst surrounding residential development is being established and existing grassed farmland is progressively transformed into a managed urban environment.



Figure 13: Bushfire Hazard Map (Source: NSWPP 2021)

5.7 Site Health & Contamination

Consideration of site health and potential contamination is a statutory requirement when considering development of land. Relevant guidelines prepared under State Environmental Planning Policy No.55 (SEPP55) provide an outline of matters to be considered in this respect.

A provisional contaminated land assessment, including both PSI and DSI reporting, has been prepared for the site as part of the initial pre-purchase due diligence. The report concluded that:

- *No soil analysis results recorded concentrations exceeding the adopted assessment criteria for the protection of human health and the environment (terrestrial);*
- *It is considered that a low risk remains of residual impact by incidental activities such as historical use of pesticides and therefore it is unlikely these risks will impact the site for the development works and intended use as an educational facility.*

A copy of this report is attached for reference.

5.8 Biodiversity

The subject site is not within a Biocertified Area, therefore the site is subject to the Biodiversity Conservation Act 2016. The proposal has been measured against Part 7 Division 1 Section 7.2 as outlined below.

Preliminary assessment indicates that the proposal is not likely to significantly affect threatened species.

Applying the test under Part 7, development or activity is likely to significantly affect threatened species if:

- *it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in Section 7.3*

Applying the biodiversity test in Section 7.3 concludes that the proposed development is not likely to significantly affect threatened species or ecological communities, or their habitats.

- *the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values*

The development does not exceed the Biodiversity Offset Scheme Entry Threshold as indicated the threshold report below.

- *it is carried out in a declared area of outstanding biodiversity value*

The development is not within a declared area of outstanding biodiversity value as shown on the BOS threshold map below.

Biodiversity Values Map and Threshold Report			
Results Summary			
Date of Calculation	22/06/2021 3:31 PM	BDAR Required*	
Total Digitised Area	4.48 ha		
Minimum Lot Size Method	LEP		
Minimum Lot Size	0.04 ha		
Area Clearing Threshold	0.25 ha		
Area clearing trigger Area of native vegetation cleared	Unknown #	Unknown #	
Biodiversity values map trigger Impact on biodiversity values map(not including values added within the last 90 days)?	no	no	
Date of the 90 day Expiry	N/A		

Figure 14: Biodiversity Values Threshold Result Summary (Source: DP&E 2021)



Figure 15: Biodiversity Values Map (Source: DP&E 2021)

5.9 Cultural Heritage

An AHIMS search was conducted in relation to the site and land within 200m of the site boundary. The search indicated that there are no aboriginal sites recorded or declared places within the investigation area.

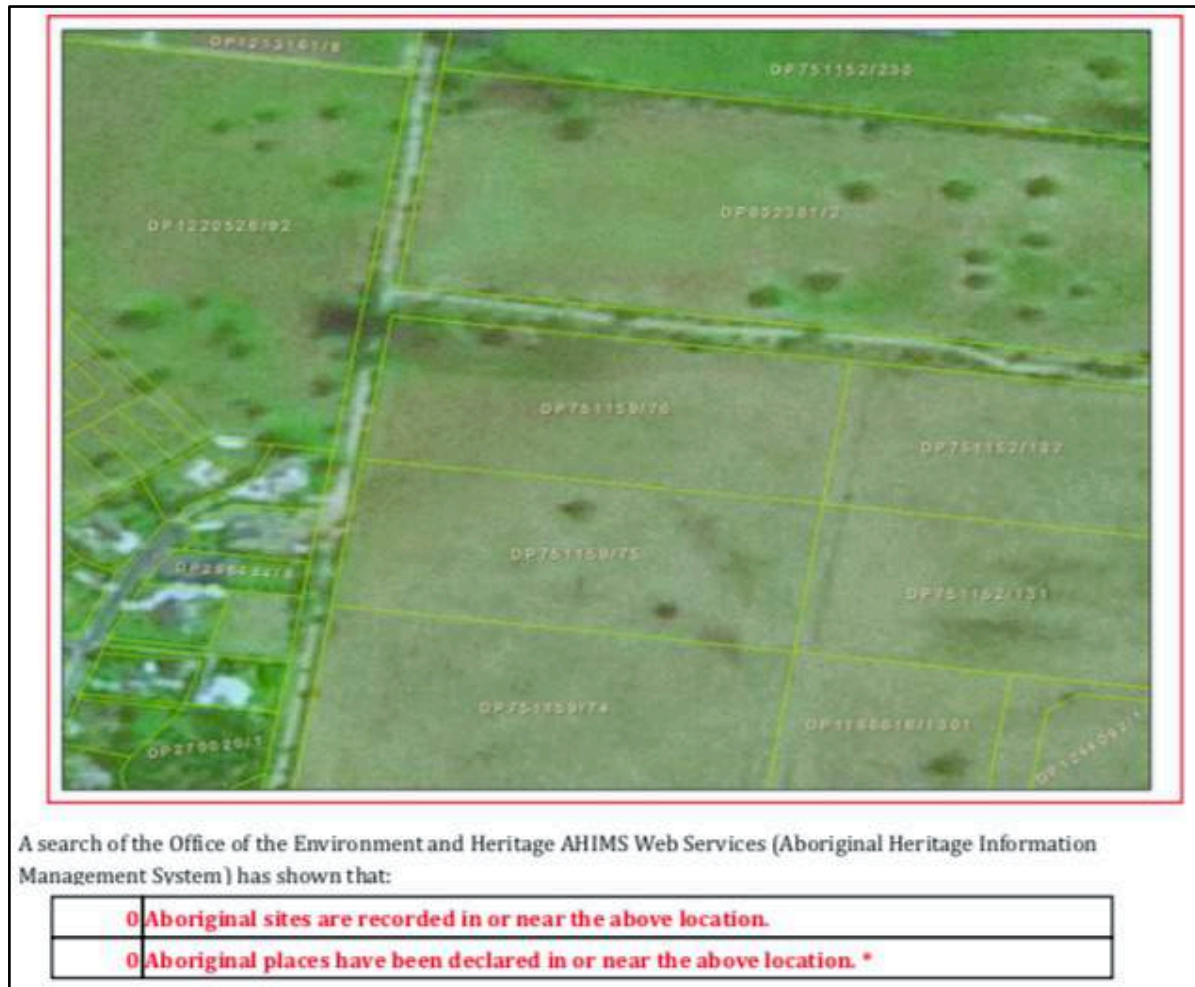


Figure 16: AHIMS Search Extract (Source: OEH 2021)

In accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW2010)*, generic due diligence process, the following information is provided:

Will the activity disturb the ground surface or any culturally modified trees?

- Yes, the development proposed will disturb the ground surface.

Are there any:

a) relevant confirmed site records or other associated landscape feature information on AHIMS?

- No (see AHIMS search).

b) any other sources of information of which a person is already aware?

- No, there are no other known sources of information as determined via Council records and information available to the applicant.

c) landscape features that are likely to indicate presence of Aboriginal objects?

-
- There are no identifiable landscape features on the site or in the locality that would indicate the presence of Aboriginal objects.

Whilst preliminary due diligence would indicate a low probability of the presence of Aboriginal objects on the site, a cultural heritage investigation report has been commissioned to inform the SSD application. This report is currently being prepared by suitably qualified cultural heritage specialists.

5.10 Construction Management

Consideration of construction management will be included in the SSD documentation to ensure that construction impacts are managed appropriately.

6 CONSULTATION

Initial discussions were conducted with Council in mid 2020 following due diligence investigations and acquisition of the site. A meeting with Council Planning Officers on 16/09/20 outlined key planning, environmental and engineering matters to be taken into consideration in the design and development of the new school. A further preSEARs meeting was held with Council on 8/6/21 to outline the draft concept masterplan and consideration of traffic, access and other key infrastructure matters including interface with adjoining residential development that is under development assessment and imminent construction.

During the design and development phases of the project there will be continuing consultation sessions with the local and wider community, local and state authorities, and other specific interest groups to ensure an inclusive, open and transparent process through to commissioning of the new school.

A preSEARs scoping meeting was held between representatives of the project and the NSW DPIE Major Projects - Independent School Infrastructure Assessments team on 17/6/21, where an outline of the project was presented, and discussions held on the SSD process, project timing, deliverables and assessment process.

7 PLANNING PATHWAY OPTIONS

Preliminary investigations indicate the following relevant planning pathways for this proposal under the various provisions of the Environmental Planning & Assessment Act 1979 (the Act).

A copy of the current Property Report for this site is attached for reference.

7.1 Concept Development Application

Division 4.4 of the Act enables the consideration and consent of concept development proposals.

*"a **concept development application** is a development application that sets out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications"*

In the case of a staged development, the application may set out detailed proposals for the first stage of development.

It is up to the applicant to request the treatment of an application as a concept DA.

7.2 SEPP (Educational Establishments and Child Care Facilities) 2017

The aim of this SEPP is to facilitate the effective delivery of educational establishments and early education and care facilities across the State. Key aspects of the policy include simplifying approval processes, ensuring design quality and safe and healthy environments, and allowing for flexibility and multiple uses of school sites.

The Education SEPP will be the principle environmental planning instrument in the consideration and determination of this school proposal. Where there is an inconsistency between this Policy and another environmental planning instrument, whether made before or after the commencement of this Policy, the SEPP prevails to the extent of the inconsistency.

Various guides accompany the SEPP to assist in the design and consideration of proposal. These include:

- *Guide to the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;*
- *Environmental Assessment Code of Practice NSW Code of Practice for Part 5 activities – for registered non-government schools, August 2017;*
- *Design Guide for Schools (May 2018); and*
- *Planning Circular PS 17-004 Development assessments of schools*

The SEPP includes provisions for exempt, complying and development with or without consent. The simplified planning process enables timely and efficient determination of appropriate planning pathways for school projects. The table below considers the circumstances with this school proposal and appropriate planning pathway.

Table 1: Decision Matrix Table – SEPP (Education)

Decision Question	Comment	Check Box
<i>Is the development within the site boundaries of an existing school premises?</i>	No. The site is a 'green field' lot within an urban release area of Moama.	✗
<i>Can the development progress as development without consent under Part 5 provisions?</i>	No. The site is not an existing school site.	✗
<i>Is the development consistent with the list and standards provided in Schedule 1, Division 4 & Clause 38 of the SEPP and can be considered Exempt Development?</i>	N.A. These provisions will not apply to this new school proposal.	✗
<i>Is the development consistent with the list and standards provided in Division 5 & Clause 39 and Schedule 2 of the SEPP and can be considered Complying Development?</i>	N.A. These provisions will not apply to this new school proposal.	✗
<i>Can the development progress as development with consent under Part 4 provisions?</i>	Yes. As the site is for a new school, SSD provisions will apply.	✓

School development that is not exempt development, complying development or permitted without consent will require development consent before the development can take place. All new schools are categorised as State Significant Development (SSD). The SSD process is outlined in further detail below.

7.3 Exempt & Complying Development

The proposed use and scope of works to be undertaken with this development does not enable the use of exempt and complying development provisions. Post establishment and initial use of the school, further works may be able to access these provisions to facilitate further approval and development on this site.

7.4 Local Development

Applicable local LEP and DCP planning provisions will be taken into consideration in the assessment of this proposal under the statutory enabling provisions of Education SEPP.

The proposal would fall within the definition of an "educational establishment", which is permitted with consent in a R1 zone.

educational establishment means a building or place used for education (including teaching), being:

(a) a school, or

(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

The development will be assessed against the s4.15 general matters for consideration including SEPP, LEP and DCP provisions.

7.5 Regional Development

As the proposed works involve a new school (regardless of value), the proposal would not be classified regional development for the purposes of *State Environmental Planning Policy (State and Regional Development) 2011 – Schedule 7*.

7.6 State Significant Development

As the proposed works involve a new school (regardless of value), the proposal would be classified State Significant Development for the purposes of *State Environmental Planning Policy (State and Regional Development) 2011 – Schedule 1*.

The SSD process will involve steps and considerations as outlined in the *State Significant Development Guide* (NSWDPIE – 2020).

8 CONCLUSION

The proposed establishment of a new Catholic School within the Moama township on Lot 76, DP751159 Lignum Road/Kiely Road is both strategically relevant and permissible under current planning legislation. Preliminary investigations and initial master planning confirm that the site is suitable as a school site in this locality.

The above information is considered sufficient to enable the Secretary to issue its SEARs to enable the preparation of an EIS and subsequent SSD application.

The issue of the SEARs for this project is therefore requested.

SP20012: Document History

Request for SEARs Report

Revision No.	Date	Authorised By	Signature	Notes
Rev 1.0 – Draft	3/7/21	Garry Salvestro Director	<i>GS</i>	Issued for internal review and client comments.
Rev 2.0 - Final	14/7/21	Garry Salvestro Director	<i>GS</i>	Issued for lodgement with DPIE.

ATTACHMENTS:

- A. SEARs and College Masterplan Report (Rev B – 1 July 2021) – Clarke Hopkins Clarke
- B. Provisional Contamination Assessment (7/12/18) – Landserv Environmental
- C. Property Report – NSW Planning Portal (2021)



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