

Budawang School for Specific Purposes Relocation and Upgrade

17 Croobyar Road, Milton

Request for Secretary Environmental Assessment Requirements (SEARs)

On behalf of

NSW Department of Education

July 2020



Project Director

Georgia Sedgmen



24 July 2020

Contributors

Jordan Faeghi

* This document is for discussion purposes only unless signed and dated by the Project Director.

Contact

Mecone

Level 2, 3 Horwood Place
Parramatta, New South Wales 2150

info@mecone.com.au
mecone.com.au

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1 Introduction

This report has been prepared by Mecone on behalf of NSW Department of Education (DoE) in relation to the proposed relocation of Budawang School for Specific Purposes (SSP) from Ulladulla to the former Shoalhaven Anglican School site in Milton.

This report requests the Secretary prepare Environmental Assessment Requirements (SEARs) to guide preparation of an Environmental Impact Statement (EIS) for a State Significant Development Application (SSDA).

It is proposed to relocate and upgrade Budawang SSP, as the existing school is located on a small site that is not held in ownership by DoE. As such, the site does not have capacity for expansion and relocation is necessary.

DoE have purchased the former Shoalhaven Anglican School site in Milton for the purposes of providing a new replacement school for Budawang SSP.

The proposal generally includes the following works:

- Demolition, tree removal and site clearing;
- Construction of three x single storey buildings comprising a library, staff and administration areas, a multipurpose space for approximately 41 students;
- Construction of a hydrotherapy facility;
- Construction of new walkways, central play area and sensory garden;
- Construction of a new at-grade car park; and
- Construction of a new vehicular access route and porte-cochere.

A future block south of the central play area has been identified for future expansion.

The proposal relates to the vacant front portion of the site along Croobyar Road. The remainder of the site will be maintained with existing structures until such time, future development is planned.

The proposal seeks consent for a new school site, and as such, in accordance with Schedule 1, Clause 15 of *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SRD), the proposal is classified as SDD.

To support the request for the SEARs, the following information is provided:

- An overview of the site and context;
- A description of the proposal;
- An overview of the statutory and strategic context; and
- An overview of the likely environmental and planning issues.

A concept design report is provided at **Appendix 1**.

2 Background

The proposed works are located on land that formerly comprised Shoalhaven Anglican School, which closed in 2017.

As the works are proposed on land that is occupied by a school, consideration was made in relation to whether the proposed works constituted a new school within the meaning of the SEPP SRD or if it could be carried out as local development.

It is considered that the school cannot be found to comprise an existing school as the school is not listed on the NSW Education Standards Authority's list of registered non-government schools and as a consequence the proposed works will not be able to be carried out as local development.

3 Site and Context

The site is located on the southern fringe of the Milton Urban Area within the Shoalhaven Council local government area (LGA).

The site is located at 17 Croobyar Road Milton and is legally defined as Lot 200 DP 1192140. It is an irregular shaped allotment and provides a site area of approximately 7.75ha.

The site contains the former Shoalhaven Anglican School, which closed in 2017. The school features a range of single storey learning blocks and associated structures.

A natural watercourse runs across the site's north western corner. Aside from the school structures, most of the site is generally cleared, though there is some minor landscaping and vegetation along the boundaries and near the water course.

A site aerial is provided and marked **Figure 1**.

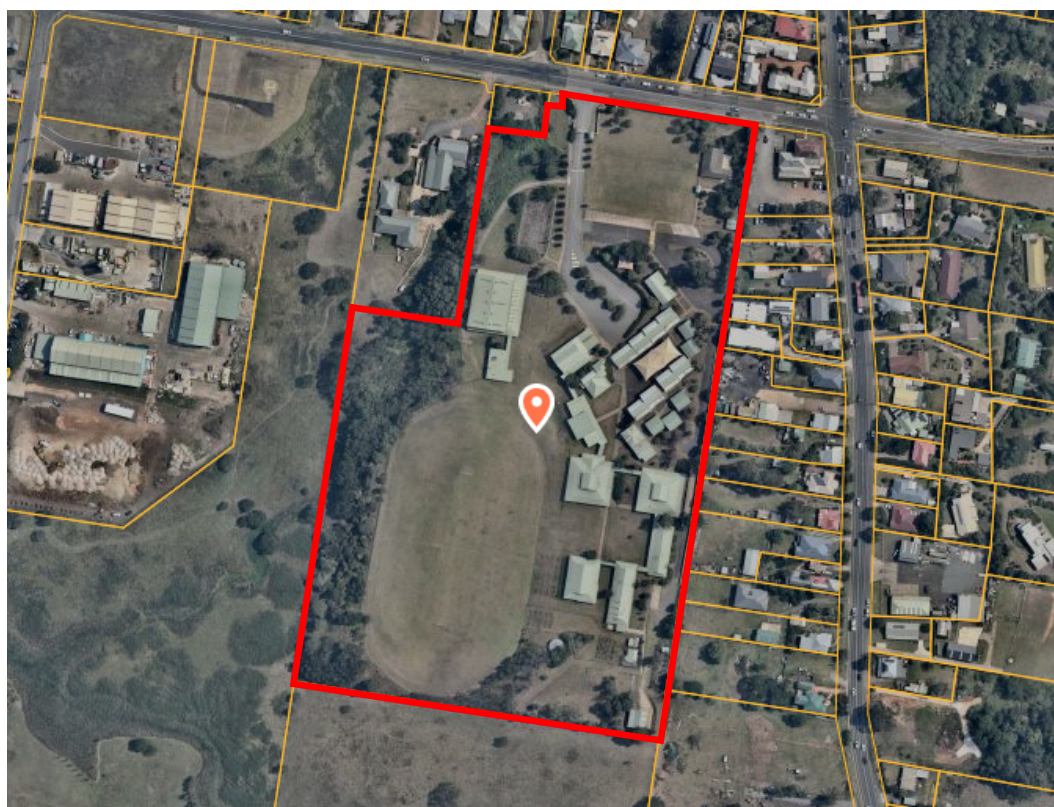


Figure 1: Site aerial image

Source: Nearmaps

A summary description of the site is provided in **Table 1**.

Table 1 – Site description	
Item	Description
Site addresses	17 Croobyar Road, Milton

Table 1 – Site description	
Item	Description
Legal description	Lot 200 DP 1192140
Total area	Approx. 7.75ha
Frontages	Approx. 120m to Croobyar Road
Existing use	<p>The site contains the former Shoalhaven Anglican School, which closed in 2017. The school features a range of single storey learning blocks and associated structures of various ages.</p> <p>A pre-school is also located along the Croobyar Road frontage.</p> <p>The site features existing hardstand for 67 parking spaces and internal roads and pedestrian pathways.</p> <p>The remainder of the site is largely cleared and includes a combination of landscaping, vegetation and open space play areas.</p>
Existing access	<p>The site is accessed via a main driveway off Croobyar Road along the northern boundary. The internal driveway network consists of a drop-off circle towards the front of the site and a road leading down the eastern edge of the site to an agricultural plot at the south eastern corner.</p> <p>The site also contains a separate porte-cochere driveway at the north east corner providing access to the pre-school.</p>
Context	<p>The site is located in the suburb of Milton, in an area characterised predominantly by low density residential and rural uses.</p> <p>Milton local centre is located approximately 300m to the north west of the site. The town centre contains a mix of retail and commercial uses along the Princes Highway.</p> <p>An existing concrete batching plant is located approximately 60m west of the site off the Princess Highway.</p>

A site diagram depicting the local context is provided in **Figure 2**.

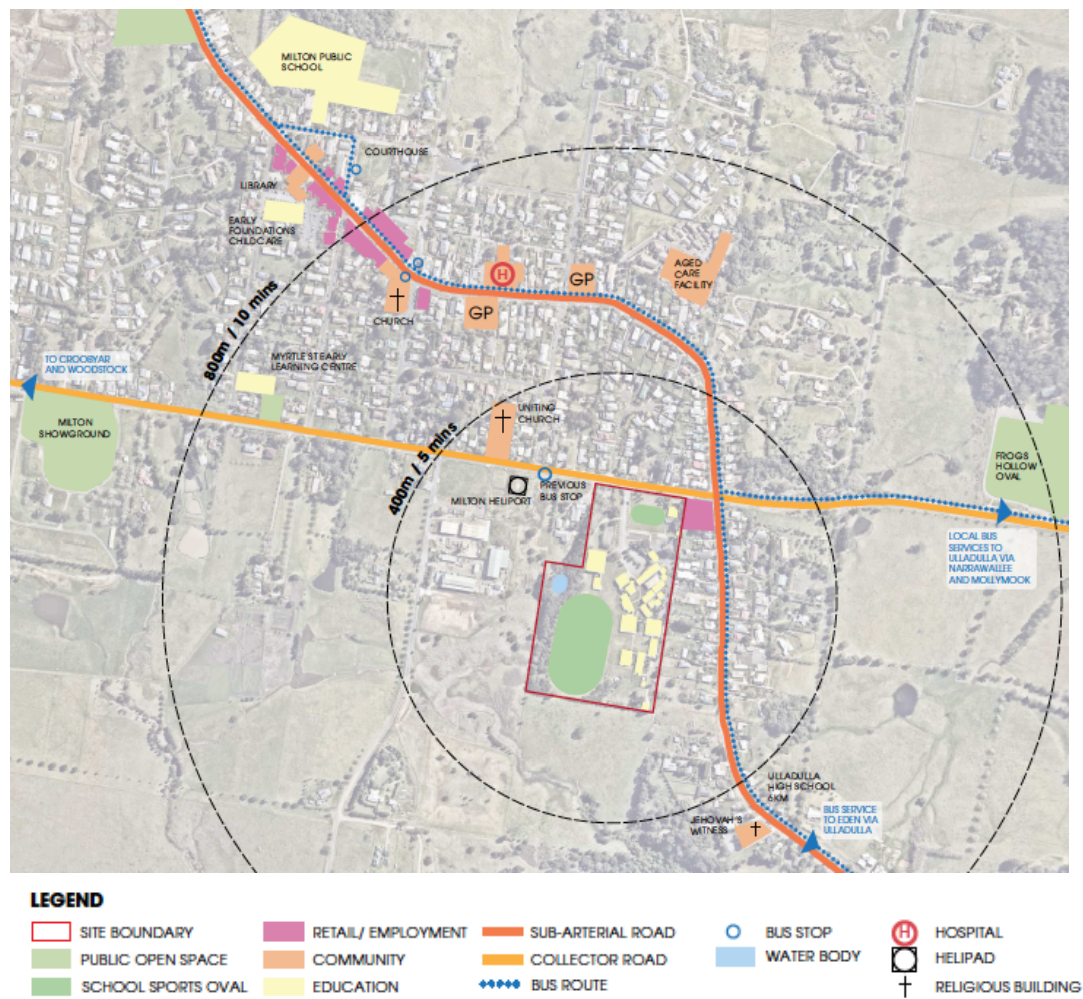


Figure 2: Site context plan
Source: Group GSA

4 The Proposal

4.1 Proposal Summary

The SSDA will seek consent for the upgrade, replacement and relocation of the existing Budawang SPP to the site at Milton. The existing school is located on a small site and is not held in ownership by DoE. As such, the site does not have capacity for expansion and is in need of an upgrade.

The proposal generally includes the following works:

- Demolition, tree removal and site clearing;
- Construction of three x single storey buildings comprising a library, staff and administration areas, a multipurpose space for approximately 41 students;
- Construction of a hydrotherapy facility;
- Construction of new walkways, central play area and sensory garden;
- Construction of a new at-grade car park; and
- Construction of a new vehicular access route and porte-cochere.

A block south of the central play area has also been identified for future expansion.

The proposal relates to the vacant front portion of the site along Croobyar Road. The remainder of the site will be maintained with existing structures until such time future development is planned. A site concept plan is provided below, depicting the extent of works in relation to the Budawang SSP.

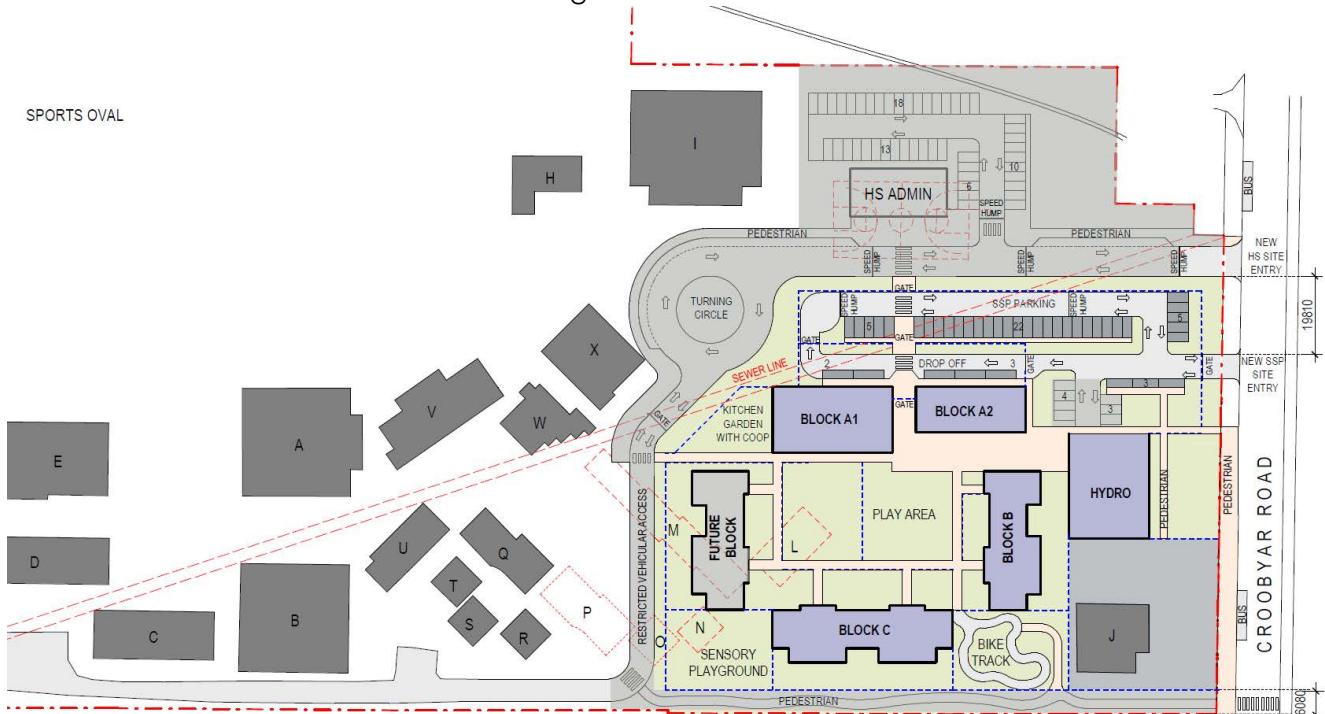


Figure 3: Masterplan option
Source: Group GSA

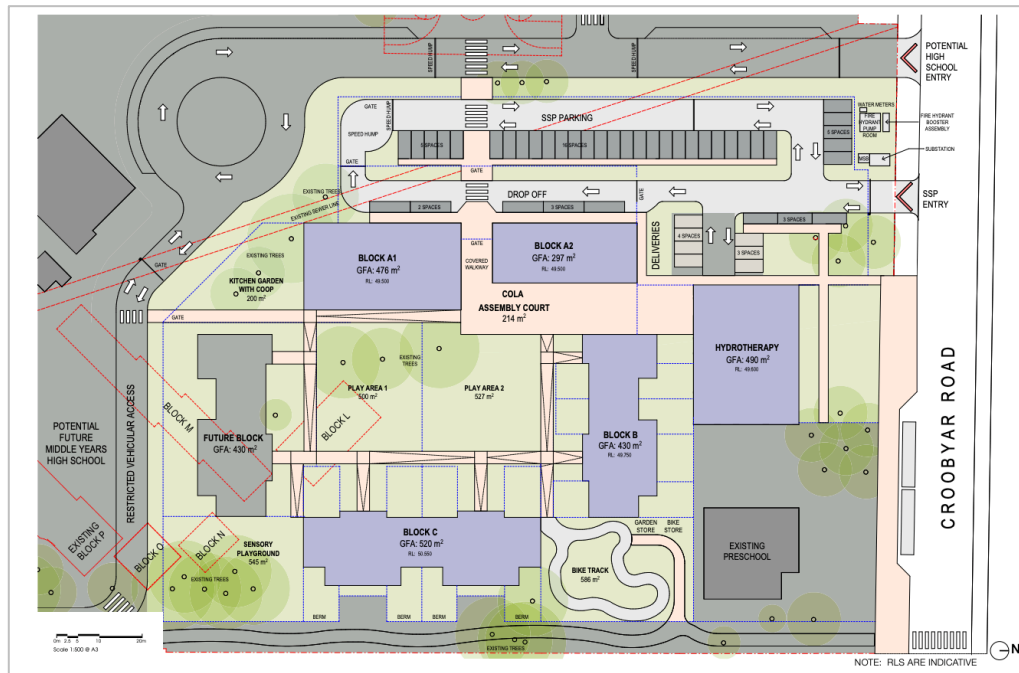


Figure 4: Proposed site plan
Source: Group GSA

4.1.1 Demolition, Tree Removal and Site Clearing

While the proposed works relate areas largely vacant and clear of any existing structures, it is anticipated minor demolition, tree removal and site clearing works will be required to facilitate construction of the proposed blocks and hydrotherapy facility.

A demolition site plan and arborist report will be submitted with the SSDA.

4.1.2 Construction

The proposal seeks to construct the following buildings:

- Core blocks – Three x single storey buildings (double height) comprising a library, staff and administration areas and multipurpose space for approximately 41 students; and
- Hydrotherapy facility.

An overview of these buildings is provided below.

Block A

Block A will contain a library, staff and administration areas, multipurpose space and the primary drop off zone.

The library is located adjacent to the porte-cochere to enable shared use of facilities without requiring access to the entire SSP site. It provides a main area, sensory space and office.

The staff and administration areas provide direct ease of access during drop-off and pick-up. The administration area and staff lounge afford passive surveillance to the central play area.

The multipurpose space is located adjacent to the port-cochere for ease of access outside normal school hours (functions and vacation care). The space will open directly onto the COLA/assembly court via sectional overhead doors and extend the area of this facility during school functions.

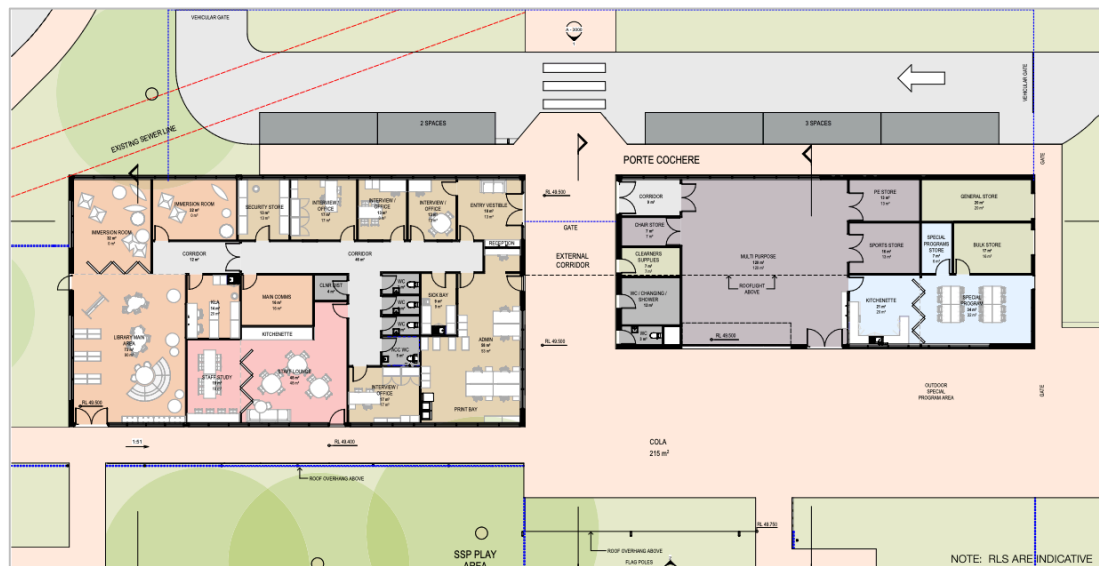


Figure 5: Block A site plan
Source: Group GSA

Blocks B and C

Blocks B and C will contain spaces for practical activities, homebases and associated facilities including change rooms, water closets and storage and communication rooms. The Blocks are designed in a linear arrangement to maximise supervision of the central play area.

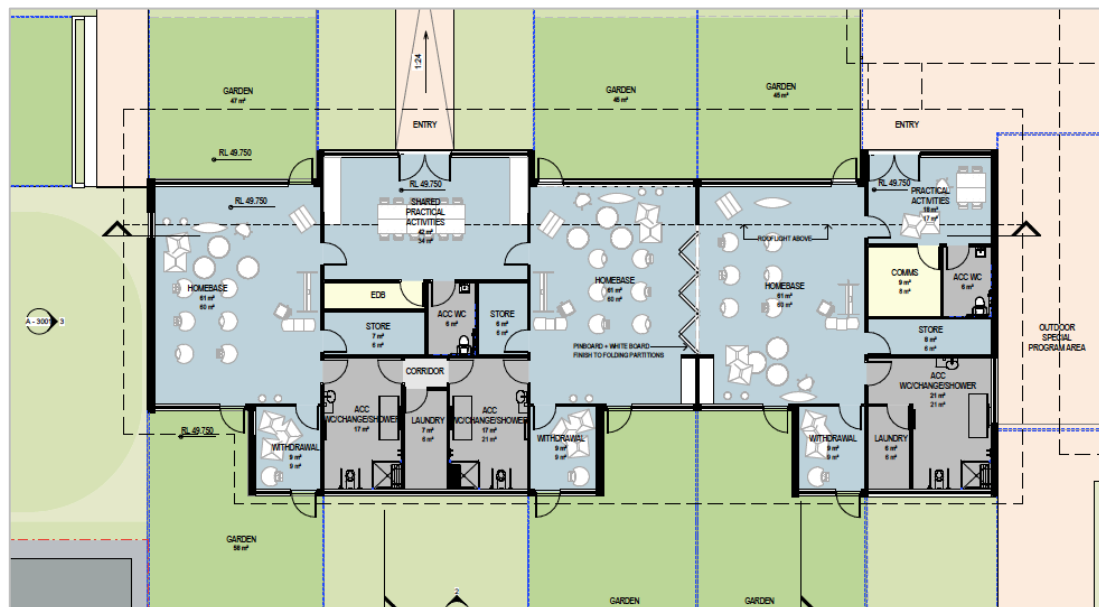


Figure 6: Block B site plan
Source: Group GSA



Figure 7: Block C site plan
Source: Group GSA

Hydrotherapy Facility

A hydrotherapy facility is proposed along the Croobyar Road frontage. The facility features a hydrotherapy pool, water closet and change rooms, office area and associated rooms.

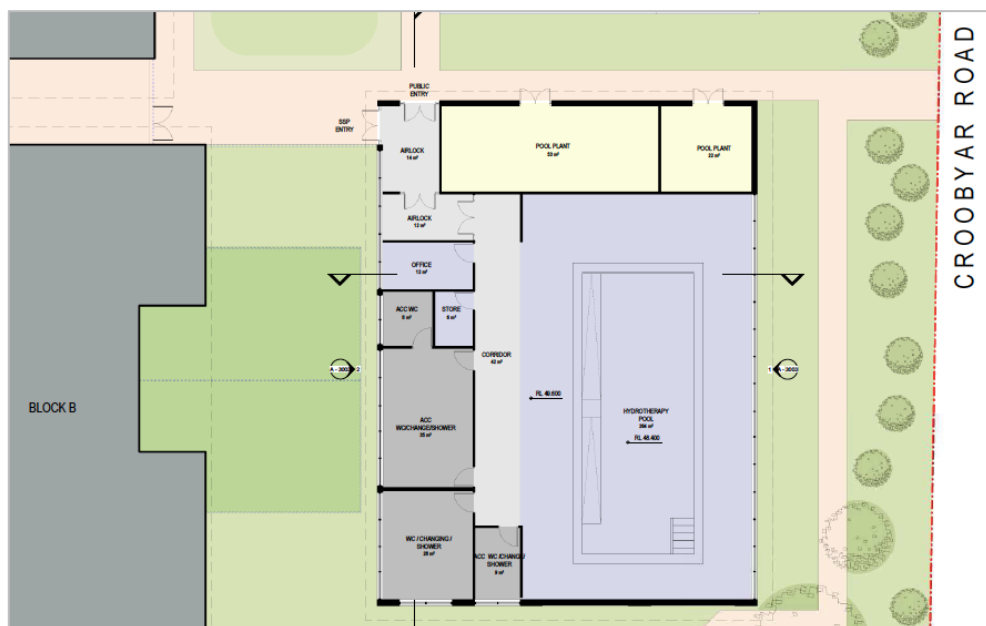


Figure 8: Hydrotherapy facility site plan
Source: Group GSA

4.1.3 Access and Car Parking

The proposal will relocate existing at-grade parking on site adjacent to Block A and the hydrotherapy facility.

Site access will be maintained via Croobyar Road, with the internal road network modified to permit a loop road pick-up and drop-off system. The road network has been designed in consideration of minibus access.

A traffic and parking assessment will be submitted with the SSDA, demonstrating swept paths and compliance with the relevant Australian Standards.

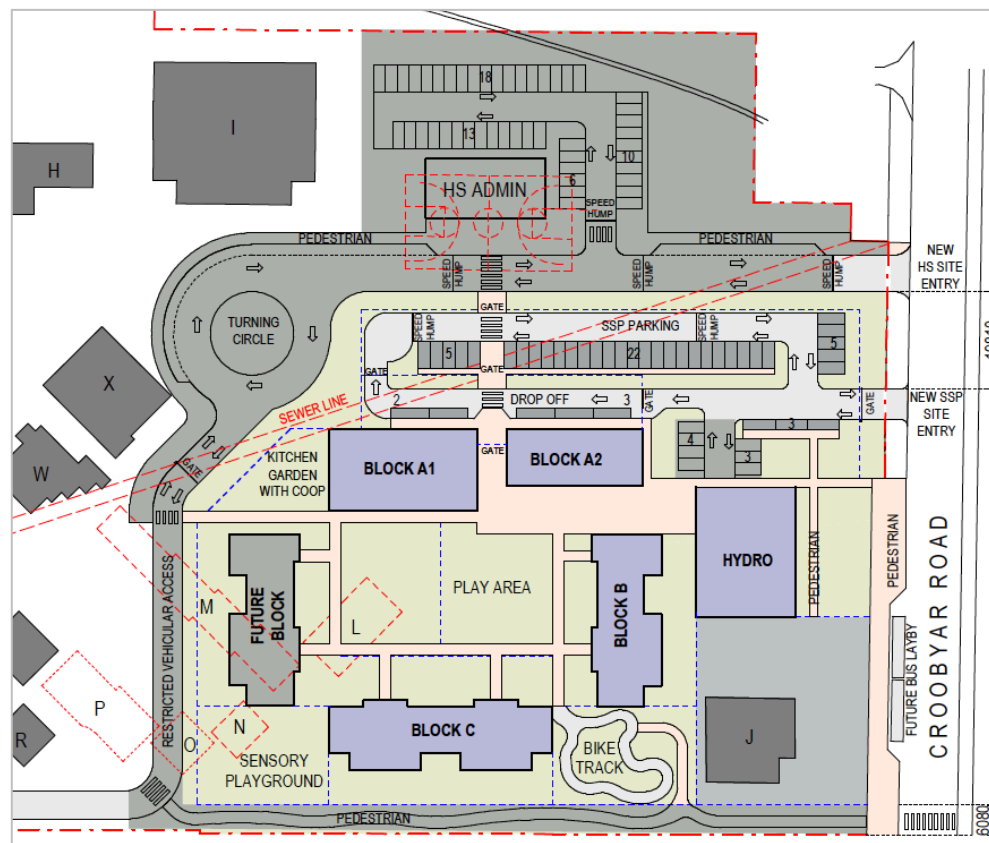


Figure 9: Parking strategy
Source: Group GSA

4.1.4 Landscaping

The proposal will introduce new landscaping treatments and open space play areas in line with the specific needs of Budawang SSP.

A detailed landscape plans and a landscape design report will be submitted with the SSDA.

5 Planning framework

The relevant state and local planning instruments apply to the proposal:

- State Environmental Planning Policy (State and Regional Development) 2011;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- Draft Remediation of Land State Environmental Planning Policy;
- State Environmental Planning Policy (Koala Habitat Protection) 2019;
- Draft State Environmental Planning Policy (Environment);
- Shoalhaven Local Environmental Plan 2014; and
- Shoalhaven Development Control Plan 2014.

5.1 SEPP (State and Regional Development) 2011

The proposal is SSD, pursuant to clause 15 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD).

Pursuant to Schedule 1 clause 15, development for the following purposes is SSD:

- (1) Development for the purpose of a new school (regardless of the capital investment value).*

The proposal relates to development for the purposes of a new school. As such, the proposal meets the requirements for SSD in accordance with clause 15 of Schedule 1 of SSD SEPP.

5.2 SEPP No. 55 – Remediation of Land

SEPP 55 provides a state-wide planning approach to the remediation of contaminated land. SEPP 55 requires the consent authority to consider whether the subject land is contaminated.

While the proposal relates to land which is occupied by a former school, it is anticipated a Preliminary Site Investigation (PSI) will be required to address the site suitability requirements under SEPP 55.

5.2.1 Draft Remediation of Land SEPP (Update to SEPP No. 55)

The recently exhibited draft Remediation of Land will not substantially alter the fundamental requirements of the legislation under SEPP 55. Under the recently exhibited, but yet to commence, draft Remediation of Land SEPP, Category 1 remediation works are at this stage proposed to be amended to comprise new classes of Category 1 remediation work.

Additional changes are proposed to certification of Category 2 remediation works and strategic planning.

5.3 SEPP (Koala Habitat Protection) 2019

The Koala SEPP replaces SEPP 44 – Koala Habitat Protection and applies to Shoalhaven LGA under Schedule 1. The land is not identified on the Koala Development Application Map and is not subject to an approved koala plan of

management. The consent authority must therefore be satisfied that the land is not core koala habitat.

The land is identified as a Site Investigation Area for Koala Plans of Management, which is used to guide councils for the purposes of preparing their koala plan of management.

5.4 Draft Environment SEPP

The draft Environment SEPP applies to the state's wider catchments, bushland, waterways and protected areas. It consolidates the Sydney Drinking Water Catchment SEPP, which applies to Shoalhaven LGA.

The SEPP (Sydney Drinking Water Catchment) requires a consent authority for all development under Part 4 of the Act in the Sydney Drinking Water Catchment, to be satisfied that the proposed development will have a neutral or beneficial effect on water quality. It also requires authorities undertaking activities under part 5 of the Act to consider if the activity would have a neutral or beneficial effect on water quality.

The site is not identified within a catchment boundary under the SEPP.

5.5 Shoalhaven LEP 2014

Shoalhaven Local Environmental Plan (SLEP) 2014 is the principle planning instrument that applies to the site. The following key provisions apply:

Table 2 – Shoalhaven LEP 2014		
Control	Provision	Compliance
Land use	The site is zoned RU1 Primary Production.	<p>Under the RU1 Primary Production zone, educational establishments are a type of development are permissible with consent.</p> <p>Educational establishments are defined as:</p> <p>Educational establishment means a building or place used for education (including teaching), being—</p> <p>(a) a school, or</p> <p>(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.</p> <p>As such, the proposed school is considered permissible with consent.</p>

Table 2 – Shoalhaven LEP 2014

Control	Provision	Compliance
cl. 4.3 Height of buildings	The site is not prescribed a maximum building height.	N/A The proposal will have regard to the design quality principles in Schedule 4 of the Education SEPP
cl. 4.4 Floor space ratio	The site is not prescribed a maximum floor space ratio.	N/A The proposal will have regard to the design quality principles in Schedule 4 of the Education SEPP
cl. 5.10 Heritage conservation	<p>The site adjoins an item of local heritage significance (item 296 - two storey Victorian rendered masonry store).</p> <p>Land on the opposite side of Croobyar Road contains a heritage item of local significance as identified in LEP mapping (Item 264 – Milton Church of England Cemetery).</p> <p>Item 295 – “Candlemakers Cottage” Colonial rendered Brick Cottage is located approximately 75 metres east of the site along the Princes Highway.</p>	The SSDA will be accompanied by a statement from a heritage specialist to address potential impacts.
cl 7.1 Acid sulfate soils	The site is located in Class 5 acid sulfate soils,	The SSDA will be accompanied by a geotechnical investigation confirming the suitability of the ground conditions for the proposed works.
cl. 7.6 Riparian land and watercourses	The site contains a natural watercourse (Category 3) that traverses through the north west corner site.	<p>The SSDA will be accompanied by an ecological assessment to address potential impacts in relation to impact on riparian species.</p> <p>As the proposed works relates to an existing developed area on the site, it is considered a riparian</p>

Table 2 – Shoalhaven LEP 2014

Control	Provision	Compliance
		assessment is not considered necessary for the purposes of the SSDA.

5.6 Shoalhaven DCP 2014

Pursuant to clause 11 of the SRD SEPP, development control plans do not apply to proposals considered to be State Significant development. Nonetheless, the proposal will have regard to the relevant controls of Shoalhaven Development Control Plan 2014 where appropriate.

5.7 Other Planning Policies and Legislation

In addition to the above, the following policies and legislation apply to the site and will need to be considered as part of the SSDA:

- Biodiversity Conservation Act 2016;
- State Infrastructure Strategy 2018-2038;
- Illawarra-Shoalhaven Region-Plan 2017-18;
- NSW State and Premier Priorities; and
- Future Transport Strategy 2056.

The EIS will provide a comprehensive assessment against all the relevant strategic plans and statutory provisions.

6 Overview of Likely Environmental Issues

Based on our preliminary environmental assessment, the following environmental assessment issues will likely need to be considered as part of the SSDA.

6.1 Built Form

An architectural design report will form part of the EIS. The report will explain the design concept of the proposed development and how it responds to the surrounding locality.

This will include, but not be limited to, site context plans, demolition site plan, floor plans, sections, elevations, shadow diagrams, materials and finishes, perspectives and building program.

6.2 Bushfire

A small portion of the site's south eastern corner is bush fire prone land (vegetation buffer and Category 2) as identified in LEP mapping.

Accordingly, a bushfire assessment will form part of the EIS outlining compliance with the relevant provisions of Planning for Bushfire Protection (PBP) 2019.

6.3 Heritage

6.3.1 Aboriginal

Due to the creek that traverses the north western corner of the site, an aboriginal heritage due diligence assessment form part of the EIS to determine if the proposed development has potential to impact areas of archaeological significance.

Subject to the recommendations of the due diligence assessment, an Aboriginal Cultural Heritage Assessment Report (ACHAR) will prepared and include consultation in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW).

6.3.2 European

There are three local heritage items within the immediate vicinity of the site. These include:

- Item 296 – two storey Victorian rendered masonry store, which adjoins the site to the north-east;
- Item 264 – Milton Church of England Cemetery on the opposite side of Croobyar Road; and
- Item 295 – “Candlemakers Cottage” Colonial rendered Brick Cottage approximately 75 metres east of the site along the Princes Highway.

A heritage impact statement will form part of the EIS that considers the impacts of the proposed development in relation to local heritage item 296 - two storey Victorian rendered masonry store). The other two heritage items are considered to not be within the sphere of impact in relation to the proposed works due to their physical separation.

6.4 Arborist

An arborist report will form part of the EIS that considers that impacts involving the removal of trees.

6.5 Ecology/Flora and Fauna

An ecological report will form part of the EIS, which will assess the impact of the proposal on significant vegetation, flora and fauna.

It is anticipated a Biodiversity Development Assessment Report (BDAR) will be required in accordance with the *NSW Biodiversity Conservation Act 2016*, which will assess biodiversity values, likely biodiversity impacts and any minimisation impacts in accordance with the Biodiversity Assessment Method (BAM).

6.6 Traffic and Accessibility

A traffic and parking assessment will form part of the EIS, addressing issues relating to potential impacts on road network performance associated with the proposal as well as parking, arrangement and compliance of on-site parking,

The report will also detail linkages to existing and planned public transport, active modes of transport and swept paths will also be provided.

6.7 Crime Prevention Through Environmental Design (CPTED)

A Crime Prevention Through Environmental Design Report will form part of the EIS. The report will consider the proposed design in relation to the four design quality principles; territorial enforcement, surveillance, activity/space management and access control.

6.8 Acoustic

An acoustic assessment will form part of the EIS and address potential acoustic impact on nearby properties, including adjacent properties and any other sensitive noise receivers.

In particular, consideration will be made to the steel fabrication facility and concrete batching plant at No. 17 and No. 13 Wilfords Lane. The assessment will provide suitable measures to help mitigate against the potential acoustic impacts.

6.9 Air Quality

An air quality assessment will form part of the EIS. The report will consider the air quality impacts of the nearby concrete batching plant at the 13 Wilford Lane and the steel fabrication facility at 17 Wilford Lane.

The assessment will provide an overview of source emissions, potential air quality health impacts, including details of human exposure scenarios and demonstration that the proposal will not have unacceptable health effects.

6.10 Accessibility, Fire Safety and BCA

Accessibility, Fire Safety and BCA compliance reports will form part of the EIS. The reports will have regard to providing suitable access and ensuring relevant fire safety and BCA standards are addressed.

6.11 Construction Management

A Construction Management Plan will form part of the EIS and detail proposed construction management strategies. A Construction Traffic Management Plan will also be prepared to outline proposed traffic control plans and truck routes.

6.12 Waste Management

A Construction and Demolition Waste Management Plan and an operational Waste Management Plan will form part of the EIS to detail proposed waste and recycling practices and procedures during demolition, construction and operation.

6.13 Ecological Sustainable Development (ESD)

The EIS will detail how ESD principles will be incorporated into the design and ongoing operation of the development. This will include measures to implement and minimise the consumption of resources, water and energy.

6.14 Contamination and Geotechnical

A Preliminary Site Investigation will form part of the EIS to confirm the site is suitable for its intended purpose and meet the requirements of SEPP 55.

Geotechnical investigations will be undertaken as part of preparation of the EIS that assesses the suitability of ground conditions in relation to the proposed works.

6.15 Civil Engineering

The EIS will be accompanied by a set of civil engineering plans.

6.16 Social

An assessment of the proposed development in relation to potential social impacts will accompany the future SSD application.

7

Consultation

During preparation of the EIS, we anticipate consultation will be undertaken with the following stakeholders:

- Shoalhaven Council;
- Department of Planning, Industry and Environment;
- Ulludulla Aboriginal Land Council;
- Transport for NSW;
- Roads and Maritime Services;
- Local community groups; and
- Surrounding landowners.

8 Conclusion

The purpose of this document is to request the SEARs for the preparation of an EIS for the establishment of a new school for special purposes at 17 Croobyar Road, Milton.

It includes a description of the site, an overview of the proposed development and an outline of what are considered to be the likely environmental issues for assessment of the SSDA.

We trust that the information detailed in this document is sufficient to enable the Secretary to issue the SEARs.

Should you have any queries about this matter, please do not hesitate to contact Alix Carpenter, Director of Statutory Planning at School Infrastructure NSW.