

16 November 2021

Ms Sarah Kelly  
Principal Planner  
Department of Education  
Level 8, 259 George Street  
Sydney NSW 2000

Dear Ms Kelly

**New High School in Bungendore (SSD-14394209)  
Request for additional information**

I refer to the State significant development (SSD) application for a New High School in Bungendore (SSD-14394209) and the Department's correspondence dated 21 October 2021.

The Department has now received a detailed submission from Queanbeyan-Palerang Regional Council (Council) and has processed hard copy public submissions received during the exhibition period. The Department has also received additional advice from EPA dated 9 November 2021. Please address all of the issues raised in Council submission, the public submissions and EPA's advice in the Submissions Report. The Department has published these on the Major Projects website.

In addition to the issues raised in the public submissions and agency advice, the Department requires you to address the matters raised in **Attachment A** in the Submissions Report.

If you have any questions, please contact Tahlia Alexander on (02) 9995 6022 or via email at [tahlia.alexander@planning.nsw.gov.au](mailto:tahlia.alexander@planning.nsw.gov.au).

Yours sincerely



Karen Harragon  
Director, Social and Infrastructure Assessments  
**as delegate for the Planning Secretary**

## **Attachment A – Key issues**

### **1) Native Title Claims, Crown Lands and Joint Use Agreements**

Provide further information on the status and closure of matters relating :

- Native Title Claims affecting the site;
- Crown land acquisition and extinguishment of associated dedication / reservation and community land reclassification;
- Road closure;
- Proposed joint use agreement for use of Mick Sherd Oval including details of any agreement; and
- Proposed joint use agreement or other arrangements (including details of any agreement) to enable Council and community use of the proposed facilities within Building D/E.

### **2) Contamination**

The submitted Preliminary Site Investigation (PSI) identifies that additional site investigations are required to be undertaken on the agricultural plot. A Detailed Site Investigation (DSI) is required to be submitted and must include the additional site investigations recommended in the PSI. If the DSI concludes that remediation is required, a Remediation Action Plan (RAP) is also required to be submitted. The RAP must be prepared in accordance with the EPA's *Consultants reporting on contaminated land: Contaminated land guidelines (2020)*.

Since the Application was lodged, Transport for NSW (TfNSW) has identified lead contamination in soil along the rail corridor at Bungendore. Further information is available here - <https://roads-waterways.transport.nsw.gov.au/projects/bungendore/index.html>  
Please ensure the technical consultant addresses these recent lead contamination findings in the requested DSI.

### **3) Noise Impact Assessment**

The location of the unattended noise loggers (excluding logger 1) identified in the submitted Noise Impact Assessment (NIA) are a substantial distance from the school site. Given how far the noise loggers are from the site, it is not clear how the selected noise loggers would accurately represent background noise levels of closest sensitive receivers to the site as required by the Noise Policy for Industry 2017 (EPA).

Additionally, there were high winds and rain on many days during the noise monitoring. Concerns are raised with the impact this would have on accurately established the background noise levels as outlined in the Noise Policy for Industry 2017 (EPA).

Please update the submitted NIA to address the issues raised above. In addition, ensure that the revised NIA addresses any operational,(including servicing) and construction noise and vibration impacts on:

- the occupier/s of No. 63 Turallo Terrace which directly adjoins the proposed play area and waste collection area in the north-east corner of the site.
- the existing primary school and preschool located adjacent to the site on Gibraltar Street and Turallo Terrace, respectively.

### **4) Statement of Heritage Impact**

The submitted Statement of Heritage Impact (SoHI) does not address the potential impact on the historic grid road layout through the removal of part of Majara Street. Please update the SoHI to address this matter and any proposed mitigation measures such as a Heritage Interpretation Plan.

## **5) Archaeological Assessment**

The public submissions raise concern that there may be an Aboriginal grave on the site. Please update the submitted Archaeological Assessment to address this matter.

## **6) Materiality**

Provide further information on how the proposed external materials are sympathetic and respond positively to the existing rural village character, particularly the materials of surrounding heritage items which include brick, stone, timber cladding and corrugated iron. It is recommended that reference is made to the Bungendore Character Statement contained in Part D of the Palerang Development Control Plan 2015 in responding to this matter.

## **7) State Design Review Panel**

The Government Architect has requested that the proposal is returned to the State Design Review Panel (SDRP) for further review on 8<sup>th</sup> December 2021. The presentation to be given to SDRP must focus on how the proposal addresses the design concerns raised in the public submissions and the SDRP advice sheet dated 16 July 2021.

Any issues raised by SDRP are to be responded to prior to lodgement of the Submissions Report.

## **8) Clause 4.6 Variation**

Proposed Building E contains facilities for the exclusive use of the community and Council. Proposed Building E breaches the 8.5 metre height of building (HOB) development standard under Clause 4.3 of Palerang Local Environmental Plan 2014 (PLEP). Consequently, a written request to vary the HOB development standard is required to be submitted in accordance with Clause 4.6 of PLEP.

## **9) War Memorial**

The Bungendore War Memorial Committee (BWMC) has raised a number of concerns in its' submission including potential impacts on ANZAC Day and Remembrance Day commemorations due to the location of fencing around Mick Sherd Oval and the drop-off/pick up zone. The Department recommends that you consult with the BWMC to address these issues.

## **10) Mick Sherd Oval Fencing**

The Department notes that the scheme presented to the SDRP on 7 July 2021 did not show fencing around Mick Sherd Oval. In the SDRP advice sheet dated 16 July 2021, SDRP state that they are supportive of 'the reduction of fencing resulting in improved integration with the surrounding neighbourhood'.

In light of the concerns raised by BWMC, as well as concerns raised in other public submissions regarding the proposed fencing, the Department requests that further consideration be given to the need to provide fencing and opportunities to reduce/remove fencing around Mick Sherd Oval.

## 11) Pedestrian access to Bungendore Common

Provide further information on how residents residing south and west of the Bungendore Common would safely and conveniently gain pedestrian access to the remaining area of the Bungendore Common.

## 12) Bush Balladeers Place

The proposal includes the relocation of Bush Balladeers Place and rotunda to Frogs Hollow Reserve. The EIS notes that the reconstruction of Bush Balladeers Place and rotunda would occur under a separate approval process. Please provide further information and status of the separate approval process.

Additionally, please provide information of any consultation with the Bungendore Country Music Muster committee regarding the relocation of Bush Balladeers Place.

## 13) Social Impact Assessment

- (a) The submitted Social Impact Assessment (SIA) does not include a signed declaration in accordance with the Department's SIA Guideline 2021. The SIA Guideline requires:

*The lead author of the SIA report should include a signed declaration confirming:*

- *the date(s) on which the SIA was completed*
- *that the SIA contains all relevant information*
- *that they understand their legal and ethical obligations, and that none of the information in the SIA is false or misleading*
- *their qualifications, experience and professional memberships.*

- (b) Update the SIA to respond to additional relevant concerns raised in the public submissions including:

- relocation of the Abbeyfield (seniors housing) site as a consequence of the development;
- concerns raised by BWMC; and
- relocation of Bush Balladeers Place.