

28 October 2022

TfNSW reference: STH20/00139/06

Your reference: SSD-14394209

Department of Planning and Environment

BY EMAIL: jenny.chu@planning.nsw.gov.au

Cc: information@planning.nsw.gov.au

Attention: Jenny Chu

STATE SIGNIFICANT DEVELOPMENT 14394209 – NEW HIGH SCHOOL AND ASSOCIATED INFRASTRUCTURE IN BUNGENDORE – RESPONSE TO SUBMISSIONS

Dear Jenny,

Transport for NSW (TfNSW) is responding to the above State Significant Development (SSD) application referred on 16 September 2021 and apologises for the delay in providing its response/comments.

TfNSW has reviewed the additional information provided and has **no objections** to the submitted SSD application **provided any approval issued includes conditions that address the matters detailed in Attachment 1** under the heading ‘Matters to be addressed by conditions’.

On the Department of Planning and Environment determination of this matter, please forward a copy of the Notice of Determination to TfNSW (development.south@transport.nsw.gov.au). If you have any questions, please contact Andrew Lissenden, Development Services Case Officer, on 0418 962 703.

Yours faithfully



Andrew Lissenden

Development Case Officer, Development Services (South Region)

OFFICIAL

STATE SIGNIFICANT DEVELOPMENT 14394209 – NEW HIGH SCHOOL, ASSOCIATED INFRASTRUCTURE AND COMMUNITY CENTER IN BUNGENDORE – RESPONSE TO SUBMISSIONS

Context

TfNSW notes and advises:

- the key state classified road is the Kings Highway/Malbon Street to which the development gains access via the local road network (refer to **Attachment 2**);
- the rail corridor located on Lot 4 DP 830878 (adjacent to the sites eastern boundary - refer to **Attachment 2**) forms part of the operational Tarago to Queanbeyan rail corridor. It also forms part of the Country Regional Network (CRN) that is operated and managed for TfNSW by UGL Regional Linx (UGLRL);
- the SSD application, as amended, is seeking approval to construct a new high school that will accommodate 450 students and 41 operational staff with associated facilities (car parking, play areas, fencing, bus bay, kiss and ride facilities, etc). The amendments do not include any revisions to the student numbers, staff numbers, and vehicle access arrangements to and from the school as previously exhibited;
- it has previously provided advice on this SSD application (no objection letter with suggested conditions – refer to the TfNSW letter 20 October 2021);
- the impact of the proposed development on both the state road network and the adjacent rail corridor needs to be considered and adequately mitigated;
- it is currently conducting an environmental assessment to identify contamination on the CRN. All railway corridors are generally deemed to be contaminated unless proven otherwise by sample testing. Contamination risk arises from both the construction (e.g., unknown fill used in rail construction) and operations (e.g., transportation of contaminated material, spills) of the railway. Potential contaminants could include but are not limited to, heavy metals, PAHs, phenolics (boiler ash), Organochlorine Pesticides (OCPs), and Organophosphorus Pesticides (OPPs). TfNSW is aware of contaminants found in the rail corridor or on the common boundaries with the development site.

In accordance with *State Environmental Planning Policy (Resilience and Hazards) 2021* - Section 4.6 'Contamination and remediation to be considered in determining development application' (previously *State Environmental Planning Policy No. 55 – Remediation of Land*) the consent authority must consider whether the land is contaminated; and

- the comments it is providing are the collective TfNSW submission (e.g. includes consultation with UGLRL) and supersede the previous comments provided in the TfNSW letter dated 20 October 2021.

Matters to be addressed by conditions

1. School Zone

- 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 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).
- 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.

Note:

- Section 138 approval under the Roads Act 1993 will be required before commencing works in the adjoining roads.

- 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.
- d) The approved school zone shall be operated and maintained in accordance with approvals issued by TfNSW for the life of the development.

2. Bus Bay

- 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.

3. Pedestrian Crossings

- a) The new pedestrian crossing to be provided in Gibraltar Street and Turulo 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.
- 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*.

4. School Travel Plan

- a) Before occupation/use of the development as a school, the NSW Department of Education shall:

- 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
- ii) Submit a copy of the final Travel Plan to TfNSW and Council.

Note: Transport for NSW has developed a Travel Plan Toolkit designed for the person or group responsible for developing and implementing a Travel Plan. This toolkit provides the steps, templates and resources for developing a comprehensive Travel Plan and may be accessed at: <https://www.mysydney.nsw.gov.au/travelchoices/tdm>.

- 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.

5. Bus Service Implementation

- 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.
- 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.

6. General Requirement

- 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.

7. Rail Corridor Requirements

- a) Prior to the commencement of any works, the applicant shall:
 - i) submit a Risk Assessment/Management Plan and detailed Safe Work Methods Statement (SWMS) for the approved works to UGLRL (via email to thirdpartyworks@uglregionallinx.com.au) for review and comment on the impacts on the rail corridor.
 - ii) obtain written approval from UGLRL and TfNSW (via email to thirdpartyworks@uglregionallinx.com.au) 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.

- iii) provide an accurate survey (via email to thirdpartyworks@uglregionallinx.com.au) 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.
 - 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 thirdpartyworks@uglregionallinx.com.au for more information.
 - 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 thirdpartyworks@uglregionallinx.com.au). Should any issues be identified post-construction they are to be rectified by the proponent.
- b) The use of cranes and equipment in proximity to the rail corridor shall comply with the following:
 - 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;
 - 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
 - iii) The use of Equipment must be in accordance with the AS 2550 series of Australian Standards, Cranes, Hoist and Winches, including AS2550 15-1994 Cranes – Safe Use – Concrete Placing Equipment.
- 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.
- 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:
 - i) the recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to commencing of the construction activities; and
 - 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.
- 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.

