

Analysis and Objection

BHS Land Area Requirement based on its Classification as Urban/Medium Density instead of Rural/Regional

A significant number of local citizens have expressed grave concerns regarding the selection of Majara Steet and parts of the adjacent Crown land as the preferred site for the new high school in Bungendore.

They are concerned that the interpretation and application of the DoE site selection criteria and methodology used to justify the irrational selection of the Majara Street site, is deeply flawed and calls into question the probity of those involved in the selection process.

This submission examines the veracity and validity of the interpretation of the site selection criteria by those involved in evaluating the Majara Street site in particular SINSW. A similar but separate examination of the decision to reject the sites shortlisted by DPIE upon completion of the EOI submissions will also be conducted – especially as it relates to the Ashby site.

The first issue that arises concerns the area or size of the site noting the requirement for it to be a single parcel of land with a regular shape and a gradient no greater than 1:10.

The DoE criteria in relation to the school size or area are based on whether the school is classified as:

- regional/rural, or
- urban/mid-low density.

There is no doubt whatsoever, that Bungendore is a rural village. Attached at Appendix A is an extract from the Bungendore Structure Plan produced by QPRC titled 'The Character of Bungendore'. The following statement in the document confirms the regional/rural classification of our village:

Bungendore is a rural town with commercial, civic and residential neighbourhoods. The characteristic subdivision pattern of the original village and low scale development creates an open, informal and spacious character that contributes to the rural village character.

In a Joint Ministerial press release dated 15 September 2023, the Minister for Education and Early Learning and the Minister for Regional and Western New South Wales Tara Moriarty clearly describe Bungendore as a rural regional village. The press release identifies both Bungendore and Jerrabomberra as regional high schools and recipients of funding from a \$1.4 billion funding package for **Regional NSW**.

The area required for a regional/rural high school is clearly stated in the DoE guidelines as a **minimum of 4 ha for up to 2000 students**.

The aerial photo of Bungendore also shows Bungendore as a discrete entity with clearly delineated boundaries separating the village from the adjacent rural properties. See Appendix B.

On Mon, 07 Feb 2022 in an email to his staff, Mr Carlo Bellinato, Director of Infrastructure Delivery SINSW, advised his staff that Bungendore was classified as an urban/mid-low-density area thus requiring only 2.5 ha of land and inferred even less area was needed if it was 'proportioned' in relation to student numbers. The logic used to arrive at this statement is inexplicable. Does this mean that if 4 ha was the required land area for up to 2000 students, then a school with 500 students needs only one hectare?

The email to his staff is attached at Appendix C.

In addition, Mr Bellinato appears to have overlooked the benefits that flow to schools and teachers as a result of their rural/regional classification. Their benefits would be lost if Bungendore's rural classification is overturned by an ill-considered unilateral decision by Mr Bellinato.

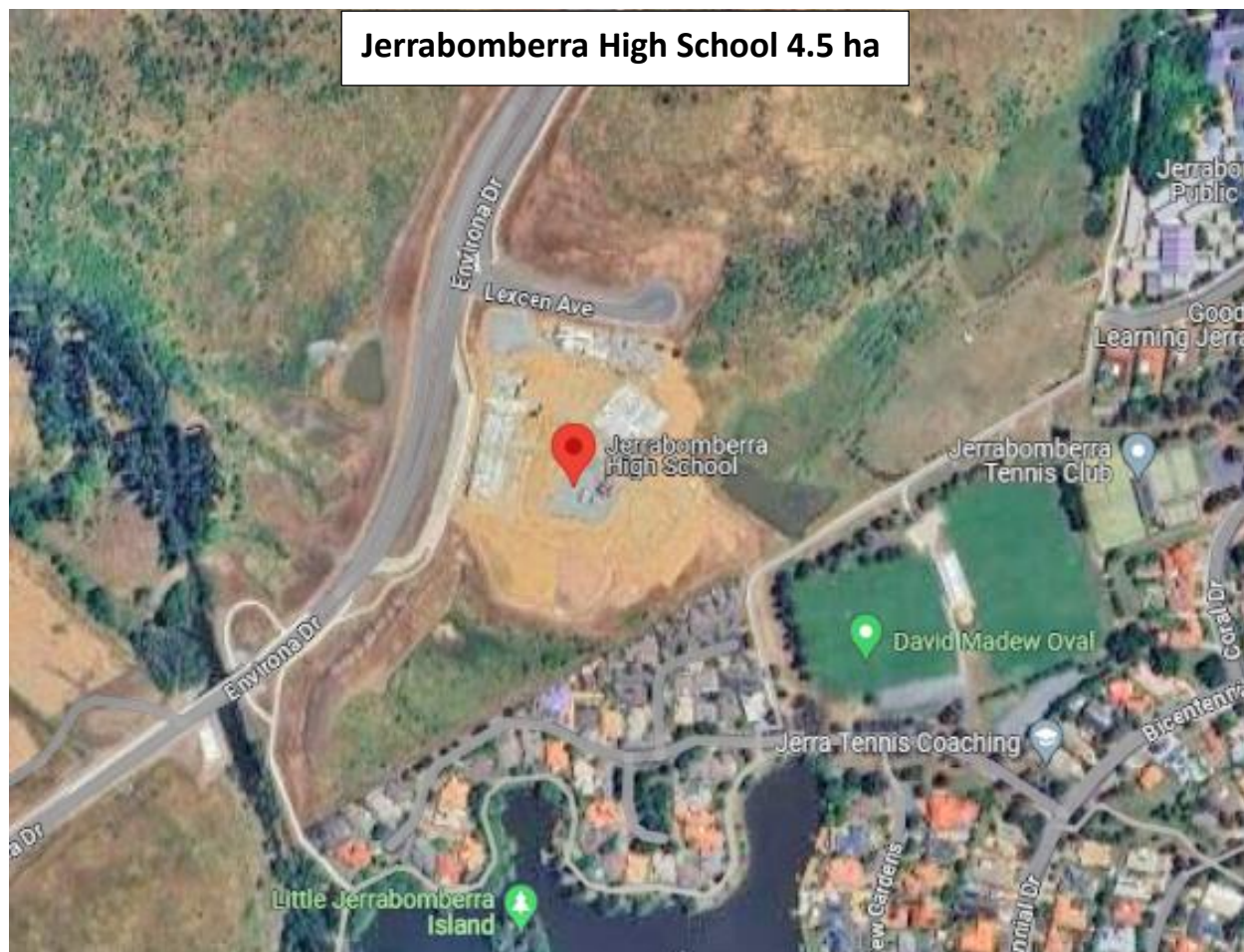
It is a cause for great concern that Mr Bellinato is able to overrule his Minister on such a key issue. It is astonishing that his arbitrary amendment to the classification of Bungendore as urban rather than regional/rural with its disastrous consequences not been challenged. If the DoE site selection guidelines relating to the land area for a regional/rural high school were honestly applied to the BHS project, the Majara Street site would have been dismissed as inadequate being half the size of the 4 ha **minimum** land area required for a rural/regional high school.

Thankfully the same insulting and arbitrary classification of Bungendore as urban was not applied to Jerrabomberra despite it being in a more densely populated area on the outskirts of Queanbeyan.

The Jerrabomberra High School with its 4.5 ha of land does not include an agricultural plot. And it should be noted that there is a single access road to the school. It is funded from the same \$1.4 billion assistance package for regional Australia. These facts simply beg the question—why are the children of high school age in Bungendore being deprived of their space entitlement?

It should also be noted that despite a formal and properly conducted site selection investigation by DPIE that ruled out the Majara St/Bungendore Park option on the basis it failed to meet the land area requirements for a rural/regional high school, DoE insists on building a high school on a hopelessly inadequate area of land. It also fails on a number of other criteria which can be found at:

<https://education.nsw.gov.au/content/dam/main-education/en/home/teaching-and-learning/curriculum/rural-and-distance-education/rural-and-remote-education/rural-and-remote-education-strategy-2021-2024.pdf>



The decision to build a new high school on one of the busiest streets in Bungendore has angered and even outraged many residents. Majara Street is used on a daily basis to access the main access routes to Queanbeyan, the highway to Sydney, and the road to the coast.

The most frequent comment offered when interviewing local residents regarding the adequacy of the Majara Street site is 'How will the school be expanded to cope with an increase in student numbers as the population grows as forecast in the 2018 – 2048 Bungendore Structure Plan?'

This issue was acknowledged by the previous member for Monaro, Mrs Nicole Overall, when she inferred that the current Majura Street site for the high school was a temporary measure to get the children into high school quickly, and a long-term solution would come later.

The current member for Monaro Steve Whan in his latest update on the BHS states:

*The NSW Labor Government is committed to building a high school in Bungendore. **Unfortunately, the original plans, announced without consultation by the former Government, have proven controversial.** They have been the subject of lengthy legal action to attempt to prevent the construction of the school (on the Majara St site).*

Mr Whan's statement is missing the words 'on the Majara St site'. We are not opposed to a high school per se. Mr Whan's wording implies that those opposing the SSD are opposed to a BHS. That is incorrect! They are opposed to the BHS being built on the Majara St site and our Park.

I have spent a lot of time with the Department (DoE) trying to find better solutions. That includes testing solutions put forward by various people in the community. Unfortunately, this mess is not easily or quickly fixed by anything other than the withdrawal of the threat of legal action - which no government can require.

*I came into this process well after the initial decisions had been announced by the former Member for Monaro. **I have frankly been dumfounded by the lack of consultation either within Government or with the community prior to that announcement.***

*I have heard, directly, the anger, frustration, and division this issue has caused in the Bungendore community, **unfortunately there has not been a simple solution.***

If Mr Whan was to take a slightly more strategic view of the BHS site issue, he would see that there are a number of far better options than the ill-considered Majara St site. Prior to Mr Barillaro's politically motivated interference, the Ashby site, which was about to be selected is vastly superior, less costly, centrally placed to the growing student catchment in the northern development area of Bungendore and much quicker to build.

So, if Mr Whan is truly interested in a solution that delivers a school quickly, he should recommend that DPHI be allowed to return to do their job. The site selection mess he claims to have inherited and which caused him to say "*I have frankly been dumfounded by the lack of consultation either within Government or with the community prior to that announcement (by John Barillaro)*" can be quickly and easily fixed by letting DPHI returned and do their job.

The site selection criteria states that the school must have 10 m² per student for the 450 students planned to attend the school. This amounts to .45 ha, or 22% of the 2.08 ha of the Majura Street site. This outdoor space should be designed to align with the objectives and guiding principles of the National Quality Framework (NQF).

It's important to note that areas such as pathways, thoroughfares, car parks, storage sheds, or any other space that is not suitable for children cannot be counted as outdoor space. And neither can the so called ag plot be considered within the minimum land area requirements.

The Majura Street site does not comply with these essential criteria. Any plans to expand the school can only be achieved at the expense of the already inadequate clear space for the students.

It is also noted that the area of the Bungendore Public (Primary) School (BPS) is greater than the proposed Majura Street high school site of 2.08 ha.

The New South Wales architect's guidelines for schools emphasise the need for students to be able to conduct physical activity as it is an essential component of their learning. The 2.08 ha Majura Street site is not able to meet this need unless it intends to compulsorily acquire the remainder of Bungendore Park, including Mick Sherd Oval, which is Crown land. If that is the plan, the residents of Bungendore should be informed.

Futureproofing is a word used frequently in DoE literature emphasising the need to plan for expansion or when building a new high school. It is not clear how this factor is taken into consideration in relation to the Majura Street site. The area identified on SINSW maps and artist's impressions of the new school as 'space for possible future expansion' is tiny. In addition, an expansion of school structures to accommodate any increase in the student population would further erode the inadequate clear space allocation within the 2.08 ha available for the school.

In the most recent BHS project update dated June 2024, DoE states that:

Planning is underway to deliver a new permanent high school in Bungendore, which will have modern facilities to accommodate approximately 450 students with options for future expansion to cater for enrolment growth. And,

In addition, revised enrolment projections indicate medium and long-term enrolment numbers may be higher than previously forecast. As a result, the Department is reviewing the analysis of projected demand to ensure community needs can be met.

The Majura Street site at 2.08 ha is clearly inadequate and fails miserably to meet the minimum size criteria of 4 ha specified by DoE despite Mr Bellinato's claims to the contrary. Although the need for expansion and future proofing are mentioned it is not possible to achieve it on the Majura Street site.

However, there is a vastly superior easily accessed greenfield site centrally placed in relation to the growing student catchment within the town as forecast in the 2018 – 2048 Bungendore Structure Plan. This site appears to have been ruled out by SINSW

because of deliberate obfuscation and misrepresentation of the site's compliance with the DoE criteria by SINSW.

A strategic approach to selecting a site for the Bungendore High School would open up consideration of an education precinct that allows for:

- A spacious rural environment central to the planned expansion of Bungendore to the north and east of the town and away from the threat of flooding.
- The establishment of ovals and playing fields for various sports which the community can access on weekends.
- The orientation of buildings to take advantage of solar passive design.
- The collection and storage of water from built-form structures using in-ground water storage or above-ground tanks.
- The generation of solar power from either roof-mounted panels or an on-site solar farm obviating the reliance on town infrastructure.
- A large ag plot and, if sufficient land is acquired, the establishment of an agricultural wing for the school.
- The construction of roads and parking spaces that do not impinge on town centre facilities.
- The placement of facilities available for sharing with the community in a developing area of the town rather than in an area that already has open green space areas and children's play areas.

The Ashby greenfield site, which DPIE recommended during the agreed site selection process is the fastest and best option for a modern, spacious high school precinct for Bungendore. Those in favour of the Majara Street site for the new high school believe that this option will deliver the high school in the shortest possible time. Complex legal issues associated with the Majara St site place this assumption in serious doubt.

It would be a travesty if the true imperative for choosing the Majara St site for the BHS was the sale of the unwanted council chambers on Majara Street to help pay for the \$83 million QPRC headquarters building in Queanbeyan. For it to take precedence over the construction of the best possible learning environment for the young people of the Bungendore region is simply unconscionable.

Appendix A

Extracts from the Draft Bungendore Structure Plan · June 2019

6.3 Current Character of Bungendore

The village of Bungendore has a strong visual setting on the open plain south of Lake George, bounded by significant ridges to the east, west and south. There is a clear divide between the rural landscape and the town. The village topography is flat and is bisected by Turallo Creek running east – west and the Sydney to Canberra rail line running north - south. The creek, including its reserve, is the only dominant natural land feature within the village. Four roads converge on the village, linking it with Braidwood and the south coast, Queanbeyan, Canberra, Goulburn and Sydney. From the east, the Kings Highway (Malbon Street) has views of older dwellings, the cemetery and the new housing development in the northern part of the village.

From the south, the Kings Highway includes a mix of heritage buildings and rural commercial suppliers. From the west, Bungendore Road contains views of the rural landscape, the village's sewerage treatment plant and the commercial area. From the north, Tarago Road is lined with a belt of native and pine trees. It passes the newer housing estate and crosses over Turallo Creek.

Bungendore is a rural town with commercial, civic and residential neighbourhoods. The characteristic subdivision pattern of the original village and low scale development creates an open, informal and spacious character that contributes to the rural village character. This area is bounded by Molonglo Street, Rutledge Street, Majara Street and Turallo Terrace. There is a clear delineation between the historic nineteenth century village and the late twentieth and twenty first century residential areas.

Bungendore accommodates high numbers of tourists – day trippers from Canberra and Queanbeyan, and travellers passing through. The original village area has four distinct precincts; the civic, commercial, open space areas and the residential area which surrounds the commercial area. The civic area contains numerous significant heritage buildings which continue to serve the functional needs of the village. These include the police station, post office, public school and the railway station. **Bungendore Park, well known for its mature pine trees, Anzac memorial and oval, forms the centre of this area. As well as being a sporting facility, it provides a rest stop for visitors and a meeting place for the community.**

Key features of the Bungendore character are open space, the surrounding rural landscape, a mix of heritage with new and predominantly single story buildings.

Appendix B

Bungendore Village



Appendix C

Email from Carlo Bellinato to his Staff regarding land area size for the BHS

New HS in Bungendore - Site Area Size

From: Carlo Bellinato <carlo.bellinato@det.nsw.edu.au>
To: Cameron Dunger <cameron.dunger@minister.nsw.gov.au>, Danny Cvetkovski <danny.cvetkovski@det.nsw.edu.au>, Stuart Bicknell <stuart.bicknell@det.nsw.edu.au>, Lachlan MacDonald (Lachlan MacDonald) <lachlan.macdonald34@det.nsw.edu.au>, Shay Bergin (Shay Bergin) <shay.bergin1@det.nsw.edu.au>, David Tonge <david.tonge3@det.nsw.edu.au>, Martin Cook (Martin Cook) <martin.cook12@det.nsw.edu.au>, Scott Nemeth <scott.nemeth5@det.nsw.edu.au>, Ben Cohen <benjamin.cohen11@det.nsw.edu.au>
Date: Mon, 07 Feb 2022 14:11:09 +1100

All,

Please see below for some commentary around high school sizing at Bungendore. To date there has been some misinformation being circulated that the size of the new high school in Bungendore is not consistent with the Department's own standards.

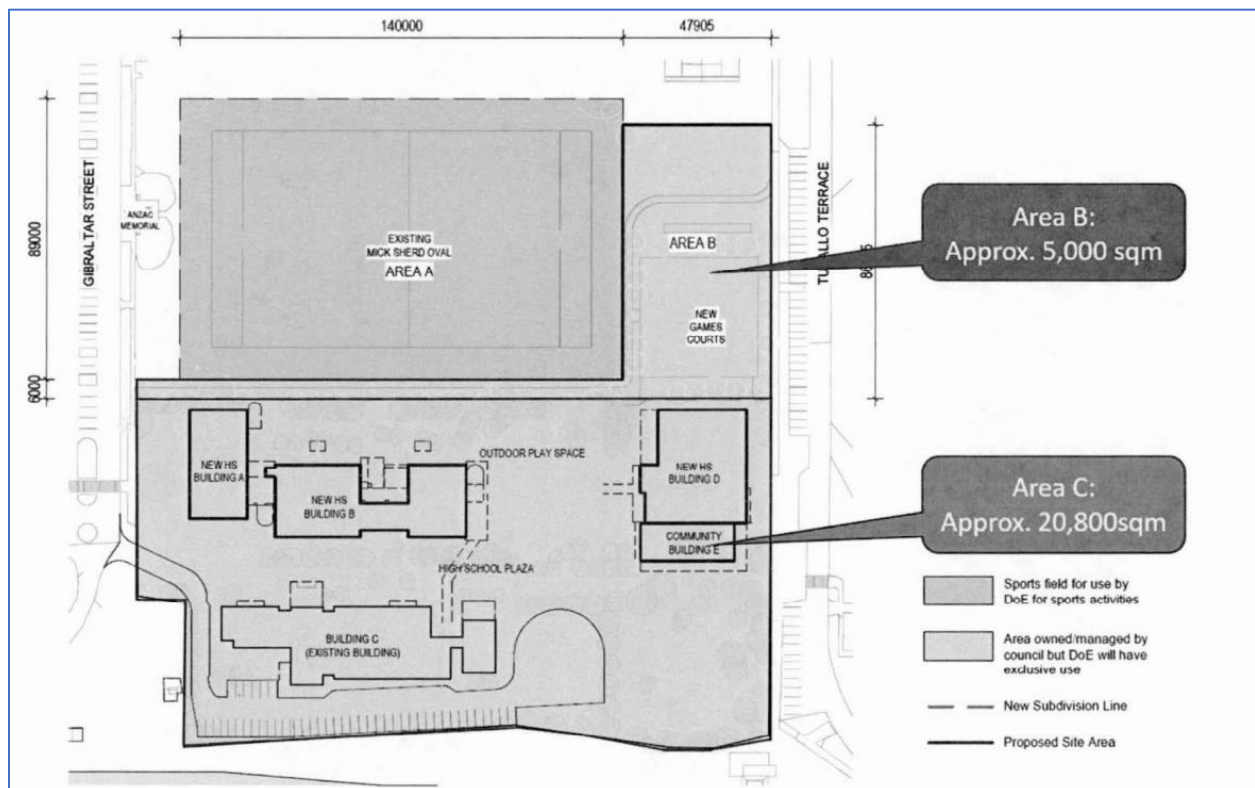
The Department's standards and guidelines (in the EFSG) state:

- * Suburban/low-medium density areas: 2.5ha for a Secondary School (Capacity up to 2,000 students)
- * Regional/rural areas: 4ha for a secondary school (capacity up to 2,000 students)

The Bungendore project is located within a suburban low-medium area and exceeds the 2.5ha size requirement. It also exceeds the site area for a regional/rural location when the size is proportioned based on forecast enrolments (as the 4ha figure is based on a school size of 2,000 students).

We note the size of the selected site is:

Category	Approx. areas
AREA C: Areas subject to compulsory acquisition (excl ag plot)	20,800sqm
AREA B: Areas subject to a joint use agreement for play space (excl mick sherd playing field)	5,000sqm
TOTAL:	25,800sqm (or 2.5ha)
Ag plot:	4,500sqm
TOTAL plus Ag Plot:	30,300sqm (over 3ha)



Context:

Also, I note the below key items from the EFSG around the site selection of a new school site, which the Majara/Gibraltar St Precinct achieves:

- The school site should be located in an area that is accessible for students who will likely attend the school.
- Schools provide unique place making opportunities to support and strengthen town centres and enhance the local character.
- It is important that the school is located where joint use opportunities are the greatest to ensure benefit to the local community who may utilise school facilities.
- School sites are important community assets that fulfil a role beyond student education during school hours. School facilities are often used by the wider community to host events such as weekend markets, polling booths, evacuation centres and extracurricular sporting activities, to name a few. It is important that when planning for new schools, the location of the school site considers these functions also.
- There are many opportunities for schools to be jointly developed or share facilities with the community, to ensure more efficient use of space and provide quality social infrastructure.
- School sites are generally best located close to residential areas which generate student population, and near town centres, where joint/shared use opportunities are greatest and facilities are easily accessed by the community.
- The school site should provide a minimum of 10sqm per student of open space.
- The site will be located within a well-structured movement network that provides appropriate road infrastructure, as well as safe pedestrian pathways from residential areas to the school site.
- The site shall have road frontage ideally on 3, but not less than 2 sides.
- The site will allow for the provision of appropriate and safe pedestrian and vehicular access onto and within the school grounds.
- It is preferable that the site is located within walking distance to public transport (in particular for secondary schools).
- The site should be fully serviced with water, natural gas, sewer, power, telecommunications, local traffic infrastructure and other utilities and service infrastructure, as is necessary for a school.
- The site should be free of environmental constraints including, but not limited to bushfire, flood, **contamination** and significant vegetation.
- It is preferable that the gradient of the site is no greater than 1 in 10, being relatively flat and of a consistent topography.

Cheers,

Carlo Bellinato
Director. Infrastructure Delivery
School Infrastructure NSW