Response to Submissions Report

New Primary School at Murrumbateman

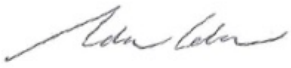
SSD-11233241

On behalf of
NSW Department of Education
August 2021

mecone

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25 August 2021

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This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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1 Introduction

This Response to Submissions (RtS) has been prepared by Mecone NSW Pty Limited on behalf of the NSW Department of Education (DoE) in support of the proposed primary school at Murrumbateman (SSD-11233241).

The Environmental Impact Statement (EIS) was exhibited from 17 June 2021to 14 July 2021. A total of 8 submissions were received, all of which were either "comments" or "supports". No objections were received.

The Department of Planning, Industry and Environment (DPIE) addressed a letter to DoE dated 23 July 2021 outlining key issues and requesting a response to the submissions received during exhibition of the EIS.

This RtS addresses the issues raised in DPIE's letter and in the submissions received during exhibition. This RtS also describes minor changes to the proposal made since exhibition of the EIS.

This RtS is accompanied by, and should be read in conjunction with, the following supporting plans and reports:

- Appendix 1: Updated architectural drawings by Pedavoli Architects;
- Appendix 2: Updated landscape report by TaylorBrammar;
- Appendix 3: Updated RFS submission;
- Appendix 4: Updated acoustic report by PWNA;
- Appendix 5: Letter from Eco Logical re Aboriginal heritage consultation;
- Appendix 6: Updated ACHAR by Eco Logical;
- Appendix 7: Response to traffic comments by Ason;
- Appendix 8: Response to SDRP comments by Pedavoli Architects;
- Appendix 9: Road safety audit report by AMWC RSA;
- Appendix 10: Updated civil engineering package by Northrop;
- Appendix 11: Updated operational waste management plan by EcCell
- Appendix 12: Consolidated response to SDRP comments with inputs from Pedavoli Architects, TaylorBrammar, Steensen Varming and Mecone; and
- Appendix 13: Public domain plan by Northrop.

2 Changes to the proposal

A number of minor changes to the design are proposed in response to submissions received and as a result of design development. These changes are described in the table below.

It is also noted that a public domain drawing is being submitted as part of this RtS (Appendix 13). These plans will provide clarity for the assessment process and assist in future discussions with Yass Valley Council regarding any required approvals under Section 138 of the Roads Act 1993.

Table 1. Proposed changes to the development

Proposed change	Reason for change
1. Reduce extent of Level 1 concrete walkways.	General design development. Walks adjusted to suit requirements of the school. Refer to updated architectural plans at Appendix 1.
2. Adjust finished levels of games court and southern landscaped area.	Levels adjusted to better suit the existing topography and create a yarning circle within an amphitheater feel in the play space area. Refer to updated civil plans at Appendix 10.
3. Adjust school entrance to include a path to the future commercial development to the west.	This change was made in response to a public submission. See Section 7 below. The new pathway will connect along the site's western boundary near the main school entrance, outside of the school gates. Refer to updated architectural plans and landscape plans at Appendices 1 and 2, respectively. Also see extract at Figure 3 below the table.
4. New stair 4 location.	The stair has been moved to create better visible/line of sight of the stair and to create an area for the bike parking. Refer to updated architectural plans at Appendix 1.
5. Introduction of hydrant tank and pump rooms east of carpark.	General design development. Hydrant pumps and tanks were identified as required for the hydrants due to insufficient pressure and flow to the existing water main. Refer to updated civil drawings at Appendix 10.
6. Introduction of yarning circles within the play space area and entry of site.	This change was made in response to comments from GANSW and Aboriginal stakeholders. Refer to updated landscape report at Appendix 2.
7. Reduced extent of path east of the carpark.	General design development. The full extent of the path is no longer needed given the relocation of the waste area (see item 11 below). Refer to updated landscape plans at Appendix 2.
8. Remove section of vertical battens near Block B.	This change was made to gain unimpeded views to the hills. Refer to updated architectural plans at Appendix 1.
9. Various landscape layout changes across site including reduction of concrete paths	General design development. Refer to updated landscape report at Appendix 2. A full list of changes made is provided on page 5 of the landscape report.

Proposed change	Reason for change
10. Change alignment of path behind Block D	General design development. The path has been amended to be straight and hard up against the building, which is considered a better design outcome. Refer to update architectural and landscape plans at Appendices 1 and 2, respectively.
11. Revise layout of car park and relocate waste pad from eastern to western side of carpark	The waste pad is moving to improve access and servicing by an 11m waste collection vehicle. Refer to updated civil plans at Appendix 10 and extract at Figure 4 below the table. Also refer to updated waste management plan is attached at Appendix 11.
12. Adjust southern pedestrian entrance path so that it enters from the old school site rather than the site subject to the Aboriginal land claim, and bike storage moved to behind Building C	Changes made in response to comments from Council. See Section 5.1 below. Refer to updated architectural and landscape plans at Appendices 1 and 2, respectively. Also see extract at Figure 5 below the table.
13. Fencing added to pedestrian pathway leading from bus stop to main entry	Change made to ensure safe passage of pedestrians between entry and bus stop. The fencing includes a combination of 0.8m- and 1m-high fencing. Refer to updated architectural and landscape plans at Appendices 1 and 2, respectively. Also see extract at Figure 6 below the table.
14. Front fencing line changed from straight to curved	Change made to create a more pleasing front entry design.
15. Minor reduction in building sizes Block B footprint reduced from 576sqm to 550sqm, and Block C footprint reduced from 439sqm to 409sqm	Practical activities areas have been rationalised to provide the correct are that the school requires. This has resulted in a minor reduction in the overall size and footprint of Blocks B and C.



Figure 1: Updated landscape masterplan (Source: TaylorBrammar)



Figure 2: Updated site plan (Source: Pedavoli Architects)

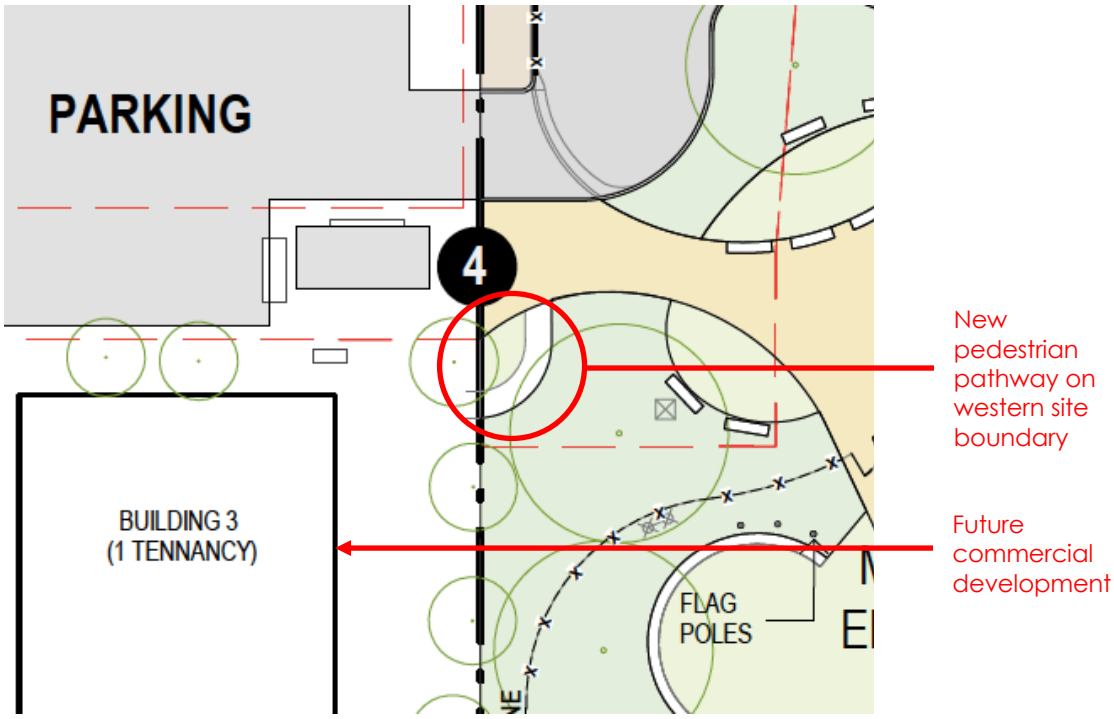


Figure 3: Pedestrian path connecting to development to west (Source: Pedavoli site plan with Mecone mark-up)

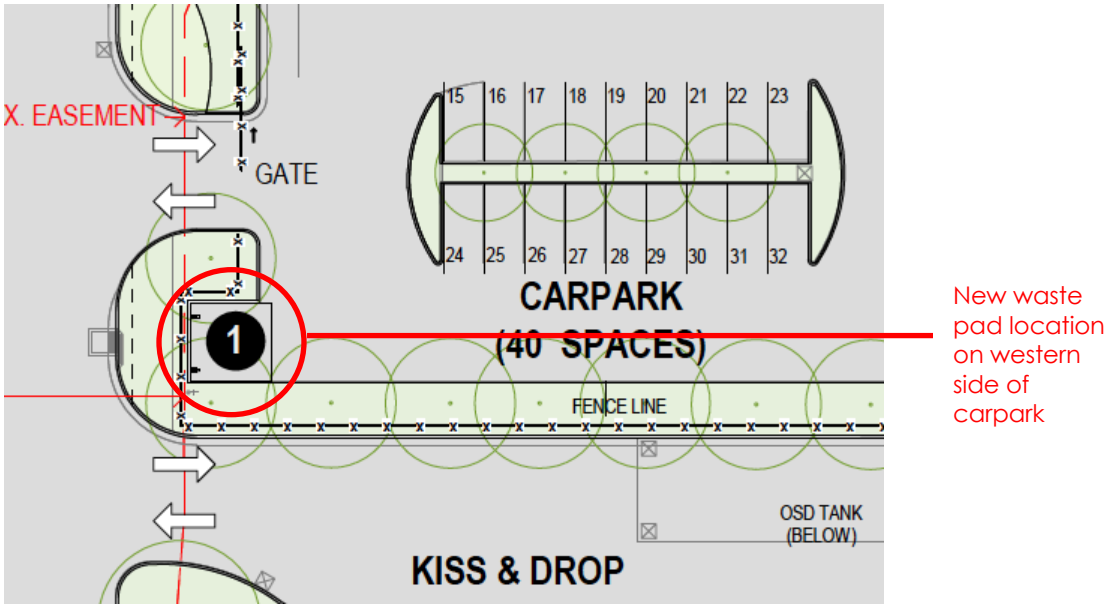


Figure 4: New waste pad location (Source: Pedavoli site plan with Mecone mark-up)

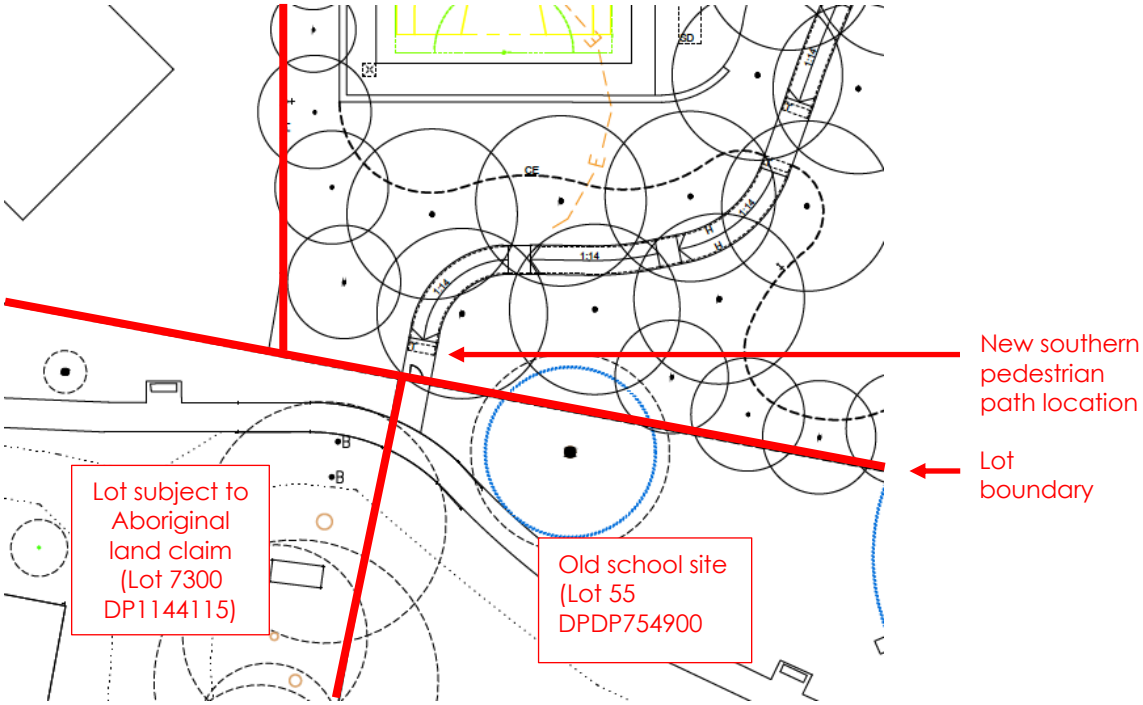


Figure 5: Revised southern pedestrian path (Source: TaylorBrammar landscape plan with Mecone mark-up)

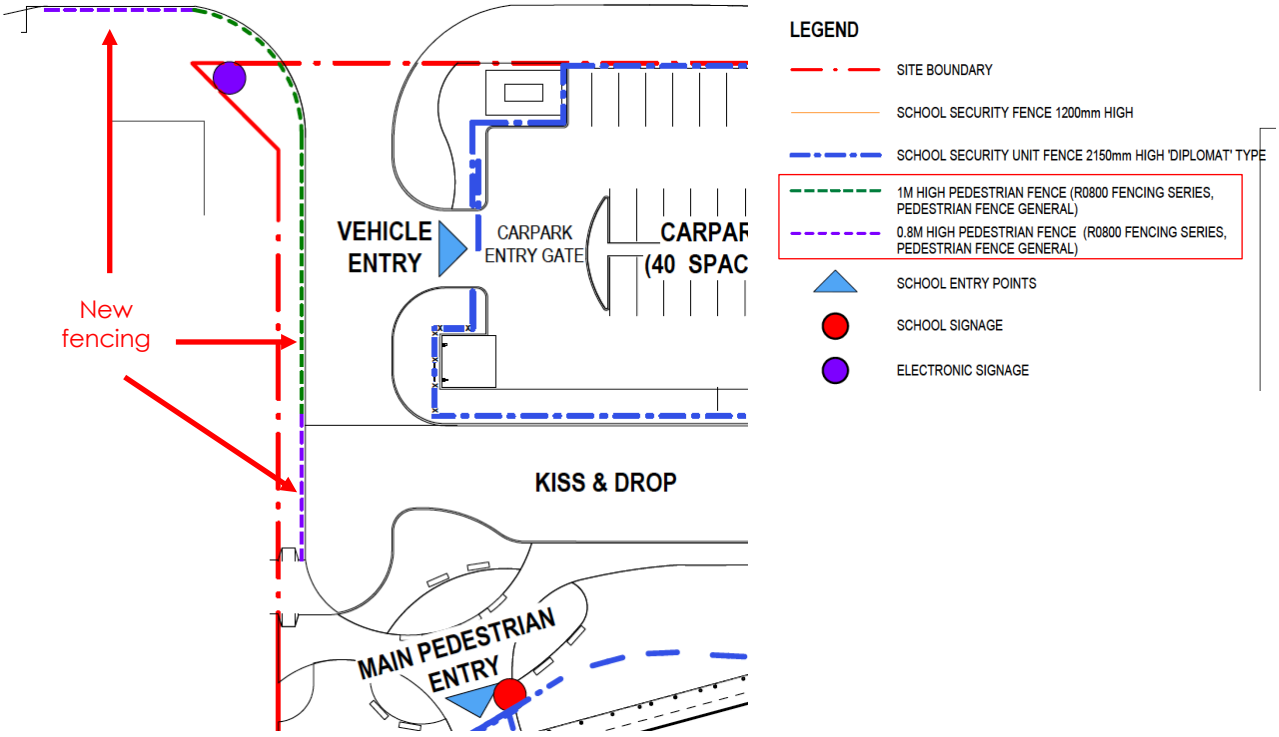


Figure 6: Fencing added to pedestrian pathway to bus stop (Source: Pedavoli Architects with Mecone mark-up)

3 Overview of submissions

A total of 8 submissions were received including:

- 6 submissions from public authorities (all comments);
- 1 submission from an organisation (supports); and
- 1 submission the public (comments).

No objections were received.

Responses to these submissions are provided in Sections 5 to 7 below.

4 Response to DPIE key issues

Following its initial assessment of the proposal, DPIE commented on a number of key issues in a letter to the applicant dated 23 July 2021. The table below provides responses to these key issues.

Table 2. Response to DPIE key issues

Issue	Response
1. Traffic, transport and access	
The Environmental Impact Statement (EIS) identifies that the existing on-site carpark is to be used to cater for construction worker parking demand and that off-street parking is minimised. The Response to Submissions (RtS) must further address potential construction vehicle parking impacts in the instances where there is likely to be overflow on-street parking required, the capacity of the surrounding streets and measures to ensure that construction worker parking does not detract significantly from existing on-street parking supply	As explained in the letter from the traffic engineer at Appendix 7, it is anticipated there will be approximately: • 30 workers on site during early works such as earth works and building footings; • 80 workers average on site during the main works; and • 40 workers on site during commissioning and defects. The area of site to be retained for the staff carpark will be used for contractor parking and can accommodate approximately 25-30 car spaces depending on scheduling, and therefore most workers will be able to park on site during the early works and commissioning works. The possibility of workers parking across the Barton Highway in the Murrumbateman Oval parking is being explored for the main works phase. This parking is extensive and lightly used during weekdays. Additionally, workers will be encouraged to carpool to site whenever possible to reduce potential impact on existing on-street parking.
The RtS must provide further justification for the assumed trip distribution rates set out in the EIS.	As explained in the letter from the traffic engineer at Appendix 7, the assumed trip distribution rates were formulated based on: 1. Trip distribution based on traffic survey data; and

Issue	Response
	2. Location of students based on de-personalised data provided by SINSW.
The RtS must be supported by a road safety audit report, prepared by an appropriately qualified traffic or transport engineer and shall include (but not limited to) the operation of the following areas: o the operation of the drop-off and pick-up facilities. o potential safety risks and hazards caused by the operation of the drop-off and pick-up zones, school car park and the proposed school bus stop on Fairley Street. o footpath sightlines. o adequacy of the surrounding road network to enable buses and vehicles to pass simultaneously.	A road safety audit report has been prepared and is attached at Appendix 9. The issues identified in the report can be addressed at the detailed design stage and require no significant amendments to the design. No major issues were raised regarding operation of the drop-off and pick-up facilities. The majority of the issues identified will be addressed through preparation of a Signage and Line Marking Plan at the detailed design stage. No issues were raised regarding pedestrian sightlines. A medium-risk issue (minor severity) was raised regarding restricted sight distance between a northbound vehicle in Rose Street and a westbound vehicle in Fairley Street when the bus bay is being used. To address this issue, a sightline assessment will be prepared by Ason Group at the detailed design stage to determine any modification required to the design of the bus bay.
The RtS must provide an updated assessment on the current pedestrian footpath network servicing the walking catchment of the development and identify areas that are required to be updated to service the requirements.	Based on catchment data, it is estimated there are only five potential students within walking catchment of the school. Accordingly, it is considered that further assessment of the footpath network or extensive upgrades to the network is unnecessary. The proposal includes the following infrastructure that facilitates pedestrian movement to/from the site: • Connection to the proposed bus bay (as discussed in the letter by the traffic engineer at Appendix 7, this footpath is considered an appropriate width/design); • Connection to the future commercial development to the west; and • Connection to the existing pedestrian path to the south of the site. It is considered that the above infrastructure is sufficient for catering to the anticipated pedestrian movements associated with the proposed school.
Given the high reliance on private vehicle trips, the RtS must include details of further investigation for the provision of additional school bus services to service the site or other measures to increase the non-private vehicle trip mode share. Consultation with bus providers must be undertaken.	Consultation with bus providers commenced in March 2021. Multiple contacts made with the nominated representative of TfNSW. Further consultation will require a defined enrolment catchment as well as refinement of potential catchment.

Issue	Response
2. Noise and vibration	
The RtS must include an updated Acoustic Assessment that includes a clearer conclusion on whether design and attenuation of plant and equipment on site would be feasible and achieve compliance with project noise trigger levels.	An updated acoustic assessment is provided at Appendix 4, with additional information on plant and equipment at Section 6.1. of the assessment. The assessment confirms that plant/equipment can be designed (and attenuated as required) to achieve compliance with project noise trigger levels. Specifically: • Condenser plant at Block D is to be screened by 300mm deep acoustic louvres (or equal) on all sides; • Condenser plant at Blocks A, B and C require no screening given their distance from neighbouring development; • Mechanical ventilation systems will be required around the site, but these will deal with low air valumes and do not require special acoustic treatments; and • the domestic rangehood in the school canteen requires no special acoustic treatments.
3. Built form and urban design	
The RtS must address the Government Architect NSW State Design Review Panel (SDRP) advice for the project dated 6 May 2021 and any further advice provided in response to the subsequent SDRP session held on 21 July 2021.	The SDRP advice dated 6 May 2021 is addressed in Section 7 of the design report at Appendix 2 of the EIS. As part of this RtS, the architect has prepared updated responses to the architecture-related items in the 6 May advice as well as responses to the architecture-related items in the advice received following the 21 July SDRP session (refer to Appendix 8). A consolidated response to all SDRP comments (from both rounds) is provided at Appendix 12 of this RtS.
Further investigation is required to identify how the school site can better integrate with the locality to the west and measures such as greater pedestrian connectivity, the civic address of the main entry and softening options of the hard edge created by the proposed 2.4m palisade boundary fence.	The design has been updated to allow for a connection pathway to the development to the west. Refer to the updated architectural drawings and landscape drawings at Appendix 1 and Appendix 2, respectively.
4. Bush fire	
The RtS must address the issues raised in the NSW Rural Fire Services (NSW RFS) advice dated 25 June 2021, particularly regarding asset	The project bushfire consultant engaged with RFS on this matter during preparation of the RtS. Using a combination of architectural site plan, site survey, Nearmap, the bushfire consultant clarified to RFS that the total hazard separation

Issue	Response
protection zones assumed on private land outside of the application site.	is 44.23m, and therefore no APZ is required on private land outside of the application site. RFS accepted this clarification and issued an updated submission to exhibition of the EIS identifying no requirement for further information regarding the APZ (refer to Appendix 3).
5. EIS errors	
As identified in Yass Valley Council's (Council) submission, the EIS contains a number of errors as it refers to the road network, local newspapers and Registered Aboriginal Parties (RAPs) associated with the Googong High School [read: primary school] development. The RtS must include updated technical reports to correct errors as required.	A review of the EIS has identified one error related to the concurrent preparation of the EIS for the new primary school at Googong. On page 52 of the EIS main body, the driveway location was described as being connected to "Aprasia Avenue"; this should have read "Fairley Street". The error is minor, does not cause significant confusion and does not affect the assessment of the development or conclusions reached in the EIS. The reference to the Regional Independent newspaper in the EIS and ACHAR is not associated with the concurrent preparation of the Googong EIS. The project was mistakenly advertised in the Regional Independent due to an apparent miscommunication between the Aboriginal heritage consultant (Eco Logical) and newspaper employee. However, despite the paper not circulating in the area, Eco Logical considers that the ACHAR has been prepared consistent with the "Aboriginal cultural heritage consultation requirements for proponents" guideline and that all relevant Aboriginal stakeholders have been captured. Eco Logical notes that consultation was multi-faceted and did not rely solely upon the newspaper advertisement. Refer to Eco Logical's letter at Appendix 5 for further detail. It is further noted that the EIS does not refer to any RAPs associated with the proposed primary school at Googong.

5 Response to public authorities

This section provides responses to the 6 submissions by public authorities. The public authorities' submissions provided comment only and did not object to the proposal.

5.1 Yass Valley Council

Table 3. Response Yass Valley Council

Issue/comment	Response
School bus bay	
While Council's preference has always been that it be accommodated on site, it is recognised that the limited area of the site constrains this option. We continue to urge TfNSW to reconsider the option of an indented bus bay on the Barton Highway frontage, with pedestrian barriers. This would allow a bay of sufficient length to accommodate buses, and not require staggering of bus arrival times or queuing elsewhere on the road network. It would also allow children to wait on the school grounds prior to bus arrival, thus providing options for weather shelter as well as removing the requirement for students to be accompanied by staff off the school grounds. Council would be supportive of the existing bus stop/shelter located immediately to the south on the Barton Highway to be removed and replaced with this bay, which could also be utilised by other (commuter) public transport buses in the evening en route to Yass. Council is concerned about the student safety issue which will be created by students having to cross the Murrumbateman Health Hub driveway/carpark to get to and from buses. Again, this would rely on staff supervision off site of every child travelling by bus- which in our experience in other schools in the Yass Valley, is not guaranteed. In addition Fairley Street is a very narrow street, which was not designed to accommodate a bus bay and the associated movements associated with it. There are also commercial developments proposed on the site adjacent to the Health Hub which will also increase traffic conflicts at this point. Council is concerned with buses and other vehicles exiting back onto the Barton Highway turning right (south). While the traffic study indicates there is some spare capacity at these intersections, the wait times – particularly in the mornings will be significant, especially at Hercules Street, given the traffic volumes travelling into Canberra for work each day. Council urges consideration of upgrades to the intersection of Barton Highway and Hercules	TfNSW, in its initial response to the request for SEARs, identified that they would not permit a school bus stop on Barton Highway. TfNSW confirmed this position in its response to the exhibited EIS and in follow-up correspondence to DoE during preparation of this RtS. The only other option for a bus bay (other than Fairley Street) is Rose Street, which Council does not support due to potential conflicts in the road network and pedestrian movement issues. On this basis, the proposed bus stop is to remain along Fairley Street. The final School Travel Plan (STP) will include operational management procedures regarding the staff responsibilities with respect to the buses. It is noted that recent school infrastructure projects allow for the engagement of personnel to act in a School Travel Co-Ordinator role for the initial 13 months post-opening to assist with the implementation of the STPs. In relation to the intersection of the Barton Highway/Hercules Street intersection, it is estimated that the school is likely to attract three buses to service the school in the medium term (i.e., years 3-5 post school opening). This equates to six additional movements at the intersection of Barton Highway/Hercules Street intersection, which is a level of additional traffic that does not warrant intersection upgrades. For further detail, refer to the letter from the traffic engineer at Appendix 7.

Issue/comment	Response
Street to support the buses and other vehicles turning right at this location.	
South pedestrian entry	
This entry location is subject to resolution of the existing Aboriginal Land Claim over the Crown Land where there is an existing pedestrian path. From our discussions with NSW Crown Lands, it is understood it applies to LOT:7300 DP:114411. In the event that this claim is successful, access from this point is not available.	The southern pedestrian pathway has been adjusted so that it leads to the old school site (Lot 55 DPDP754900) rather that the lot subject to the Aboriginal land claim (Lot 7300 DP1144115).
While locating an entry here provides connectivity into the older established part of the Murrumbateman community, the location of the bicycle parking/storage adjacent to the southern gate presents a security concern, as there will be no surveillance of this area- particularly during class times. It is suggested that this bicycle parking be relocated adjacent to Block C.	The bicycle parking has been relocated to the south of Building C as recommended by Council.
Limited site area	
The NSW Government architect requested that future expansion options be illustrated to demonstrate the current proposal will not impact future opportunities. The response and solution by DoE to add extra classrooms along the eastern boundary if needed, is a poor response to this request. It would further reduce the available playground area and have a negative impact on the Barton Hwy character by presenting a continuous built form- particularly if 2 storey in scale.	The school has adequate capacity until 2031, and future expansion of the school will be linked to population growth. The core facilities for the school allow for an increase in the student population of approximately 330 students with an additional learning hub, special programs space and 11 homebases. This would be possible through a new building located on the eastern boundary. It is considered that this is an appropriate location in the overall context of the site. Any new future building would be adequately articulated, set back from the boundary and buffered by landscaping so as not to result in a long, monolithic form when seen from the highway. It should be noted that any future building would be undertaken under a separate approval process should it be deemed necessary to expand the school in the future.
Council disagrees that a feasibility assessment of acquiring all or part of the old school site (Crown Land) is unnecessary- the additional land area is clearly needed to improve the amenity of the area available and provide some scope for future expansion.	As demonstrated throughout the EIS, the subject site (Lot 302 DP1228766) provides sufficient area for accommodating a well-designed school with high amenity. School operations do not rely upon the old school site to the south. DoE is open to future discussions with Council/Crown Lands regarding obtaining control of the old school site, but the subject application does not rely upon this land.

Issue/comment	Response
In addition, Council is concerned with a comment addressing the SEAR's: "Joint Use of Recreation Grounds has not been agreed to at this stage". While this was requested in early discussions with the DoE, it needs to be reiterated that Council strongly opposes this until such time as the proposed Murrumbateman Bypass is constructed due to the significant safety risk to students crossing the Barton Highway.	Council's comment is noted. It is reiterated that joint use arrangements have not been agreed to at this stage and are subject to discussions with Council.
Easement extinguishment	
The water main off Fairley Street was installed inside LOT 302 to service the then proposed commercial development and the Murrumbateman Health Hub. It is a Council water main inside a private lot, thus the easement. With the proposed development of the school, if the section of the water main beyond the Murrumbateman Health Hub is not required then the easement could be extinguished. However, this needs to be confirmed with Council's Water and Sewer Manager as well as the hydraulic designer who has made assumptions based on the water main existing layout. There is also stormwater main running to the side of the water main which services the Fairley Child Care/Commercial Area as well.	The project services engineer (NDY) has received confirmation from Council that the water main serves the Health Hub and can be terminated after the supply for the Health Hub. The existing stormwater infrastructure for the Health Hub is to be retained as well as the easement. This information is shown on civil drawing MURR-CV-DD-DWG-104.01 (Siteworks and Stormwater Management Plan) at Appendix 13 of the EIS.
Errors within EIS	
There are a number of errors which appear to have arisen by the application being prepared concurrently with the Googong School. While some of these appear minor in nature i.e. references to Aprasia Avenue, there are others which suggest process may not have been correctly followed. The reference to the Bungendore Regional Independent newspaper to call for RAP involvement is of concern, as it does not circulate in the Yass Valley and it is unknown whether notification to RAPS was undertaken as required?	A review of the EIS has identified one error related to concurrent preparation of the Googong EIS: on page 52 of the EIS main body, the driveway location was described as being connected to "Aprasia Avenue"; this should have read "Fairley Street". The error is minor, does not cause significant confusion and does not affect the assessment of the development or conclusions reached in the EIS. The reference to the Regional Independent newspaper in the EIS and ACHAR is not associated with the concurrent preparation of the Googong EIS. The project was mistakenly advertised in the Regional Independent due to an apparent miscommunication between the Aboriginal heritage consultant (Eco Logical) and newspaper employee. However, despite the paper not circulating in the area, Eco Logical considers that the ACHAR has been prepared consistent with the "Aboriginal cultural heritage consultation requirements for proponents" guideline and that all relevant Aboriginal stakeholders have been captured. Eco Logical notes that consultation was multi-

Issue/comment	Response
	faceted and did not rely solely upon the newspaper advertisement. It is noted that the EIS does not refer to any RAPs associated with the proposed new primary school at Googong.

5.2 Biodiversity and Conservation Division

The table below provides a response to the comments by the Biodiversity and Conservation Division.

Table 4. Response to Biodiversity and Conservation Division

Issue/comment	Response
No Biodiversity comments as there has been a BDAR wavier completed and there is no significant native biodiversity present on site, therefore at this stage we have no comments to provide.	Noted.

5.3 NSW Rural Fire Service

The table below provides responses to the comments by NSW Wales Rural Fire Service (RFS) in its submission letter dated 25 June 2021.

Table 5. Response to NSW RFS

Issue/comment	Response
Insufficient information was provided with the application demonstrating the development can meet the provisions for Special Fire Protection Purpose development, as detailed in section 6.8 of Planning for Bushfire Protection 2019 (PBP 2019). In particular, the asset protection zones required to achieve 10kW/m2 (i.e. 40 meters) extend outside of the property boundary through the road reserve of Barton Hwy and into Lot 1 DP 1203828 in an easterly direction. It is assumed current maintenance strategies for Barton Hwy would ensure the road reserve would meet an inner protection area standard (Appendix 4 PBP 2019). Where the asset protection zone extends into Lot 1 DP 1203828 a suitably worded legal mechanism shall be created to ensure its management in perpetuity as an asset protection zone. 1. The NSW Rural Fire Service are unable to endorse the proposed development until one of the following are met; Create a suitably worded legal mechanism over Lot 1 DP 1203828 to ensure the asset protection zone can be maintained in perpetuity as an inner protection area in accordance with Appendix 4 of PBP 2019.	The project bushfire consultant engaged with RFS on this matter during preparation of the RtS. Using a combination of architectural site plan, site survey, Nearmap, the bushfire consultant clarified to RFS that the total hazard separation is 44.23m, and therefore no APZ is required on private land outside of the application site. RFS accepted this clarification and issued an updated formal response to exhibition of the EIS identifying no requirement for further information regarding the APZ (refer to Appendix 3 of this RtS). The updated RFS submission states only that the project should comply with the mitigation measures outlined in the originally submitted bushfire report (Appendix 10 of the EIS). DoE agrees to this requirement.

Issue/comment	Response
OR Revise the location of the development to ensure a 40 metre asset protection zone can legally be maintained in perpetuity on the eastern elevation of the development.	

5.4 Transport for NSW

The table below provides responses to the comments by Transport for NSW (TfNSW) in its submission letter dated 16 July 2021.

Table 6. Response to TfNSW

Issue/comment	Response
Transport for NSW has assessed the Application based on the documentation provided and would raise no objection subject to conditions on the basis that the Consent Authority considers the points outlined above in its assessment of the applications and ensures that the development is undertaken in accordance with the information submitted as amended by the inclusion of the suggested conditions listed in Attachment 1.	DoE has reviewed TfNSW's recommended conditions and has no objections. Direct responses to the suggested conditions are provided in the letter from the traffic engineer at Appendix 7.

5.5 Heritage NSW – Aboriginal Cultural Heritage

The table below provides responses to the comments by Heritage NSW – Aboriginal Cultural Heritage in its submission letter dated 14 July 2021.

Table 7. Response to Heritage NSW – Aboriginal cultural heritage

Issue/comment	Response
Heritage NSW is satisfied the ACHAR and Environment Impact Statement (EIS), prepared by Mecone and dated June 2021, has considered and addressed Aboriginal cultural heritage matters for the site. As such, we support the recommendations outlined within the ACHAR. We also support the mitigation measures set out in section 10 of the EIS (page 129) which require the following of an unexpected finds protocol. We recommend this protocol forms part of the Construction Environmental Management Plan. We would support ongoing consultation with the Aboriginal community as part of construction activities and recommend that the Aboriginal Participation in Construction Policy (APIC) is considered for this development.	Noted. DoE accepts a condition requiring implementation of an unexpected finds protocol.
We do note that the ACHAR incorrectly refers to requirement for an Aboriginal Heritage Impact Permit (AHIP) is required if impacts to	The ACHAR has been updated to reflect the correct approval process (refer to Appendix 6).

Issue/comment	Response
Aboriginal object will occur as part of this SSD. We recommend the ACHAR is updated to reflect the correct approval process.	

5.6 Environment Protection Authority

The table below provides responses to the comments by the Environment Protection Authority (EPA) in its submission letter dated 02 June 2021.

Table 8. Response to EPA

Issue/comment	Response
Noise and vibration	
Construction: The EIS identifies broad mitigation and management options to address potential noise impacts during construction, including communication, engagement and complaints handling. The proponent is also encouraged to consider: 1. Using alternatives to tonal reversing alarms (beepers) such as broadband alarms, reversing cameras, proximity alarms or a combination; and 2. Considering respite periods during period of Highly Noise Affected Levels (>75dBA) The EPA recommends that the proponent develops and implements a Noise Mitigation and Management Plan prior to commencing works to minimise impacts on sensitive receivers. The EPA requires the proponent to implement all reasonable and feasible measures to minimise noise impacts for nearby sensitive receivers during construction.	DoE agrees to a condition requiring a Noise Mitigation and Management Plan prior to commencement of works. During the preparation of this plan, the two items identified by the EPA, plus other management and mitigation measures outlined in the NSW EPA Interim Construction Noise Guidelines, will be investigated.
Operation: The EPA requires the proponent to implement all reasonable and feasible noise mitigation and management measures to minimise noise impacts at sensitive receivers during operations.	DoE agrees to implement the acoustic treatments recommended in the updated acoustic assessment (Appendix 4 of this RtS).
Hours of operation: The EPA notes that standard construction hours on Saturdays is from 8am to 1pm. The EPA does not consider that suitable justification has been provided to justify construction outside of these hours. The EPA requires further information to justify the approval of construction outside of standard hours identified in the Interim Construction Noise Guidelines. The EPA considers it appropriate to capture the standard hours of construction on the consent.	It is clarified that standard construction hours are proposed. DoE accepts a condition restricting construction to standard hours.
Water quality	

Issue/comment	Response
Water quality objectives: The receiving waterway for the project is Murrumbateman Creek which discharges into Yass River. This forms part of the high conservation value Murrumbidgee Catchment. The EIS does not consider the NSW Water Quality Objectives (WQOs) in receiving waters. The WQOs and Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG 2018) provide the general framework to assess the potential impacts of a discharge on the environmental values of the receiving waters. The EPA requires consideration of the receiving environment and relevant WQOs in relation to the project.	The project civil engineer (Northrop) has confirmed the proposed stormwater design has considered the WQOs and Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG 2018). Northrop has prepared detailed water quality measures using MUSIC modeling. These measures are stormwater pit insets, rainwater tank and Stormfilters in the on-site detention tank. The site stormwater WQO from the site meets the following pollution reduction targets: • Total suspended solids – 80%; • Gross pollutants – 85%; • Total nitrogen – 30%; • Total phosphorus – 30%; • Total petroleum hydrocarbons – 60%; and • Free oils - 90%. For further detail, refer to the updated civil package at Appendix 10 pf the RtS.
Construction: 1. The EPA requires further information on the capacity, sizing, design rain event, catchment and management of the sediment basins. 2. The EPA reminds the proponent that it is an offence under section 120 of the POEO Act to pollute waters. 3. The EPA recommends that a detailed Sediment and Erosion Control Management Plan is developed for the proposed construction prior to the commencement of works.	Soil and water management measures have been designed with a temporary sediment basin in accordance with the Blue Book. These measures and sediment basin calculations are shown on civil drawing MURR-CV-SD-DWG-102.01 at Appendix 6 of the EIS. This drawing is also included in the updated civil package at Appendix 10 of this RtS. DoE agrees to any standard condition requiring a detailed sediment and erosion control plan.
Operation: The EPA recommends that the proponent considers best management practices for the management of stormwater to prevent pollution of waters. The EPA reminds the proponent that it is an offence under section 120 of the POEO Act to pollute waters.	Noted. The project hydraulic engineer (NDY) has designed water quality measures using MUSIC modelling to prevent pollutants entering Council's stormwater system. These measures include stormwater pit inserts, rainwater tank and also Stormfilters within the on-site stormwater detention tank
Air quality	
The EPA recommends all reasonable and feasible dust mitigation measures must be implemented during construction and operation to prevent dust emissions.	Air quality measures are noted in the sediment and erosion control specifications at Appendix 6 of the EIS. DoE agrees to any standard condition requiring dust mitigation measures.
Waste management	

Issue/comment	Response
The EPA reminds the proponent that all waste should be classified in accordance with the NSW EPA's Waste Classification Guidelines and disposed of at a facility that can lawfully accept it.	Noted. Waste classification will be undertaken in accordance with EPA guidelines prior to disposal.

6 Response to organisations

One submission (support) from an organisation was received. This submission was made by Fairley Childcare Pty Ltd/Hewlett Property Group, the developer of the existing child care centre and approved commercial development to the west of the site. The table below provides responses to the comments in this single organisation submission.

Table 9. Response to organisation

Issue/comment	Response
As the existing precinct incorporates Early Learning, Medical uses and Retail and Commercial premises about to be commenced for construction, it would be beneficial to integrate the proposed new primary school into the urban framework of the existing precinct […] If the existing and proposed activities could be better integrated with the proposed new Primary school, then there would be potential mutual benefits for the school and for the existing and proposed development, including a safer path of travel between the school entrance and the early childhood entrance […] With some minor modifications to the landscape design and entry concourse into the proposed new school, then opportunities offered by better integration could be realised. If there was better connectivity between the school entry and the existing commercial development which is about to begin construction, then this would result in an augmentation of social benefit, community benefit and economic benefit for users of the precinct and the greater community of Murrumbateman.	The design has been updated to include a pathway connecting to the future adjoining commercial development to the west. The path is located near the main school entrance, outside of the school gates. The path will serve to integrate the school into the urban framework of the precinct and allow for path of travel between the school entrance and the development to the west, including the future commercial development and existing childcare centre. Refer to the updated architectural drawings at Appendix 1 of this RtS for further detail.

7 Response to public submissions

One submission (comment) was received from the public. This was made by S. Broussos. The table below provides a response to the comment in the public submission.

Table 10. Response to public submissions

Issue/comment	Response
Please build new schools away from major roads to avoid the impact of school zones upon motorists.	The site was selected to be a suitable location for the school due to its size, location

Issue/comment	Response
	within Murrumbateman village and easy accessibility. As discussed in the EIS, traffic modelling indicates that, under the 2033 post-development scenario with 2% background growth, the surrounding road network will have ample spare capacity. It is also noted that there are plans for future improvements to the highway, including a bypass at Murrumbateman village. Motorists utilising the bypass will be able to avoid school-related local traffic.

8 Conclusion

This RtS has considered the submissions received in response to the public exhibition of SSD-11233241.

Submissions were received from public authorities, one organisation and one member of the public. Further information has been provided and minor design changes have been made to address these matters.

The proposed development as amended is considered to warrant approval for the following reasons:

- Further information has been provided and design changes have been made to address all comments received during exhibition of the proposal; and
- The amended proposal will result in a high quality development that achieves the original aims of the proposal while resulting in no unacceptable environmental impacts.

Based on the supporting material provided in this RtS in addition to the material provided in the original EIS, DPIE has now been provided with sufficient information and documentation to progress the assessment of SSD-11233241. It is requested that DPIE complete the assessment of the SSD and proceed to determination.


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