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Bungendore, NSW 2621

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Director - Social and Infrastructure Assessments
Planning and Assessment
Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

Dear Sir or Madam

NEW HIGH SCHOOL IN BUNGENDORE

APPLICATION NO. SSD-14394209

I refer to the above state-significant development application.

I **object** to the proposal, for the following reason(s):

The DA represents a comprehensive lack of adequate planning both for the high school and the town. Bungendore has an opportunity to get a high school that will deliver good educational and community outcomes for the next few decades. Such opportunities are rare for country towns, and so appropriate siting, construction type, student capacity, traffic arrangements, heritage considerations, and capacity to accommodate future population and student growth are critical. The current DA and site selection fails on most of these criteria.

Good planning:

- Requires adequate consultation over appropriate time periods with all key stakeholders (not just a few sporting clubs)
- Should be transparent, with processes and procedures that give confidence to residents that appropriate rationale and processes have been followed
- does not compromise central green space (which cannot be replaced centrally)
- does not change the nature of the green space through substantial tree removal
- does not choose an unsuitable site which is substantially smaller than required, with insufficient room to grow
- does not propose a facility which will be inadequate withing a decade of construction to meet proposed student enrolments
- does not propose a building style that is totally out of sympathy with surrounding buildings

- does not propose the highest concentration of two-storey non-residential anywhere in Bungendore
- does not necessitate the closure of required existing roads
- does not ignore majority opposition to road closures
- does not impose significant redirected traffic burdens to surrounding residential streets
- does not totally ignore public and student road safety concerns raised by the community
- does not create a situation where the council and DoE buck-pass responsibility for decisions, provision of information and public accountability.

The DA as it stands has major deficiencies noted below.

- (1) The document contains multiple 'spin' statements that destroy community confidence that a rigorous and unbiased assessment process was followed. Firstly, the DA states "Ultimately, the subject site was identified as the most suitable location for the proposed new high school in Bungendore given its central accessible location and relatively few site constraints"

You must be kidding! Obviously the selection of the site ignores the fact that:

- the site is too small (only 2.9 Ha as opposed to the state recommended size of 4 Ha for regional NSW high schools)
- to increase the size of the land parcel the Bungendore Crown Land 'Common' has to be cannibalised for an 'agriculture plot' (to be surrounded by a totally inappropriate 2.1 m high security fence)
- a major urban road (Majara St) that connects the housing growth corridor with the Kings Highway has to be closed;
- the loss of significant community carparking (some constructed less than 2 years ago);
- the alteration of the character of a residential street (Turallo Terrace) to incorporate 'gutters and road infrastructure'; carry increased traffic load; and construction of 40 new on-street carparking spaces;
- the site houses the current Queanbeyan Palerang Regional Council (QPRC) offices (so replacement offices and land have had to be purchased),
- the Community swimming pool (constructed with community fundraising over many years), has to be demolished (with a replacement proposed for a floodplain next to the local sewage Treatment Plant!);
- the Bungendore Community Centre has to be demolished,
- The site is in the centre of the acknowledged heritage building nexus of Bungendore;
- The site is zoned RE1 (Educational establishments are not permitted in the RE1);
- The site is the only central park in Bungendore,
- The site is Crown Land with a dedication "for Public Recreation" since 1884;
- the High school will result in loss of public access to Mick Sherd oval for the majority of daylight hours (8:00am to 5:00 pm) on week days;

This is not *'relatively few site constraints'* when there is at least one greenfield site available within 2.5 km of the towns centre without any of the above constraints (see later: the Ashby site on Tarago Road).

Secondly, the DA also states that "Over a 12-month period, DoE undertook an assessment of over 1,000 hectares of land in and around Bungendore. Each site was assessed based on its suitability to support the needs of the project." Again, this is misleading 'spin' (see text under **Option B** below); Documents obtained under GIPA (FOI) show that on 29 October 2019, Development and Transactions (D&T) of Department of Planning, Industry and Environment (DPIE) commenced work to identify a suitable site for the new Bungendore High School. They concluded that "There are no suitable Government or QPRC owned sites available". Bungendore Park (Crown Land, managed by QPRC) was explicitly considered and noted by D&T as 'not suitable'. There have been no reasons given as to why this assessment of suitability changed. DoE has consistently refused to release or heavily redacted information under FOI that might explain this change of heart.

Thirdly, Table 1.1 is a total distortion of options available.

Option A. The Deputy Premier promised a high school in Bungendore to be open by 2023. 'No action' is not a feasible option without the Deputy Premier or the Government publicly announcing that a high school would not be built, or that circumstances have changed and so the election commitment will not be honoured. No such announcement has ever been made.

Option B. This is the ultimate deception. Documents released under FOI show that the State Government had chosen a large, master-planned site for the school on Tarago Road, in an area identified for future development. The site met all the requirements, there was a willing vendor, it was supported by the DPIE and the Department of Education. The decision was as good as final, and the DPIE sent an Access and Works Licence to the landowner on 15 June 2020, allowing it to begin the detailed planning, due diligence and early works process for the school. FOI documents show that the DPIE reassured the landowner that "alternative locations" would only be considered "in the event that the Government is not able to proceed with your property."

Department of Planning, Industry and Environment records confirm that QPRC had approached it to propose sites that "were not identified during the EOI process." And on 15 June 2020, the very same day that the DPIE sent the Access Deed to start works on the Tarago Road property, the Department of Education emailed the DPIE with an 'out of the blue' bombshell:

"Hi... Just a short note to let you know we have confirmed our preferred site location for the new high school at Bungendore. The preferred site is the 'Mick Sherd Sports Oval' located adjacent to the existing Bungendore Primary School. Cheers..."

No explanation or reasoning was presented as to why this total change of site preference occurred.

Again, documents obtained under FOI show that 11 days later, on 26 June 2020, the Department of Education wrote to the DPIE and simply said "the Bungendore project has taken a significant change in direction as discussed with [Department of Education staff]. The preferred site has swung towards the Mick Sherd oval and SINSW has and continues to engage with council and the Deputy Premier, both supporting the oval as the preferred site."

The landowner of the Tarago Rd site has been given no reasons why the Department terminated discussions. No problems had been identified; there was no reason given for the Department of Education suddenly overruling the Department of Planning and changing the site.

Just 6 weeks later, the Deputy Premier, the Minister for Education and the QPRC Mayor stood up to announce Bungendore Park site, as 'the site' (effectively a done deal).

So **Option B** which claims an exhaustive process could find no other suitable site is a total distortion of the truth. Maybe the 1,000 hectare assessment did not find a suitable alternative site, but the DoE was absolutely aware that a suitable alternative site existed (Tarago Rd).

Option C. Starts with a distortion: "The location was chosen after in-depth investigations and consideration of alternatives". See option B comments above: there was no in-depth investigations, there was only 11 days between the email from DoE to DPI saying that the Tarago Rd site was no longer the preferred site and the correspondence between DoE and DPI saying that the Mick Sherd oval (sic) site is the preferred site of the Deputy Premier and the QPRC. Then just 6 weeks later, the Deputy Premier and Minister for Education announce it as the site with no prior consultation with residents (who are indisputably key stakeholders'). The DoE claims of 'key stakeholder' consultation before the announcement of the chosen site is bogus. Personal conversations with those supposedly consulted (almost exclusively sporting groups that use Mick Sherd Oval) reveal that the heads of organisations only were consulted (to maintain secrecy around the proposed site they were not allowed to consult with their membership), and a range of relevant community groups were not consulted at all (e.g. the swimming club; the preschool). FOI Documents from DoE show that "School Infrastructure NSW have advised that there was no formal report or briefing about the results of consultation with stakeholders of the "Mick Sherd Oval". Consultation was conducted via phone, teleconference and email." It is astounding that records of this supposed 'key stakeholder' consultation have not been kept or are not available.

Finally, the DoE claims throughout the whole planning process (e.g. briefing to the Minister for Education) that there was "overwhelming support" for the high school project bears some dissection of the facts behind this claim. Following the public announcement of the Bungendore Park site, DoE conducted an online survey entitled "Prioritising Design Principles" with the stated aim of "to gain insight from the local residents and school community (staff, parents, carers and students) on prioritising the design principles." Several hundred responses were received, with the majority supporting construction of a high school in Bungendore. This result is not disputed, but the survey did not ask whether people supported the Bungendore Park site. A Community Information Hub was subsequently held in late September 2020, with 90 people registered to attend. Of the 90, 74 completed a survey. Of those 74 people, 74% "felt it [Bungendore Park] was an appropriate site" for a high school. That's 54.7 people. And of those 54, only 36 people "strongly agreed". Based on that, the DoE briefed the Minister for Education on 21 October that there was "overwhelming support" for the project. It quoted the 74% figure, without telling the Minister that this represented only 54.7 people. The Minister then approved a briefing paper and a presentation for Queanbeyan-Palerang Regional Council, quoting the 74% figure. A petition has been sent to NSW Parliament with 350 signatories opposing the Bungendore Park site. A Public meeting held in Bungendore on 28 April 2021 and attended by >100 community members unanimously resolved to:

- *condemn Queanbeyan Palerang Regional Council's (QPRC) decision, to close Majara Street, its failure to discharge its own planning responsibilities and to recognise community opposition to the road closure;*
- *call upon the Department of Education to re open its site selection process and assess sites against accurate information and realistic criteria;*
- *support all continued efforts to oppose construction of the high school on Bungendore Park;*

Hardly what you would call overwhelming support!

It is also worth noting that the Project Reference Group (PRG) 'which was established at the start of the project to provide feedback into the design process' supposedly has "a community representative" on it. There was no public call for expressions of interest for this community representation, and there is no mention anywhere in the DA (or Appendix 23) that in fact this 'community representative' is in fact a member of the small Bungendore High School Action Group that lobbied for the Bungendore Park site: hardly representative of the community at large.

(2). The assessment of heritage impacts of the proposed High school are clearly deficient.

Palerang Council's Heritage Advisory Committee prepared a conservation planning strategy in 2010 which recommended establishing a heritage conservation area that would include much of the town centre, Bungendore Park and the Common. It noted the importance of preserving the town park character with its formal setting and pointed out how the town satisfies multiple criteria to warrant heritage protection.

In contrast, the Heritage assessment (Appendix 7) in the DA did not recognise any heritage value to Bungendore Park, and noted "The study area has little heritage significance and therefore protecting, conserving celebrating or interpreting heritage values is unnecessary". This statement is absolutely false. There is >100 years of social heritage associated with the park, and as the Social Impact assessment states: "it is expected the proposal will initially have a high negative impact on the community's access to open space and recreation facilities. The proposal represents a change to where these facilities will be located and how they can be accessed. The actual and perceived impact of this change is therefore initially expected to be significant, particularly as these facilities support liveability outcomes and contribute to the identity of the town centre."

The Heritage Assessment also is internally inconsistent about the nature of existing buildings in Bungendore. It initially states "Bungendore is characterised by historic stone, brick, and timber buildings. The scale is predominantly single storey and many allotments remain vacant. There are numerous heritage items in the town dating from the late 19th and early 20th Centuries" The assessment goes on to conclude that:

"The new high school buildings are of one and two storey scale reflecting the character of the town. New buildings are screened by existing trees in the park. The high school site is generally isolated from the town and neighbouring buildings...."

This statement about the town being characterised as 'one and two storey' is incorrect: there are very few two-storey buildings, and around the proposed high school site there are no two-storey modern buildings (the QPRC chambers are not two storied as fallaciously stated elsewhere). The high school proposes 5 large 2-storey buildings which would be by far the highest concentration of multi-storey buildings anywhere in Bungendore. Certainly such a concentration of multi-storey building is totally inappropriate and out of Character with the surrounding precinct. This statement about the high school site being 'generally isolated from the town and neighbouring buildings' is incorrect: the high school site is eulogised for its central location elsewhere in the DA and in the DoE FAQ sheet of March 2021 it states "The preferred site has many advantages as it is:

* well situated being in the centre of town.....". The statement that the high school buildings 'are screened by trees' is false: the majority of mature trees will be removed during the construction process and will take decades to hide the two-story high school.

The Heritage assessment also makes the astounding statement in the design of the High school buildings “The linear form is expressed via repetition of windows, vertical and horizontal sun shades and roof form. The design of the buildings is influenced by the region’s pastoral heritage and reference to wool sheds.” Reference to factory buildings would be more appropriate than wool sheds.

(3). The proposal will remove almost all mature trees at the eastern end of Bungendore Park. The Arborist report (appendix 11) notes that “76 trees are proposed to be cleared” with 6 being High Retention Value trees and 42 being Medium Retention Value. So 63% of trees for removal are High or Medium retention value. The DA states that the removal of the 6 high retention value trees is considered “acceptable given the proposal has been designed to maintain the majority of the site’s significant trees....” This is incompatible with actual removal of a high proportion of High and Medium retention value trees.

Australian Standard AS 4970–2009 *Protection of trees on development sites* prescribes that for High retention value trees *Design modification or re-location of building/s should be considered*. All 4 of the high value trees on the northern end of the proposed high school site (bounded by Turallo Terrace and Majara Street) will be removed. Two of these long-lived, high value trees (numbered 100 and 101) are impacted by the proposed cricket batting net (Tree 100) and outdoor sports courts (Tree 101). Alternative cricket nets exist behind the community tennis courts < 65m to the west and so there is absolutely no need to duplicate this facility in the high school. The two outdoor sports courts should be redesigned to either relocate one of the courts to allow retention of Tree 101, or removal of the second court.

(4) The DA talks about ‘shared facilities’ and makes a big play about how the community will still have access to Mick Sherd Oval. This line of argument has been slowly changing since the early information sheets put out by DoE. For example the 18 September 2020 FAQ sheet states “The oval will be available for public use, however during school hours public use of the oval will be managed.” And later in same FAQ states “Will there still be access to this centrally located community used green space? The Department has developed a configuration for the high school that ensures the green space within Mick Sherd Oval remains open, is retained and preserved.” This is totally disingenuous as in fact the DA clearly states the high school will retain ‘exclusive’ use of Mick Sherd oval during school hours (8:00 am to 5:00 pm Monday to Friday). That is hardly ‘sharing’; the community which currently has unfettered use of the oval is being offered the ‘leftovers’. The DA states that “Mick Sherd Oval is not proposed to be utilised as general play space for the school. Instead, the Oval will be utilised by the school during school hours for delivery of the school curriculum”. So not only will the community not be able to use the oval during school hours, but for much of the day the oval will not be used at all. What a waste. I and many others regularly use Mick Sherd oval during what will become ‘school hours’ to play with grandkids, use the exercise equipment, kick a ball around, have a picnic, etc. This will no longer be an option, and in fact contravenes the Crown Land dedication of Bungendore Park (which includes Mick Sherd Oval) for ‘Public Recreation’.

(5). The proposed car parking arrangements substantially change the residential and informal nature of Turallo Terrace. The loss of existing off-street car parking between the Scout Hall and the Preschool will displace all existing users of this carpark to the proposed 35 on-street car parking places on the southern side of Turallo Terrace. This will have 7-day-a-week impacts on Turallo Terrace residents in that users of the new school hall (outside of school hours and days) and the Scout Hall (which is also a community hall) will be encouraged to park here. The proposed hours of operation for the School Hall extend well beyond school hours (8:00am to 5:00 pm) with hours of

operation on Saturday, Sunday and public holidays of 8:00am to 10:00pm. Even on school days it is stated that the school hall may be used outside of standard school hours until up to 10:00pm subject to a possible future joint-use agreement with Council. So provision of 35 on-street parking spaces for hours extending likely after 10 pm (as patrons leave the hall, say farewells, and then enter their vehicles to leave) directly opposite residential dwellings (where no parking previously existed) is entirely unsatisfactory.

The provision of the 5 on-street parking spaces for pre-school drop offs is also totally inadequate. Pre-school drop off/pick up is not 'Kiss and Drop' it is in fact: park, unload small children, walk them in, chat to staff, return to car and then leave. The construction of 5 car-parking places outside the Preschool is totally inadequate (given the current enrolment of 30-40 children) and demonstrates that the designers of this car parking nightmare do not understand the car parking logistics or requirements of the site. The 35 new car parking spaces on the southern side of Turallo Terrace will be rapidly filled by high school students, staff and other users and will then encourage 'nature-strip' parking on the northern side of Turallo Terrace to the detriment of local residents (and nature strips which will turn into mud patches in winter). The associated litter and general detritus jettisoned from cars will also impact local residents.

(6) The school is too small and will not accommodate future growth in student numbers. The DA states that the student capacity is 'up to' 450 students, but documents obtained from DoE under FOI state that within the 3 years of opening student numbers are forecast to exceed this, and that by 2036 student demand will exceed 560. So the school will need to expand considerably and realistically the only way it can do this on the current site is by either going up (3 storey buildings?) or out (so Mick Sherd oval disappears?). The DA provides no information on how the school proposes to accommodate the projected over-capacity student demands.

I have not, and no associate of mine, has made any political donation to any person in the 2 years preceding this submission.

Yours faithfully,

Mark Lintermans