



# **Ordinary Meeting of Council**

**21 December 2022**

**UNDER SEPARATE COVER  
ATTACHMENTS**

**ITEMS 9.1 TO 9.3**

**QUEANBEYAN-PALERANG REGIONAL COUNCIL  
ORDINARY MEETING OF COUNCIL**

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# **QUEANBEYAN-PALERANG REGIONAL COUNCIL**

## **Council Meeting Attachment**

**21 DECEMBER 2022**

ITEM 9.1            STATE SIGNIFICANT DEVELOPMENT - SSD - BUNGENDORE  
                             HIGH SCHOOL - PROPOSED COUNCIL SUBMISSION  
                             FOLLOWING EXHIBITION OF RESPONSE TO  
                             SUBMISSIONS REPORT NO.2

ATTACHMENT 1    BUNGENDORE HIGH SCHOOL SSD - DRAFT RESPONSE TO  
                             SUBMISSIONS REPORT NO.2 - DECEMBER 2022

**Attachment 1 - Comments on Response to Submissions Report No.2 – Bungendore High School – December 2022**

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 14 October 2022	Response In Submissions Report No.2 – Starts pp 14 Section 5	Comment from Council	Recommended Response
1. Permissibility	That Council withhold comment on this matter pending any findings from the current NSW Government Standing Order 52 and retain the right to object on permissibility grounds.	SINSW consider that there is no issue with permissibility and have no further comments.	The Standing Order 52 has still not been progressed. Maintain Council's position.	Maintain objection until Order 52 matter resolved.
2. Crown Land Impacts	That Council withhold comment on this matter pending any findings from the current NSW Government Standing Order 52 and retain the right to object on the grounds that Crown Land impacts have not been resolved.	SINSW consider that there is no issue with permissibility and have no further comments.  Further Crown Lands have raised no further issues in a letter dated 29 September 2022	The Standing Order 52 has still not been progressed. Maintain Council's position.	Maintain objection until Order 52 matter resolved.
3. Utilities	<i>Water</i>  Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
	<i>Sewer</i>  Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required

Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 14 October 2022	Response In Submissions Report No2 – Starts pp 14 Section 5	Comment from Council	Recommended Response
	<p><i>Stormwater</i></p> <p>Council required extension of stormwater infrastructure through to rear of new Abbeyfield site.</p> <p>Council requested an independent report on stormwater run-off including details of modelling work undertaken in the assessment.</p> <p>Provide plan BHS-CE-2053 which shows on-site detention but was not included in plans</p>	<p>Details now included in design.</p> <p>Details now included in design.</p> <p>Plan BHS-CE-2053 now included in plan at Appendix 5</p>	<p>No further information required.</p> <p>No further information required</p> <p>No further information required</p>	<p>That the Submissions Report No.2 be noted.</p> <p>That the Submissions Report No.2 be noted.</p> <p>That the Submissions Report No.2 be noted</p>
4. Erosion and Sediment Control	<p>Council recommends that the consent authority impose conditions requiring the preparation, implementation and maintenance of an erosion and sedimentation plan throughout the construction of the development.</p> <p>Applicant should be requested to address inconsistencies in the earthworks cut/fill plan.</p>	<p>DPE's standard condition relation to erosion control accepted by applicant.</p> <p>Earthworks plans corrected and updated in Appendix 5.</p>	<p>No further information required.</p> <p>No further information required</p>	<p>That the Submissions Report No.2 be noted.</p> <p>That the Submissions Report No.2 be noted.</p>

Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 14 October 2022	Response In Submissions Report No2 – Starts pp 14 Section 5	Comment from Council	Recommended Response
5. Traffic and Roads	<p><i>Traffic Report</i></p> <p>Applicant to carry out an independent assessment of traffic within 500m.</p>	Applicant is carrying out required report but does not consider it is required prior to determination	Council to advise that traffic report and impacts on parking should be completed before determination of application.	Maintain Objection until report is completed
	<p><i>Parking Facilities</i></p> <p>Council does not support 90 degree angle parking in Turallo Terrace and objects to the proposal on the basis that at least 58 additional spaces should be provided.</p>	<p>On site spaces increased from 44 to 56 spaces.</p> <p>22 Parallel spaces provided on the southern side of Turallo Terrace to offset loss of 20 formalised spaces on Majara Street.</p> <p>Retain 19 x 90 degree parking spaces in front of pre-school to replace 15 spaces lost as a result of the loss of Scout carpark</p> <p>All other parking on northern side of Turallo Terrace removed</p>	<p>Increase in on site spaces supported.</p> <p>22 parallel spaces on the southern side of Turallo Terrace supported subject to satisfactory results from traffic report and installation at cost of applicant</p> <p>Retain 19 x 90 degree parking spaces in front of pre-school supported.</p> <p>Supported</p> <p>Council calculates there is still a shortfall in parking by at least 45 car parking spaces. These are a result of not replacing existing spaces and from increased demand generated by the proposal.</p>	<p>No objection raised to proposed amendments to parking subject to Traffic Report confirming suitability on Turallo Terrace.</p> <p>Maintain objection in relation to shortfall in provision off on street parking</p>

Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 14 October 2022	Response In Submissions Report No2 – Starts pp 14 Section 5	Comment from Council	Recommended Response
	<i>Roundabouts – Manoeuvring</i> Roundabout designs to be amended to ensure bus manoeuvrability	Adjustments made to design to facilitate bus movements. Civil drawings amended accordingly	No further information required.	That the Submissions Report No.2 be noted.
	<i>Roundabouts – Landscaping</i> Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
6. Student Pick-Up and Drop-Off	Council wanted to see 15 spaces in Gibraltar Street and 6 spaces in Turallo Terrace for a total of 21 spaces.	A total of 21 Drop off/pick up spaces are proposed including 6 on the south side of Turallo Terrace, 4 on the north side of Gibraltar Street and 11 on the west side of Majara Street outside of the primary school to replace and extend the 5 existing drop-off/pick-up spaces currently located on the south side of Gibraltar Street.	Required spaces provided. No further information required.	That the Submissions Report No.2 be noted.
7. Public Transport	Council was satisfied with the public transport arrangements.	Nil	No further comment required	No further comment required

Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 14 October 2022	Response In Submissions Report No2 – Starts pp 14 Section 5	Comment from Council	Recommended Response
8. Access to 16 Majara Street	Council recommends that the consent authority impose a condition requiring a right of way to be established at the front of No.16 Majara Street to allow access to this property from the access road into the school parking area.	Applicant has noted requirement but has not confirmed that it will be included as a condition of consent.	Reiterate need for condition of consent.	The Submission Report response be noted and the request for imposition of the condition remain.
9. Crossings and Pedestrian Movement	<i>Gibraltar Street Crossing</i> Council noted a number of deficiencies in the crossing designs	Civil drawings have been updated to correct design deficiencies.	No further information required.	That the Submissions Report No.2 response be noted.
	<i>Turallo Terrace Crossing</i> Council noted a number of deficiencies in the crossing designs	Civil drawings have been updated to correct design deficiencies.	No further information required.	That the Submissions Report No.2 response be noted.
	<i>Pedestrian Links</i> Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
10. Waste Collection and Deliveries	Council recommends that the consent authority impose a condition of consent requiring waste collection to be between 6:00am – 7:30am or 4.00pm to 7.00pm.	Applicant requests condition be imposed without time frames.	Council does not support the flexibility requested. Waste collection is a common source of noise complaints and, coupled with the need to provide on-site safety during school hours results in restricted opportunities for collection during normal business hours.	That Council reiterate the need for a condition relate to the times for waste collection.

Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 14 October 2022	Response In Submissions Report No2 – Starts pp 14 Section 5	Comment from Council	Recommended Response
11. Entrance and Access	Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
12. Flooding	Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
13. Developer Contributions	<i>Section 7.11 Contributions</i> Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
	<i>Section 64 Contributions</i> Applicant needs to apply to Crown for exemption from imposition of contributions	Applicant acknowledges need to lodge exemption with Crown.	No further information required.	That the Submissions Report No.2 response be noted.
14. Bushfire Assessment	Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
15. Fire Services and Disability Access	Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
16. Section 68 Local Government Approvals	Conditions to be imposed requiring water sewer, stormwater and trade waste services to be inspected by Council and works as executed drawings submitted executed drawings of the water, sewer, stormwater and trade waste installations be provided to Council within three months of the occupation of the site.	Applicant accepts condition	No further information required.	That the Submissions Report No.2 response be noted.

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 14 October 2022	Response In Submissions Report No2 – Starts pp 14 Section 5	Comment from Council	Recommended Response
17. Building Design and Amenity	Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
18. Heritage	<i>Building A, Digital Sign and Fencing Around Heritage Items</i> Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
	<i>Rotunda &amp; Bush Balladeers Stone Memorial</i> Council require that the consent authority impose a condition requiring the Rotunda and Bush Balladeers Stone Memorial being relocated at no cost to Council to Frogs Hollow Reserve or another location within the Village as agreed with Council.	Applicant accepts proposed condition.	No further information required.	That the Submissions Report No.2 response be noted.
19. Use and Maintenance of Mick Sherd Oval and Games Courts	Council did not have any further comments resulting from the previous report	Nil	No further comment required, however need to finalise a joint use agreement will be included in cover letter	No further comment required
20. Contamination	Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
21. Other Matters	Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 14 October 2022	Response In Submissions Report No2 – Starts pp 14 Section 5	Comment from Council	Recommended Response
22.Environmental Health Matters	Council did not have any further comments resulting from the previous report	Nil	No further comment required	No further comment required
23.Tree Protection	That a condition of consent be imposed to protect all trees that could be affected from any works pertaining to Council's road reserves.	Applicant accepts proposed condition.	No further information required	That the Submissions Report No.2 response be noted.

***Schedule 1 – Summary of Matters Raised in Objection to the Proposal***

The following summary formed part of the previous submissions and summarised those matters where Council objected to the original proposal. A column has been added to indicate Council's position following the Response to Submissions and amendment to the design of the school.

<b><i>Relevant Issue</i></b>	<b><i>Matter Raised in Previous Submission – 14 October 2022</i></b>	<b><i>Outcome Following Response in Submissions Report No.2</i></b>
Whether the permissibility and legislative construction of the original dedication of the Crown lands being acquired is overcome by the acquisition of the land by the Education Minister.	That the consent authority require the applicant to provide further clarification on whether the legislation creating the dedication of Bungendore Park and the Bungendore Common permits the use of a school on the land and whether legislative change may be required to facilitate that use.	Objection still remains
Unacceptable loss of off-street parking spaces and inadequate provision of additional parking generated by the development.	Recommendation is that Council accept proposed parking subject to confirmation of its suitability through requested Traffic Report but maintain overall objection on the basis that a shortfall of some 45 parking spaces still exists.	Objection still remains
Traffic Plan for area within 500m of proposal	This has still not been provided. Council considers that proposal should not be approved until traffic report is received and considered.	Objection still remains
Landscaping and Design of Roundabouts	Designs now confirm suitable design and landscaping.	Objection withdrawn

<b><i>Relevant Issue</i></b>	<b><i>Matter Raised in Previous Submission – 14 October 2022</i></b>	<b><i>Outcome Following Response in Submissions Report No.2</i></b>
Insufficient parking for Pick up and drop area in Turallo Terrace.	A total of 21 spaces have now been provided as requested by Council.	Objection withdrawn
Crossings	Designs have been corrected.	Objection withdrawn
Fencing adjacent to Heritage items.	No further information required by Council.	Objection withdrawn
Removal of digital signage due to its incompatibility with the heritage streetscape predominant in Gibraltar Street.	That the consent authority request the applicant to deploy an alternative to the digital sign in in the proposal.	Objection withdrawn

***Schedule 2 - Recommended Conditions of Consent***

***Recommended Conditions of Consent Following Response to Submissions - Bungendore High School – October 2022***

**Prior to the Commencement of Site Works**

**1. Disposal of Contaminated Material**

All contaminated material removed from the site must be disposed of to a licensed disposal facility or as otherwise specified in the remedial action plan. Evidence of the location, date and quantities of material disposed of must be submitted to the certifying authority prior to the commencement of building works.

*Reason: To ensure that contaminated material removed from the site is disposed of in an environmentally safe manner.*

**2. Traffic Management**

Prior to undertaking any works within a public road reserve or affecting the road reserve, a traffic management plan is to be submitted to and approved by Queanbeyan-Palerang Regional Council under Section 138 of the *Roads Act 1993*. Where occupancy of the road reserve is required, a Section 138 application shall accompany the Traffic Management Plan for Local Roads or an approved Road Occupancy Licence (ROL) from Transport for NSW (TfNSW) for State Roads.

*Reason: To ensure that works carried out comply with the Roads Act.*

**3. Temporary Vehicle Access**

Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shoveling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.

*Reason: To minimise transfer of soil from the site onto the road pavement.*

**4. Works Sites to be Fenced**

A fence must be erected between the development site and public places before commencement of any other work.

*Reason: To ensure that an effective barrier is provided to preserve the safety of people and property in public places.*

### **Prior to the Commencement of Building Works**

#### **5. Submit an Application for Trade Waste (C5)**

Prior to the issue of the commencement of building works a Trade Waste Application (C5) to install a waste treatment device or devices must be submitted to, and approved by, Council. The waste treatment devices proposed must be able to cater for discharges from the following sources:

- (a) Canteen
- (b) Science Laboratories

The application must include the following details;

- (a) Details and location of all processes, tanks, pits and apparatus associated with the generation of trade waste and,
- (b) Specifications of the treatment system including capacity/dimensions, material of construction and lining of the proposed pre-treatment facilities and,
- (c) Details of pipes and floor drainage conveying the waste and,
- (d) A detailed sewage drainage plan.

*Reason: To ensure compliance with Section 68 of the Local Government Act 1993, Council's Policy for Discharge of Liquid Trade Waste into Council's Sewer 2004/05 and to protect Council's Sewerage System.*

*Note: For further information regarding Trade Waste treatment and discharge please contact Council's Trade Waste Officer.*

#### **6. Submit an Application for Trade Waste (C4)**

Prior to the commencement of any building works a Trade Waste Application (C4) for disposal of liquid trade waste into sewer must be submitted to, and approved by, Council.

*Reason: To ensure compliance with Section 68 of the Local Government Act 1993, Council's Policy for Discharge of Liquid Trade Waste into Council's Sewer 2004/05 and to protect Council's Sewerage System.*

#### **7. Submit a Construction Management Plan**

Prior to the commencement of building works a Construction Management Plan for the management of soil, water, vegetation, waste, noise, vibration, dust, hazards and risk for the construction works must be submitted to and endorsed by the certifying authority. The plan must:

- (a) describe the proposed construction works and construction program and,
- (b) set standards and performance criteria to be met by the construction works and,
- (c) describe the procedures to be implemented to ensure that the works comply with the standards and performance criteria and,
- (d) identify procedures to receive, register, report and respond to complaints and,
- (e) nominate and provide contact details for the persons responsible for implementing and monitoring compliance with the plan.

*Reason: To ensure that satisfactory measures are in place to provide for environmental management of the construction works.*

### **8. Stormwater Disposal and Water Quality Requirements**

All stormwater from the site must be trapped and piped to the street gutter/stormwater pit/other via an On-Site Detention (OSD) system to limit the discharge from the site to the pre-development rate in accordance with Council's D5 Development Design Specification. Prior to the commencement of building works the design of the OSD service shall be determined by a suitably qualified hydraulic consultant at no cost to Council.

The design shall include an independent report on storm water run-off from new building roof spans, including impact on the Mick Sherd Oval.

An in-ground Gross Pollutant Trap (GPT) targeting litter is to be installed in accordance with Council's D7 Erosion Control and Stormwater Management Specification.

*Reason: To provide satisfactory stormwater disposal and water quality.*

### **9. Protection of Council Sewer/Stormwater Easements**

Prior to the commencement of building works structural plans must be provided to Council for concurrence as the sewer and water authority. The plans are to demonstrate that the footings of any structure will not be located within the zone of influence of Council's water, sewer and stormwater assets.

*Reason: To allow for safe access and maintenance of services within future easements by Council personnel.*

### **10. Demolition Works**

The demolition of existing buildings must be carried out in accordance with the;

- a) Requirements of the SafeWork New South Wales,
- b) *NSW Work Health and Safety Act 2011*, and
- c) *Australian Standard AS 2601-2001 - The Demolition of Structures*.

*Reason: To ensure compliance with SafeWork and occupational health and safety requirements.*

### **11. Submit a Design and Construction Plan for Canteen Food Preparation Area**

Prior to the commencement of building works a detailed design for the construction of the canteen food preparation area must be submitted to, and approved by Council. Fixtures, fittings, and equipment must be provided so as to be capable of being easily and cleaned without causing a risk to food safety.

The plan should include the following details:

- Floor plan - to a suitable scale (e.g. 1:50).
- Finishes to floors, walls and ceilings
- Sectional elevation drawings - to a suitable scale (e.g. 1:50) showing all fittings and equipment.
- Hydraulic plans (plumbing details) - to a suitable scale (e.g. 1:50).
- Mechanical exhaust ventilation drawings (i.e. plans, elevation and schematic diagrams, where applicable) - to a suitable scale (e.g. 1:50).

*Reason: To ensure compliance with Food Act 2003 and Regulations 2015, Food Standards Code and relevant Australian Standards.*

### **Conditions to be Complied with During Construction**

#### **12. Hours of Operation for Works**

All works associated with the construction and/or demolition of this development must be carried out between the following hours unless Queanbeyan-Palerang Regional Council agrees in writing. A written application shall be made to Queanbeyan-Palerang Regional Council if a variation of hours is required.

Weekdays: 7.00am to 6.00pm

Saturdays: 8.00am to 4.00pm

Sundays and Public Holidays: NIL

*Reason: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality.*

#### **13. Approval Documents**

Keep a copy of all stamped approved plans, specifications and documents on site while work is being undertaken.

*Reason: Relevant documentation is available for perusal on site by a council officer, for compliance check.*

#### **15. Work in Accordance with Engineering Specifications**

All construction and restoration work must be carried out strictly in accordance with the approved drawings and Council's Design and Construction Specifications.

*Reason: To ensure construction and restoration work is in accordance with Council's requirements.*

#### **16. Redundant Water Service Connection – Bungendore Pool**

Disconnection of the existing water service for the Bungendore Pool from the water main, to be undertaken by the Council Utilities section staff at the Developer's cost.

*Reason: Single connection for water service for the development.*

#### **17. Redundant Sewer Connection – Bungendore Pool**

Disconnection of the redundant existing sewer connection for Bungendore Pool from the sewer main to be undertaken by the Council Utilities section staff at the Developer's cost.

*Reason: Single connection for sewer service for the development.*

#### **18. Water Main Stop Valves – Majara Street**

Install two new stop valves on Council's existing water main through the proposed site. The first is to be 1m outside the northern boundary of the high school, and second 1m outside the southern boundary of the high school on the existing 100mmØ DICL water main.

*Reason: To enable rapid isolation of water mains in the event of breakage without having to arrange access.*

#### **19. Provide Water Service and Water Meter**

A new main water meter and water service shall be installed by Council at no cost to the Council. The size of the meter and service shall be determined by a suitably qualified hydraulic consultant at no cost to Council.

The main meter shall be installed in an easily accessible position in the common property at the front of the site, or other accessible position approved by Council.

*Reason: To ensure that the development is appropriately water metered.*

#### **20. Sewage Reflux Valve**

A sewer reflux valve shall be fitted in accordance with AS/NZS 3500 – Plumbing and Drainage to the internal sewer drainage system upstream of the property boundary trap / shaft so as to prevent the backflow from the sewer from the authority's sewer entering the building.

*Reason: To ensure the development is compatible with the flood risk of the area and to minimise damage to property that may occur in the event of flooding.*



## **21. Extension of Stormwater Main**

Stormwater shall be discharged to the existing pit in Turallo Terrace (Pit-593) with a 450mmØ RCP drainage pipe connecting to the 1400mmØ RCP trunk stormwater line in Majara Street. The 1400mmØ shall be extended to a point north of the proposed Abbeyfield site through to the footprint of the proposed extended levee and any rights of way, installing any headwalls and dissipation works required.

*Reason: This main discharges part way through the proposed Abbeyfield site on the northern side of Turallo Terrace where Council has closed an unformed section of Majara Street. The new Abbeyfield site is being created as a result of the construction of the new school. A such the main will need to be extended clear of the new Abbeyfield site.*

## **22. Inspection of Council Utility Services**

All connections and alterations to Council's water, sewer and stormwater services shall be inspected by Council's Development Engineering Team prior to backfilling. This includes the inspection of the orifice plate and connection to Council stormwater infrastructure.

*Reason: Ensure on-site detention is constructed in accordance with the Council specification.*

## **23. Dust Management**

Throughout construction works undertake all measures as appropriate to provide dust suppression on roads leading to, adjacent to and within the site in the event that weather conditions, construction activities and associated traffic to and from the site are giving rise to abnormal generation of dust.

*Reason: To ensure that local residents and activities are not disadvantaged by dust during hours of operation.*

## **24. Unauthorised Use of Public Land**

No building materials are to be stored or construction activities undertaken on public or adjoining land without prior written approval from Council.

*Reason: To prevent unnecessary disturbance to public land.*

## **25. Work on Adjoining Land is Limited**

The verge and other adjoining lands must not be used for storage of materials or disturbed by construction activities except for;

- Installation of a temporary, stabilised construction access across the verge,
- Installation of services,
- Construction of an approved permanent verge crossing.

*Reason: To minimise interference with the verge and its accessibility by pedestrians.*

## **26. Construction Waste Management**

All waste materials generated on-site during construction are to be stored in enclosed containers and deposited in an approved landfill at regular periods.

*Reason: To ensure adequate waste management practices are in place during the construction phase.*

## **27. Protection of Adjoining Structures**

If any excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on adjoining land, the person causing the excavation to be made;

- a) must preserve and protect the building from damage, and
- b) if necessary, must underpin and support the building in an appropriate manner, and
- c) must, at least seven days before excavating, give notice of intention to do so to the owner of the adjoining and furnish particulars of the excavation to the owner of the building being erected or demolished, and
- d) satisfy the requirements of SafeWork NSW.

The owner of the adjoining land is not to be liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

*Reason: Excavations relating to building work do not pose a hazard to adjoining properties.*

## **28. Surface Water**

Do not re-direct surface water onto adjoining private land. Alterations to the surface contours must not impede or divert natural surface water run-off, so as to cause a nuisance to adjoining property owners or create an erosion or sediment problem.

*Reason: Stormwater disposal does not impact on the building or neighbouring properties.*

## **29. Construction And Fitout Requirements**

Canteen food preparation, sale and storage areas must be constructed and fitted out to comply with the requirements of the:

- (a) *Food Act 2003*;
- (b) *Food Regulations 2015*;
- (c) Australia New Zealand Food Standards Code; and
- (d) AS1668.2 - The use of ventilation and air conditioning in buildings - Part 2: Ventilation design for indoor air contaminant control

*Reason: To ensure safe and hygienic food preparation/storage and compliance with Food Act 2003 and Regulations 2015, Food Standards Code and relevant Australian Standards.*

### **30. Car Parking to Comply with AS/NZS 2890**

All car parks must comply with AS/NZS 2890.1-2004 Parking Facilities Off-Street Car Parking, AS/NZS 2890.6-2009 Off-Street Parking for People with Disabilities.

Pavement line marking with bay dimensions to comply with AS/NZS 2890.1-2004 and AS/NZS 2890.6-2009, must be shown within the car parking areas to delineate parking bays, including signage for the accessible parking bays.

*Reason: To provide adequate off-street car parking.*

### **31. All Surfaces to be Concrete or Asphalt Surfaced**

All parking spaces, loading bays, driveways and turning aisles must be concrete or asphalt surfaced, with all parking spaces line marked.

*Reason: To ensure car parking spaces are functional prior to use of the premises.*

### **32. Lighting in Car Parks and Public Spaces**

Lighting throughout the car parking area and in public spaces must comply with AS/NZS 2890.1:2004 - Parking Facilities - Off-Street Car Parking, and AS/NZS 1158 - Lighting for Roads and Public Spaces.

*Reason: To ensure the provision of adequate lighting within the development.*

### **33. Submit a Tree Management Plan**

- 1.1. A Tree Management Plan (TMP) is to be prepared in accordance with 'Australian Standard 4970-2009 Tree Protection on Development Sites', by a suitably qualified arborist (Minimum AQF Level 5) prior to the commencement of work in the stage(s) where trees located within Council's road reserve are likely to be impacted by the proposed works.
- 1.2. The TMP must include:
  - a. The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) dimensions for retained trees on the subject site and adjacent sites (if applicable);
  - b. Tree protection measures in accordance with Australian Standard AS4970-2009;
  - c. Trees proposed to be removed (if applicable); and
  - d. Scaled maps depicting all of the above.
- 1.3. TMP protection measures must be implemented prior to the commencement of works, including demolition and tree removal, and remain in place until all site works have been completed unless otherwise specified in the TMP.
- 1.4. All contractors are to be made aware of the TMP as part of their induction on to site and must comply with it.

*Reason: To ensure that tree(s) are protected from damage during construction.*

### **Prior to Occupation of the Site as an Operational High School**

#### **34. Development Contributions to be Paid**

Prior to the occupation of the site as an operational high school, contributions under Section 64 of the *Local Government Act 1993* and Division 5 Part 2 of the Chapter 6 of the *Water Management Act 2000* must be paid to Council.

*Reason: To provide for the funding of augmentation to Council's water and sewer services resulting from the additional demand created by the development.*

#### **35. Covenant on the Land – Council Utility Services**

Apply covenants under section 88B of the Conveyancing Act 1919 to the new lots incorporating the restrictions listed below. Queanbeyan-Palerang Regional Council shall be nominated as the sole party with the power to vary or remove the required covenants.

a) Create all easements specified below and contained in the high school development. All easements must benefit Council;

- i. easements to drain water,
- ii. easements to drain sewer,
- iii. easements for water supply,
- iv. easements for stormwater.

b) Council shall be nominated as the authority empowered to release, vary or modify restriction or positive covenant numbered in the plan.

*Reason: To ensure public utility services, access and restrictions are legalised over the land.*

#### **36. Covenant on the Land – Other Utility Services**

Apply covenants under section 88B of the Conveyancing Act 1919 to the new lots incorporating the restrictions listed below.

a) Create all easements specified below and contained in the high school development. All easements must benefit the relevant service authority;

- i. easements for electricity,
- ii. easements for telecommunications

b) The relevant service authority shall be nominated as the authority empowered to release, vary or modify restriction or positive covenant numbered in the plan.

*Reason: To ensure public utility services, access and restrictions are legalised over the land.*

#### **37. Establishment of Right of Way**

That a right of way to be established at the front of No.16 Majara Street to allow access to this property from the access road into the school parking area.

*Reason: To ensure legal access to the property at 16 Majara Street is maintained.*

**38. Works as Executed (On-Site Detention System)**

Prior to occupation Works as Executed drawings of the constructed on site detention system certified by the designer are to be submitted to Council accompanied by evidence of any restriction of land use of the land and positive covenant over the lot in favour of Council.

*Reason: To ensure on site detention is constructed in accordance with the designed system and that its ongoing maintenance is enforceable by law.*

**39. Repair Damaged Public and Private Property**

All damage caused to public and private property during the construction operations and associated activities must be repaired or reinstated prior to occupation of the development.

*Reason: To ensure that all public and neighbouring private property in the vicinity of the development is maintained in its pre-development condition.*

**40. Water and Sewer Compliance Certificate - Construction**

Prior to occupation of the development a compliance certificate in accordance with the Water Management Act 2000 must be obtained from Council.

*Reason: To ensure the constructed infrastructure and services have been completed to Council's specifications.*

**41. Sewage Connection**

Prior to occupation of the development connect the premises to Queanbeyan-Palerang Regional Council's sewerage infrastructure.

*Reason: To ensure that premises are connected to available domestic sewerage system.*

**42. Comply with Waste Management Plan**

The development is to comply with the submitted Waste Management Plan dated 7 September 2021.

*Reason: To ensure the impacts of waste generated by the development are managed accordingly.*

**43. Submission of Litter Management Plan**

Prior to occupation of the development the applicant shall submit to Council a litter management plan detailing how the school will manage litter around the school and fringes of the building and property boundary. The plan shall include a regular schedule for litter pickup and a maintenance schedule for litter bins placed around the facility. Following occupation this litter management plan shall be adhered to.

*Reason: To ensure that the school and building surrounds are kept free from litter whether generated onsite or from surrounding sites.*

**44. Waste Conditions**

The school is encouraged to contact Council's Waste Officer to assist with the following elements of the school's waste management plan:

- Signage for waste bins at school to ensure it is consistent with Council's waste service so that students are getting the same message at home and at school.
- Council provides a number of waste education programs that are available for the school
- To assist with finding option for recycling plastic wrap, soft plastics and polystyrene.

*Reason: To maximise waste reduction strategies at the school.*

#### **45. School Transport Plan**

That the following inclusions and modifications be made to the School Transport Plan:

- a) TfNSW's management of the School Crossing Supervisor Program shall be noted in the Plan.
- b) A requirement that a mandatory school crossing supervisor to support the large number of unaccompanied school children using the crossing be included in the Plan.
- c) That the school crossing supervisor be included as a member of the internal working group proposed in the Preliminary School Transport Plan.

*Reason: To ensure the appropriate provision for the School Crossing Supervisor is made in the STP.*

#### **46. Provision of Works as Executed Drawings**

Within three months of the occupation of the site, works as executed drawings for all internal water, sewer, stormwater and trade waste installations be shall be provided to Council for its records.

*Reason: To ensure that Council has permanent records of internal services for the future reference of trade and other professionals.*

#### **47. Relocation of Rotunda and Bush Balladeers Memorial**

That the Rotunda and Bush Balladeers Stone Memorial be relocated to Frogs Hollow Reserve at no cost to Council.

*Reason: To ensure that the Rotunda and Balladeers Memorial that are displaced by the schools construction are relocated within the village at no cost to the community.*

### **Conditions Applying to the Ongoing Operation of the School**

#### **48. Maintain Car Parking Areas and Driveway Seals**

All sealed car parking areas, loading bays, maneuvering areas and driveways must be maintained in a trafficable condition, including pavement line marking

*Reason: To ensure car park areas are useable.*

#### **49. Vehicle and Goods Storage Confined to the Site**

All loading and unloading activities in connection with the development must be carried out wholly within the site and all goods and vehicles associated with the development must be accommodated wholly within the site.

*Reason: To ensure free flow of vehicular and pedestrian traffic on the road and the verge.*

#### **50. Car Parking Spaces to be Kept Free at all Times**

All car parking spaces, loading and unloading areas, vehicle maneuvering and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times. The operator of the development must ensure that all vehicles associated with the development are parked within the site in the approved car parking area as line marked.

*Reason: To ensure such areas are available for occupants and visitors of the site and parking on site is used for the development.*

#### **51. Waste Collection Hours**

Waste collection shall be limited to between 6:00am to 7:30am and 4.00pm to 7.00pm Monday to Saturday.

*Reason: To ensure that waste collections are carried out at times when they do not create a noise nuisance to neighbours or a danger to students.*

# **QUEANBEYAN-PALERANG REGIONAL COUNCIL**

## **Council Meeting Attachment**

**21 DECEMBER 2022**

ITEM 9.1            STATE SIGNIFICANT DEVELOPMENT - SSD - BUNGENDORE  
                             HIGH SCHOOL - PROPOSED COUNCIL SUBMISSION  
                             FOLLOWING EXHIBITION OF RESPONSE TO  
                             SUBMISSIONS REPORT NO.2

ATTACHMENT 2    BUNGENDORE HIGH SCHOOL SSD - SUBMISSIONS REPORT  
                             NO.2

Submissions Report No. 2  
New High School in Bungendore  
SSD-14394209

On behalf of  
NSW Department of Education  
November 2022







### Project Director

Georgia Sedgmen

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Revision	Revision Date	Status	Authorised
A	23/11/2022	Draft	
B	30/22/2022	Final	

\*This document is for discussion purposes only unless signed and dated by the persons identified.

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- Appendix 7:** Consolidated transport assessment by PDC
- Appendix 8:** Updated signage and line-marking drawing by PDC
- Appendix 9:** Bus swept paths for roundabout by PDC
- Appendix 10:** Social impact advice by Urbis



## Executive Summary

This Submissions Report has been prepared by Mecone Group Pty Limited on behalf of the NSW Department of Education to support the proposed new high school in Bungendore (SSD-14394209).

The Environmental Impact Statement (EIS) for the project was exhibited from 20 September 2021 to 18 October 2021. The project was subsequently amended and re-exhibited from 20 September 2022 to 10 October 2022.

A total of 206 unique submissions were received during re-exhibition, including 126 objections (61%), 76 supporting submissions (37%) and 4 comments (2%). Additionally, an objection was received from Queanbeyan-Palerang Council, and advice was received from several government agencies.

Key issues raised by objectors during re-exhibition included site suitability, social impacts, transport impacts, consultation process, heritage impacts, economic impacts and built form.

The statements provided in support of the proposal included reference to the need for a new high school in Bungendore, central location, proximity to services, design and size, limited traffic impacts, safety, accessibility, and employment opportunities.

The project team has provided additional information and refined the design to address the issues raised. Key design refinements include:

- Increase in on-site parking from 44 to 56 spaces, which is in excess of the 52 spaces required by mode share for staff, visitors and students.
- Deletion of perpendicular parking on the southern side of Turallo Terrace and replacement with 22 parallel spaces, to offset the 20 formalised parking spaces lost from Majara Street.
- Deletion of all perpendicular parking on the northern side of Turallo Terrace that fronts the private residents, and retention of 19 perpendicular parking on the northern side of Turallo Terrace in front of the pre-school to offset the 15 scouts parking lost when Abbeyfield construct their facility on the Scout carpark.
- Provision of 11 drop-off/pick-up spaces on west side of Majara Street outside of the primary school to replace and extend the 5 existing drop-off/pick-up spaces currently located on the south side of Gibraltar Street. Total quantity of drop-off/pick-up spaces is 21 as follows:
  - 6 on the south side of Turallo Terrace.
  - 4 on the north side of Gibraltar Street.
  - 11 on the west side of Majara Street.
- Waste enclosure in carpark shifted towards the centre of the carpark to reduce impacts on 16 Majara Street.
- Minor changes to utilities infrastructure:
  - Proposed kiosk substation shifted to site outside of proposed water and sewer easements.
  - Gas meter, water meter and fire hydrant booster shifted to the west of the entry forecourt to reflect relocation of substation and to comply with authority requirements.
  - The mitigation measures provided as part of the EIS and first Submissions Report remain relevant. A new mitigation measure has

been added to address flood risk—preparation of a site-specific flood evacuation response strategy.

Overall, the project as refined will result in a high-quality fit-for-purpose educational establishment that achieves the original aims of the project while resulting in no unacceptable environmental impacts.



## 1 Introduction

This Submissions Report has been prepared by Mecone Group Pty Limited on behalf of the NSW Department of Education (DoE) (the applicant) to support the proposed new high school in Bungendore (SSD-14394209).

The Environmental Impact Statement (EIS) for the project was exhibited from 20 September 2021 until 18 October 2021. The project was subsequently amended re-exhibited from 20 September 2022 to 10 October 2022.

The purpose of this report is to summarise and respond to the issues raised during re-exhibition. It has been prepared with regard to Appendix C of the State significant development guidelines—preparing a submissions report (DPE, October 2022).

A total of 206 submissions were received during re-exhibition, including 126 objections (61%), 76 supporting submissions (37%) and 4 comments (2%). These submissions are summarised and addressed in **Section 7** of this report.

Additionally, an objection was received from Queanbeyan-Palerang Council, and advice was received from several government agencies. The Council objection and agency advice are addressed in **Section 5** and **Section 6**, respectively, of this report.

The Department of Planning and Environment (DPE) addressed a letter to the applicant dated 14 October 2021 requesting a response to the submissions and agency advice received during exhibition of the amended project. DPE issued a further letter dated 26 October 2022 outlining the key issues identified in the submissions. The key issues letter is addressed in **Section 4** of this report.

This report is supported by and should be read in conjunction with the following documents:

- **Appendix 1:** Submissions analysis including submissions register by Micromex.
- **Appendix 2:** Response to SES by Martens and Associates.
- **Appendix 3:** Updated architectural drawings by TKD.
- **Appendix 4:** Updated landscape drawings by Context.
- **Appendix 5:** Updated civil drawings by M+G Consulting Engineers.
- **Appendix 6:** Report on stormwater management by M & G Consulting Engineers.
- **Appendix 7:** Consolidated traffic assessment by PDC.
- **Appendix 8:** Updated signage and line-marking drawing by PDC.
- **Appendix 9:** Bus swept paths for roundabout by PDC.
- **Appendix 10:** Social impact advice by Urbis.

**Note:** The traffic assessment at **Appendix 7** is a consolidated version of the traffic assessment for the project carried out to date. It incorporates the information presented in GHD's Transport Assessment appended to the EIS and PDC's Transport Assessment Addendum appended to the Amendment Report, as well as the refinements made as part of this second Submissions Report. It does not present any additional traffic modelling.

## 2 Analysis of submissions

Micromex has prepared an analysis of submissions (**Appendix 1**) with an aim to understand key concerns raised by the public and organisations during re-exhibition, and to explore the main reasons for objecting or supporting the project. Micromex's report also contains a submissions register that identifies where in this report individual submissions are addressed. Key findings from Micromex's report are outlined below.





A total of 206 unique submissions were received including:

- 126 objections (61%).
- 76 supporting submissions (37%).
- 4 comments (2%).

There were fewer unique submitters during re-exhibition (206) than during the original exhibition (319). The majority of submitters still object to the proposed development (61%), although this has dropped from the 76% in the original exhibition. There are now 37% that support the development, up from 23% in the original exhibition.

Just over a third (35%) of those who object to the development provided a supporting comment. These comments were almost entirely along the lines of, "I support but have reservations..."

Regarding location, only 132 of the 206 unique submissions included the submitter's suburb. One hundred three (103) of the 132 identified submitters were from Bungendore, with 29 submitters mentioning other locations, including two from the ACT and three from Queensland.

Refer to Micromex's report for further detailed analysis of the submissions.

## 3 Actions taken since exhibition

### 3.1 Project refinements

The applicant has made the following refinements to the project as a result of comments received during public exhibition and ongoing design development:

- On-site parking spaces have increased from 44 to 56, which is more than the 52 spaces required by mode share for staff, visitors and students.
- Turallo Terrace on-street parking has been amended to:
  - Delete perpendicular parking on the southern side of Turallo Terrace and replace with 22 parallel spaces, including 2 accessible spaces, to offset the 20 formalised parking spaces lost from Majara Street.
  - Delete all perpendicular parking on the northern side of Turallo Terrace that fronts the private residents.
- Retain 19 perpendicular parking on the northern side of Turallo Terrace in front of the pre-school to offset the 15 scouts parking lost when Abbeyfield construct their facility on the Scout carpark. This includes 2 accessible spaces.
- Provision of 11 drop-off/pick-up spaces on west side of Majara Street outside of the primary school to replace and extend the 5 existing drop-off/pick-up spaces currently located on the south side of Gibraltar Street. Total quantity of drop-off/pick-up spaces is 21 as follows:
  - 6 on the south side of Turallo Terrace.
  - 4 on the north side of Gibraltar Street.
  - 11 on the west side of Majara Street.
- Waste enclosure in carpark shifted towards the centre of the carpark to reduce impacts on 16 Majara Street.
- Minor changes to utilities infrastructure:
  - Proposed kiosk substation shifted to site outside of proposed water and sewer easements.

- Gas meter, water meter and fire hydrant booster shifted to the west of the entry forecourt to reflect relocation of substation and to comply with authority requirements.
- Minor landscape adjustments to suit the above changes. There have been no changes to quantity of trees to be removed or proposed. A number of trees formerly proposed in the on-site carpark have been relocated within the site retain the same total quantity of proposed trees (131).

Updated architectural, landscape and civil drawings illustrating the changes are attached at **Appendix 3**, **Appendix 4** and **Appendix 5**, respectively.

## 3.2 Consultation

The following additional consultation activities have been carried out following exhibition of the amended project.

### Community information sessions

To update the community about the project, and to answer any questions following the lodgement of the first Submissions Report, School Infrastructure NSW (SINSW) held two community information sessions at the Bungendore Public School library. These were on Tuesday 20 September from 5.30pm to 7pm, and Wednesday 21 September from 4pm to 5.30pm.

Over the two days, six representatives from SINSW were in attendance. The principal for Bungendore High School also attended to answer questions relating to school operations.

Nearly 70 people from the community attended. Some attendees volunteered to SINSW that they were representatives of local community groups, or were already known to the project team through previous engagement.

### Stakeholder engagement at the information sessions

Engagement with stakeholders at the information session included engagement with local residents as well as individuals who are involved with local community groups.

SINSW also met with representatives from Save Bungendore Park Inc on 21 September 2022.

A Senior Project Director from SINSW also provided an update to Queanbeyan-Palerang Councillors and staff following the information session on 21 September 2022.

The collateral at the sessions included information boards about the project, a four page information pack, contact cards, the most recent Works Notification and Project Update (which include details about the temporary high school) and a fly-through on a large screen on continuous loop. These materials are available on the SINSW Project Webpage at: <https://www.schoolinfrastructure.nsw.gov.au/projects/n/new-high-school-in-bungendore.html>

### Communication resources and stakeholder engagement for the Information Sessions and following lodgement of the first Response to Submissions

The following have been published since the information sessions:

- 2x project updates.
- Information pack.
- 6x information boards.
- Flythrough video.
- Update to the SINSW project webpage.

Two topics were repeatedly raised during the information sessions:

- Support for a new local high school.
- The location of the new high school.

SINSW committed to providing the community an update following the information sessions. A project update was shared on 27 October, which included additional clarification on the site-selection process.

## 4 Response to DPE key issues

Following its initial assessment of the amended project and review of submissions and agency advice, DPE commented on a number of key issues in a letter to the applicant dated 26 October 2022. Table 1 provides responses to these key issues.

**Table 1.** Response to DPE key issues

Issue	Response
<b>Social impact assessment</b>	
Update the proposed mitigations in accordance with the Social Impact Assessment Guideline 2021. Mitigations are required to be tangible, deliverable by the applicant and likely to be durably effective.	<p>The proposed mitigation measures were developed in consultation with the applicant and with regard to the guidance outlined in the DPE SIA Guidelines Technical Supplement, "Factors to consider when developing mitigation measures".</p> <p>If mitigation measures could not be committed by the applicant or be reasonably effective in reducing the extent of social impact, they have not been included in the SIA report. The residual impact rating reflects this.</p> <p>As such, the mitigation measures have not been updated.</p> <p>Refer to the social impact advice by Urbis at <b>Appendix 10</b> for further discussion.</p>
The terms "social locality" and "area of social influence" is used inaccurately in the SIA. The SIA guidelines require the social locality to be identified and analysed, which correlates with area of social influence in international guidelines. However, the SIA has separate sections on each of these concepts, Sections 4.1 and 4.5. Revise the SIA to correct the terms use and provide a social locality map to support your conclusion.	The DPE SIA Guidelines outline six concepts to consider in the development of a social locality, which informed Sections 4.1 and 4.5 of the SIA Report dated September 2021. For clarity, Sections 4.1 and 4.5 of the SIA have been combined and renamed "social locality" in the social impact advice at <b>Appendix 10</b> .
<p>The social baseline is required to be revised to detail the social context of the site and surrounding area. Please provide the:</p> <ul style="list-style-type: none"> <li>• current need for the development, including the number of students in the new school catchment, breakdown of the number of students currently attending private and public schools and the current travel modes and trip times</li> <li>• existing operation of the social infrastructure currently on the site, including operation times, and the nature and extent of the users, including vulnerable users (if any)</li> </ul>	Section 4 of the original SIA provides an appropriate social baseline. For detailed responses to the issues raised, refer to the social impact advice at <b>Appendix 10</b> .

Issue	Response
<ul style="list-style-type: none"> <li>public transport in the social locality to inform accessibility of the social infrastructure and future access to community use of the school.</li> </ul>	
Update the SIA to include details on the extent and intensity of the social impact of the closure and interim relocation of the community centre, swimming pool, library and Council service centre.	<p>The original SIA and the SIA addendum assessed the social impact of the closure and interim relocation of all facilities identified by DPE.</p> <p>For clarity, this is addressed in Section 2.1 and 2.3 of the SIA addendum, as well as Sections 6.3, 6.4 and 6.5 of the original SIA.</p>
Noting the proposal no longer includes the provision of new community facilities on the site, the Department encourages Community Use Arrangements of the school. Consider sharing the school facilities with the community and update the acoustic assessment to consider out of hours community use as necessary.	<p>The SIA addendum included a recommendation in Section 2.3 for DoE to "Implement joint use arrangements for community use of school facilities outside of school hours. This could help contribute to meeting some of the need for a community centre in town, while relocations plans are developed by Council" (15: 2022). A similar recommendation was also provided in the original SIA. As this comment had already been addressed in the SIA Addendum, no further action is required.</p> <p>Regarding noise impact, the latest Noise and Vibration Assessment provided (Appendix 5 of the Amendment Report) considers noise emissions from the school during the evening period, including emissions from the hall, where any future community use of the school would likely occur. The assessment assumes a noise level of 80dBA in the hall, which represents the noise level during a musical performance. The assessment concludes that noise emissions from the development will not exceed the intrusiveness criteria at surrounding residences (background noise level + 5dBA).</p>
<b>Traffic and carparking</b>	
Revise the carparking allocation, having regard to the mode share targets and likely car occupancy rates, so that operational parking, including students, visitors, and all staff, can be accommodated onsite and reliance on street parking can be avoided.	On-site parking spaces have increased from 44 to 56, which exceeds the 52 spaces required by mode share for staff, visitors and students. All on-site spaces are 2.5m wide, which is suitable for accommodating the anticipated mix of users.
Advise how traffic would be managed to enable parents to access the drop-off/pick-up on Turallo Terrace, during times of flood /closure of Turallo Terrace to the east, noting all vehicles would need to approach from the west and safety turn around during the busy dropoff period.	<p>During flood events, the Turallo Terrace drop-off/pick-up would be closed off and sign-posted to indicate Gibraltar Street drop-off/pick-up should be used instead.</p> <p>In its response to comments made by State Emergency Services (SES), Martens and Associates has recommended that a site-specific flood evacuation response strategy be prepared for the school at the detailed design stage (<b>Appendix 2</b>). Details regarding the temporary closure of the Turallo Terrace drop-off/pick-up will be written into this strategy.</p>

Issue	Response
Relocate proposed disabled parking on Turallo Terrace as close as possible to the school entrance.	Disabled parking on Turallo Terrace has been relocated further east to be closer to the school entrance. Refer to the updated architectural plans at <b>Appendix 3</b> for details.
<b>Site area</b>	
Clarify the proposed site area given the site area was reduced as part of the amended proposal.	The proposed site area is now 25,350sqm.
<b>Roundabout design</b>	
Provide turning circle diagrams to demonstrate that the roundabouts can accommodate bus movements, or if necessary, update the roundabout design to enable bus movements to be accommodated.	Kerb adjustments are required to facilitate the bus movements. The architectural, landscape and civil drawings have been updated accordingly ( <b>Appendix 3, 4 and 5</b> , respectively). Swept paths are provided at <b>Appendix 9</b> .
<b>Onsite detention</b>	
Provide plan BHS-CE-2053 which shows on-site detention details as referenced in Plan BHSCE-2031 and the Amendment Report, but not provided on the civil drawings.	Plan BHS-CE-2053 is provided in the updated civil drawings at <b>Appendix 5</b> .

## 5 Response to Council

Table 2 provides a response to the comments by Council in the submission letter dated 14 October 2022.

**Table 2.** Response to Council

Council comment	Council recommendation	Response
<b>1. Permissibility</b>		
There is presently a call for papers relating to the Bungendore High School proposal under Standing Order 52 of the NSW Legislative Council. There may be issues raised which impact on the permissibility of the development on the acquired crown land.	That Council withhold comment on this matter pending any findings from the current NSW Government Standing Order 52 and retain the right to object on permissibility grounds.	The first Submissions Report described how the permissibility issues have been resolved. The applicant has no further comments on the matter.
<b>2. Crown land impacts</b>		
The issue has been clarified and Council has no reason or expertise to suggest that the clarification is not valid.  However, there is presently a call for papers relating to the Bungendore High School proposal under Standing Order	That the Submission Report response be noted and the objection remain pending any findings from current NSW Government Standing Order 52 and that Council retain the right to object on Crown Land impacts.	The first Submissions Report described how the permissibility issues have been resolved. The applicant has no further comments on the matter.  Crown Lands has raised no issues in its most recent letter



Council comment	Council recommendation	Response
52 of the NSW Legislative Council. There may be issues raised which impact on the ability of the Department of Education to proceed with the development on the acquired crown land.		dated 29 September 2022 following notification of the Submissions and Amendment Reports.

### 3. Utilities

<p><u>Water</u></p> <p>Utilities is satisfied with the responses provided for water, sewer, waste, stormwater and trade waste.</p> <p>From previous submission: An easement will need to be created over the water main in the eastern verge of Majara St to benefit Council. The easement should include a provision that no structures be erected over the easement.</p>	The Submission Report response be noted.	<p>Noted.</p> <p>Regarding the easement, the applicant wishes to reiterate its response from the first Submissions Report that no new buildings or footings will be located over the water main, but a covered walkway (with no footings) will be located over the main. The terms of the easement should take this into account.</p>
<p><u>Sewer:</u></p> <p>Utilities is satisfied with the responses provided for water, sewer, waste, stormwater and trade waste.</p>	The Submission Report response be noted.	Noted.
<p><u>Stormwater</u></p> <p>The school project necessitates the relocation of the Abbeyfield site. As such, the request to extend the stormwater main through to the footprint of the proposed extended levee is reasonable.</p>	That the applicant be responsible for extending the stormwater infrastructure to a point north of the proposed Abbeyfield site through to the footprint of the proposed extended levee, and any rights of way, installing any headwalls and dissipation works required.	The design details for the extension of the existing 1350 Dia stormwater drainage pipe are detailed on the updated civil drawings at <b>Appendix 5.</b>

Council comment	Council recommendation	Response
<p>The civil design report does not discuss OSD design or assessment in significant detail. There is a screenshot of a basic DRAINS model showing performance of concept OSD for the 20% AEP only. Council would expect there to be detailed discussion on the OSD design including commentary on all relevant assumptions, model parameters, tank construction (internal weir, orifice/s diameter, surcharge location etc). Council should request a copy of the detailed DRAINS model for review and endorsement as a suggested condition of consent.</p> <p>Page 29 of the Submissions Report states that an OSD tank is detailed on M+G drawing BHS-CE-2053. This drawing is not in the set and cannot be assessed. The civil design report does not discuss storm water quality design or assessment in significant detail other than noting certain types of pollutant retention devices and noting the Council retention targets. Whilst it is noted that MUSIC modelling is to be conducted, Council often find that it is common for developers to have difficulty meeting our targets and we would like to see some modelling outputs confirming compliance with our D7 specification. Perhaps this can be included in the recommended condition of consent noted for the DRAINS model above.</p> <p>From previous submission: An easement will need to be created over the water main in the eastern verge of Majara St to benefit Council. The easement should include a provision that no structures be erected over the easement.</p>	<p>That the applicant be requested to provide an independent report on storm water run-off from new building roof spans, including the impact on the Mick Sherd Oval and that this be included in the proposed conditions of consent.</p> <p>That the applicant be required to submit a copy of the detailed DRAINS model for review by Council prior to the commencement of work. This work is to include details of MUSIC modelling to ensure compliance with Council's D7 specification can be achieved.</p>	<p>A report on the stormwater management of the site is included at <b>Appendix 6</b>. The details of the DRAINS and MUSIC modelling are included in the report.</p> <p>Regarding the stormwater easement, the applicant wishes to reiterate its response from the first Submissions Report that no new buildings or footings will be located over the water main, but a covered walkway (with no footings) will be located over the main. The terms of the easement should take this into account.</p>
<b>4. Erosion and sediment control</b>		
<p>Council is satisfied that the applicant understands the need for compliance with this requirement.</p>	<p>Council reiterates its request for the consent authority to impose conditions requiring the preparation, implementation and maintenance of an erosion and</p>	<p>The applicant accepts DPE's standard condition requiring implementation of erosion</p>

Council comment	Council recommendation	Response
However, there appear to be some inconsistencies in the earthworks cut/fill plan. It appears to show fill on top of an existing building. It is recommended that a long section through the school avenue to demonstrate overland flow of the broader stormwater network be provided.	sedimentation plan throughout the construction of the development.  Further the applicant should be requested to address inconsistencies in the earthworks cut/fill plan.	and sediment control measures.  The inconsistencies in the bulk earthworks plan have been addressed in the updated civil drawings at <b>Appendix 5</b> .

#### 5. Traffic and roads

<p><u>Parking facilities:</u></p> <p>The proposed 90 degree angle parking in Turallo Terrace has been increased to meet the shortfall identified by Council. The parking appears to meet User Class 2 requirements under AS2890.1 which seems generally appropriate though aisle width is bare minimum for this User Class and could be improved.</p> <p>Council does not support the construction of either the proposed 90 degree angle parking on Turallo Terrace detailed in the original plans or the additional 58 spaces proposed on Turallo Terrace in the amended plans because of:</p> <ul style="list-style-type: none"> <li>• The adverse impacts on the residential premises in this locality.</li> <li>• The congestion likely to occur around conflicts with parking at the pre-school and scout hall;</li> <li>• Increased safety concerns caused by more vehicle movements in the area particularly vehicles reversing into traffic lanes from the 90 degree parking.</li> </ul>	<p>That Council advise they do not support any formalised parking on the north or south side of Turallo Terrace being included in SINSW plans. As such Council objects to the development on the basis that the required additional 58 parking spaces have not been provided.</p> <p>Car parking for the following on Turallo Terrace is supported for:</p> <ul style="list-style-type: none"> <li>• Two disabled parking spaces closer to the school entrance.</li> <li>• The proposed six proposed drop-off/pick-up spaces.</li> </ul>	<p>The design has been modified to increase the number of on-site spaces from 44 to 56, in excess of the 52 spaces required by mode share for staff, visitors and students.</p> <p>In addition, the applicant has amended the parking configuration on Turallo Terrace to:</p> <ul style="list-style-type: none"> <li>• Delete perpendicular parking on southern side of Turallo Terrace and replace with 22 parallel spaces, including 2 accessible spaces, to offset the 20 formalised parking spaces lost from Majara Street.</li> <li>• Delete all perpendicular parking on the northern side of Turallo Terrace that fronts the private residents.</li> <li>• Retain 19 perpendicular parking on the northern side of Turallo Terrace in front of the pre-school to offset the 15 scouts parking lost when Abbeyfield construct their facility on the Scout carpark.</li> </ul>
<p>Council is also concerned that inadequate assessment has been done of the potential traffic and road safety impacts of the development on the wider street network around the school. Further studies should be done to look at impacts within 500m of the school and to take into account the impacts caused</p>	<p>That the applicant provide an Independent Traffic and Road Safety Report encompassing a 500m circumference from the proposed site of all surrounding streets, terraces, roads and highways.</p>	<p>The applicant is carrying out the requested report in order to inform detailed design. It is considered that the report is not required for determination of the subject development application.</p>



Council comment	Council recommendation	Response
by the frequent closure of Street due to flooding.		
<u>Roundabouts – manoeuvring:</u> Turning curves for a both 12 & 14 m buses need to be done at the Gibraltar/Majara Street and Gibraltar /Butmaroo roundabouts noting that this road is on our public transport route and adjacent to the train station. It isn't clear in the transport assessment addendum.	That the applicant provide engineered designs, noting any works to be carried out on verges adjacent to the proposed roundabouts on Gibraltar/Majara and Gibraltar/Butmaroo to facilitate turning movements for both 12 & 14 m buses, noting that these roads are on the public transport route and adjacent to the train station. It isn't clear in the transport assessment addendum. Note: During rail track works up to 3 full size coaches a day require to pull into the train station car park.	Kerb adjustments are required to facilitate the bus movements. The architectural, landscape and civil drawings have been updated accordingly ( <b>Appendix 3, 4 and 5</b> ). Swept paths are provided at <b>Appendix 9</b> .
<u>Roundabouts – landscaping:</u> Council is satisfied that the landscape plans confirm that the roundabouts will be appropriately landscaped.	The Submission Report response be noted.	Noted.
<b>6. Student pick-up and drop-off</b>		
The report suggests that Council's concerns have been addressed by the relocation of three pick up/drop off spaces from the northern side of the Gibraltar Street. This does not result in an increase in kiss and drop spaces it simply rearranges their location. This matter should be resubmitted to the applicants requesting an additional three spaces in for the development as a whole.	The Council maintain its objection until a total of 21 drop-off/pick-up spaces are provided as follows: <ul style="list-style-type: none"> <li>Gibraltar Street – 15 spaces</li> <li>Turallo Terrace – 6 spaces</li> </ul>	A total of 21 drop-off/pick-up spaces are proposed including 6 on the south side of Turallo Terrace, 4 on the north side of Gibraltar Street and 11 on the west side of Majara Street outside of the primary school to replace and extend the 5 existing drop-off/pick-up spaces currently located on the south side of Gibraltar Street. Refer to the updated architectural plans at <b>Appendix 3</b> .
<b>7. Public transport</b>		
Nil	No further comment required.	Noted.
<b>8. Access to 16 Majara Street</b>		
Council is satisfied that the applicant will provide the necessary Right of Carriageway but the requirement should be a formal condition of consent.	The Submission Report response be noted and the request for imposition of the condition remain.	Noted.
<b>9. Crossings and Pedestrian Movement</b>		
<u>Crossings:</u>	That Council provide the following comments on the deficiencies in	These items have been addressed as follows:

Council comment	Council recommendation	Response
<p>Despite the applicant's ongoing discussions the conditions requested by Council have not been satisfied and should still be imposed.</p> <p>Comments from staff indicate the following technical matters need to be resolved:</p> <p>The lines and signs drawing needs to be updated to show</p> <ul style="list-style-type: none"> <li>• The school crossing on Gibraltar St dimensioned appropriately</li> <li>• Parking changes with removal of the temp school</li> <li>• QPRC standard on K &amp; D is for a painted blue line on the kerb</li> <li>• Fencing on the northern side of Gibraltar St to redirect students is not shown</li> <li>• Sheet AR DA HS – 1010 rev c notes a low height wall seating wall</li> <li>• Sheet AR DA HS -3000 south elevation from Gibraltar Street shows fencing to the east but not on the street frontage</li> <li>• Section 1 / 2020 shows no fence</li> <li>• Not shown AR DA HS-9100</li> </ul>	<p>the design of the crossing and maintain its objection.</p> <p>The following technical matters need to be resolved:</p> <p>The lines and signs drawing needs to be updated to show:</p> <ul style="list-style-type: none"> <li>• The school crossing on Gibraltar St dimensioned appropriately</li> <li>• Parking changes with removal of the temp school</li> <li>• QPRC standard on K &amp; D is for a painted blue line on the kerb</li> <li>• Fencing on the northern side of Gibraltar St to redirect students is not shown</li> <li>• Sheet AR DA HS – 1010 rev c notes a low height wall seating wall</li> <li>• Sheet AR DA HS -3000 south elevation from Gibraltar Street shows fencing to the east but not on the street frontage</li> <li>• Section 1 / 2020 shows no fence.</li> <li>• Not shown AR DA HS-9100</li> </ul>	<ul style="list-style-type: none"> <li>• The civil drawings have been updated to show Gibraltar Street crossing dimensioned appropriately (<b>Appendix 5</b>).</li> <li>• Parking changes associated with the temporary school do not form part of this application.</li> <li>• Colour details for the drop-off/pick-up design can be addressed during the section 138 approval process.</li> <li>• Re fencing on the northern side of Gibraltar Street: The Submissions Report incorrectly noted that this fencing was provided. In fact, the proposed design treatment is low-height walls and entry plantings. This approach is suitable from a safety perspective and provides a better aesthetic outcome.</li> </ul>
<p><u>Turrello Terrace crossing:</u></p> <p>Comments from staff indicate the following technical matters need to be resolved:</p> <ul style="list-style-type: none"> <li>• Use of dragon's teeth on Turallo Terrace isn't dimensioned or regular i.e. only on one approach</li> <li>• The wombat crossing on Turallo Terrace will not function as designed. It isn't raised and will not slow traffic. The detailed plan, section 2 &amp; 4 on drawing BHS CE 2200 disagree with each other.</li> </ul>	<p>The following technical matters need to be resolved:</p> <ul style="list-style-type: none"> <li>• Use of dragon's teeth on Turallo Terrace isn't dimensioned or regular i.e. only on one approach</li> <li>• The wombat crossing on Turallo Terrace will not function as designed. It isn't raised and will not slow traffic. The detailed plan, section 2 &amp; 4 on drawing BHS CE 2200 disagree with each other.</li> </ul>	<p>The updated signage and line-marking drawing at <b>Appendix 8</b> shows the dragon's teeth details.</p> <p>The civil drawings have been updated (<b>Appendix 5</b>) so that the wombat crossing on Turallo Terrace will function as designed. The detailed plan and sections have been revised accordingly. Additionally, in the updated architectural drawings at <b>Appendix 3</b>, the text "raised wombat crossing" has been added for clarity.</p>
<p><u>Pedestrian links:</u></p> <p>The applicant has satisfactorily addressed this concern.</p>	<p>The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.</p>	<p>Noted.</p>

#### 10. Waste collection and deliveries

Council comment	Council recommendation	Response
Council does not support the flexibility requested. Waste collection is a common source of noise complaints and, coupled with the need to provide on-site safety during school hours results in restricted opportunities for collection during normal business hours. Thus, specifying the hours of collection in a condition is important.	That Council reiterate the need for a condition relate to the times for waste collection.	As noted in the first Submissions Report, it is expected waste collection will occur between 6am and 7:30am. The applicant requests that DPE impose its standard operational waste condition of consent for operational waste management, which does not explicitly specify hours but instead refers to the EIS and/or submitted waste management plan.

#### 11. Entrance and access

The changes to the waste storage collection point are acceptable. It is noted that a consequence of the change is that additional carparking is to be provided at the northern end of the existing carpark behind the existing Council building. This new area should be provided with sufficient space at the end of the aisle to allow for vehicles to turn around should all carparks be full.	That the consent authority ensure that vehicles at the extension to the northern end of the existing carpark are provided with sufficient space at the end of the aisle to allow for vehicles to turn around should all carparks be full.	A turning bay has been provided in the northern section of the carpark to ensure vehicle can turn around should all spaces be full. Refer to the updated architectural drawings at <b>Appendix 3</b> .
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#### 12. Flooding

The matters raised have been adequately addressed by the Applicant.	The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.	Noted.
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#### 13. Developer contributions

Section 7.11—The parties agree on this matter.	No further comment required.	Noted.
Section 64— The legal situation is understood however, Council believes the condition remains relevant until such time as the Department makes and receives a request for exemption from payment of the contributions.	That the Department of Education, as an agent of the Crown, request and receive from the Minister for Urban Affairs and Planning, now the Minister for Planning, an exemption under s306(4) of the Water Management Act and further determination remain in the proposed conditions of consent.	Noted. The applicant intends to request and receive from the Minister an exemption under s306(4) of the <i>Water Management Act 2000</i> .

#### 14. Bushfire assessment

No further comments required as a result of amendments to design.	No further comment required.	Noted.
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Council comment	Council recommendation	Response
<b>15. Fire services and disability access</b>		
No further comments required as a result of amendments to design.	No further comment required.	Noted.
<b>16. Section 68 local government approvals</b>		
Internal water and sewer services—These conditions should be reimposed.	That the consent authority impose conditions requiring water, sewer and trade waste installations to be inspected by Council staff.  That the consent authority impose a condition requiring that a copy of the works as executed drawings of the water, sewer, stormwater and trade waste installations be provided to Council within three months of the occupation of the site.	The applicant accepts these conditions.
Trade waste discharges—These conditions should be reimposed.	That the consent authority impose conditions requiring water, sewer and trade waste installations to be inspected by Council staff. That the consent authority impose a condition requiring that a copy of the works as executed drawings of the water, sewer, stormwater and trade waste installations be provided to Council within three months of the occupation of the site.	The applicant accepts these conditions.
<b>17. Building design and amenity</b>		
Council is satisfied that the design amendments have addressed its concerns.	That the Submission Report response be noted.	Noted.
<b>18. Heritage</b>		
Building A—Council is satisfied that the design amendments have addressed its concerns.	That the Submission Report response be noted.	Noted.
Digital sign—The digital sign has been removed from the development as requested. No further comment required.	The Submission Report response be noted and Council's objection on these grounds be removed.	Noted.
Fence around Station master's and Signalman's Cottages—The concerns raised by Council have been clarified and clearly delineated on the Landscape plans. With these changes Council should have no further	The Submission Report response be noted and Council's objection on these grounds be removed.	Noted.

Council comment	Council recommendation	Response
concerns with fencing around the two heritage cottages.		
Rotunda & Bush Balladeers Stone Memorial— All parties seem to agree that the Rotunda should be relocated at the applicant's cost. A condition confirming this requirement should be imposed.	That until negotiations are finalised Council request that the condition be imposed.	The applicant accepts this condition.
<b>19. Use and maintenance of Mick Sherd Oval and games courts</b>		
All of Council's concerns have been addressed by amendments to the design. As such the recommended conditions are no longer required.	The Submission Report response be noted and the requested conditions be deleted from the proposed conditions of consent.	Noted.
<b>20. Contamination</b>		
As the detailed site investigation has now been completed the requirement for the report as a condition of consent is no longer needed.  It is noted that the report requires the imposition of several conditions of consent relating to unexpected finds and asbestos removal. With these conditions in place Council can be satisfied that the site is suitable for its proposed use as a school. Council notes that there may be some appetite for establishing additional parking at the existing car parking facilities at the Bungendore Railway Station. If such negotiations are progressed they should be cognisant of potential contamination on the railway carpark land.	The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.	Noted.
<b>21. Other matters</b>		
No further comments required as a result of amendments to design.	No further comments required.	Noted.
<b>22. Environmental health matters</b>		
The applicant has adequately addressed these concerns.	The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.	Noted.

Council comment	Council recommendation	Response
<b>23. Tree protection</b>		
Substantial works will be carried out within Council's road reserves. Council seeks to protect trees that are located within the road reserve from damage during the construction period and recommends a condition of consent be address requiring protection of these trees.	That a condition of consent be imposed to protect all trees that could be affected from any works pertaining to Council's road reserves.	The applicant accepts this condition.

## 6 Response to agency advice

### 6.1 Biodiversity and Conservation Division (BCD)

The BCD raised no issues in its letter dated 28 September 2022. BCD noted that if any additional any additional infrastructure is proposed on flood prone land in the future, formal approval should be sought from Council.

The applicant notes this advice.

### 6.2 Heritage NSW

Heritage NSW raised no issues in its letter dated 26 September 2022, and recommended two conditions of consent for unexpected finds protocols relating to historic heritage and burials.

The applicant accepts these conditions.

### 6.3 Heritage NSW – Aboriginal Cultural Heritage (ACH)

In its email dated 19 September 2022, Heritage NSW – ACH advised it has no comments and that the project does not need to have the project referred again.

### 6.4 Transport for NSW (TfNSW)

In its letter dated 28 October 2022, TfNSW noted it has no objections to the amended application, subject to a number of recommended conditions. Table 3 addresses these conditions.

**Table 3.** Response to TfNSW

Recommended condition	Response
<b>Matters to be addressed by conditions</b> <u>1. School Zone</u> 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	The applicant accepts this condition or a condition to this effect.



Recommended condition	Response
<p>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).</p> <p>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.</p> <p>Note:</p> <p>- Section 138 approval under the Roads Act 1993 will be required before commencing works in the adjoining roads.</p> <p>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.</p> <p>d) The approved school zone shall be operated and maintained in accordance with approvals issued by TfNSW for the life of the development.</p>	
<p><u>2. Bus Bay</u></p> <p>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.</p>	<p>The applicant accepts this condition or a condition to this effect.</p>
<p><u>3. Pedestrian Crossings</u></p> <p>a) The new pedestrian crossing to be provided in Gibraltar Street and Turrillo 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.</p> <p>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.</p>	<p>The applicant accepts this condition or a condition to this effect.</p>

Recommended condition	Response
<p><u>4. School Travel Plan</u></p> <p>a) Before occupation/use of the development as a school, the NSW Department of Education shall:</p> <p>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</p> <p>ii) Submit a copy of the final Travel Plan to TfNSW and Council.</p> <p>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.</p>	<p>The applicant accepts this condition or a condition to this effect.</p>
<p><u>5. Bus Service Implementation</u></p> <p>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.</p> <p>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.</p>	<p>The applicant accepts this condition or a condition to this effect.</p>
<p><u>6. General Requirement</u></p> <p>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.</p>	<p>The applicant accepts this condition or a condition to this effect.</p>
<p><u>7. Rail Corridor Requirements</u></p> <p>a) Prior to the commencement of any works, the applicant shall:</p> <p>i) submit a Risk Assessment/Management Plan and detailed Safe Work Methods Statement</p>	<p>The applicant accepts this condition or a condition to this effect.</p>



Recommended condition	Response
<p>(SWMS) for the approved works to UGLRL (via email to <a href="mailto:thirdpartyworks@uglregionallinx.com.au">thirdpartyworks@uglregionallinx.com.au</a>) for review and comment on the impacts on the rail corridor.</p> <p>ii) obtain written approval from UGLRL and TfNSW (via email to <a href="mailto:thirdpartyworks@uglregionallinx.com.au">thirdpartyworks@uglregionallinx.com.au</a>) 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.</p> <p>iii) provide an accurate survey (via email to <a href="mailto:thirdpartyworks@uglregionallinx.com.au">thirdpartyworks@uglregionallinx.com.au</a>) 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.</p> <p>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 <a href="mailto:thirdpartyworks@uglregionallinx.com.au">thirdpartyworks@uglregionallinx.com.au</a> for more information.</p> <p>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 <a href="mailto:thirdpartyworks@uglregionallinx.com.au">thirdpartyworks@uglregionallinx.com.au</a>). Should any issues be identified post-construction they are to be rectified by the proponent.</p> <p>b) The use of cranes and equipment in proximity to the rail corridor shall comply with the following:</p> <p>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;</p> <p>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</p> <p>iii) The use of Equipment must be in accordance with the AS 2550 series of Australian Standards, Cranes, Hoist and Winches, including AS2550 15-</p>	

Recommended condition	Response
<p>1994 Cranes – Safe Use – Concrete Placing Equipment.</p> <p>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.</p> <p>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:</p> <p>i) the recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to commencing of the construction activities; and</p> <p>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.</p> <p>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.</p>	

## 6.5 Crown Lands

In its letter date 29 September 2022, Crown Lands noted that the site had been compulsorily acquired by the Minister for Education and Early Learning and that no lineal infrastructure will now traverse Crown Land. Crown Lands advised it has no further comments at this time.

## 6.6 Civil Aviation Safety Authority (CASA)

In its email dated 21 September 2022, CASA advised it has no objections to the project in its original or amended form and that there are no aviation or safety implications.

## 6.7 State Emergency Services (SES)

SES issued a letter on the original project dated 21 July 2022 and a further email on the amended project dated 14 October 2022. In its comments on the amended project, SES notes it has no further comments on the project but rather makes reference to its previous letter, particularly the following points:

- *In the context of future development, self-evacuation of the community should be achievable in a manner which is consistent with the NSW SES's principles for evacuation.*
- *Development must not conflict with the NSW SES's flood response and evacuation strategy for the existing community.*

- Evacuation must not require people to drive or walk through flood water.
- Development strategies relying on deliberate isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation.
- Development strategies relying on an assumption that mass rescue may be possible where evacuation either fails or is not implemented are not acceptable the NSW SES.
- NSW is opposed to development strategies that transfer residual risk, in terms of emergency response activities, to NSW SES and/or increase capability requirements of the NSW SES.
- The preferred emergency strategy for school sites prone to flooding is early closure prior to the commencement of flooding and before the start of the school day.

A letter by Martens and Associates (MA) consulting engineers dated 13 September 2022 has been prepared to address the SES's original letter (**Appendix 2**).

MA notes that the main concern of SES is that part of the Agricultural Plot (Ag Plot) is affected by the 1% annual exceedance probability (AEP) flood extent. MA assesses that this represents a low flood risk, as the buildings associated with the Ag Plot are outside the probable maximum flood (PMF) extents, and sufficient warning time will be available to move staff and students to areas above the PMF level.

To address SES's comments regarding flood evacuation strategy, MA recommends that a detailed site-specific flood evacuation response strategy be prepared by a suitably qualified flooding engineer at the detailed design stage to ensure the school is prepared for, can respond to, and recover from, significant flood events. This requirement is now included in the updated mitigation measures in **Section 9** of this Submissions Report.

## 6.8 Rural Fire Service

The NSW Rural Fire Service (RFS) has recommended conditions of consent in its letter dated 29 September 2021. Table 4 addresses these conditions. Overall, the majority of the conditions can be achieved by the current design or by routine maintenance during operation. A few of the requirements – namely, tree spacing, shrub location and shrub coverage – may necessitate revisions to the landscape design. The applicant requests that DPE impose a condition requiring submission of an updated landscape design that addresses all of the RFS requirements, to the satisfaction of the Planning Secretary.

**Table 4.** Response to RFS

Recommended condition	Response
1. From the commencement of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire school site must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019. When establishing and maintaining an IPA the following requirements apply: <ul style="list-style-type: none"> <li>• tree canopy cover should be less than 15% at maturity;</li> </ul>	The applicant accepts this condition. The current landscape plan achieves this requirement.
<ul style="list-style-type: none"> <li>• trees at maturity should not touch or overhang the building;</li> </ul>	The applicant accepts this condition. The requirement can be implemented as part of routine maintenance.

Recommended condition	Response
<ul style="list-style-type: none"> <li>lower limbs should be removed up to a height of 2m above the ground;</li> </ul>	The applicant accepts this condition. The requirement can be implemented as part of routine maintenance.
<ul style="list-style-type: none"> <li>tree canopies should be separated by 2 to 5m;</li> </ul>	The applicant accepts this condition. Compliance may require updates to the landscape design. The applicant requests that DPE impose a condition requiring an updated landscaping plan that addresses this requirement, to the satisfaction of the Planning Secretary.
<ul style="list-style-type: none"> <li>preference should be given to smooth-barked and evergreen trees;</li> </ul>	The applicant accepts this condition. The current landscape design achieves this requirement. The majority of trees are smooth barked, notably the avenue trees. Some rough bark and deciduous trees have been selected to relate to the local character.
<ul style="list-style-type: none"> <li>large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;</li> </ul>	The applicant accepts this condition. The current landscape design generally provides large gaps between planting areas.
<ul style="list-style-type: none"> <li>shrubs should not be located under trees;</li> </ul>	The applicant accepts this condition. Compliance may require updates to the landscape design. The applicant requests that DPE impose a condition requiring an updated landscaping plan that addresses this requirement, to the satisfaction of the Planning Secretary.
<ul style="list-style-type: none"> <li>shrubs should not form more than 10% ground cover;</li> </ul>	The applicant accepts this condition. Compliance may require updates to the landscape design. The applicant requests that DPE impose a condition requiring an updated landscaping plan that addresses this requirement, to the satisfaction of the Planning Secretary.
<ul style="list-style-type: none"> <li>clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;</li> </ul>	The applicant accepts this condition. Compliance may require updates to the landscape design. The applicant requests that DPE impose a condition requiring an updated landscaping plan that addresses this requirement, to the satisfaction of the Planning Secretary.
<ul style="list-style-type: none"> <li>grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and</li> </ul>	The applicant accepts this condition. The requirement can be implemented as part of routine maintenance.
<ul style="list-style-type: none"> <li>leaves and vegetation debris should be removed.</li> </ul>	The applicant accepts this condition. The requirement can be implemented as part of routine maintenance.
2. Construction of Building F on Lot 701 DP 96240 must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant BAL12.5 requirements of the	The applicant accepts this condition.

Recommended condition	Response
NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019.	
<p>3. Access roads for special fire protection purpose (SFPP) developments must comply with general requirements of Table 6.8b of 'Planning for Bush Fire Protection 2019':</p> <ul style="list-style-type: none"> <li>• SFPP access roads are two-wheel drive, all-weather roads;</li> <li>• access is provided to all structures;</li> <li>• traffic management devices are constructed to not prohibit access by emergency services vehicles;</li> <li>• access roads must provide suitable turning areas in accordance with Appendix 3; and</li> <li>• one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression.</li> <li>• The capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways are to clearly indicate load rating.</li> <li>• hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;</li> <li>• hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005;</li> </ul>	The applicant accepts this condition.
4. The provision of water, electricity and gas services must comply with Table 6.8c of Planning for Bush Fire Protection 2019.	The applicant accepts this condition.
5. Emergency management must comply with Table 6.8d of Planning for Bush Fire Protection 2019.	The applicant accepts this condition.

## 7 Public and organisation submissions

This section provides responses to the issues raised in the organisation and public submissions. The issues and responses are categorised with regard to the guidance in Appendix C to the State significant development guidelines—preparing a Submissions Report (DPE, October 2022).

Key issues raised by objectors during re-exhibition included site suitability, social impacts, transport impacts, consultation process, heritage impacts, economic impacts and built form.



## 7.1 The project

### 7.1.1 Site location

#### Issues:

- Numerous other sites available that would accommodate a high school and be beneficial for residents. Location on outskirts of town is preferred.
- There are better locations for the school to fully embrace the town's agricultural themes.
- Site location will result in loss of the town's civic precinct.
- School would be better placed next to the new sports hub.
- Site is located on Crown land which was set aside for the town.

#### Response:

As outlined in the first Submissions Report, a 12-month site due diligence process was undertaken, with over 1000 hectares of land assessed. Each site was assessed based on its suitability to support the needs of the project. This included availability of services such as sewerage, electricity, and roads; the accessibility of the site; and environmental constraints such as bushfire, ecological impacts and flooding. A public expression of interest (EOI) was undertaken, as a site was not initially found that met the needs of the project. Three submissions were received for proposed locations through the EOI process. These were investigated thoroughly and, unfortunately, were also found to be unsuitable for this project. Following the due diligence process, the Majara/Gibraltar Streets precinct was identified as the most suitable location.

### 7.1.2 Site size and school capacity

#### Issues:

- Site not big enough to cater for the growing Bungendore community.
- No room for any potential expansion for the school site. There is risk the school will further encroach into the park, storeys will be added, or future students will be refused enrollment and forced to attend high school elsewhere.
- The site area is 29,205sqm, while the guidelines specify a minimum site area for a new high school of 40,000sqm.

#### Response:

Regarding site size, as discussed in the first Submissions Report, the 4ha requirement applies to regional/rural secondary schools *with capacity up to 2,000 students*. The teaching spaces in the proposed high school in Bungendore are sized as a stream 3 school to accommodate 450 students, and the core facilities (hall, library, admin and canteen) are sized for a stream 4 school to accommodate 600 students in case of future expansion. Therefore, even accounting for future expansion, it is clear that the required site area is much less than 4ha. The site provides outdoor open space in accordance with the Educational Facilities Standard and Guidelines (EFSG's) benchmark of 10sqm of open space per student, with additional space provided in case of future expansion. Based on 450 students, a total area of 4,500sqm would be required. The amended design provides a total of 7,717sqm of outdoor play space.

The school site has been acquired to facilitate the provision of a new high school in Bungendore. Land that has not been acquired for the school will remain a public asset and will not be subject to further encroachment by the school.

Regarding school capacity, the school has been sized to meet the current identified service need for 450 students. The design has also been future-proofed to meet future demand. Specifically, the core facilities (hall, library, admin and canteen) have been

designed for a stream 4 school with 600 students, and an area between the library and sports courts has been identified for potential additional learning spaces. Any future increase in school capacity above 450 students would be subject to a separate approval process.

As discussed in the social impact advice at **Appendix 10**, all publicly available enrolment and catchment data has been included in the submitted SIA as appropriate.

#### 7.1.3 Built form, design and materiality

##### **Issues:**

- Design has open stairways which is considered to be a work health and safety breach.
- Design fails to consider scale and materiality of new buildings sitting amongst the local context of a small historic village.
- The development is cramped, and the redesign has encroached further into the park.

##### **Response:**

Stairways have been designed in accordance with EFSG and BCA requirements.

It is considered that the scale and materiality of the amended project (as shown in the Amendment Report) accord with the local character. The design of the building was revised to incorporate colours and materials that are compatible with the rural village character and heritage context of Bungendore. The buildings now incorporate timber look cladding, perforated steel with custom artwork and face brickwork. The amendments replace perforated metal screening and textured fibre cement. It is noted that Council has withdrawn its objection to the built form following the design amendments.

The amended project provides for a suitably sized, fit-for-purpose school and has not encroached further into the park. In fact, the site area has decreased given the removal of the community facilities from the project.

#### 7.1.4 Ag Plot

##### **Issues:**

- Turning the existing parking chicane into the Ag Plot driveway means that Council will have to provide a new area of parking for drivers to bring their pets for off-leash walking.
- The Ag Plot is subject to flooding.
- Unpredictable snake behaviour is a concern.
- Ag plot is inappropriately located, being separated from the main school.

##### **Response:**

The Ag Plot driveway will cross over existing kerb and will not cover any existing parking.

Proposed buildings within the Ag Plot are outside the PMF extents and are therefore compatible with local flood risks. Council's LEP and DCP do not have any requirements for locating agricultural land outside the flood extents; rather, it is commonly accepted across NSW that agricultural activities are appropriate within the floodplain. Therefore, the Ag Plot being subject to flooding is not a significant issue.

If the Common is currently suitable for a dog park, it should be more than suitable for agricultural activities that will be fenced off, maintained, and free of large areas of long grass conducive to snake concealment.

The Ag Plot design complies with the EFSG and has been deemed suitable by the Department of Education. There are also distinct advantages in locating agrarian and animal husbandry activities away from the main campus.

#### 7.1.5 Fencing

**Issues:**

- Fencing around the oval restricts public use.
- Palisade fencing around school land provides a strong visual message that the area is off limits to most residents, thus alienating the community from public land.
- Fencing around the Ag Plot is not used extensively in the area.

**Response:**

Fencing around the oval has been removed as discussed in the Amendment Report and first Submissions Report.

The palisade fencing around the school is EFSG-compliant and will provide for suitable delineation while maintaining sight lines.

The chain-wire fencing around the Ag Plot is also EFSG-compliant and is suitable for purpose given its location next to an off-leash dog park.

#### 7.1.6 Landscaping

**Issues:**

- School lacks adequate open space.
- The amount of impermeable surface is concerning. Heat island not considered. Unclear whether COLAs will be paved.

**Response:**

As previously discussed, the school provides for outdoor open space in accordance with the EFSG benchmark of 10sqm of open space per student, with additional space provided in case of future expansion.

As previously advised, the COLAs will be paved, and the heat island effect will be addressed through minimisation of hard stand areas, extensive landscaping and increased tree canopy coverage (+50% compared to the existing environment).

#### 7.1.7 Staging

**Issue:**

- Must be revisited given significant delays.

**Response:**

No staging is proposed.

#### 7.1.8 Hours

**Issue:**

- The community will lose access to the park from 9:00am when school starts until 5:00pm when school ends.

**Response:**

Students will utilise the park for curriculum purposes. The exact details regarding hours are unknown at this stage and are subject to specific curriculum requirements and a joint use agreement with Council, which is yet to be finalised.

#### 7.1.9 Signage

No issues identified.



#### 7.1.10 Joint use arrangements

**Issue:**

- EIS provides insufficient information regarding joint use arrangements.

**Response:**

As previously noted, the details of any joint use arrangement have not been finalised and are subject to ongoing discussions between Council and DoE. It is common for such arrangements not to be finalised prior to DA determination.

#### 7.1.11 School name

No issues regarding the school name have been identified.

#### 7.1.12 Other issues

**Issue:**

- Bungendore Country Music Muster (BCMM)—continued objection to the relocation of Balladeer's Place to Frogs Hollow as it is an obscure site, detached from the town centre and flood prone.

**Response:**

SINSW representatives discussed the project with two representatives of the BCCM and another community member on 14 March 2022.

There have been three engagements by SINSW with Council following the discussion which have referenced the BCCM. This has included urging Council interaction and assistance to engage the BCCM about the relocation of the Bush Balladeer's Place.

SINSW also emailed a contact at the BCMM with project information in July and September 2022.

During 2022, SINSW learned from Facebook posts that the BCCM would be (and has now subsequently) been wound-up. Notwithstanding, SINSW considers consultation about the relocation of the Bush Balladeer's Place as ongoing, noting Council plays a vital role in finding an appropriate alternative location.

## 7.2 Procedural matters

#### 7.2.1 Site selection process

**Issues:**

- Insufficient evidence provided to demonstrate why this is the best site.

**Response:**

As discussed in the EIS and first Submissions Report, a 12-month site due diligence process was undertaken, with over 1000 hectares of land assessed. Each site was assessed based on its suitability to support the needs of the project. Factors considered included availability of services such as sewerage, electricity and roads; site accessibility; and environmental constraints such as bushfire, ecological impacts and flooding. A public EOI was undertaken, as a site was not initially found that met the needs of the project. Three submissions were received for proposed locations through the EOI process. These were investigated thoroughly and, unfortunately, were also found to be unsuitable for this project. Following the due diligence process, the Majara/Gibraltar Streets precinct was identified as the most suitable location. Consultation also occurred with Council and 18 stakeholder groups that use Mick Sherd Oval.

#### 7.2.2 Adequacy of consultation

**Issues:**



- Lack of genuine consultation to the community before the announcement of the school.
- Stakeholder consultation was limited in range and not well documented.
- Local Community Groups' consultation was limited and completed in secret.
- Most people do not know who the community representative is.
- Misinformation regarding student capacity and joint use arrangements.
- Consultation with Bungendore Country Music Muster is not currently ongoing as indicated in submissions report.

**Response:**

Significant consultation for the project has occurred as detailed in the EIS and first Submissions Report. Additional consultation carried out following exhibition of the amended project is discussed at **Section 3.2** of this report.

Regarding the specific issue of ongoing consultation with Bungendore Country Music Muster, refer to comments above at **Section 7.1.12**.

**7.2.3 Aboriginal land claims**

No further issues regarding Aboriginal land claims identified.

**7.2.4 Consistency with SEARs**

**Issue:**

- Applicant has not considered the effect on operations of the public school and the preschool.
- The SIA was inadequate.

**Response:**

Surrounding development was considered in the design of the school and assessment of impacts. The transport report at Appendix 6a of the EIS considers the public school in its analysis.

The preschool has also been considered throughout the design and assessment of the project. No significant conflicts have been identified.

The SIA at Appendix 9 of the EIS and SIA Addendum at Appendix 11a of the Amendment Report were prepared by a qualified planner in accordance with the project SEARs. Additional commentary by the same qualified planner has been prepared as part of the subject report in response to issues raised by DPE; refer to **Section 4** and **Appendix 10** of this report for further details.

**7.2.5 Consistency with SEARs**

No issues regarding development contributions identified.

**7.2.6 Other procedural issues/submissions process**

**Issue:**

- Difficult to make a submission via DPE website.

**Response:**

The applicant has no control over the method of submission to the DPE website.

**7.2.7 Poor response to submissions**

**Issue:**



- A number of submissions were generally dissatisfied with the responses provided in the first Submissions Report.

**Response:**

The first Submissions Report was carefully prepared to consider and respond to the issues raised during public exhibition of the original proposal. The form and content of the report were generally in accordance with the requirements of Appendix C to the State significant development guidelines—preparing a submissions report.

### 7.3 Environmental, social and economic impacts

#### 7.3.1 Economic impacts

**Issues:**

- The cost of the high school has blown out compared to Jerrabomberra High School.
- The cost figures that are being quoted are outrageous for a country high school for 450 students.

**Response:**

The cost of the school is in line with NSW budget figures and local requirements.

#### 7.3.2 Transport – impacts on network operation

**Issues:**

- The closure of the road will impede Bungendore emergency services as they frequently use it to access McCusker Drive in the Elmslea State.
- State of the roads surrounding the site will not stand up to extra traffic. Drainage and potholes are already a problem.
- No consideration has been given to traffic movement in regard to the child care centre.

**Response:**

Emergency services will be able to travel around the school site to McCusker Drive with negligible delay compared to existing conditions.

Regarding road condition, new roundabouts at the intersection of Gibraltar Street and Majara Street and Gibraltar Street and Butmaroo Street will be provided to cater for increased traffic. Additionally, it is noted that the traffic volumes generated by the proposed high school would only typically occur during the school weekday morning (8.00- 9:30am) and afternoon (2:30-4pm) peak periods. Outside of these school peak periods, the local road network would typically operate with substantially less traffic volumes.

No significant traffic conflicts between the child care centre and school traffic are anticipated. Child care centre users may experience increased traffic along Turallo Terrace during school peak hours, but no acute safety or traffic flow conflicts have been identified. It is noted that the area will be designated a school zone and subject to a 40km/h speed limit during school peak hours, which will reduce the risk of crashes.

#### 7.3.3 Transport – safety

**Issues:**

- Kiss and drop traffic from the primary school is already a safety issue, with cars illegally parking in some places.
- Increase in traffic places an increased danger for primary school students.

- Frontages to Butmaroo include the entrance to the tennis courts and a children's playground, posing a risk to small children.
- The T-Intersection at Turallo Terrace and Molonglo Street has poor visibility of traffic, causing it to be highly dangerous.

**Response:**

To address safety issues, the area around the school will be subject to school zone restrictions (40km/h during peak hours). New wombat crossings are proposed along Gibraltar Street and Turallo Terrace. The School Travel Plan will detail the management of pedestrians during school hours, noting the provision of a crossing supervisor is unlikely to be required. Provision of school zones and wombat crossings is expected to reduce the risk and potential for crashes with an expectation that drivers are aware of school zone restrictions and adapt their driving accordingly.

As noted in the first Submissions Report, the intersection of Turallo Terrace with Molonglo Street and Tarago Road is a standard T-junction intersection and is not considered to be subject to obstructions affecting driver sight lines. It is considered that there are adequate sightlines for drivers to satisfactorily and safely undertake turn manoeuvre due to the existing and standard geometric intersection layout and road conditions.

#### 7.3.4 Transport – adequacy of analysis

**Issue:**

- More transparent traffic analysis is needed including consultation with local transport providers.
- No proper traffic study has been conducted.

**Response:**

As detailed in the Consultation Outcomes Report at Appendix 23 of the EIS, consultation has occurred with TfNSW through the Transport Working Group, which is attended by representatives from TfNSW, Council and SINSW.

Traffic analysis has been provided as part of the Transport Assessment at Appendix 6a of the EIS and the Transport Assessment Addendum at Appendix 4a of the Amendment Report. The analysis has shown that the local road network, including upgrades proposed as part of this project, will accommodate the traffic impacts of the proposed high school for Year 2023 and Year 2033.

#### 7.3.5 Transport – vehicular access and parking

**Issues:**

- All car parking spaces are taken within walking distance of the primary school.
- 90 degree parking is not supported due to the adverse impacts on residential premises, increased congestion and safety concerns.
- Turallo Terrace is a residential area not a public car park
- Provision of the truck turn-in in the Council building carpark will further reduce parking and result in large trucks reversing in a busy area.
- The increase from 40 car spaces to 98 does not accord with the rural village character of Bungendore.

**Response:**

The project will provide for 56 on-site parking spaces, which is sufficient to cater for the school's needs. The truck turning area within the carpark is necessary for waste collection purposes and does not prevent the project from providing sufficient on-site parking.

To replace the 22 on-street spaces lost along Majara Street and 15 Scout Hall spaces lost due to the relocation of the Abbeyfield development, the project will provide for 41 on-street spaces along Turallo Terrace (reduced from the 98 identified in the Amendment Report). The spaces along the southern side have been changed to parallel parking.

It is noted that Turallo Terrace is already used for informal parking, and it is considered that the formalisation of parking along the road will improve road legibility and safety.

#### 7.3.6 Transport – pedestrian network

**Issues:**

- Pedestrian amenity reduced with increased traffic.
- Walkability will decrease due to loss of grid pattern of the town.

**Response:**

Pedestrian amenity is not expected to reduce significantly due to school traffic. It is noted that increased traffic will only occur during school peak hours.

Walkability is also not expected to decrease notably. General public pedestrian travel between Gibraltar Street and Turallo Terrace will be possible via a walkway connection on the western side of the Mick Sherd Oval.

#### 7.3.7 Transport – construction traffic and parking

**Issues:**

- Traffic management plan not provided.
- Residents from Turallo Terrace are heavily impacted due to heavy vehicle traffic.

**Response:**

A Preliminary Construction Traffic and Pedestrian Management Plan (CTPMP) and Addendum CTPMP have been provided at Appendix 6b of the EIS and Appendix 4b of the Amendment Report, respectively. A final CTPMP will be prepared prior to commencement of construction.

As indicated in the Preliminary Addendum CTPMP, heavy vehicle traffic into and out of the site will occur along both Turallo Terrace and Malbon Street, not just along Turallo Terrace. The impacts associated with heavy vehicles will be temporary in nature as they will only occur during the construction phase of the project.

#### 7.3.8 Heritage

**Issues:**

- Development takes over the War Memorial and will likely change the look and feel of it.
- School building will be two stories high, which does not accord with the heritage character of the area.
- The location of the high school is on a heritage-listed park.
- A modern school is not in character with the town centre's heritage qualities.
- Potential for artefacts not seriously assessed.

**Response:**

Heritage issues have been assessed in detail in the Statement of Heritage Impact (SoHI) submitted with the EIS and in the updated SoHI submitted with the Amendment Report. The statements concluded that the project will result in no adverse impacts on heritage. It is also noted that Heritage NSW and Council are satisfied regarding heritage impact.



#### 7.3.9 Aboriginal heritage

**Issue:**

- A grave is on site, possibly of Aboriginal heritage.

**Response:**

Aboriginal heritage has been investigated in accordance with all relevant legislation and guidelines.

As discussed in the EIS and first Submissions Report, the alleged grave is not a recorded site; its location is ambiguous; reports of the person supposedly interred are contradictory; the previous ground penetrating radar results (from 2012) are inconsistent; and there are no reliable records or photographic evidence. Additionally, none of the heritage studies or previous Aboriginal archaeological reports relating to the site mention a grave.

#### 7.3.10 Tree removal

**Issue:**

- Removal of 75 trees will reduce the park's aesthetics and visual beauty.

**Response:**

As discussed in the first Submissions Report, an additional 131 trees (at 75 and 25L pot sizes) will be planted across the site as part of the school development. This will increase tree canopy cover in the school site by 50% compared to existing conditions, and will provide biodiversity, shade and amenity for the area.

The project refinements proposed as part of this Submissions Report do not change the total proposed tree quantity.

#### 7.3.11 Noise – operational

**Issues:**

- After-hours impact of the hall and sports courts.
- Noise impacts due to students outdoors for part of the day.
- Increased traffic noise.

**Response:**

The acoustic reports submitted with the EIS and Amendment Report assess noise impacts to receivers with consideration of NSW EPA Noise Policy for Industry (NPfI) and NSW Road Noise Policy 2011. Design and modelling of the buildings have taken into consideration the noise amenity of the existing residents and commercial receivers.

Analysis shows that noise impacts to residential receivers from the gym/hall are predicted to comply with NPfI day/evening noise amenity requirements.

Noise resulting from additional traffic has also been assessed, and it has been found that the predicted noise is in compliance with the NSW Road Noise Policy 2011.

With respect to the outdoor noise from playground use, it is typical to apply a less stringent indicator of noise impact than the NSW EPA NPfI requirements (i.e. intrusiveness noise level of background + 5 dB(A)) given that it is present for short periods through the day and it is regarded as "community" noise and "non-offensive".

#### 7.3.12 Noise – construction

**Issue:**

- Residents from Turallo Terrace are heavily impacted due to the demolition of the swimming pool, removal of trees and construction of new buildings.

**Response:**

Construction noise impacts to the residents of Turallo Terrace are assessed in the Noise and Vibration Assessment submitted with the EIS and updated Noise and Vibration Assessment submitted with the Amendment Report. The assessments conclude that the noise levels will generally exceed the Noise Management Level but (except for brief periods where the loudest plant will be operating at the northern school boundary) will be less than the Highly Noise Affected Level. Therefore, "reasonable and feasible" mitigation will need to be applied in accordance with "Control of Construction Noise and Vibration – Procedural Steps".

7.3.13 Lighting

**Issues:**

- After hours impact of the proposed hall and sports courts.

**Response:**

The lighting for the development will meet the requirements of the Australian Standard (AS4282) to prevent lighting from spilling into neighbouring properties. All lighting to sports areas have been designed in accordance with the Australian Standards for such facilities (AS2560).

7.3.14 Privacy

No issues regarding privacy have been identified.

7.3.15 Contamination

**Issues:**

- Potential lead contamination given the site is near Bungendore Station.
- Bus area for students is currently designated in an area of the railway that is fenced off due to lead contamination.

**Response:**

Douglas Partners Pty Ltd (DP) have completed several phases of environmental investigation works for the school site. The most recent is a Detailed Site Investigation (DSI) submitted with the Amendment Report. The DSI results showed no concentrations of lead greater than assessment criteria were reported in soil samples collected from the proposed school site.

There is no proposed bus area for students in a fenced off railway area.

7.3.16 Views

**Issues:**

- Development will generally impact surrounding views.
- Views to Gibraltar Hill and views to and from railway station and other heritage sites impacted.

**Response:**

There are no protected significant views in the locality. The proposed buildings and associated works will have no notable adverse impact on views to surrounding heritage items and no adverse impact on the views to/from the railway station and Gibraltar Hill. It is noted that the hill is to the east of the railway station, and the proposed school is located west of the station.

#### 7.3.17 Overshadowing

**Issue:**

- Buildings will cause overshadowing of Mick Sherd Oval during winter months.

**Response:**

As noted in the first Submissions Report, the shadow diagrams prepared by TKD illustrate that shadowing to the oval is limited to very early morning around the winter solstice. The shadows are cast on the very edge of the park, leaving almost all of the runoff area in full sun, and the line-marked playing field is not impacted at all. This very minor shadowing which quickly moves entirely off the park soon after 9am.

#### 7.3.18 Flooding

**Issues:**

- Ag plot not suitable for use given flood risk.
- To protect the proposed Abbeyfield site, the levee bank must be extended due to flood threat.

**Response:**

The flood risk to buildings within the Ag Plot is considered low, as the buildings associated with the Ag Plot are outside PMF extents, and sufficient warning time will be available to move staff and students to areas above the PMF level.

Regarding the extended levee bank, the applicant will be responsible for extending the stormwater infrastructure to a point north of the proposed Abbeyfield site through to the footprint of the proposed extended levee. Details of the extended infrastructure are provided in the updated civil drawings at **Appendix 5**.

#### 7.3.19 Social – loss of green space/recreation areas

**Issues:**

- Loss of playground for children.
- Loss of park – will there be a replacement of this space elsewhere?
- Loss of only green space within the town.
- Portion of the park changed from public to enclosed land, alienating the community.
- Open spaces are important for mental health.
- The play area is too small for children to play in.

**Response:**

The children's playground within Bungendore Park will not be removed as part of the project.

The applicant will continue to seek a joint use arrangement for school use of Mick Sherd Oval during school hours. However, the SIA lodged with the EIS found that while use of Mick Sherd Oval will be restricted during the day, residents will continue to have access to a large area of neighbouring open space. Warren Little Oval and Park is located immediately opposite the oval, within 200m walking distance. It provides approximately 10ha of public open space including an oval, waterways, picnic areas and grassed spaces. This park therefore provides a large area of open space suitable for a range of structured and unstructured recreation activities. Given the functionality, size and proximity of Warren Little Oval and Park, it is likely that the casual, daytime recreation needs of the community can be accommodated by this space.



Also, as documented in the SIA, it is expected that other regular users of Mick Sherd Oval including local sporting teams and students at Bungendore Public School are unlikely to be impacted by this use. Access to the oval will be maintained for school holiday, weekend and after school use, with Bungendore Public School's intermittent use of the oval expected to be maintained under the proposed joint use arrangement. SINSW also consulted with 18 stakeholder groups who use Mick Sherd Oval and made design changes to accommodate their needs, including installation of flood lights.

#### 7.3.20 Social – loss of pool and other community facilities

##### Issues:

- Loss of access to the playing field during school hours.
- Multiple use civic centre of town replaced by a single infrastructure use that benefits only one group.
- Local swimming pool and oval are important elements of the culture of Bungendore.
- Further encroachment onto the park by shifting construction westwards.
- Loss of access to the community centre and council chambers.
- Loss of park land and community centre and no belief there will be a replacement completed in the short-term

##### Response:

As previously discussed in the EIS and first Submissions Report, a new pool is planned as part of the Bungendore Sports Hub being developed by Council.

The new Sport Hub is proposed to have six grass sports fields, six hard courts, floodlights, irrigation, amenities and sporting club facilities, car parking, shared pathways, and an aquatic centre, including an eight-lane outdoor swimming pool, which will be of a significantly higher quality than Bungendore Pool and is expected to provide an improved recreation experience. The applicant will provide funds to support the pool's construction, with the amount of funds to be determined by the NSW Valuer General through the *Just Terms Compensation Act 1991*. The new pool will be located less than 1km from the existing Bungendore Pool. Council's website indicates that the new pool is expected to be operational by the 2023-2024 summer season, resulting in the Bungendore community being without a public pool for a limited time period.

The community facilities have been removed from the high school project and will be replaced by new facilities to be constructed by Council at 19-21 Gibraltar Street.

#### 7.3.21 Social – way of life

##### Issues:

- Development will disrupt traditional community use of the park, which has continued over generations.

##### Response:

Bungendore Park is a community asset and will continue to be available for community use. A joint use agreement between the applicant and Council will facilitate continued community use of Mick Sherd Oval outside of school curriculum use. There are no changes to Mick Sherd Oval amenities (and the adjoining carpark), tennis club and playground.

#### 7.3.22 Social – other

##### Issues:

- Oval is already overutilised and the school use will exacerbate this.
- Council will ultimately have responsibility over the oval and may wish to avoid the additional risk and maintenance imposed by school use.

- Warren Little Oval and Park unsuitable as substitute open space due to its role as a detention basin during flood events.

**Response:**

Mick Sherd Oval will be subject to a joint use agreement, which will likely include a fee to support ongoing maintenance of the grounds.

Warren Little Oval is a functional community asset. Use of this oval may be disrupted during flood events; however, it is considered that this does not make the oval unsuitable for community use. In general, use of any uncovered outdoor space is often disrupted during flood events.

#### 7.3.23 Sustainability

No issues regarding sustainability have been identified.

#### 7.3.24 Biodiversity

No issues regarding biodiversity have been identified.

#### 7.3.25 Soil and groundwater

**Issue:**

- EIS does not address soil runoff from AG plot.
- Impacts of stormwater runoff from new development concerning; 50% of surfaces are impervious.
- Inconsistencies in the cut/fill plan regarding erosion and sediment control.

**Response:**

As identified in the EIS and first Submissions Report, during the construction phase the soil runoff from the Ag Plot will be controlled by the measures identified in the sediment and erosion control plan. During operations, a bioretention swale at the northern end of the Ag Plot will ensure that there are no significant impacts on the environmental values of the receiving waterways.

#### 7.3.26 Waste

**Issue:**

- EIS does not address waste collection.

**Response:**

Waste collection is addressed in detail in the waste management plan (WMP) submitted with the EIS and updated WMP submitted with the Amendment Report.

#### 7.3.27 Other economic, social and environmental impacts

No issues identified.

#### 7.3.28 Well-being, physical/mental health

**Issue:**

- There is a social and psychological impact of crowding the school into the centre of the town's park.
- Current plans for the school would have a net negative impact on the wellbeing of all residents.
- Access to outdoor green space is essential for the community's mental health.
- Complete lack of consideration for student welfare.



**Response:**

The social impacts of the project were carefully assessed in a Social Impact Assessment, Social Impact, Assessment Addendum and the additional social impact advice submitted with this second Submissions Report. This included consideration of way of life and health and well-being. The assessment concluded that the project would result in a neutral short term impact and positive long term social impact.

## 7.4 Justification and evaluation of project

### 7.4.1 Need for school

**Issue:**

- Need for a new high school in Bungendore area is questionable.

**Response:**

As discussed in the first Submissions Report, a new high school in Bungendore was identified as one of the 40 new and upgraded schools committed to for planning and delivery in 2019-20 by the NSW Government. The 2019 NSW Budget announcement included the investment of \$6.7B over four years to deliver more than 190 new and upgraded schools to support communities throughout the state.

### 7.4.2 Alternative site

**Issue:**

- A site on the outskirts of Bungendore is preferred as it will not result in the destruction of the town's heritage.

**Response:**

As discussed in the first Submissions Report, a 12-month site due diligence process was undertaken, and over 1000 hectares of land were assessed. Each site was assessed based on its suitability to support the needs of the project. This included availability of services such as sewerage, electricity and roads; the accessibility of the site; and environmental constraints such as bushfire, ecological impacts and flooding.

A public EOI was undertaken, as a site was not initially found that met the needs of the project. Three submissions were received for proposed locations through the EOI process. These were investigated thoroughly and, unfortunately, were also found to be unsuitable for this project.

Following the due diligence process, the Majara/Gibraltar Streets precinct was identified as the most suitable location.

### 7.4.3 Consistency with legislation

**Issues:**

- *State Environmental Planning Policy (Educational Facilities and Child Care Facilities) 2017* (Education SEPP) requires due regard to the loss of community space within the town area.
- Project inconsistent with the *Crown Land Management Act 2016* (CLMA). New issue raised regarding joint use of oval and "secondary use" provisions in CLMA.
- Project inconsistent with EP&A Act object "to promote the orderly and economic use of land".
- Project inconsistent with RE1 zone objectives.
- Project inconsistent with Education SEPP design quality principles.

- Project inconsistent with the principles of ESD in *Environmental Planning and Assessment Regulation 2021* (the Reg).

**Response:**

CLMA

As discussed in the first Submissions Report, the acquisition of the site was carried out in accordance with the CLMA and the *Land Acquisition (Just Terms Compensation) Act 1991*.

RE1 zone objectives.

A detailed discussion on the objectives of the RE1 zone was provided in section 5.9.1 of the EIS. The discussion establishes that the school has been designed to integrate with the existing visual character of Bungendore Park and ensure there is no loss of useable public open space.

The acquisition of part of Bungendore Park for the purpose of the school will not result in any adverse impact from an environmental or social perspective. The function of the park will largely remain as public open space. Mick Sherd Oval will remain operational with sufficient land surrounding the oval for spectators and passive recreation.

Education SEPP design quality principles

The architectural design report submitted with the EIS confirms the proposal is consistent with the design quality principles of the Education SEPP. The Education SEPP has been replaced with *State Environmental Planning Policy (Transport and Infrastructure) 2021*; however, the principles remain the same.

ESD principles in Reg 2021

The ESD principles were addressed in detail in section 7.5.1 of the EIS and also in the ESD report by Norman, Disney & Young at Appendix 27 of the EIS. Overall, it was found that the proposal is consistent with the ESD principles.

#### 7.4.4 Consistency with strategic plans

**Issues:**

- Project inconsistent with the council's Urban Forest Strategy as the school will replace green parkland and nature strips.
- Project inconsistent with The South East and Tablelands Regional Plan 2036 as the site presents a reduction in public green space and does not promote healthy communities.
- Council's LSPS identified the space to be designated for heritage protection.

**Response:**

While the project will slightly reduce the size of Bungendore Park, it will provide for extensive landscaping and will increase canopy tree coverage by 50% compared to the existing environment.

Regarding heritage protection, the heritage impacts have been assessed in detail as part of the EIS and Amendment Report, and it has been found that the project will have no adverse heritage impacts. It is noted that both Heritage NSW and Council are satisfied with the project from a heritage impact perspective.

## 7.5 Issues beyond scope of project

### 7.5.1 Abbeyfield development

**Issue:**

- Development will reduce the size of the Abbeyfield seniors facility.



**Response:**

The applicant is not aware of any current plans for the Abbeyfield seniors facility that would show that the size of the development has been reduced.

7.5.2 Braidwood Central School

**Issue:**

- The school may suffer a decrease in student numbers as students leave to attend Bungendore.

**Response:**

The proposed school has been sized to accommodate the identified service need in the area. Further planning to inform service need is currently underway, and this will determine the number of students to be accommodated at the new school as well as the other schools within the school community group.

7.5.3 Sports hub

**Issue:**

- The proposed sports hub is expected to be located in vicinity to the town's sewage works. This is problematic for the construction of a new swimming pool.

**Response:**

Construction of the sports hub does not form part of the subject application.

7.5.4 Other issues beyond project scope/temporary school

**Issue:**

- Location of temporary school unsuitable.
- Demountables do not provide for an appropriate educational experience.

**Response:**

The temporary school does not form part of the subject application.

## 8 Summary of supporting submissions

Seventy-six (76) submissions or 37% were in support of the proposal, up from 23% during the first public exhibition. The large majority of those who support the proposal reside within Bungendore. A summary of the statements made in the supporting submissions is provided below:

- I support a new high school but have reservations.
- Need for education facility in Bungendore.
- Central location/proximity to services and facilities.
- Positive addition to community/regional centre.
- Fully support the proposal—no objections.
- Access to/sharing of education facilities for primary and secondary students.
- Safety and accessibility.
- Minimal impact to recreation area and community facilities.
- Better new facilities, e.g. community centre, sports centre.
- Supporting economic and population growth.

- Supportive of design and size.
- Supports active lifestyles and improved quality of life.
- Employment opportunities.
- Limited impact on traffic, parking and pedestrian network.
- Cohesive to way of life and connecting the community.
- Re-use of Council building.
- Heritage significance/value will not be compromised.
- Additional facilities for the community, e.g. access to school gym, basketball courts and school hall.
- Adequate consultation and access to information.
- Other comment, e.g. school should be open to years 7-12 from the beginning.
- Potential for future development.
- Development can continue despite contamination, e.g. with remediation
- Great response to submissions.
- Alternate sites are not appropriate.

## 9 Updated mitigation measures

The mitigation measures set out in the EIS and first Submissions Report remain relevant. An additional area of impact—flood risk—has been added, along with a requirement to prepare a FEMP. An updated consolidated list of mitigation measures is provided below.

Item	Impact detail	Mitigation measures
Transport and accessibility	Potential conflict between construction vehicles and other vehicles/pedestrians.	Finalise and implement the construction traffic management plan.
	Surrounding intersections are expected to operate with spare capacity and at an acceptable level of service with the trips generated by the new high school and background traffic growth in 2030.	Implement the School Transport Plan to encourage sustainable transport modes.
Heritage	No adverse impacts on the significance of the site's heritage items or surrounding heritage items have been identified.  The site has low potential for archaeological artefacts.	Implement unexpected finds protocol.
Aboriginal heritage	The site has been identified as having no Aboriginal heritage significance and low potential for archaeological artefacts.	Implement unexpected finds protocol.  A heritage induction be provided to demolition and construction workers.



Item	Impact detail	Mitigation measures
Noise and vibration	Construction noise is expected to exceed the "noise affected" level at nearby residences but not exceed the "highly noise affect level" at any residence.	Implement reasonable/feasible noise management measures during construction.  Contractor is to prepare and implement detailed construction noise management plan.
	Noise from outdoor play areas will exceed noise emissions criteria at nearby residential receivers.	No special mitigation measures are considered necessary given the noise is not notably offensive.
	The school's PA system, bell and plant are not expected to exceed the relevant noise criteria.	Select and design bell, PA system and plant to achieve the relevant external noise levels identified in the acoustic report.
Contamination	Based on the results of the investigation, it is considered that the site is suitable, from a contamination perspective, for the proposed development at the site.  It is also considered that the fill material is suitable for reuse (from a contamination perspective) at the site .	Implement the general recommendations in the detailed site investigation, including preparation of a HAZMAT survey, preparation of a CEMP, protocols for asbestos discovery, removal and disposal of anthropogenic materials from fill material where practicable during construction phase, and classification of any fill material for off-site disposal.
Bushfire hazard	The site is exposed to low bushfire risk.	No APZ is required.  Implement standard mitigation measures identified in bushfire report.
Biodiversity	Minor direct impacts on native vegetation including removal of planted vegetation.	Implement standard mitigation measures as recommended in the BDAR (e.g., delineate site boundaries, minimise areas of disturbance and identify no-go zones around vegetation to be retained).
	Minor indirect and impacts on biodiversity (e.g., increased dust and noise) due to construction activities.	Implement standard construction management measures as recommended in the BDAR.
Tree protection	Potential construction impacts on trees to be retained.	Implement standard tree protection measures in arborist report for trees to be retained.
Soil and water	Erosion and sediment runoff during construction.	Implement standard measures as set out in the sediment and erosion control plan.
	Potential dust impacts on surrounding properties resulting from construction activities.	Implement standard mitigation measures to be detailed in future CEMP.

Item	Impact detail	Mitigation measures
Social impacts	Overall neutral impact in short term primarily due to lack of clarity and progress in Council's planning for temporary and permanent replacement facilities (i.e., pool, Council administrative building and community space), with the level of impact largely dependent upon the timeline for replacement of facilities.  In the long term, once Council permanently rehouses the services and functions currently provided on site, the proposal will create a positive social impact.	The impact could be managed and significantly mitigated if Council rehouses the services and functions currently provided on the site as soon as possible after their provision on the school site ceases.
	Potential reduced access to Council services.	Council to communicate clear plans to the Bungendore community and Council staff on future plans for Council and community services.
Flood risk	The site is subject to low flood risk. However, the Ag Plot and Turallo Terrace are within the 1% AEP flood zone. The drop-off/pick-up spaces along Turallo Terrace may be affected during a major flood event.	Flood evacuation response strategy to be prepared for the school, including details to the effect that all drop-off/pick-up is to occur along Gibraltar Street during a major flood event.

## 10 Conclusion

This Submissions Report has addressed the submissions received during public exhibition of the amended project.

Pursuant to Clause 37 of the Environmental Planning and Assessment Regulation 2021, the proposal has been refined to address the matters raised and as a result of design development. The amendments have been in accordance with the State Significant Development Guidelines.

The proposal as refined will result in 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 Submissions Report in addition to the material provided in the original EIS, first Submissions Report and Amendment Report, DPE has now been provided with sufficient information and documentation to finalise the assessment of SSD-14394209. We request that DPE complete the assessment of the application and proceed to determination.





# **QUEANBEYAN-PALERANG REGIONAL COUNCIL**

## **Council Meeting Attachment**

**21 DECEMBER 2022**

- |              |   |
|--------------|---|
| ITEM 9.1     | STATE SIGNIFICANT DEVELOPMENT - SSD - BUNGENDORE<br>HIGH SCHOOL - PROPOSED COUNCIL SUBMISSION<br>FOLLOWING EXHIBITION OF RESPONSE TO<br>SUBMISSIONS REPORT NO.2 |
| ATTACHMENT 3 | BUNGENDORE HIGH SCHOOL SSD - COUNCIL'S<br>SUBMISSION TO THE RESPONSE TO SUBMISSIONS<br>REPORT - SUBMITTED 14 OCTOBER 2022                                       |



Doc Set ID: PR.2021.1036

14 October 2022

Social and Infrastructure Assessment  
Department of Planning and Environment  
4 Parramatta Square  
12 Darcy Street  
PARRAMATTA NSW 2150

By Email: [Jenny.Chu@planning.nsw.gov.au](mailto:Jenny.Chu@planning.nsw.gov.au)

**Formal Submission Following Response to Submissions Report  
New High School in Bungendore (SSD-14394209) - Objection to Proposal**

Thank you for the opportunity to comment in relation to the State Significant Development Application (SSD) for the new Bungendore High School following the release of the Response to Submissions Report and Amendment Report by the Department on 20 September 2022.

Council requested an extension of time to make a submission in relation to this SSD and was advised as follows by Social and Infrastructure Assessments at DPE.

*The Department can accept Council's submission by 14 October 2022.*

*However, please ensure Council makes a preliminary submission (formal letter) by Monday 10 October 2022 which indicates that Council will provide further statement on the amended SSD application following the Council meeting. As with the original exhibition, please clearly indicate whether the submission will be 'comments' or an 'objection'.*

This letter constitutes Council's formal submission, as determined by Council at the meeting held on 12 October 2022 (Minute No 406/22) on the Response to Submissions Report as requested.

This submission should be considered as an objection to the proposal.

A detailed explanation of why Council formed this view on the application is provided in Attachment 1. To assist you with assessing Council's submission, the columns with the following headings in the table contain the information indicated below:

- **Matter Raised by Council on the Original DA** – Provides the title of the issue being addressed.
- **Recommendations from Council's Previous Submission – 29 October 2021** – Details Council's position on the issue in Council's previous submission.
- **Response from Education** – A summary of the applicant's response to Council's original submission, generally taken from pp 22 to 36 of the Response to Submissions Report.
- **Comment from Council** – A further comment from Council following the applicant's preparation of the Response to Submissions Report. Provides the context of the Council's recommended response.
- **Recommended Response** – Council's formal submission on the Response to Submissions and Amendment Report for each particular issue. Generally provides confirmation on whether the issue raised is the subject of an objection, is a recommendation for the imposition of a condition of consent or is a comment.

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Schedule 1 of the attachment provides a summary of those issues where an objection was formally lodged and provides an update on that status of the objection following consideration of the Response to Submissions Report.

Should the application be approved the submission also includes a list of recommendations for the imposition of conditions of consent. These are shown in Schedule 2 of the Attachment.

In addition to the attached submission Council also resolved to advise the Consent Authority of the following matters which it believes should be considered as part of the assessment of the application:

- i. That Council remains opposed to the proposed location for the Bungendore High School.
- ii. That Council remains concerned about traffic safety around the site.
- iii. That a report on the final compulsory acquisition compensation amount remains outstanding.
- iv. That joint use agreements for Council property are yet to be completed.

Should you have any queries in relation to this submission please contact the undersigned, preferably by email at [Council@qprc.nsw.gov.au](mailto:Council@qprc.nsw.gov.au) with a copy to [Michael.Thompson@qprc.nsw.gov.au](mailto:Michael.Thompson@qprc.nsw.gov.au).

Yours sincerely,

**M J Thompson**  
Portfolio General Manager  
Natural and Built Character  
**Queanbeyan-Palerang Regional Council**

**Attachment 1 - Comments on Response to Submissions and Amended Design – Bungendore High School – October 2022**

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 29 October 2021	Response from Education	Comment from Council	Recommended Response
1. Permissibility	Nil – Council was satisfied that development was permissible.	Noted	There is presently a call for papers relating to the Bungendore High School proposal under Standing Order 52 of the NSW Legislative Council. There may be issues raised which impact on the permissibility of the development on the acquired crown land.	That Council withhold comment on this matter pending any findings from the current NSW Government Standing Order 52 and retain the right to object on permissibility grounds.
2. Crown Land Impacts	The Council recommends that the consent authority require the applicant to provide further clarification on whether the legislation creating the dedication of Bungendore Park and the Bungendore Common permits the use of a school on the land and whether legislative change may be required to facilitate that use. (This matter was submitted as an objection).	Clarification is provided on pp 26, 27, 73-75 of the Submissions Report. Amongst other things it notes that no legislative change is required. Item 1 in Table 1 of the report establishes that section 20 of the Land Acquisition (Just Terms Compensation) Act 1991 ensures that the land is vested in the Minister "freed and discharged from all estates, interests, trusts, restrictions, dedications, reservations, easements, rights, charges, rates and contracts in, over or in connection with the land". The possible exceptions to this contained in sections 20(1A) or 29(2) of the Just Terms Act do not apply to the reservations or dedications on Bungendore Park or Bungendore Common, and pursuant to section 20(1)(b)	The issue has been clarified and Council has no reason or expertise to suggest that the clarification is not valid.  However, there is presently a call for papers relating to the Bungendore High School proposal under Standing Order 52 of the NSW Legislative Council. There may be issues raised which impact on the ability of the Department of Education to proceed with the development on the acquired crown land.	That the Submission Report response be noted and the objection remain pending any findings from current NSW Government Standing Order 52 and that Council retain the right to object on Crown Land impacts.

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 29 October 2021	Response from Education	Comment from Council	Recommended Response
		of the Just Terms Act they no longer apply to the Acquired Land following the compulsory acquisition and vesting of that land in the Minister for Education and Early Learning.		
3. Utilities	<p>Water</p> <ul style="list-style-type: none"> <li>The size of the proposed water service required for the multi-level building is to be calculated by a specialist hydraulic consultant specifying the required service size suitable for functionality and firefighting abilities.</li> <li>An easement will need to be created over the water main in the eastern verge of Majara St to benefit Council. The easement should include a provision that no structures be erected over the easement.</li> <li>New stop valves should be installed 1m outside the northern and southern lot boundaries on the existing water main to permit rapid isolation of water mains in the event of breakage without having to arrange access</li> <li>The water connection for the School will need to come from a single offtake with the meter</li> </ul>	<p>The Infrastructure Management Plan prepared by the applicant's consultant highlights the location and sizing for the water and sewer services for the site. A copy of the plan is provided as an attachment to the Amendment Report. The report confirms the pressure and flow is sufficient for firefighting abilities. As Majara Street is being closed as part of the works, the existing water main running through the site will include a permanent easement. New buildings on the site will not be located over the main. New stop valves will be installed as recommended and where required. These will be included in hydraulic services plans in the later stages of design. Only one single water connection is to be provided to the site. All replumbing required to achieve this will be part of the scope of works for the school. Consultation with Council's</p>	<p>Utilities is satisfied with the responses provided for water, sewer, waste, stormwater and trade waste.</p>	<p>The Submission Report response be noted.</p>

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 29 October 2021	Response from Education	Comment from Council	Recommended Response
	<p>located on an accessible boundary. There should only be one master meter. Any submeters will be the responsibility of the school. The location and sizing for a connection to the mains for fire services should be carried out in consultation with Council's Utilities Branch once the final hydraulic design for these services has been completed.</p> <ul style="list-style-type: none"> <li>It is unclear if existing water main off Turallo Terrace will be located clear of School boundary. If it is located within the School boundary an easement will be needed, or the main can be relocated.</li> <li>Preparation of a hydraulic design plan providing details of the required sizing for all water, sewer and stormwater services required for the site.</li> </ul> <p>(All of the above matters were raised as comments and were not objections).</p>	<p>Utilities branch will be undertaken once the final hydraulic design for these services has been completed. Ground survey conducted shows the existing water main to the swimming pool will be out of the new high school boundary site. Confirmation of any works will be based on the final design and will be undertaken in consultation with Council. Preparation of a hydraulic design plan will be provided with the detailed design of the school.</p>		
	<p>Sewer</p> <ul style="list-style-type: none"> <li>The sewer main located at the eastern verge of Majara St can be abandoned and a new connection can be established at the northern boundary on</li> </ul>	<p>The current design is that a new DN 150 sewer connection is proposed in the existing 150 mm sewer main in Turallo Terrace. All sewer discharge</p>	<p>Utilities is satisfied with the responses provided for water, sewer, waste, stormwater and trade waste.</p>	<p>The Submission Report response be noted.</p>

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 29 October 2021	Response from Education	Comment from Council	Recommended Response
	<p>Turallo Terrace. This would require relocating the existing sewer lines servicing the existing Council building. All sewer for the School would be directed to this new connection. As an alternative, ownership of the main can be transferred to DoE with a new pit to be provided at the northern boundary with all sewer from the school to fall to that new point. The Utilities Branch support handing over the sewer main to DoE as their asset. If this were to occur, no sewer easement would be required.</p> <ul style="list-style-type: none"> <li>• The sewer connection to the Bungendore Pool will become redundant. It will need to be decommissioned and all works made good as part of the School development.</li> <li>• Due to the locality of the development adjacent to the 1% AEP flood zone in Turallo Terrace, the incorporation of a sewer reflux valve is highly recommended.</li> <li>• Preparation of a hydraulic design plan providing details of the required sizing for all</li> </ul>	<p>from the school is connecting to this main. The alternative option was not pursued as it was not preferred for the sewer assets be transferred from Council to DoE. Appropriate easements will be provided where required. All sewer pipework associated with the Bungendore pool connection that lies within the new school boundary will be decommissioned, removed and capped off at the property boundary and sewer reflux valve will be installed. This approach was discussed with and agreed to by Council representatives in a meeting with QPRC. Preparation of a hydraulic design plan will be provided with the detailed design of the school.</p>		

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 29 October 2021	Response from Education	Comment from Council	Recommended Response
	water, sewer and stormwater services required for the site.  (All of the above matters were raised as comments and were not objections).			
	<p>Storm Water</p> <ul style="list-style-type: none"> <li>The high school development site can be serviced by a storm water connection to the existing pit in Turallo Terrace. The school development should be responsible for extending this main to a point north of the proposed Abbeyfield site through to the footprint of the proposed extended levee, and any rights of way, installing any headwalls and dissipation works required.</li> <li>The 1400mmØ RCP trunk stormwater line in the eastern verge of Majara Street will require implementation of a stormwater easement to benefit Council. A 5.0m wide easement created centrally over the existing pipes is appropriate.</li> <li>The proposed development of the site will increase runoff, thus a stormwater management plan</li> </ul>	<p>New structures other than the new paths are clear of this easement. Please note that the roof to the path does not require a footing, the path supports the roof. The proposed works account for the new high school and any parking or ancillary structures necessitated by the development, which is reasonable and justified, however the request for the extension of the stormwater system to benefit an unapproved and uncertain development is unreasonable. The OSD has been relocated to the Turallo Terrace entry of the school plaza. The OSD outlet will connect to one of the two existing pits located at the northern end of Majara Street (snapshot below). Please note additional survey information is required to confirm that how this line connects to the existing trunk drainage line in question.</p>	<p>While Utilities is generally satisfied with the responses provided for stormwater, Council's Development Engineer makes the following comments.</p> <p>The school project necessitates the relocation of the Abbeyfield site. As such, the request to extend the stormwater main through to the footprint of the proposed extended levee is reasonable.</p> <p>The civil design report does not discuss OSD design or assessment in significant detail. There is a screenshot of a basic DRAINS model showing performance of concept OSD for the 20% AEP only. Council would expect there to be detailed discussion on the OSD design including commentary on all relevant assumptions, model parameters, tank construction (internal weir,</p>	<p>That the consent authority be requested to impose the following conditions of consent:</p> <ul style="list-style-type: none"> <li>That the applicant be requested to provide an independent report on storm water run-off from new building roof spans, including the impact on the Mick Sherd Oval and that this be included in the proposed conditions of consent.</li> <li>That the applicant be responsible for extending the stormwater infrastructure to a point north of the proposed Abbeyfield site through to the footprint of the proposed extended levee, and any rights of way, installing any headwalls and dissipation works required.</li> </ul>

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	<p>demonstrating the proposed development will not exceed predevelopment runoff flow for both 20% and 1% storm events is required in accordance with Council's D5 Stormwater Drainage Design specification, and water quality in accordance with Council's D7 Erosion Control and Stormwater Management Design specification and corresponding computer modelling.</p> <ul style="list-style-type: none"> <li>The civil plans provided do not appear to show the construction of an on-site detention (OSD) tank to accept stormwater from impermeable areas, which is a necessary requirement for this development</li> <li>Preparation of a hydraulic design plan providing details of the required sizing for all water, sewer and stormwater services required for the site.</li> <li>That all connections and alterations to Council's utility services are inspected by Council staff prior to backfilling.</li> </ul> <p>(All of the above matters were raised as comments and were not objections).</p>	<p>This connection will be coordinated with Council.</p> <p>The underground OSD tank has been designed and detailed on M+G drawing No BHS-CE-2053 and attached to the Amendment Report. This OSD tank will attenuate post-development flows to pre-development conditions. The updated stormwater design complies with Council's requirements.</p>	<p>orifice/s diameter, surcharge location etc). Council should request a copy of the detailed DRAINS model for review and endorsement as a suggested condition of consent.</p> <p>Page 29 of the Submissions Report states that an OSD tank is detailed on M+G drawing BHS-CE-2053. This drawing is not in the set and cannot be assessed.</p> <p>The civil design report does not discuss storm water quality design or assessment in significant detail other than noting certain types of pollutant retention devices and noting the Council retention targets. Whilst it is noted that MUSIC modelling is to be conducted, Council often find that it is common for developers to have difficulty meeting our targets and we would like to see some modelling outputs confirming compliance with our D7 specification. Perhaps this can be included in the recommended condition of consent noted for the DRAINS model above.</p>	<ul style="list-style-type: none"> <li>That the applicant be required to submit a copy of the detailed DRAINS model for review by Council prior to the commencement of work. This work is to include details of MUSIC modelling to ensure compliance with Council's D7 specification can be achieved.</li> </ul>

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4. Erosion and Sediment Control	<p>Council recommends that the consent authority impose conditions requiring the preparation, implementation and maintenance of an erosion and sedimentation plan throughout the construction of the development.</p> <p>(This matter was raised as a request to impose a condition of consent and is not deemed to be an objection).</p>	<p>Appropriate erosion and sediment control measures will be installed prior to commencement of construction works. A condition will be applied requiring preparation of Construction Environmental Management Plan which will provide details of measures to be installed to protect the environment. A preliminary Soil &amp; Water Management Plan (SWMP), in accordance with the "Blue Book" has been prepared and is detailed on M+G drawing No's BHS-CE-2005 &amp; 2006. SWMP containing detailed design of the Sediment Control, Erosion Control and Site Stabilisation practices, including staging of the earthworks and these practices, will be prepared by the earthwork contactor and reviewed and approved by Hindmarsh/M+G prior to civil works commencing. This plan will include monitoring provisions that will allow the SWMP to be changed/modified during the works to ensure that the required Water Quality Objective are achieved during the construction stage.</p>	<p>Council is satisfied that the applicant understands the need for compliance with this requirement.</p> <p>However, there appear to be some inconsistencies in the earthworks cut/fill plan. It appears to show fill on top of an existing building. It is recommended that a long section through the school avenue to demonstrate overland flow of the broader stormwater network be provided.</p>	<p>Council reiterates its request for the consent authority to impose conditions requiring the preparation, implementation and maintenance of an erosion and sedimentation plan throughout the construction of the development.</p> <p>Further the applicant should be requested to address inconsistencies in the earthworks cut/fill plan.</p>

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5. Traffic and Roads	<p>Parking Facilities</p> <p>Of concern is the statement that 60 existing on street parking spaces are being lost i.e. there is a net loss of 20 carparking spaces. This is not considered acceptable given the additional demands the School will impose on the surrounding neighbourhood.</p> <p>It would also appear that the calculation does not include the loss of approximately 15 parking spaces resulting from the Scout Hall parking being subsumed by the development of the Abbeyfield project. Nor has any provision been made for the estimated 23 additional parking spaces the traffic analysis has calculated to cater for senior students bring vehicles to the school.</p> <p>As such the Council recommended that:</p> <ul style="list-style-type: none"> <li>The consent authority request that the applicant submit a design for an additional 58 on street parking spaces which including the 15 car spaces that support the Scout Hall. The location and configuration of those spaces to be</li> </ul>	<p>Consultation with QPRC, Bungendore Scout Group, Bungendore Pre-School and a representative of the signalman's cottage has been undertaken and the authority's recommendation has been implemented in the amended design. An additional 58 parking spaces have been provided to Turallo Terrace.</p> <p>A total of 98 car spaces will be provided to the street. The Transport Assessment Addendum prepared by PDC (0593r02v03, dated 20/07/2022) notes that all car parking spaces are provided in accordance AS/NZS 2890.1-2004 Parking Facilities Off-Street Car Parking, AS/NZS 2890.6- 2009 Off-Street Parking for People with Disabilities, and Palerang DCP 2015 Section B7.1. All angled car parking spaces are provided with a minimum width of 2.5 metres and length of 5.4 metres. PDC confirm the existing Council car park and modifications to the parking area as part of the proposed new high school will maintain an aisle width of 5.8 metres complying with</p>	<p>The proposed 90 degree angle parking in Turallo Terrace has been increased to meet the shortfall identified by Council. The parking appears to meet User Class 2 requirements under AS2890.1 which seems generally appropriate though aisle width is bare minimum for this User Class and could be improved.</p> <p>Council does not support the construction of either the proposed 90 degree angle parking on Turallo Terrace detailed in the original plans or the additional 58 spaces proposed on Turallo Terrace in the amended plans because of:</p> <ul style="list-style-type: none"> <li>The adverse impacts on the residential premises in this locality.</li> <li>The congestion likely to occur around conflicts with parking at the pre-school and scout hall;</li> <li>Increased safety concerns caused by more vehicle movements in the area particularly vehicles</li> </ul>	<p>That Council advise they do not support any formalised parking on the north or south side of Turallo Terrace being included in SINSW plans. As such Council objects to the development on the basis that the required additional 58 parking spaces have not been provided.</p> <p>Car parking for the following on Turallo Terrace is supported for:</p> <ul style="list-style-type: none"> <li>Two disabled parking spaces closer to the school entrance.</li> <li>The proposed six proposed drop-off/pick-up spaces.</li> </ul>

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	<p>designed in conjunction with QPRC.</p> <ul style="list-style-type: none"> <li>(This matter was submitted as an objection).</li> </ul> <p>Roundabouts - Manoeuvring</p>	<p>AS2890.1 and AS2890.6, which is sufficient for accommodating two-way movement. All accessible parking spaces are provided with a minimum width of 2.4 metres and a length of 5.4 metres, with a minimum aisle width of 5.8 metres. These spaces are located adjacent to a 2.4 metre wide and 5.4</p> <p>Parking along Butmaroo St was explored but found to be unfeasible.</p>	<p>reversing into traffic lanes from the 90 degree parking.</p> <p>Council is also concerned that inadequate assessment has been done of the potential traffic and road safety impacts of the development on the wider street network around the school. Further studies should be done to look at impacts within 500m of the school and to take into account the impacts caused by the frequent closure of Street due to flooding.</p> <p>Turning curves for a both 12 &amp; 14 m buses need to be done at the Gibraltar/Majara Street and Gibraltar /Butmaroo roundabouts noting that this road is on our public transport route and adjacent to the train station. It isn't clear in the transport assessment addendum.</p>	<p>That the applicant provide an independent Traffic and Road Safety Report encompassing a 500m circumference from the proposed site of all surrounding streets, terraces, roads and highways.</p> <p>That the applicant provide engineered designs, noting any works to be carried out on verges adjacent to the proposed roundabouts on Gibraltar/Majara and Gibraltar/Butmaroo to facilitate turning movements for both 12 &amp; 14 m buses, noting that these roads are on the public transport route and adjacent to the train station. It isn't clear in the transport assessment addendum. Note: During rail track works up to 3 full</p>

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				size coaches a day require to pull into the train station car park.
	<p>Roundabouts - Landscaping</p> <p>That the consent authority request that the applicant confirm the proposed roundabouts will be landscaped in similar form to existing in Gibraltar/Ellendon Street intersection.</p> <p>(This matter was submitted as an objection).</p>	<p>The two new roundabouts are designed to be similar to the existing roundabout at the Gibraltar and Ellendon Street intersection. The roundabouts include a central landscaped reserve with planting to match that of the intersection. This has been documented within attached landscape drawing BHS-LA-1001 and the civil engineering package, provided with the Amendment Report.</p>	<p>Council is satisfied that the landscape plans confirm that the roundabouts will be appropriately landscaped.</p>	<p>The Submission Report response be noted.</p>
6. Student Pick-Up and Drop-Off	<p>Council considers that the number of kiss and drop spaces on Turallo Terrace needs to be increased. While the number of pick-up/drop-off spaces has been based on 18% of student population being dropped off, this calculation will not cater for inclement weather days or winter weather where families will choose to drop off on the commute out of Bungendore.</p> <ul style="list-style-type: none"> <li>Council requires the drop off/pickup zone on Turallo Terrace be extended or</li> </ul>	<p>The authority's recommendation has been implemented in the design. Three student pickup and drop off spaces have been relocated from the northern side of Gibraltar Street to the drop off zone on the southern side of Turallo Terrace to increase the number of vehicle spaces to 6. Refer attached Architectural Proposed Site Plan BHS-TKD-DA-HS-1010 and M+G drawing BHS-CE-2130 provided with the Amendment Report.</p>	<p>The report suggests that Council's concerns have been addressed by the relocation of three pick up/drop off spaces from the northern side of the Gibraltar Street. This does not result in an increase in kiss and drop spaces it simply rearranges their location. This matter should be resubmitted to the applicants requesting an additional three spaces in for the development as a whole.</p>	<p>The Council maintain its objection until a total of 21 drop-off/pick-up spaces are provides as follows:</p> <ul style="list-style-type: none"> <li>Gibraltar Street – 15 Spaces</li> <li>Turallo Terrace – 6 Spaces</li> </ul>



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	relocated to accommodate a total of 6 vehicle spaces (This matter was submitted as an objection).			
7. Public Transport	Nil – Council was satisfied with the public transport arrangements.	Noted	Nil	No further comment required
8. Access to 16 Majara Street	Council recommends that the consent authority impose a condition requiring a right of way to be established at the front of No.16 Majara Street to allow access to this property from the access road into the school parking area.  (This matter was raised as a request to impose a condition of consent and is not deemed to be an objection).	A Right of Carriageway easement will be registered to provide suitable access to No. 16 Majara Street.	Council is satisfied that the applicant will provide the necessary Right of Carriageway but the requirement should be a formal condition of consent.	The Submission Report response be noted and the request for imposition of the condition remain.
9. Crossings and Pedestrian Movement	Crossings <ul style="list-style-type: none"> <li>A school crossing supervisor must be provided for Gibraltar Street crossing to reduce the safety risks associated with the large number of crossing movements of unaccompanied school children.</li> </ul> Council recommends: <ul style="list-style-type: none"> <li>That TfNSW's management of the School Crossing Supervisor Program be noted in the School Transport Plan.</li> </ul>	Discussions with TfNSW are ongoing regarding the provision of a school crossing supervisor. There is no final position on provision and the discussions with TfNSW will continue to address this point. Fencing has been provided along the northern kerbside of Gibraltar Street, as a physical measure for students to cross Gibraltar Street at the new wombat crossing. A wombat crossing is now provided on Gibraltar Street as indicated on the	Despite the applicant's ongoing discussions the conditions requested by Council have not been satisfied and should still be imposed.  Comments from staff indicate the following technical matters need to be resolved:  The lines and signs drawing needs to be updated to show <ul style="list-style-type: none"> <li>The school crossing on Gibraltar St dimensioned appropriately</li> </ul>	That Council provide the following comments on the deficiencies in the design of the crossing and maintain its objection.  The following technical matters need to be resolved:  The lines and signs drawing needs to be updated to show <ul style="list-style-type: none"> <li>The school crossing on Gibraltar St</li> </ul>

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	<ul style="list-style-type: none"> <li>That the school crossing supervisor be included as a member of the internal working group proposed in the Preliminary School Transport Plan</li> <li>Fencing should be provided for Gibraltar Street on the northern (high school side) to channel high school students to the crossing</li> <li>The wombat crossing should also feature children crossing facilities including hold line, barber polls and school crossing flags.</li> </ul> <p>(This matter was raised as a request to impose a condition of consent and is not deemed to be an objection).</p>	<p>revised architectural drawings. Reference is made to the following drawings illustrating the amendments incorporating the wombat crossings:</p> <ul style="list-style-type: none"> <li>Appendix 4a of the Amendment Report: Concept Signage and Linemarking Plan prepared by PDC, and</li> </ul> <p>Appendix 3a of the Amendment Report: Updated Civil Plans prepared by M+G Consulting (drawings BHS-CE-2061 and 2063) In response to the last item, a wombat crossing is now provided on Turallo Terrace.</p>	<ul style="list-style-type: none"> <li>Parking changes with removal of the temp school</li> <li>QPRC standard on K &amp; D is for a painted blue line on the kerb</li> <li>Fencing on the northern side of Gibraltar St to redirect students is not shown</li> <li>Sheet AR DA HS – 1010 rev c notes a low height wall seating wall</li> <li>Sheet AR DA HS -3000 south elevation from Gibraltar Street shows fencing to the east but not on the street frontage</li> <li>Section 1 / 2020 shows no fence</li> <li>Not shown AR DA HS-9100</li> </ul>	<p>dimensioned appropriately</p> <ul style="list-style-type: none"> <li>Parking changes with removal of the temp school</li> <li>QPRC standard on K &amp; D is for a painted blue line on the kerb</li> <li>Fencing on the northern side of Gibraltar St to redirect students is not shown</li> <li>Sheet AR DA HS – 1010 rev c notes a low height wall seating wall</li> <li>Sheet AR DA HS - 3000 south elevation from Gibraltar Street shows fencing to the east but not on the street frontage</li> <li>Section 1 / 2020 shows no fence. Not shown AR DA HS-9100</li> </ul>
	<p>Turallo Terrace Crossing</p> <ul style="list-style-type: none"> <li>Council requires that in order to reduce travel speeds consideration be given to making the proposed</li> </ul>	<p>A wombat crossing is now provided on Gibraltar Street as indicated on the revised architectural drawings.</p>	<p>Comments from staff indicate the following technical matters need to be resolved:</p>	<p>That Council provide the following comments on the deficiencies in the design of the crossing and maintain its objection.</p>

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	pedestrian crossing on Turallo Terrace a wombat crossing. (This matter was submitted as an objection).	Reference is made to the following drawings illustrating the amendments incorporating the wombat crossings: <ul style="list-style-type: none"> <li>Appendix 4a of the Amendment Report: Concept Signage and Linemarking Plan prepared by PDC, and</li> <li>Appendix 3a of the Amendment Report: Updated Civil Plans prepared by M+G Consulting (drawings BHS-CE-2061 and 2063) In response to the last item, a wombat crossing is now provided on Turallo Terrace.</li> </ul>	<ul style="list-style-type: none"> <li>Use of dragon's teeth on Turallo Terrace isn't dimensioned or regular i.e. only on one approach</li> <li>The wombat crossing on Turallo Terrace will not function as designed. It isn't raised and will not slow traffic. The detailed plan, section 2 &amp; 4 on drawing BHS CE 2200 disagree with each other.</li> </ul>	<p>The following technical matters need to be resolved:</p> <ul style="list-style-type: none"> <li>Use of dragon's teeth on Turallo Terrace isn't dimensioned or regular i.e. only on one approach</li> <li>The wombat crossing on Turallo Terrace will not function as designed. It isn't raised and will not slow traffic. The detailed plan, section 2 &amp; 4 on drawing BHS CE 2200 disagree with each other.</li> </ul>
	<p>Pedestrian Links</p> <ul style="list-style-type: none"> <li>Paths coming from the north of the town should be extended to direct students to the safest crossing points.</li> <li>Council recommends that the applicant be required to install new pathways as indicated in the sketch on page 14 of the submission.</li> </ul> <p>(This matter was raised as a request to impose a condition of</p>	Footpaths and pedestrian crossings have been provided generally in accordance with Council's mark up on the plan on Page 14 of the submission. The details of these items are illustrated on the Concept Signage and Linemarking Plan prepared by PDC and the Updated Civil Plans prepared by M+G (drawings 2059 and 2063).	The applicant has satisfactorily addressed this concern.	The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.

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	consent and is not deemed to be an objection).			
10. Waste Collection and Deliveries	<p>Council recommends that the consent authority impose a condition of consent requiring waste collection to be between 6:00am – 7:30am or 4.00pm to 7.00pm.</p> <p>(This matter was raised as a request to impose a condition of consent and is not deemed to be an objection).</p>	<p>The Environmental Noise and Vibration Assessment prepared by Acoustic Logic (reference 20210459.1/2207A/R7/GC, dated 22/07/2022) notes that waste removal is proposed to occur between 6am and 7.30am. The proposed time is considered suitable given the distance separation and fencing to 63 Turallo Terrace and provides flexibility in the event of any minor changes required to the waste collection arrangements. Whilst this is the anticipated waste collection timeframe, it is requested this not be included as a condition of consent to allow flexibility.</p>	<p>Council does not support the flexibility requested. Waste collection is a common source of noise complaints and, coupled with the need to provide on-site safety during school hours results in restricted opportunities for collection during normal business hours. Thus, specifying the hours of collection in a condition is important.</p>	<p>That Council reiterate the need for a condition relate to the times for waste collection.</p>
11. Entrance and Access	<p>Council recommends that the consent authority impose a condition requiring the access off Majara Street to be designed for heavy rigid 10.5m vehicle manoeuvrability for garbage service.</p> <p>(This matter was raised as a request to impose a condition of consent and is not deemed to be an objection).</p>	<p>Access to the waste storage area, including manoeuvring within the site, has been designed for a heavy rigid 12.5m vehicle manoeuvrability for garbage service.</p> <p>Swept path diagrams have been included in with the civil engineering package attached to the Amendment Report.</p>	<p>The changes to the waste storage collection point are acceptable.</p> <p>It is noted that a consequence of the change is that additional carparking is to be provided at the northern end of the existing carpark behind the existing Council building. This new area should be provided with sufficient space at the end of the aisle to allow for vehicles</p>	<p>That the consent authority ensure that vehicles at the extension to the northern end of the existing carpark are provided with sufficient space at the end of the aisle to allow for vehicles to turn around should all carparks be full</p>

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			to turn around should all carparks be full.	
12. Flooding	<ul style="list-style-type: none"> <li>The development is adjacent to the 1% AEP flood zone in Turallo Terrace, the incorporation of a sewer reflux valve is highly recommended.</li> <li>Council recommends that the consent authority impose a condition requiring the floor level of all utility buildings erected of the agricultural plot on Bungendore Common to have a finished floor level at or above the flood planning level for the site.</li> </ul> <p>(This matter was raised as a request to impose a condition of consent and is not deemed to be an objection).</p>	<p>As indicated in the response by NDY, sewer reflux valves will be provided and installed as required.</p> <p>The utility buildings on the Ag Plot site have a finished floor level of 695.5m AHD, which is above the flood planning level of 692.3m AHD and probable maximum flood (PMF) level of 693.6m AHD.</p>	The matters raised have been adequately addressed by the Applicant.	The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.
13. Developer Contributions	<p>Council recommends that the consent authority be advised the Council concurs with the determination that Section 7.11 developer contributions should not be applied in this case.</p> <p>(This matter was raised as a comment and is not deemed to be an objection).</p>	This was noted in the Submissions report.	The parties agree on this matter.	No further comment required.
	Section 64 Water and Sewer Contributions Council recommends that the consent authority impose a condition	The Department understands there is no requirement for payment of sewer and water. Section 64 provides that	The legal situation is understood however, Council believes the condition remains relevant until such	That the Department of Education, as an agent of the Crown, request and receive from the Minister

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	requiring the payment of section 64 water and sewer contributions prior to the school being occupied. (This matter was raised as a request to impose a condition of consent and is not deemed to be an objection).	Council is effectively the water supply authority for the purpose of the Water Management Act, when exercising functions under Division 5 of Part 2 of Chapter 6 of that Act. Section 306(4) of the WM Act allows the Crown to apply for an exemption from the Minister for Urban Affairs and Planning, now the Minister for Planning. The Department of Education, as an agent of the Crown, is able to request an exemption under s306(4) of the Water Management Act. The works relate to a public facility being a school and it is considered imposing a condition for payment of contributions is not reasonable or necessary.	time as the Department makes and receives a request for exemption from payment of the contributions.	for Urban Affairs and Planning, now the Minister for Planning, an exemption under s306(4) of the <i>Water Management Act</i> and further determination remain in the proposed conditions of consent
14. Bushfire Assessment	No recommendations.	Noted	No further comments required as a result of amendments to design.	No further comment required.
15. Fire Services and Disability Access	No recommendations.	Noted	No further comments required as a result of amendments to design.	No further comment required.
16. Section 68 Local Government Approvals	Details of Internal Water and Sewer Services <ul style="list-style-type: none"> <li>That consent authority impose conditions requiring water, sewer and trade waste</li> </ul>	This was noted in the Submissions report.	These conditions should be reimposed.	That the consent authority impose conditions requiring water, sewer and trade waste installations to be inspected by Council staff.

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	<p>installations to be inspected by Council staff.</p> <ul style="list-style-type: none"> <li>That the consent authority impose a condition requiring that a copy of the works as executed drawings of the water, sewer, stormwater and trade waste installations be provided to Council within three months of the occupation of the site.</li> </ul> <p>(These matters were raised as a request to impose a condition of consent and are not deemed to be an objection).</p>			<p>That the consent authority impose a condition requiring that a copy of the works as executed drawings of the water, sewer, stormwater and trade waste installations be provided to Council within three months of the occupation of the site.</p>
	<p>Trade Waste Discharges</p> <ul style="list-style-type: none"> <li>That consent authority impose conditions requiring water, sewer and trade waste installations to be inspected by Council staff.</li> <li>That the consent authority impose a condition requiring that a copy of the works as executed drawings of the water, sewer, stormwater and trade waste installations be provided to Council within three months of the occupation of the site.</li> </ul> <p>(These matters were raised as a request to impose a condition of</p>	<p>This was noted in the Submissions report.</p>	<p>These conditions should be reimposed.</p>	<p>That the consent authority impose conditions requiring water, sewer and trade waste installations to be inspected by Council staff.</p> <p>That the consent authority impose a condition requiring that a copy of the works as executed drawings of the water, sewer, stormwater and trade waste installations be provided to Council within three months of the occupation of the site.</p>

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	consent and are not deemed to be an objection).			
17. Building Design and Amenity	<p>Council recommends that the applicant be requested to review the design of the eastern elevation of Building A with a view to strengthening its appearance from the school plaza.</p> <p>(This matter was raised as a comment and is not deemed to be an objection).</p>	The eastern elevation of Building A has been amended to better address the school plaza. Specifically, face brickwork has been introduced at ground level, which responds to the traditional aesthetic of a solid base and lightweight upper storey, provides depth to the facades, and creates an improved civic quality that relates through materiality to the historic buildings within the town. Light-coloured, horizontal metal plank cladding has been introduced at first floor level to be suggestive of horizontal painted weatherboard cladding while meeting NSW Education's durability and maintenance requirements.	Council is satisfied that the design amendments have addressed its concerns.	That the Submission Report response be noted.
18. Heritage	Building A does not address its context particularly well. The form of the building is not in character or particularly sympathetic with those of the primary school, the Station Master's Cottage or the station itself. Furthermore the siting of the building does not relate to the historic view north along Majara Street, and sits half way across the former road alignment in a manner that is	The bulk and scale of buildings facing public roads has been reduced. The design of Building A has been amended to incorporate a single storey element wrapping the south, east and west facades to reduce the bulk and scale. The revised functions within Block A have also reduced the length of the two-storey mass along the southern facade. The amended	Council is satisfied that the design amendments have addressed its concerns.	That the Submission Report response be noted.

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 29 October 2021	Response from Education	Comment from Council	Recommended Response
	inconsistent with historic Georgian town planning.  (This matter was raised as a comment and is not deemed to be an objection).	design incorporates colours, materials and finishes which align with the rural village character and heritage of Bungendore. Additionally, Building A has been shifted west so that it is outside of the Majara Street alignment, allowing for retention of views to the north.		
	Digital Sign  Council requires that the consent authority request the applicant to remove the digital sign from the proposal and deploy an alternative design.  (This matter was submitted as an objection).	The electronic school sign has been removed from the street front and replaced with a changeable, static 'notice board' sign. The sign has been relocated with a greater setback from Majara Street behind the school entrance to reduce its visual impact on the streetscape.	The digital sign has been removed from the development as requested. No further comment required.	The Submission Report response be noted and Council's objection on these grounds be removed
	Fence around Station Master's and Signalman's Cottages <ul style="list-style-type: none"> <li>Council requires that the consent authority seek clarification around the type of fencing which will be installed along the boundaries with the old station master's residence and signalman's residence to ensure that it is sympathetic to heritage</li> </ul>	A new 2.1m-high timber lapped and capped fence is proposed to the school boundaries which are shared with the Old Station Master's Cottage and as such has addressed Council's concerns.  The existing corrugated iron fence to the Signalman's Cottage is also to be retained. Further a 2.1m high lapped and	The concerns raised by Council have been clarified and clearly delineated on the Landscape plans. With these changes Council should have no further concerns with fencing around the two heritage cottages.	The Submission Report response be noted and Council's objection on these grounds be removed.

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 29 October 2021	Response from Education	Comment from Council	Recommended Response
	<p>character of these two properties.</p> <ul style="list-style-type: none"> <li>Council's preference would be that this fencing is constructed of lapped and capped timber fencing to be more sympathetic with the adjacent heritage buildings. Council's Heritage Advisor should be consulted in selecting the design of the proposed fencing.</li> </ul> <p>(This matter was submitted as an objection).</p>	<p>capped timber fence will be erected on the school side of the existing corrugated iron fence to provide additional acoustic and visual separation between the Signallman's Cottage and the cricket nets in the school grounds. A landscape plan, prepared by Context, identified as Drawing BHS_LA_DA_2007 is attached to the Amendment Report.</p>		
	<p>Rotunda &amp; Bush Balladeers Stone Memorial</p> <p>Council require that the consent authority impose a condition requiring the Rotunda and Bush Balladeers Stone Memorial being relocated at no cost to Council to Frogs Hollow Reserve or another location within the Village as agreed with Council.</p> <p>(This matter was raised as a request to impose a condition of consent and is not deemed to be an objection).</p>	<p>The reconstruction of the Rotunda and Bush Balladeers Stone Memorial will be undertaken as part of the development. The new location is subject to ongoing negotiation and discussion between the relevant parties and will be located elsewhere within Bungendore.</p>	<p>All parties seem to agree that the Rotunda should be relocated at the applicant's cost. A condition confirming this requirement should be imposed.</p>	<p>That until negotiations are finalised Council request that the condition be imposed.</p>
19. Use and Maintenance of Mick Sherd	<p>Council recommended that the consent authority:</p> <ul style="list-style-type: none"> <li>impose a condition of consent requiring a maintenance gate to</li> </ul>	<p>The fencing around Mick Sherd Oval has been removed in</p>	<p>All of Council's concerns have been addressed by</p>	<p>The Submission Report response be noted and the</p>

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 29 October 2021	Response from Education	Comment from Council	Recommended Response
Oval and Games Courts	<p>be installed in the post and rail fence around Mick Sherd Oval, such fence to be located in consultation with QPRC.</p> <ul style="list-style-type: none"> <li>impose a condition of consent ensuring that an access gate is placed in the fence around the Games Court that is accessible by members of the public after hours.</li> <li>impose a condition of consent requiring the applicant to relocate floodlighting and irrigation services displaced by the new development at no cost to Council.</li> <li>impose a condition require the applicant to consult with QPRC and the Bungendore War Memorial Committee about the form and length of bollards required for fencing in the proximity of the War Memorial.</li> </ul> <p>(These matters were raised as a request to impose a condition of consent and are not deemed to be an objection).</p>	<p>response to community and agency submissions.</p> <p>The games courts have been relocated within the school grounds.</p> <p>The flood lighting has been located and designed as per discussions with Council. Irrigation is not required to be relocated as confirmed by Council.</p> <p>The bollards near the War Memorial have been removed.</p>	<p>amendments to the design. As such the recommended conditions are no longer required.</p>	<p>requested conditions be deleted from the proposed conditions of consent.</p>
20. Contamination	<p>Council recommends that the consent authority impose a condition requiring a Stage 2 Detailed Site Investigation to be carried out prior to the commencement of work and that the condition include the</p>	<p>A Stage 2 Detailed Site Investigation has been prepared and is submitted and attached to the Amendment Report. Douglas Partners notes that in addition to the PSI for the rail corridor, TfNSW</p>	<p>As the detailed site investigation has now been completed the requirement for the report as a condition of consent is no longer needed.</p>	<p>The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.</p>

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 29 October 2021	Response from Education	Comment from Council	Recommended Response
	<p>requirement that any recommendations, site management or remediation resulting from that report be implemented.</p> <p>(This matter was raised as a request to impose a condition of consent and is not deemed to be an objection).</p>	<p>commissioned ERM to conduct a PSI for the Bungendore Rail Station as reported in Preliminary Site Investigation, Bungendore Rail Station, report ref 0608750.Rev0, dated 3 May 2022(ERM, 2022a). The findings of ERM (2022 and 2022a) conducted on behalf of TfNSW were incorporated into the DSI. The DP DSI is detailed in 'Report on Detailed Site Investigation (Contamination), Proposed New High School in Bungendore' (report ref 202107.04.R.002.Rev2), dated 14 July 2022. The DSI concluded that 'it is considered that the site is suitable, from a contamination perspective for the proposed development' and provides suitable recommendations. A RAP is not required.</p>	<p>It is noted that the report requires the imposition of several conditions of consent relating to unexpected finds and asbestos removal.</p> <p>With these conditions in place Council can be satisfied that the site is suitable for its proposed use as a school.</p> <p>Council notes that there may be some appetite for establishing additional parking at the existing car parking facilities at the Bungendore Railway Station. If such negotiations are progressed they should be cognisant of potential contamination on the railway carpark land.</p>	
21.Other Matters	No recommendations were made in relation to these matters.	Comments noted.	No further comments required as a result of amendments to design.	No further comments required
22.Environmental Health Matters	<p>Council notes the following concerns with the design of amenities:</p> <ul style="list-style-type: none"> <li>There is no visual barrier into the student toilet facilities.</li> </ul>	<p>Toilets have been designed in response to the DoE brief and current community expectations as gender neutral, self-contained cubicles. The cubicles are fully enclosed and maintain privacy as individual units. To address child safety</p>	The applicant has adequately addressed these concerns.	The Submission Report response be noted and the requested condition be deleted from the proposed conditions of consent.

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Matter Raised by Council on Original DA	Recommendations from Council's Previous Submission – 29 October 2021	Response from Education	Comment from Council	Recommended Response
	<ul style="list-style-type: none"> <li>There is no urinal in boys toilets</li> <li>The Access Shower/ WC Change seems to be a unisex facility with no provision for privacy.</li> </ul> <p>Council recommends that the consent authority be requested to impose a condition requiring the canteen facilities to be constructed in accordance with the appropriate NSW Food Standards and that Council be provided with a detailed floor plan of all floor preparation areas within the school for its records.</p> <p>(These matters were raised as a request to impose a condition of consent and are not deemed to be an objection).</p>	<p>imperatives, no additional visual barriers are provided. Toilets are designed to be gender neutral and compliant with the NCC under Clause F2.6(a)(iii).</p> <p>The canteen will be designed to comply with AS 4674-2004.</p>		
23.	Tree Protection	New Matter	Substantial works will be carried out within Council's road reserves. Council seeks to protect trees that are located within the road reserve from damage during the construction period and recommends a condition of consent be address requiring protection of these trees.	That a condition of consent be imposed to protect all trees that could be effected from any works pertaining to Council's road reserves.

**Schedule 1 – Summary of Matters Raised in Objection to the Proposal**

The following summary formed part of the previous submissions and summarised those matters where Council objected to the original proposal. A column has been added to indicate Council's position following the Response to Submissions and amendment to the design of the school.

<b>Relevant Issue</b>	<b>Matter Raised in Previous Submission – 29 October 2021</b>	<b>Outcome Following Response</b>
Whether the permissibility and legislative construction of the original dedication of the Crown lands being acquired is overcome by the acquisition of the land by the Education Minister.	That the consent authority require the applicant to provide further clarification on whether the legislation creating the dedication of Bungendore Park and the Bungendore Common permits the use of a school on the land and whether legislative change may be required to facilitate that use.	Objection still remains.
Unacceptable loss of off-street parking spaces and inadequate provision of additional parking generated by the development.	That the consent authority request the applicant submit a design for an additional 58 on street parking spaces in lieu of existing spaces which have been lost as a result of proposed works or have been generated by the new use. The location and configuration of those spaces to be designed in conjunction with QPRC.	Objection still remains.
Landscaping and Design of Roundabouts	That the consent authority request that the applicant confirm the proposed roundabouts will be landscaped and constructed in the same form to the existing roundabout at Gibraltar Street/Ellendon St..	Objection still remains.
Insufficient parking for Pick up and drop area in Turallo Terrace.	That the drop off/pickup zone on Turallo Terrace be extended or relocated to accommodate a total of 6 vehicle spaces.	Objection still remains.
Road Safety	New Matter - Council is also concerned that inadequate assessment has been done of the potential traffic and road safety impacts of the development on the wider street network around the school. A Traffic and Road Safety Report encompassing the road network within 500m of the school site should be completed before the application is determined.	New Objection

<b>Relevant Issue</b>	<b>Matter Raised in Previous Submission – 29 October 2021</b>	<b>Outcome Following Response</b>
Crossings	That in order to reduce travel speeds consideration be given to making the proposed pedestrian crossing on Turallo Terrace a wombat crossing. Some deficiencies in design have been identified.	Objection still remains.
Fencing adjacent to Heritage items.	That the consent authority seek clarification around the type of fencing which will be installed along the boundaries with the old station master's residence and signalman's residence to ensure that it is sympathetic to heritage character of these two properties. Consultation with Council's Heritage Advisor around a suitable design for the fencing is recommended.	Objection withdrawn.
Removal of digital signage due to its incompatibility with the heritage streetscape predominant in Gibraltar Street.	That the consent authority request the applicant to deploy an alternative to the digital sign in in the proposal.	Objection withdrawn.

## ***Schedule 2 - Recommended Conditions of Consent***

### ***Recommended Conditions of Consent Following Response to Submissions - Bungendore High School – October 2022***

#### **Prior to the Commencement of Site Works**

##### **1. Disposal of Contaminated Material**

All contaminated material removed from the site must be disposed of to a licensed disposal facility or as otherwise specified in the remedial action plan. Evidence of the location, date and quantities of material disposed of must be submitted to the certifying authority prior to the commencement of building works.

*Reason: To ensure that contaminated material removed from the site is disposed of in an environmentally safe manner.*

##### **2. Traffic Management**

Prior to undertaking any works within a public road reserve or affecting the road reserve, a traffic management plan is to be submitted to and approved by Queanbeyan-Palerang Regional Council under Section 138 of the *Roads Act 1993*. Where occupancy of the road reserve is required, a Section 138 application shall accompany the Traffic Management Plan for Local Roads or an approved Road Occupancy Licence (ROL) from Transport for NSW (TfNSW) for State Roads.

*Reason: To ensure that works carried out comply with the Roads Act.*

##### **3. Sediment and Erosion Control**

Prior to the commencement of works on site, a Sediment and Erosion Control Plan (S&ECP) for all site works, including road works and access, is to be prepared and approved by the certifying authority. The plan is to cover all measures to control erosion and sediment transport in accordance with the NSW Landcom publication *Managing Urban Stormwater - Soils and Construction (4th Edition 2004 - "Blue Book")*.

Erosion and sediment controls are to be in place before the disturbance of any soils on the site, and are to be maintained during the works and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside of the site as follows:

- (a) divert uncontaminated run-off around cleared or disturbed areas,
- (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
- (c) prevent tracking of sediment by vehicles on roads, and
- (d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.

*Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.*



#### **4. Temporary Vehicle Access**

Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shoveling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.

*Reason: To minimise transfer of soil from the site onto the road pavement.*

#### **5. Works Sites to be Fenced**

A fence must be erected between the development site and public places before commencement of any other work.

*Reason: To ensure that an effective barrier is provided to preserve the safety of people and property in public places.*

#### **Prior to the Commencement of Building Works**

#### **6. Submit an Application for Trade Waste (C5)**

Prior to the issue of the commencement of building works a Trade Waste Application (C5) to install a waste treatment device or devices must be submitted to, and approved by, Council. The waste treatment devices proposed must be able to cater for discharges from the following sources:

- (a) Canteen
- (b) Science Laboratories

The application must include the following details;

- (a) Details and location of all processes, tanks, pits and apparatus associated with the generation of trade waste and,
- (b) Specifications of the treatment system including capacity/dimensions, material of construction and lining of the proposed pre-treatment facilities and,
- (c) Details of pipes and floor drainage conveying the waste and,
- (d) A detailed sewage drainage plan.

*Reason: To ensure compliance with Section 68 of the Local Government Act 1993, Council's Policy for Discharge of Liquid Trade Waste into Council's Sewer 2004/05 and to protect Council's Sewerage System.*

*Note: For further information regarding Trade Waste treatment and discharge please contact Council's Trade Waste Officer.*

#### **7. Submit an Application for Trade Waste (C4)**

Prior to the commencement of any building works a Trade Waste Application (C4) for disposal of liquid trade waste into sewer must be submitted to, and approved by, Council.

*Reason: To ensure compliance with Section 68 of the Local Government Act 1993, Council's Policy for Discharge of Liquid Trade Waste into Council's Sewer 2004/05 and to protect Council's Sewerage System.*

### **8. Submit a Construction Management Plan**

Prior to the commencement of building works a Construction Management Plan for the management of soil, water, vegetation, waste, noise, vibration, dust, hazards and risk for the construction works must be submitted to and endorsed by the certifying authority. The plan must:

- (a) describe the proposed construction works and construction program and,
- (b) set standards and performance criteria to be met by the construction works and,
- (c) describe the procedures to be implemented to ensure that the works comply with the standards and performance criteria and,
- (d) identify procedures to receive, register, report and respond to complaints and,
- (e) nominate and provide contact details for the persons responsible for implementing and monitoring compliance with the plan.

*Reason: To ensure that satisfactory measures are in place to provide for environmental management of the construction works.*

### **9. Stormwater Disposal and Water Quality Requirements**

All stormwater from the site must be trapped and piped to the street gutter/stormwater pit/other via an On-Site Detention (OSD) system to limit the discharge from the site to the pre-development rate in accordance with Council's D5 Development Design Specification. Prior to the commencement of building works the design of the OSD service shall be determined by a suitably qualified hydraulic consultant at no cost to Council.

The design shall include an independent report on storm water run-off from new building roof spans, including impact on the Mick Sherd Oval.

An in-ground Gross Pollutant Trap (GPT) targeting litter is to be installed in accordance with Council's D7 Erosion Control and Stormwater Management Specification.

*Reason: To provide satisfactory stormwater disposal and water quality.*

### **10. Protection of Council Sewer/Stormwater Easements**

Prior to the commencement of building works structural plans must be provided to Council for concurrence as the sewer and water authority. The plans are to demonstrate that the footings of any structure will not be located within the zone of influence of Council's water, sewer and stormwater assets.

*Reason: To allow for safe access and maintenance of services within future easements by Council personnel.*

### **11. Demolition Works**

The demolition of existing buildings must be carried out in accordance with the;

- a) Requirements of the SafeWork New South Wales,
- b) NSW Work Health and Safety Act 2011, and
- c) Australian Standard AS 2601-2001 - The Demolition of Structures.

*Reason: To ensure compliance with SafeWork and occupational health and safety requirements.*

## **12. Submit a Design and Construction Plan for Canteen Food Preparation Area**

Prior to the commencement of building works a detailed design for the construction of the canteen food preparation area must be submitted to, and approved by Council. Fixtures, fittings, and equipment must be provided so as to be capable of being easily and cleaned without causing a risk to food safety.

The plan should include the following details:

- Floor plan - to a suitable scale (e.g. 1:50).
- Finishes to floors, walls and ceilings
- Sectional elevation drawings - to a suitable scale (e.g. 1:50) showing all fittings and equipment.
- Hydraulic plans (plumbing details) - to a suitable scale (e.g. 1:50).
- Mechanical exhaust ventilation drawings (i.e. plans, elevation and schematic diagrams, where applicable) - to a suitable scale (e.g. 1:50).

*Reason: To ensure compliance with Food Act 2003 and Regulations 2015, Food Standards Code and relevant Australian Standards.*

## **Conditions to be Complied with During Construction**

### **13. Hours of Operation for Works**

All works associated with the construction and/or demolition of this development must be carried out between the following hours unless Queanbeyan-Palerang Regional Council agrees in writing. A written application shall be made to Queanbeyan-Palerang Regional Council if a variation of hours is required.

Weekdays: 7.00am to 6.00pm

Saturdays: 8.00am to 4.00pm

Sundays and Public Holidays: NIL

*Reason: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality.*

### **14. Approval Documents**

Keep a copy of all stamped approved plans, specifications and documents on site while work is being undertaken.

*Reason: Relevant documentation is available for perusal on site by a council officer, for compliance check.*

#### **15. Work in Accordance with Engineering Specifications**

All construction and restoration work must be carried out strictly in accordance with the approved drawings and Council's Design and Construction Specifications.

*Reason: To ensure construction and restoration work is in accordance with Council's requirements.*

#### **16. Redundant Water Service Connection – Bungendore Pool**

Disconnection of the existing water service for the Bungendore Pool from the water main, to be undertaken by the Council Utilities section staff at the Developer's cost.

*Reason: Single connection for water service for the development.*

#### **17. Redundant Sewer Connection – Bungendore Pool**

Disconnection of the redundant existing sewer connection for Bungendore Pool from the sewer main to be undertaken by the Council Utilities section staff at the Developer's cost.

*Reason: Single connection for sewer service for the development.*

#### **18. Water Main Stop Valves – Majara Street**

Install two new stop valves on Council's existing water main through the proposed site. The first is to be 1m outside the northern boundary of the high school, and second 1m outside the southern boundary of the high school on the existing 100mmØ DICL water main.

*Reason: To enable rapid isolation of water mains in the event of breakage without having to arrange access.*

#### **19. Provide Water Service and Water Meter**

A new main water meter and water service shall be installed by Council at no cost to the Council. The size of the meter and service shall be determined by a suitably qualified hydraulic consultant at no cost to Council.

The main meter shall be installed in an easily accessible position in the common property at the front of the site, or other accessible position approved by Council.

*Reason: To ensure that the development is appropriately water metered.*

#### **20. Sewage Reflux Valve**

A sewer reflux valve shall be fitted in accordance with AS/NZS 3500 – Plumbing and Drainage to the internal sewer drainage system upstream of the property boundary trap / shaft so as to prevent the backflow from the sewer from the authority's sewer entering the building.

*Reason: To ensure the development is compatible with the flood risk of the area and to minimise damage to property that may occur in the event of flooding.*

## **21. Extension of Stormwater Main**

Stormwater shall be discharged to the existing pit in Turallo Terrace (Pit-593) with a 450mmØ RCP drainage pipe connecting to the 1400mmØ RCP trunk stormwater line in Majara Street. The 1400mmØ shall be extended to a point north of the proposed Abbeyfield site through to the footprint of the proposed extended levee and any rights of way, installing any headwalls and dissipation works required.

*Reason: This main discharges part way through the proposed Abbeyfield site on the northern side of Turallo Terrace where Council has closed an unformed section of Majara Street. The new Abbeyfield site is being created as a result of the construction of the new school. A such the main will need to be extended clear of the new Abbeyfield site.*

## **22. Inspection of Council Utility Services**

All connections and alterations to Council's water, sewer and stormwater services shall be inspected by Council's Development Engineering Team prior to backfilling. This includes the inspection of the orifice plate and connection to Council stormwater infrastructure.

*Reason: Ensure on-site detention is constructed in accordance with the Council specification.*

## **23. Dust Management**

Throughout construction works undertake all measures as appropriate to provide dust suppression on roads leading to, adjacent to and within the site in the event that weather conditions, construction activities and associated traffic to and from the site are giving rise to abnormal generation of dust.

*Reason: To ensure that local residents and activities are not disadvantaged by dust during hours of operation.*

## **24. Unauthorised Use of Public Land**

No building materials are to be stored or construction activities undertaken on public or adjoining land without prior written approval from Council.

*Reason: To prevent unnecessary disturbance to public land.*

## **25. Work on Adjoining Land is Limited**

The verge and other adjoining lands must not be used for storage of materials or disturbed by construction activities except for;

- Installation of a temporary, stabilised construction access across the verge,
- Installation of services,
- Construction of an approved permanent verge crossing.

*Reason: To minimise interference with the verge and its accessibility by pedestrians.*

## **26. Construction Waste Management**

All waste materials generated on-site during construction are to be stored in enclosed containers and deposited in an approved landfill at regular periods.

*Reason: To ensure adequate waste management practices are in place during the construction phase.*

## **27. Protection of Adjoining Structures**

If any excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on adjoining land, the person causing the excavation to be made;

- a) must preserve and protect the building from damage, and
- b) if necessary, must underpin and support the building in an appropriate manner, and
- c) must, at least seven days before excavating, give notice of intention to do so to the owner of the adjoining and furnish particulars of the excavation to the owner of the building being erected or demolished, and
- d) satisfy the requirements of SafeWork NSW.

The owner of the adjoining land is not to be liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

*Reason: Excavations relating to building work do not pose a hazard to adjoining properties.*

## **28. Surface Water**

Do not re-direct surface water onto adjoining private land. Alterations to the surface contours must not impede or divert natural surface water run-off, so as to cause a nuisance to adjoining property owners or create an erosion or sediment problem.

*Reason: Stormwater disposal does not impact on the building or neighbouring properties.*

## **29. Construction And Fitout Requirements**

Canteen food preparation, sale and storage areas must be constructed and fitted out to comply with the requirements of the:

- (a) *Food Act 2003*;
- (b) *Food Regulations 2015*;
- (c) Australia New Zealand Food Standards Code; and
- (d) AS1668.2 - The use of ventilation and air conditioning in buildings - Part 2: Ventilation design for indoor air contaminant control

*Reason: To ensure safe and hygienic food preparation/storage and compliance with Food Act 2003 and Regulations 2015, Food Standards Code and relevant Australian Standards.*

### **30. Car Parking to Comply with AS/NZS 2890**

All car parks must comply with AS/NZS 2890.1-2004 Parking Facilities Off-Street Car Parking, AS/NZS 2890.6-2009 Off-Street Parking for People with Disabilities.

Pavement line marking with bay dimensions to comply with AS/NZS 2890.1-2004 and AS/NZS 2890.6-2009, must be shown within the car parking areas to delineate parking bays, including signage for the accessible parking bays.

*Reason: To provide adequate off-street car parking.*

### **31. All Surfaces to be Concrete or Asphalt Surfaced**

All parking spaces, loading bays, driveways and turning aisles must be concrete or asphalt surfaced, with all parking spaces line marked.

*Reason: To ensure car parking spaces are functional prior to use of the premises.*

### **32. Lighting in Car Parks and Public Spaces**

Lighting throughout the car parking area and in public spaces must comply with AS/NZS 2890.1:2004 - Parking Facilities - Off-Street Car Parking, and AS/NZS 1158 - Lighting for Roads and Public Spaces.

*Reason: To ensure the provision of adequate lighting within the development.*

### **33. Submit a Tree Management Plan**

- 1.1. A Tree Management Plan (TMP) is to be prepared in accordance with 'Australian Standard 4970-2009 Tree Protection on Development Sites', by a suitably qualified arborist (Minimum AQF Level 5) prior to the commencement of work in the stage(s) where trees located within Council's road reserve are likely to be impacted by the proposed works.
- 1.2. The TMP must include:
  - a. The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) dimensions for retained trees on the subject site and adjacent sites (if applicable);
  - b. Tree protection measures in accordance with Australian Standard AS4970-2009;
  - c. Trees proposed to be removed (if applicable); and
  - d. Scaled maps depicting all of the above.
- 1.3. TMP protection measures must be implemented prior to the commencement of works, including demolition and tree removal, and remain in place until all site works have been completed unless otherwise specified in the TMP.
- 1.4. All contractors are to be made aware of the TMP as part of their induction on to site and must comply with it.

*Reason: To ensure that tree(s) are protected from damage during construction.*

### **Prior to Occupation of the Site as an Operational High School**

#### **34. Development Contributions to be Paid**

Prior to the occupation of the site as an operational high school, contributions under Section 64 of the *Local Government Act 1993* and Division 5 Part 2 of the Chapter 6 of the *Water Management Act 2000* must be paid to Council.

*Reason: To provide for the funding of augmentation to Council's water and sewer services resulting from the additional demand created by the development.*

#### **35. Covenant on the Land – Council Utility Services**

Apply covenants under section 88B of the Conveyancing Act 1919 to the new lots incorporating the restrictions listed below. Queanbeyan-Palerang Regional Council shall be nominated as the sole party with the power to vary or remove the required covenants.

a) Create all easements specified below and contained in the high school development. All easements must benefit Council;

- i. easements to drain water,
- ii. easements to drain sewer,
- iii. easements for water supply,
- iv. easements for stormwater.

b) Council shall be nominated as the authority empowered to release, vary or modify restriction or positive covenant numbered in the plan.

*Reason: To ensure public utility services, access and restrictions are legalised over the land.*

#### **36. Covenant on the Land – Other Utility Services**

Apply covenants under section 88B of the Conveyancing Act 1919 to the new lots incorporating the restrictions listed below.

a) Create all easements specified below and contained in the high school development. All easements must benefit the relevant service authority;

- i. easements for electricity,
- ii. easements for telecommunications

b) The relevant service authority shall be nominated as the authority empowered to release, vary or modify restriction or positive covenant numbered in the plan.

*Reason: To ensure public utility services, access and restrictions are legalised over the land.*

#### **37. Establishment of Right of Way**

That a right of way to be established at the front of No.16 Majara Street to allow access to this property from the access road into the school parking area.

*Reason: To ensure legal access to the property at 16 Majara Street is maintained.*



**38. Works as Executed (On-Site Detention System)**

Prior to occupation Works as Executed drawings of the constructed on site detention system certified by the designer are to be submitted to Council accompanied by evidence of any restriction of land use of the land and positive covenant over the lot in favour of Council.

*Reason: To ensure on site detention is constructed in accordance with the designed system and that its ongoing maintenance is enforceable by law.*

**39. Repair Damaged Public and Private Property**

All damage caused to public and private property during the construction operations and associated activities must be repaired or reinstated prior to occupation of the development.

*Reason: To ensure that all public and neighbouring private property in the vicinity of the development is maintained in its pre-development condition.*

**40. Water and Sewer Compliance Certificate - Construction**

Prior to occupation of the development a compliance certificate in accordance with the Water Management Act 2000 must be obtained from Council.

*Reason: To ensure the constructed infrastructure and services have been completed to Council's specifications.*

**41. Sewage Connection**

Prior to occupation of the development connect the premises to Queanbeyan-Palerang Regional Council's sewerage infrastructure.

*Reason: To ensure that premises are connected to available domestic sewerage system.*

**42. Comply with Waste Management Plan**

The development is to comply with the submitted Waste Management Plan dated 7 September 2021.

*Reason: To ensure the impacts of waste generated by the development are managed accordingly.*

**43. Submission of Litter Management Plan**

Prior to occupation of the development the applicant shall submit to Council a litter management plan detailing how the school will manage litter around the school and fringes of the building and property boundary. The plan shall include a regular schedule for litter pickup and a maintenance schedule for litter bins placed around the facility. Following occupation this litter management plan shall be adhered to.

*Reason: To ensure that the school and building surrounds are kept free from litter whether generated onsite or from surrounding sites.*

**44. Waste Conditions**

The school is encouraged to contact Council's Waste Officer to assist with the following elements of the school's waste management plan:

- Signage for waste bins at school to ensure it is consistent with Council's waste service so that students are getting the same message at home and at school.
- Council provides a number of waste education programs that are available for the school
- To assist with finding option for recycling plastic wrap, soft plastics and polystyrene.

*Reason: To maximise waste reduction strategies at the school.*

#### **45. School Transport Plan**

That the following inclusions and modifications be made to the School Transport Plan:

- a) TfNSW's management of the School Crossing Supervisor Program shall be noted in the Plan.
- b) A requirement that a mandatory school crossing supervisor to support the large number of unaccompanied school children using the crossing be included in the Plan.
- c) That the school crossing supervisor be included as a member of the internal working group proposed in the Preliminary School Transport Plan.

*Reason: To ensure the appropriate provision for the School Crossing Supervisor is made in the STP.*

#### **46. Provision of Works as Executed Drawings**

Within three months of the occupation of the site, works as executed drawings for all internal water, sewer, stormwater and trade waste installations be shall be provided to Council for its records.

*Reason: To ensure that Council has permanent records of internal services for the future reference of trade and other professionals.*

#### **47. Relocation of Rotunda and Bush Balladeers Memorial**

That the Rotunda and Bush Balladeers Stone Memorial be relocated to Frogs Hollow Reserve at no cost to Council.

*Reason: To ensure that the Rotunda and Balladeers Memorial that are displaced by the schools construction are relocated within the village at no cost to the community.*

### **Conditions Applying to the Ongoing Operation of the School**

#### **48. Maintain Car Parking Areas and Driveway Seals**

All sealed car parking areas, loading bays, maneuvering areas and driveways must be maintained in a trafficable condition, including pavement line marking

*Reason: To ensure car park areas are useable.*

#### **49. Vehicle and Goods Storage Confined to the Site**

All loading and unloading activities in connection with the development must be carried out wholly within the site and all goods and vehicles associated with the development must be accommodated wholly within the site.

*Reason: To ensure free flow of vehicular and pedestrian traffic on the road and the verge.*

#### **50. Car Parking Spaces to be Kept Free at all Times**

All car parking spaces, loading and unloading areas, vehicle maneuvering and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times. The operator of the development must ensure that all vehicles associated with the development are parked within the site in the approved car parking area as line marked.

*Reason: To ensure such areas are available for occupants and visitors of the site and parking on site is used for the development.*

#### **51. Waste Collection Hours**

Waste collection shall be limited to between 6:00am to 7:30am and 4.00pm to 7.00pm Monday to Saturday.

*Reason: To ensure that waste collections are carried out at times when they do not create a noise nuisance to neighbours or a danger to students.*

# **QUEANBEYAN-PALERANG REGIONAL COUNCIL**

## **Council Meeting Attachment**

**21 DECEMBER 2022**

- |              |   |
|--------------|---|
| ITEM 9.2     | MODIFICATION APPLICATION DA.2020.1351.A - QPRC<br>REGIONAL SPORTS COMPLEX, 210 ENVIRONA DRIVE,<br>ENVIRONA  |
| ATTACHMENT 1 | DA.2020.1351.A - SEC 4.55 MATTERS FOR CONSIDERATION -<br>MODIFICATION APPLICATION - AMENDMENTS TO<br>AMENTIES BUILDINGS - REGIONAL SPORTS COMPLEX<br>- 210 ENVIRONA DRIVE, ENVIRONA |



## DELEGATED REPORT - DA.2020.1351.A

### SUMMARY

<b>Proposal:</b>	QPRC Regional Sports Complex - Construct Recreation Facilities (Indoor and Outdoor) and landscaping; Modification: amend floor plans and roof height of minor and major pavilions
<b>Address:</b>	210 Envirova Drive Envirova NSW 2620
<b>Property description:</b>	Lot 1 DP 1282459
<b>Applicant:</b>	Queanbeyan-Palerang Regional Council
<b>Owner:</b>	Queanbeyan-Palerang Regional Council
<b>Date of lodgement:</b>	15/09/2022
<b>Notification period:</b>	Not required
<b>Submissions received:</b>	Nil
<b>Assessment officer:</b>	Jacinta Tonner
<b>Zoning:</b>	Queanbeyan Local Environmental Plan (West Jerrabomberra) 2013 Zone IN2 - Light Industrial Zone RU2 - Rural Landscape Zone C2 – Environmental Conservation  Queanbeyan Palerang Regional LEP 2022 Zone IN2 -Light Industrial Zone RU2 - Rural Landscape Zone C2 – Environmental Conservation
<b>Heritage:</b>	I279 Stone-faced brick building - Local Significance
<b>Flood affected:</b>	<b>Not applicable</b>
<b>Bushfire prone:</b>	<b>Bushfire Prone</b>
<b>Recommendation of officer:</b>	<b>Approved</b>

### EXECUTIVE SUMMARY

Development Consent DA.2020.1351 for the Construction of Recreation Facilities (Indoor and Outdoor) has been modified by DA.2020.1351.A to amend the floor plans and increase the height of the minor and major pavilions on the subject land. The modification involves minimal environmental impact and is substantially the same development as the approved DA. Notification

of the application was not required. As there are no principal issues the application is recommended for approval.

## BACKGROUND

DA.2020.1351 for the Construction of Recreation Facilities (Indoor and Outdoor) was identified as regionally significant development and approved by the Southern Regional Planning Panel on 30 May 2022.

The development included construction of:

- a basketball stadium;
- a major sports pavilion;
- two minor sports pavilions; and
- reconstruction of the Stone amenities building to a shelter.

Associated works to that development were determined under a Review of Environmental Factors (REF) under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&AA). These include:

- Bulk earthworks across the site; (completed)
- Construction of playing fields and associated amenities; (under construction)
- Road works and car parking; and
- Landscaping and Creek revegetation.

## DESCRIPTION OF THE SITE AND LOCALITY

The subject property is known as 210 Enviroana Drive, Enviroana and legally described as Lot 1 DP1282459. The site was the former Tralee Speedway. Access to the site is provided by Enviroana Drive. A heritage item is located on the site (1279 Stone-faced brick building) and is of Local significance.

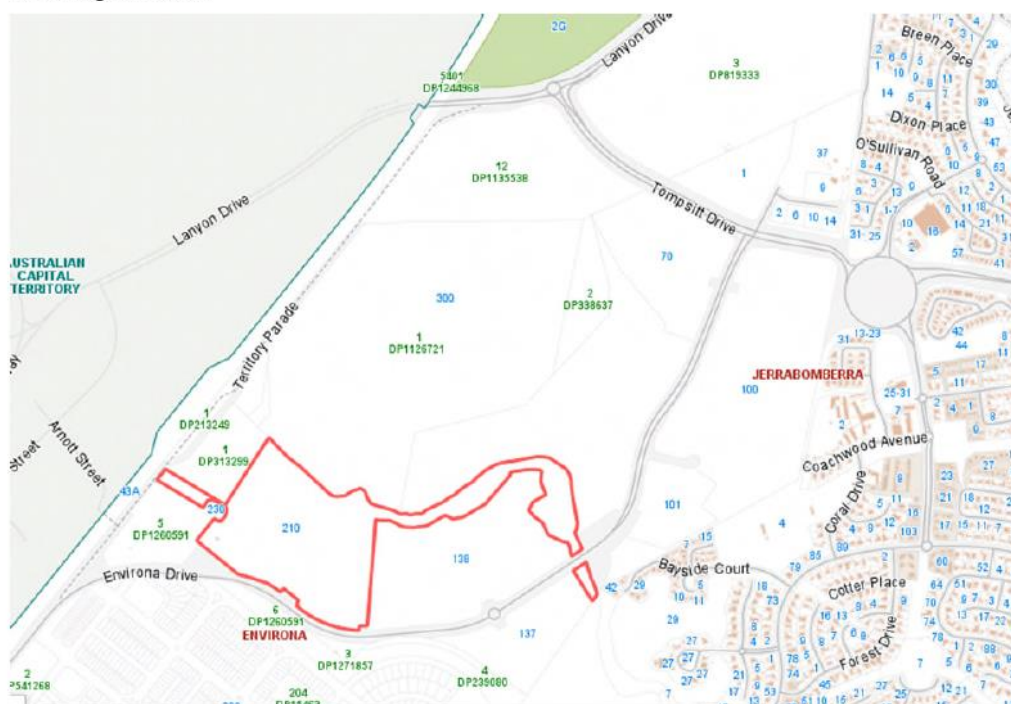


Figure 1: Locality plan

## PROPERTY BURDENS AND CONSTRAINTS

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

## DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks Council approval for modification of DA.2020.1351 to Construct Recreation Facilities (Indoor and Outdoor) and landscaping. It includes amended floor plans and an increase to the roof height of the minor pavilion and major pavilions.

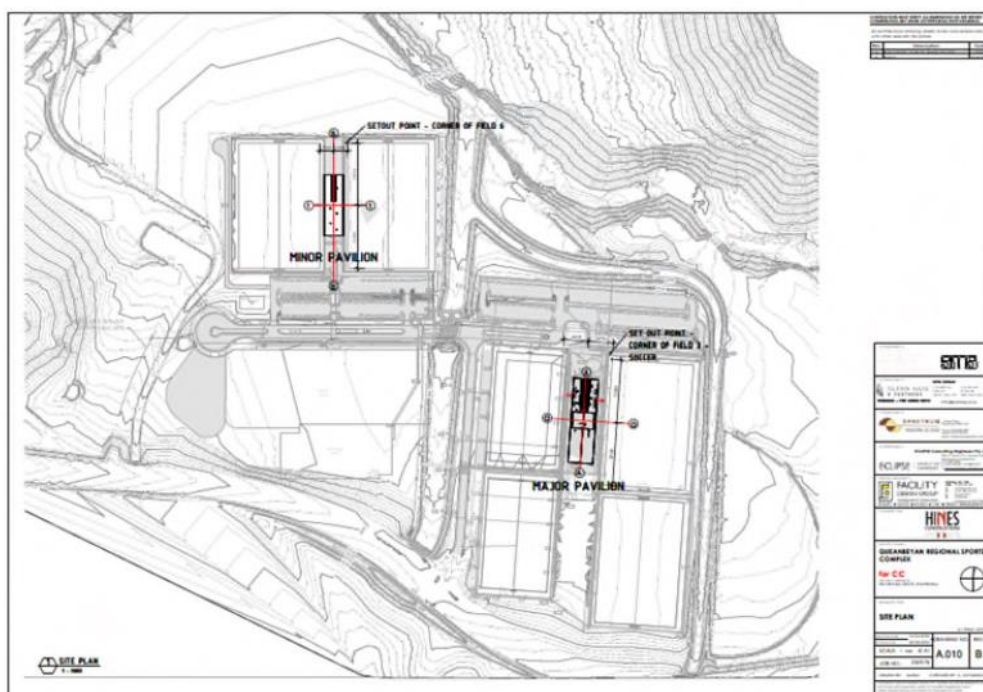
The specific elements of the proposal are:

### Minor pavilion

- Increase height of buildings by 0.9m to 4.66m
- Amend floor plan (no change in area)
- Change roof pitch from 2° to 10°

### Major pavilion

- Increase height of building from 6.650m to 7.775m
- Amend floorplan (reduction in floor area from 1185m<sup>2</sup> to 1036.36m<sup>2</sup>)
- Change roof pitch from 2° to 10°



The change to the roof pitch and height improve the aesthetic appearance of the buildings and functionality. The change to the internal floor plans are required to meet Disability Discrimination Act.

## REFERRALS

### INTERNAL REFERRALS

No objections have been raised to the modified application from the Development Engineers or the Building Surveyors. The conditions relating to Development Consent DA.2020.1351 apply to the modified application.

## SECTION 4.55 CONSIDERATIONS – EP&A Act, 1979



#### Section 4.55(1A) modification of consent—minimal environmental impact

Under Section 4.55(1A) the modification application will have minimal environmental impact with no impact on adjoining properties in relation to height, loss of privacy, overshadowing, noise, or other emissions.

Legislative provisions	Comment				
(a) it is satisfied that the proposed modification is of minimal environmental impact.	The proposed modification is of minimal environmental impact				
(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).	Council is satisfied that the development to which the consent as modified relates is substantially the same development.				
(c) it has notified the application in accordance with—  (i) the regulations, if the regulations so require, or  (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent.	<p>The proposed modification is not required to be notified in accordance with the Community Engagement and Participation plan, the EP&amp;A Regulations and the EP&amp;A Act.</p> <p><b>EP&amp;A Regs</b> CI 105 of the Regs - N/A as not determined by the Court. CI 106 Regs N/A as original application was not for 1(a),(b) or (c) CI 107 Reg - N/A as it is not a S4.55(2) and not subject to S4.56(1)</p> <p><b>EP&amp;A Act</b> S4.55 (1A) (c) - The Regs do not require notification of the modification, The Community Engagement and Participation plan does not require the modification to be notified -</p> <table><tr><td>Modifications Under 4.55(1A)</td><td>NO</td><td>NO</td><td>NO</td></tr></table>	Modifications Under 4.55(1A)	NO	NO	NO
Modifications Under 4.55(1A)	NO	NO	NO		
(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.	No submissions have been made.				
In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.	See assessment below				

## SECTION 4.15 CONSIDERATIONS – EP&A Act, 1979

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 4.15 of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

	YES	NO	N/A
<b>Construction:</b>			
Is the development likely to comply with BCA?	√		
<b>Stormwater:</b>			
Can stormwater be satisfactorily disposed of?	√		
Is an easement required?			
<b>Utilities:</b>			
Does the development impact on sewer/drainage services or easements?		√	
<b>Demolition:</b>			
Does the development comply with AS2601-1991?			√
<b>Disability Access:</b>			
Can compliance be achieved with the Disability (Access to Premises – Building Standards 2010)?	√		

<b>The provisions of any environmental planning instrument (SEPP):</b>			
State Environmental Planning Policy (Planning Systems) 2021			
State Environmental Planning Policy (Resilience and Hazards) 2021			
State Environmental Planning Policy (Transport and Infrastructure) 2021			
	YES	NO	N/A
Is the development consistent with the aims and objectives of the SEPP	√		
Is the development consistent with the requirements of the SEPP	√		
Are relevant clauses satisfied? Elaborate where necessary	√		

<b>Queanbeyan Local Environmental Plan (West Jerrabomberra) 2013 (LEP)</b>				
Is the development permissible in the Zone?		√		
Is the development consistent with the aims and objectives of the zone?		√		
Are relevant clauses satisfied? Elaborate where necessary		√		
The relevant development standard is <b>Clause 4.3 – Height of building</b> .				
Cl.	Standard	Controls	Existing approved height	Proposed modification
4.3	Height of building	12m	Major Pavilion – 4.85m Minor Pavilion – 3.8m	Major Pavilion – 7.775m Minor Pavilion – 4.66m
<b>Will the proposed development have a detrimental effect on:</b>				
The views to and from potentially affected land			√	
The overshadowing of potentially affected land			√	
The privacy of potentially affected land			√	
The likelihood of land being detrimentally affected by noise			√	
Drainage and stability of and onto, adjoining lands			√	
Will the development detrimentally affect neighbouring land			√	
Will the development effect light & ventilation to any adjacent window			√	
Any other detrimental effects			√	
<b>Provisions of any Draft Environmental Planning Instruments (LEPS):</b>				
Draft Queanbeyan-Palerang Regional Local Environmental Plan 2022 (at the time the application was lodged)				
Will the proposal satisfy the Draft EPIs?		√		
<b>Provisions of Development Control Plan</b>				
South Jerrabomberra Development Control Plan 2015 (SJDCP)				
Queanbeyan Development Control Plan 2012 (QDCP)				
Does the development satisfy the DCP's		√		
Are there any variations to the DCP? Elaborate when necessary.			√	



Is notification required under the provisions of Community Engagement and Participation Plan? The modification is not required to be notified under the Community Engagement and Participation plan, the EP&A Regulations and the EP&A Act.		√	
Have any submissions been received? If Yes, elaborate			√
<b>Impact of the development on the Environment</b>			
<b>Context &amp; Setting</b>			
Is the impact on the character of the Locality/Streetscape satisfactory?	√		
Is the Scale, Form, Character, Density and Design satisfactory?	√		
<b>Access</b>			
Is vehicle access satisfactory? Refer to any engineering requirements below	√		
<b>Public Domain</b>			
Is the effect on Recreational Opportunities satisfactory?	√		
<b>Utilities</b>			
Are utility services available (water, sewer, electricity, etc)?	√		
<b>Heritage</b>			
Is the site affected by a Heritage item or Conservation Area?	√		
If Yes, has it been referred to Council's Heritage Advisor/Committee?			√
Is a Heritage Impact Statement required?		√	
<b>Soils/Stability</b>			
Will the development effect stability of the land or adjoining land?		√	
Will there be any cut and fill works?		√	
<b>Tree Removal</b>			
Will any trees be removed?		√	
<b>Waste</b>			
Are the provisions for waste control adequate?	√		
<b>Hazards</b>			
Are there risks from Natural hazards - Bushfires, and Flooding? If Yes, elaborate. The modification does not change the original assessment of bushfire or flooding related matters.			√
Are there risks from Hazards - Industry, Contamination? If Yes, elaborate		√	
<b>Social/Economic Impact</b>			
Will there be any Social Benefits?	√		
Will there be any Social Costs?		√	
Will there be any Economic Benefits?	√		
Will there be any Economic Costs?		√	
<b>Design</b>			
Is the development design sensitive to the Environment/Landscape?	√		
<b>BASIX</b>			
Is a BASIX Certificate required?		√	
Have the required commitments been included on the plans?			√
<b>4.15(1) Suitability of the site</b>			
Is the proposal compatible with the locality?	√		
<b>4.15(1)(d) Any submissions made.</b>			
			√
<b>4.15(1)(e) Is the Public Interest adequately protected?</b>			
	√		

**Comments:**

The modified application to amend the floor plans and increase the height of the minor and major pavilions on Lot 1 DP 1282459 , 210 Envirova Drive, Envirova is considered to have minimal environmental impact on the subject site and on adjoining properties in relation to height, loss of privacy, overshadowing, noise or other emissions. The reconstruction of the amenities building (nominated as the heritage item) is not impacted by the proposed development.

**CONCLUSION**

Development Consent DA.2020.1351 for the Construction of Recreation Facilities (Indoor and Outdoor) has been modified by DA.2020.1351.A to amend the floor plans and increase the height of the minor and major pavilions on Lot 1 DP 1282459 , 210 Envirova Drive, Envirova.

The modified application has been assessed under 4.55 (1A) and 4.15 of Environmental Planning & Assessment Act 1979 including the relevant provisions of Queanbeyan Local Environmental Plan (West Jerrabomberra) 2013, the Queanbeyan-Palerang Regional Local Environmental Plan 2022, South Jerrabomberra Development Control Plan 2015 and Queanbeyan Development Control Plan 2012.

The modified application involves minimal environmental impact and is substantially the same development. It does not increase the overall footprint of the buildings and the increase in height is well below the maximum 12m height limit.

The modified application is considered suitable for the site, is compatible with the neighbourhood and can be conditioned to mitigate any potential impacts.

#### **CONDITIONS OF CONSENT**

The original conditions of consent remain applicable subject to the plan references in Schedule 1 of the conditions being amended to reflect the modified plans.

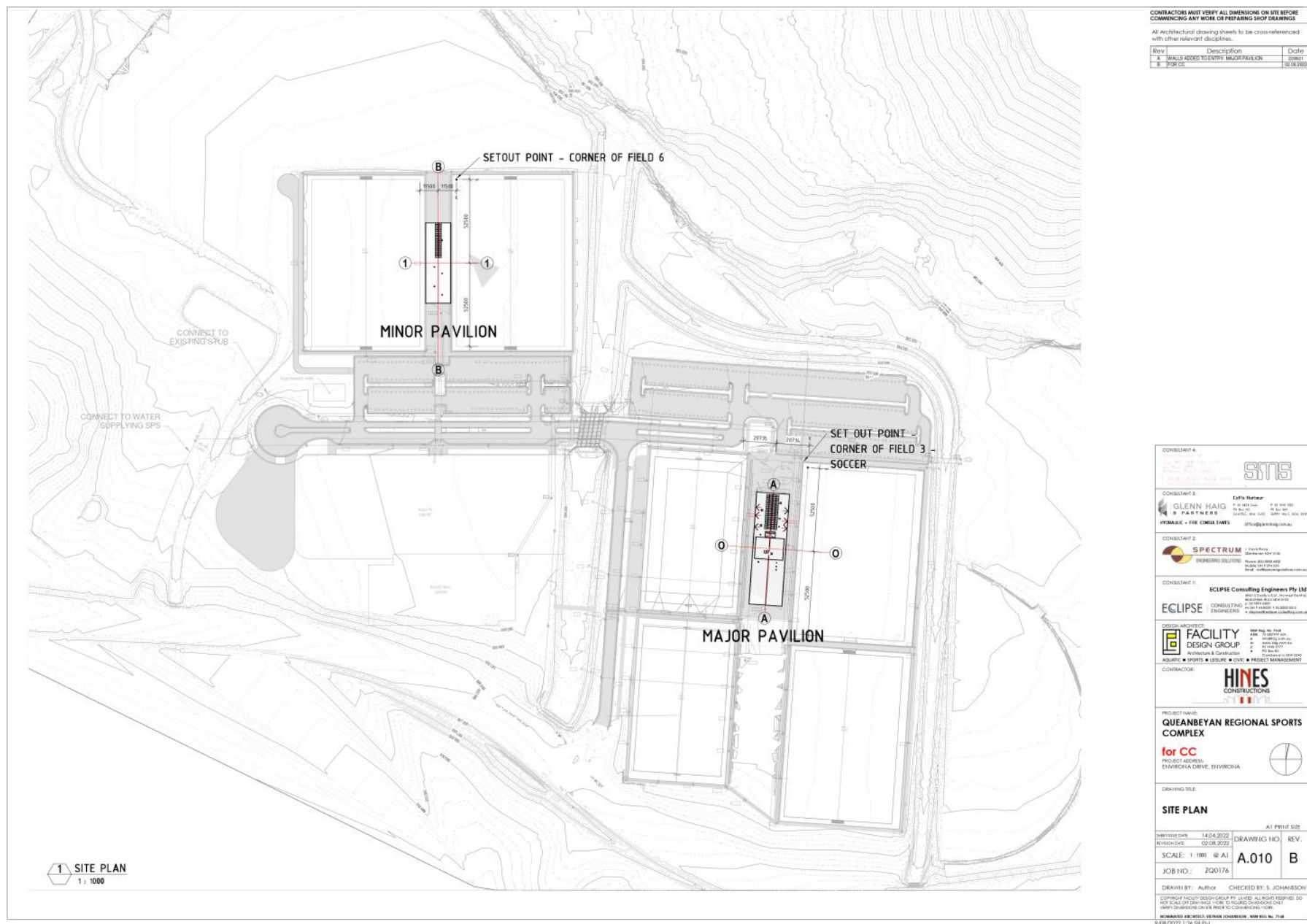
# **QUEANBEYAN-PALERANG REGIONAL COUNCIL**

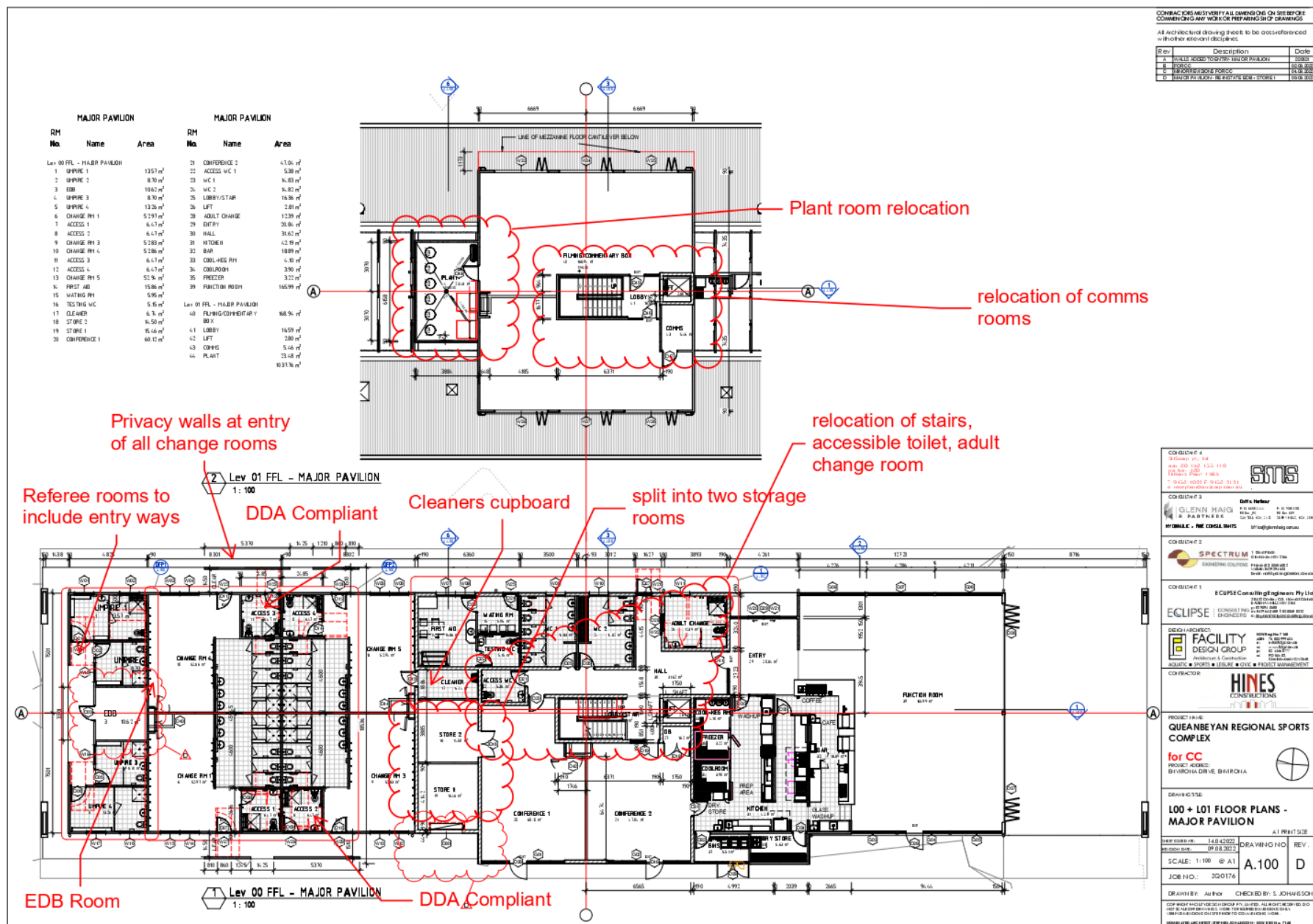
## **Council Meeting Attachment**

**21 DECEMBER 2022**

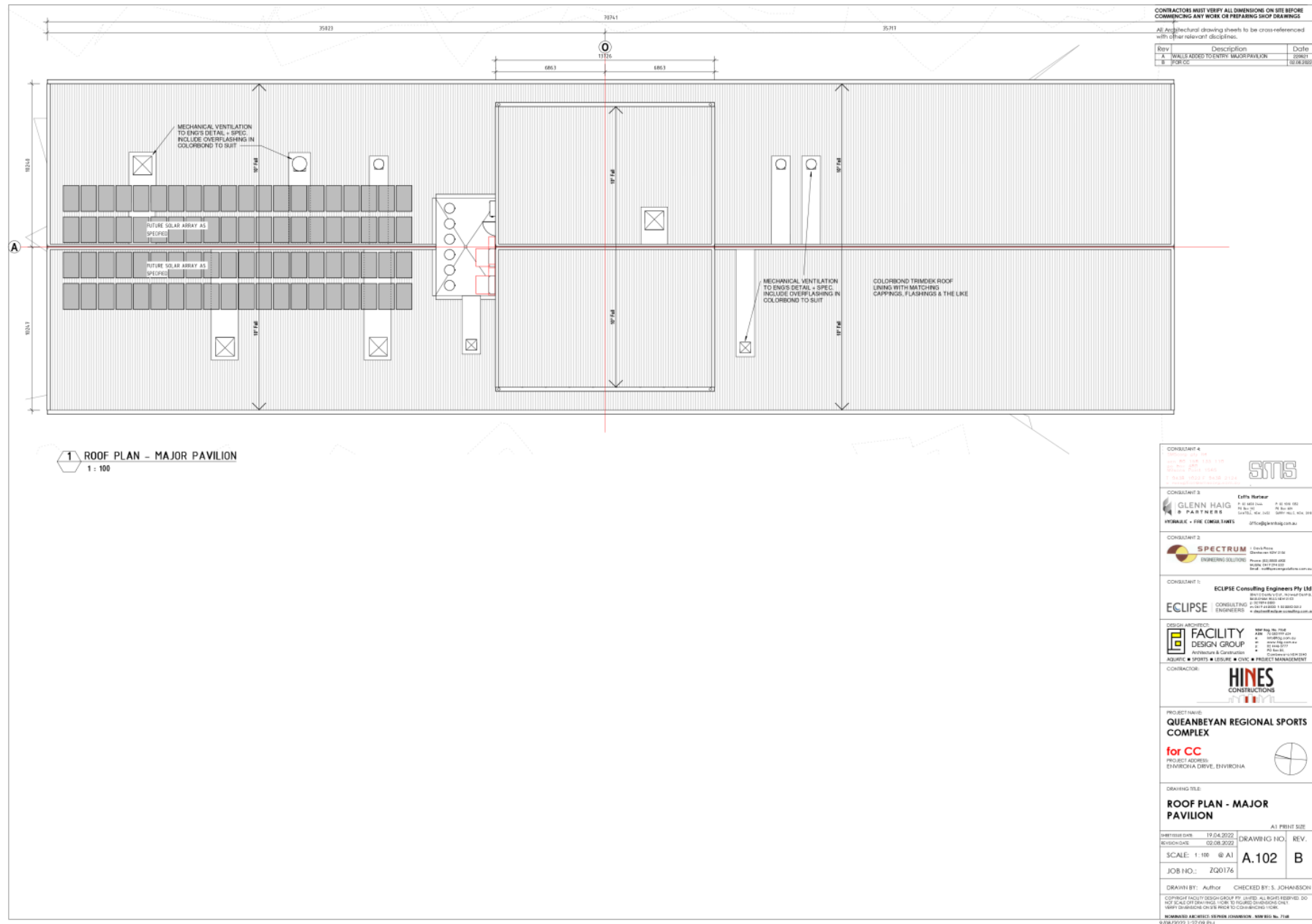
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| ITEM 9.2     | MODIFICATION APPLICATION DA.2020.1351.A - QPRC<br>REGIONAL SPORTS COMPLEX, 210 ENVIRONA DRIVE,<br>ENVIRONA  |
| ATTACHMENT 2 | DA.2020.1351.A - PLANS - MODIFICATION APPLICATION -<br>AMENDMENTS TO AMENTIES BUILDINGS - REGIONAL<br>SPORTS COMPLEX - 210 ENVIRONA DRIVE, ENVIRONA |

9.2 Modification Application DA.2020.1351.A - QPRC Regional Sports Complex, 210 Envirova Drive, Envirova  
Attachment 2 - DA.2020.1351.A - Plans - Modification Application - Amendments to Amenties Buildings - Regional Sports Complex - 210 Envirova Drive, Envirova (Continued)

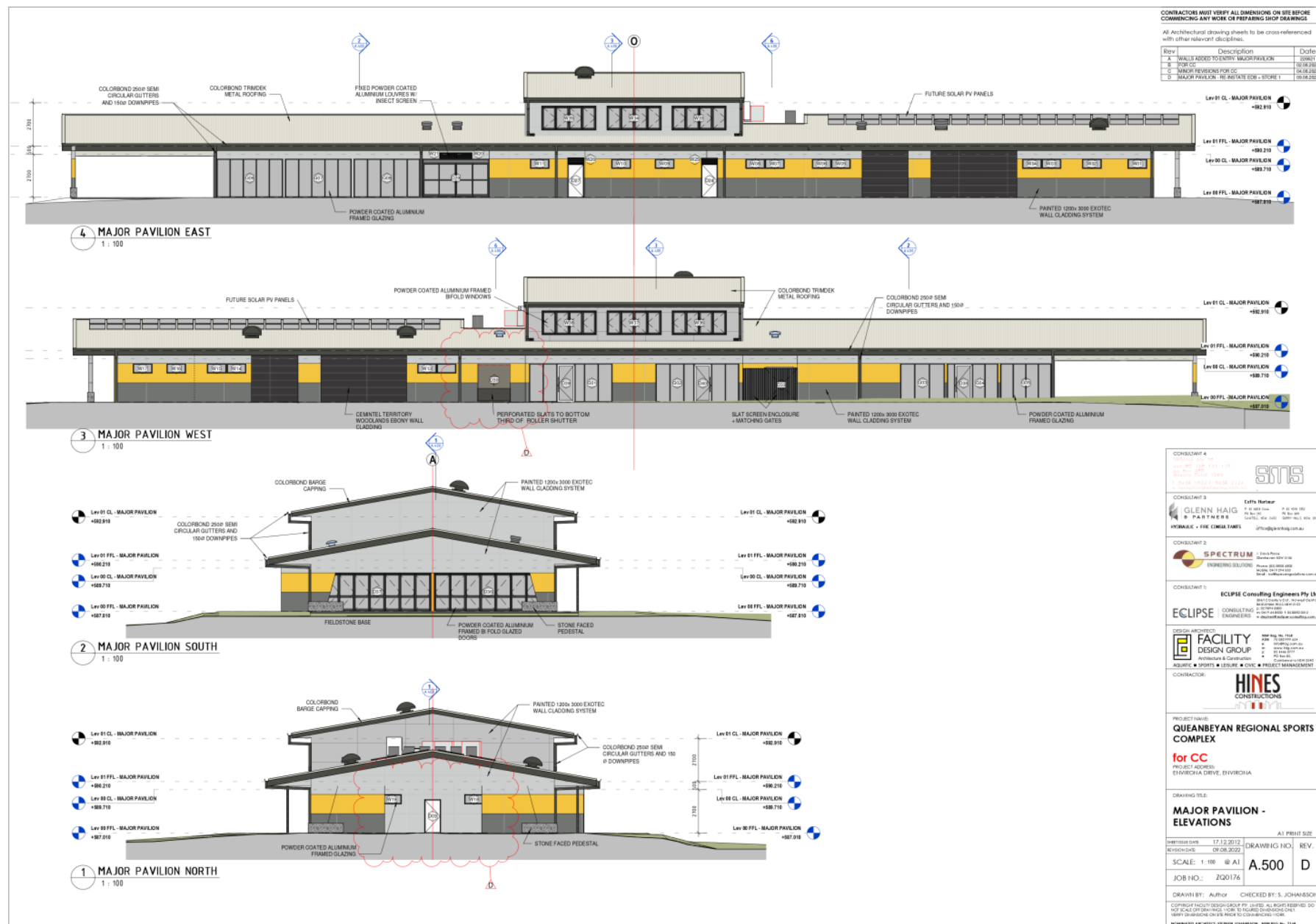




9.2 Modification Application DA.2020.1351.A - QPRC Regional Sports Complex, 210 Envirova Drive, Envirova  
Attachment 2 - DA.2020.1351.A - Plans - Modification Application - Amendments to Amenties Buildings - Regional Sports Complex - 210 Envirova Drive, Envirova (Continued)

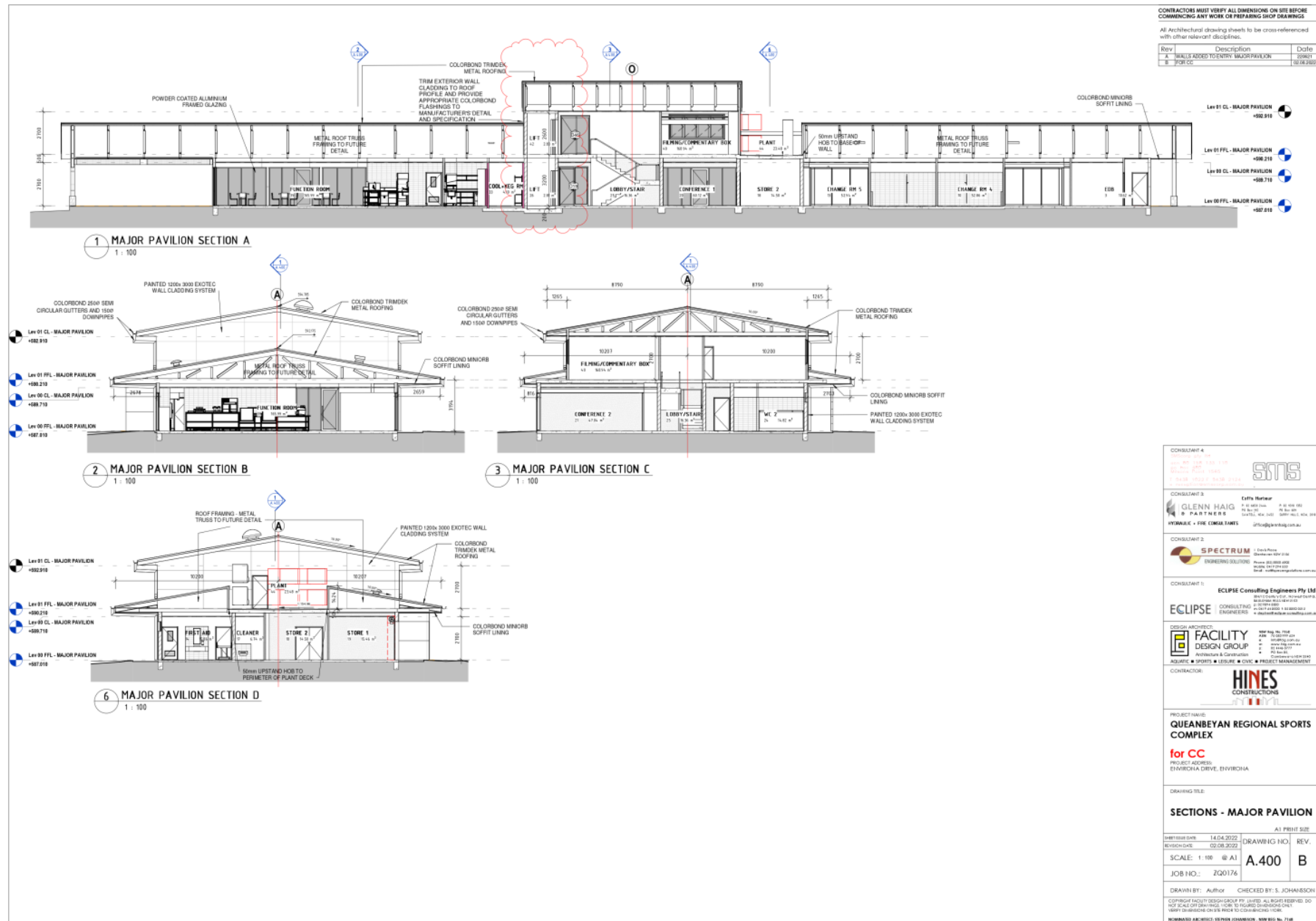


Attachment 2 - DA.2020.1351.A - Plans - Modification Application - Amendments to Amenties Buildings - Regional Sports Complex - 210 Environa Drive, Environa (Continued)



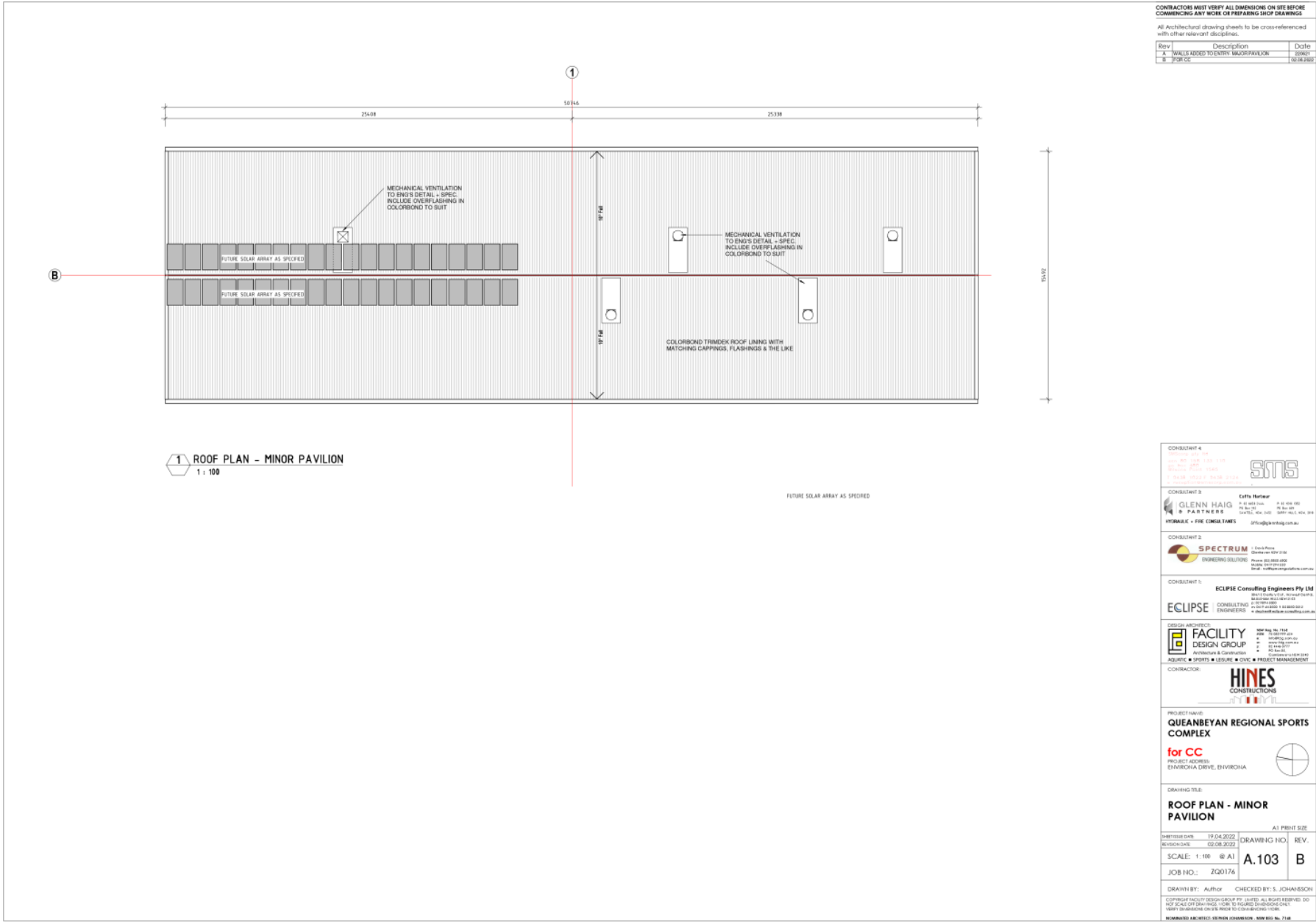


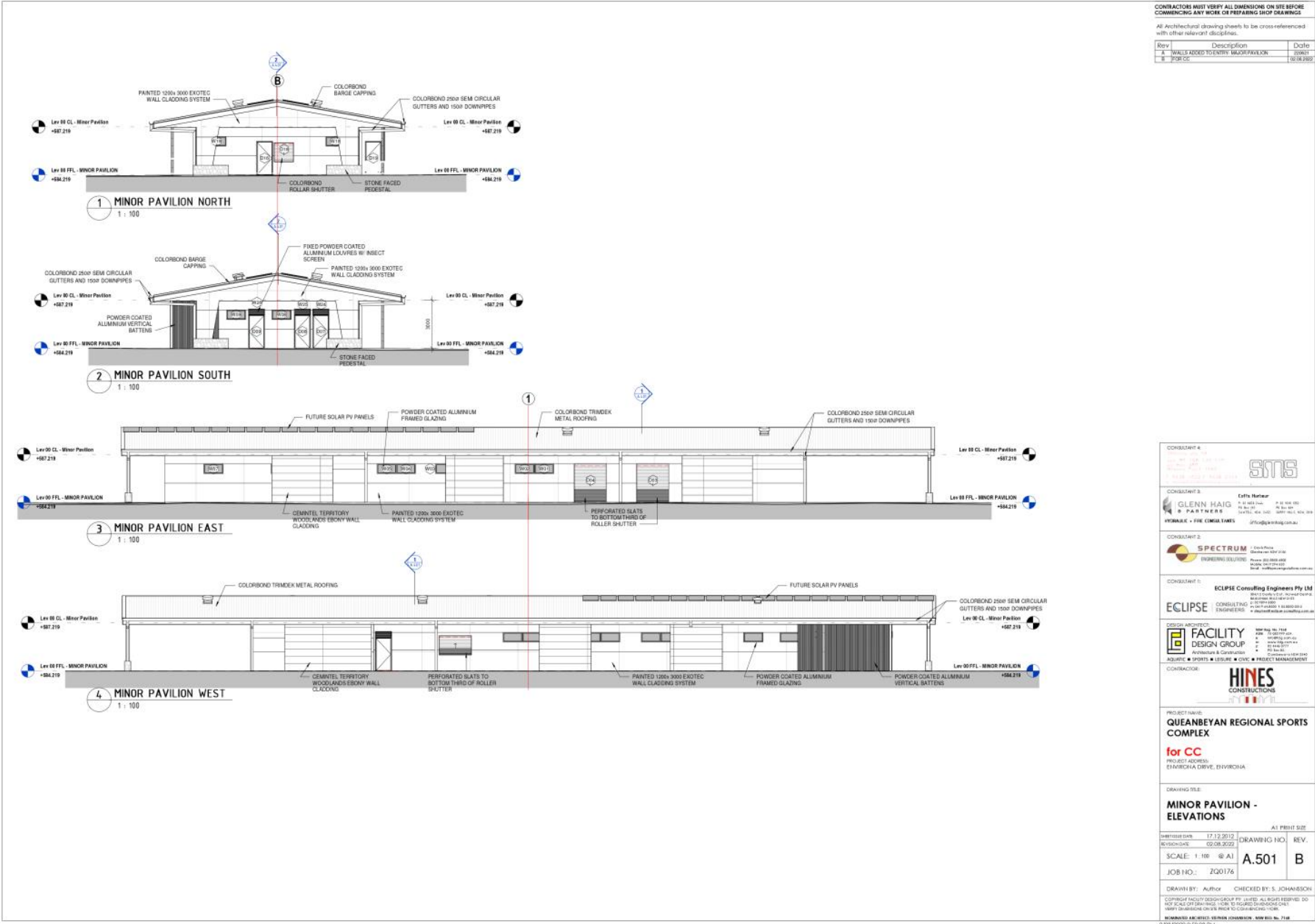
9.2 Modification Application DA.2020.1351.A - QPRC Regional Sports Complex, 210 Envirova Drive, Envirova  
Attachment 2 - DA.2020.1351.A - Plans - Modification Application - Amendments to Amenties Buildings - Regional Sports Complex - 210 Envirova Drive, Envirova (Continued)











**1 MINOR PAVILION SECTION A**  
1 : 100

**2 MINOR PAVILION SECTION B**  
1 : 100

# **QUEANBEYAN-PALERANG REGIONAL COUNCIL**

## **Council Meeting Attachment**

**21 DECEMBER 2022**

ITEM 9.3                      DETERMINATION OF APPLICATIONS FOR THE LOCAL  
HERITAGE PLACES GRANTS 2022-23

ATTACHMENT 1      LOCAL HERITAGE PLACES GRANTS 2022-23 -  
APPLICATIONS FORM



### Queanbeyan-Palerang Regional Council Local Heritage Places Grant Application Form

(please refer to the application guidelines before completing this application)

#### Applicant Details

Contact Name/s: .....

Company Name: (if applicable) .....

Postal Address: .....

Phone: ..... (H/W) Mobile: .....

Email: .....

ABN registered name: (if applicable) .....

ABN: (if applicable) .....

GST registered? ☐ Yes ☐ No

I agree to Council using the photographs of my property to promote Heritage in the local area  
☐ Yes ☐ No

#### Project Address

No: ..... Street: .....

Suburb: .....

#### Property Ownership (Only complete if applicant is NOT the owner of the heritage item)

Owner's name: .....

Contact details: .....

Signature: .....

Date: .....

**OFFICES**  
144 Wallace St, Braidwood  
10 Mojara St, Bungendore  
256 Crawford St, Queanbeyan

**POSTAL**  
PO Box 90, Queanbeyan NSW 2620

**PHONE**  
P: 1300 735 025

**EMAIL/WEB**  
W: [www.qprc.nsw.gov.au](http://www.qprc.nsw.gov.au)  
E: [council@qprc.nsw.gov.au](mailto:council@qprc.nsw.gov.au)

ABN 95 933 070 982

Project Proposal (Briefly describe the proposed project)
<p><b>Project scope of works:</b></p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p><b>Estimated cost of project:</b> \$.....</p> <p><b>Note:</b> Grant amounts will be proportionate to the overall number of applications received and will not exceed 50% of the cost of the project.</p> <p><b>Funding equity and cost effectiveness:</b></p> <ul style="list-style-type: none"><li>Will your project proceed without this funding assistance? <input type="checkbox"/> Yes <input type="checkbox"/> No</li><li>Are you receiving funding or support from other sources? If yes please name source. <input type="checkbox"/> Yes <input type="checkbox"/> No</li></ul>

Photographs and Quotes
<p><b>Photographs of your project:</b> <b>Attach</b> current photos of the property and the area of the proposed work, photos will also be required at the completion of the work</p> <p><b>Quotes:</b> Attach <b>2 written quotes</b> for the proposed work from registered businesses. If chosen to receive funding, you must use the supplier who gave the quote accepted and provide <b>paid</b> tax invoices at completion.</p>

Building History									
<p><b>History of your building:</b> <b>Attach</b> any historical information you have regarding your building</p>									
Eligibility									
<p><i>To be eligible for funding you must answer YES to at least <b>ONE</b> of the following:</i></p> <table><tbody><tr><td>Is the item in a conservation area</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr><tr><td>Is the item listed in the QLEP 2012 or PLEP 2014</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr><tr><td>Is the item listed on the State Heritage Register</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr></tbody></table>	Is the item in a conservation area	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the item listed in the QLEP 2012 or PLEP 2014	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Is the item listed on the State Heritage Register	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the item in a conservation area	<input type="checkbox"/> Yes	<input type="checkbox"/> No							
Is the item listed in the QLEP 2012 or PLEP 2014	<input type="checkbox"/> Yes	<input type="checkbox"/> No							
Is the item listed on the State Heritage Register	<input type="checkbox"/> Yes	<input type="checkbox"/> No							

To be eligible for funding you must answer YES to **ALL** of the following:

I will complete and claim my project funding by 21 April 2023 ☐ Yes ☐ No

I acknowledge that I may be required to obtain Council development approval for these works (separate to funding offer) and that the work is subject to the advice of Council's Heritage Advisor

☐ Yes ☐ No

I agree to provide Council with **paid** invoices and **images of completed works** upon finalisation of work/s to receive reimbursement of the grant.

☐ Yes ☐ No

### Funding Priorities

Queanbeyan-Palerang Regional Council's funding priorities are for projects that:

- require urgent maintenance
- form part of the heritage precinct
- are for items with public access and visibility
- are required for upgrades to comply with the Building Code Australia. (Refer to the guidelines)

Describe how your project will achieve one or more of these funding priorities

a) Urgent maintenance works to avert management risks e.g. severe deterioration

b) Part of a heritage group or precinct

c) An item with public access and visibility

d) Upgrades to meet Building Code Australia compliance

### Common Selection Criteria for All Projects (Please answer **ALL** the criteria)

I have received Council funding support for this item in the last 5 years ☐ Yes ☐ No

#### Sustainable long-term heritage benefits.

- Describe how your project contributes to the sustainable management of the heritage item. (Attach a copy of your management/maintenance/sustainability plan)



**Public benefit and enjoyment.**

- Describe how your project will increase opportunities for learning, access, enjoyment and encourages positive community attitudes.

**Innovation and leadership.**

- Describe how your project will lead to a positive change in community attitudes and actions towards heritage.

**Capacity and commitment to undertake the project.**

- Do you have the time and project and management skills to successfully undertake this project? ☐ Yes ☐ No
- Will your project be **completed** within the funding time frame and be **fully claimed** by **21 April 2023** ☐ Yes ☐ No

**Application Closing Date**

Applications must be received by close of business **Friday 14 October 2022.**

**Declaration**

I/We the undersigned, being the applicant/s nominated in this application, apply for a Local Heritage Fund grant to carry out works described above on the land specified earlier in this application.

I confirm that all the information provided in this project application is true and correct to the best of my knowledge ☐ Yes ☐ No

I have completed ALL questions on this project application ☐ Yes ☐ No

I have attached ALL requested documentation ☐ Yes ☐ No

Signature: .....

Date: .....

**Submitting Your Application**

Application forms and accompanying information should be submitted via:

Email: [landuseadmin@qprc.nsw.gov.au](mailto:landuseadmin@qprc.nsw.gov.au) (subject line *Local Heritage Places Grant*)  
or

Post: Local Heritage Places Grants, PO Box 90, Queanbeyan NSW 2620

If you require any further information, please contact Council's Land-Use Planning Section on 6285 6276

# **QUEANBEYAN-PALERANG REGIONAL COUNCIL**

## **Council Meeting Attachment**

**21 DECEMBER 2022**

ITEM 9.3                      DETERMINATION OF APPLICATIONS FOR THE LOCAL  
HERITAGE PLACES GRANTS 2022-23

ATTACHMENT 2    LOCAL HERITAGE PLACES GRANTS 2022-23 - GUIDELINES



<b>Queanbeyan-Palerang Regional Council</b> <b>Local Heritage Places Grant – Guidelines 2022/23</b>	
<b>Aim of the funding:</b>	<p>The aim of the fund is to encourage as much positive work on heritage items as possible. It is hoped this will create greater interest and concern for the conservation of historic buildings within Queanbeyan-Palerang Regional Council's LGA.</p> <p>Funding is available for:</p> <ul style="list-style-type: none"> <li>• Conservation works and/or maintenance works</li> <li>• Reinstatement of missing items on heritage buildings</li> <li>• Work to meet Building Code Australia upgrades</li> <li>• Items identified in the Heritage Schedule of the <i>Queanbeyan Local Environmental Plan 2012 (QLEP 2012)</i> or <i>Palerang Local Environmental Plan 2014 (PLEP2014)</i></li> <li>• Items within a Heritage Conservation area</li> <li>• Other heritage items supported by the QPRC heritage advisor.</li> </ul>
<b>Examples:</b>	<p>Eligible projects are those which involve the repair, maintenance, or reinstatement of items. These projects can include fences, verandahs, windows, roof cladding, decorative detail, replacement of structural work or painting of properties to enhance the heritage character.</p>
<b>Funding amounts:</b>	<p>Grants of varying amounts will be available on a dollar for dollar basis with the maximum amounts to be determined by the number of applications received. <i>(e.g. If your project receives a \$1,000 grant from Council your minimum contribution must be \$1,000).</i></p> <p>There will clearly be cases where applicants will be required to contribute more dollars to the project than offered by Council and the size of the individual grants available will often depend upon the number of annual applications received and supported.</p> <p>Typically, Local Heritage Places Grants are relatively small – in the region of \$1,000 - \$3,000.</p>
<b>Closing date:</b>	Applications close midnight <b>Friday October 14, 2022.</b>
<b>Timing of grants:</b>	<p>Grants are advertised each financial year. All projects must be completed, and supporting documentation supplied to Council by <b>21 April 2023.</b></p> <p>Work <b>CAN NOT</b> commence prior to written approval being given.</p>
<b>Who can apply?</b>	<p>All owners and/or managers of heritage items which are listed on Schedule 5 of the <i>QLEP 2012</i> or <i>PLEP 2014</i> or within a Heritage Conservation Area or within the State listed area of Braidwood. (However, you are not able to apply for funding if you are a State government agency).</p>



<b>Funding is available for:</b>	<p>Heritage items that are either:</p> <ul style="list-style-type: none"> <li>Listed in the relevant Local Environmental Plan</li> <li>Included in a conservation area</li> <li>Supported by the QPRC heritage advisor.</li> </ul>
<b>Priorities:</b>	<p>Priority is given to projects that:</p> <ul style="list-style-type: none"> <li>Require urgent maintenance works</li> <li>Form part of the heritage precinct</li> <li>Require upgrades for Building Code Australia compliance</li> <li>Have not received previous council funding in the last 5 years.</li> </ul>
<b>Projects NOT funded:</b>	<p>Funding will <i>NOT</i> be provided for:</p> <ul style="list-style-type: none"> <li>Routine maintenance e.g. carpet cleaning, gutter cleaning, etc</li> <li>Projects where assistance is available from other sources</li> <li>New commemorative monuments or works</li> <li>Purchasing a heritage building</li> <li>Relocation of a heritage building, site or movable item</li> <li>Flood lighting</li> <li>Purchasing of equipment</li> <li>New additions to a heritage building e.g. new kitchen or bathroom</li> <li>Movable railway heritage items.</li> </ul>
<b>Common selection criteria:</b>	<p>Funding is targeted to projects that are minor works and have:</p> <ul style="list-style-type: none"> <li>Sustainable long-term heritage benefits</li> <li>Public benefit and enjoyment</li> <li>Capacity and commitment to undertake the project</li> <li>Funding equity and cost effectiveness</li> <li>Urgency to remedy deterioration</li> <li>Demonstrated ability to encourage conservation of other items</li> <li>A positive contribution to the heritage character of the site and/or streetscape.</li> </ul>
<b>Before applying:</b>	<p><b>Background research</b> – demonstrate why the work proposed is appropriate from a heritage point of view.</p> <p><b>Read the application form</b> - so you know what information is required and if your project fits the criteria.</p> <p><b>Prepare a list of project tasks</b> – outline an item by item job schedule.</p> <p><b>Obtain 2 written quotes</b> – place the costs against the job scope of works.</p> <p><b>Plans and sketches</b> – depending on the size of the project you may need to include these.</p> <p><b>Photographs</b> – take “before” photographs of the item, including close-ups. Photographs will also be required of the finished works at the completion of the project. <i>(Council uses photographs of heritage properties to promote heritage in the local area. Please indicate on the application form if you agree for this to occur.)</i></p> <p><b>Complete the application form</b> and keep a copy for your records.</p>



<p><b>Submitting application:</b></p>	<p>You can email your completed application, including digital images, to: <a href="mailto:landuseadmin@qprc.nsw.gov.au">landuseadmin@qprc.nsw.gov.au</a></p> <p><b>Or</b></p> <p><b>Mail to:</b> Local Heritage Places Grants, PO Box 90, Queanbeyan NSW 2620</p>
<p><b>Processing of application and finalising project:</b></p>	<p>All projects will be assessed by a panel of the Council's Heritage personnel and recommendations will then be approved at a Council meeting. Once approved, a funding offer and agreement will be sent to all successful applicants. Projects can commence once the signed funding agreement has been received by Council.</p> <p>All projects must be completed, and funding claimed by <b>21 April 2022</b>.</p> <p>All applicants will be notified of the outcome of their application, including unsuccessful applicants.</p>
<p><b>If successful:</b></p>	<p>Your project may require Development Approval (usually a Minor Heritage Works Application) and you <b>must</b> discuss your project with Council's Heritage Advisor.</p> <p>To make an appointment with the Heritage Advisor, phone <b>6285 6276</b>.</p>