

Submissions Report

New Education Campus at 207 Barry Way,
Jindabyne

SSD-15788005- MOD – 1

On behalf of
NSW Department of Education
January 2023



Project Director

Georgia Sedgmen

Contributors

Kelly Coyne

Revision	Revision Date	Status	Authorised	
			Name	Signature
1	18/1/2023	Draft	Kelly Coyne	
2	8/2/2023	Final	Georgia Sedgmen	

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

Contact

Mecone

Suite 12048, Level 12, 179 Elizabeth Street
Sydney, New South Wales 2000

info@mecone.com.au
mecone.com.au

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1 Introduction

This Submissions Report has been prepared by Mecone NSW Pty Limited on behalf of the NSW Department of Education (DoE) to support a modification to the approved State significant development for a New Education Campus at Jindabyne (SSD-15788005- MOD 1)

The Modification Report was exhibited from 25 November 2022 to 8 December 2022. One submission was received from Snowy Monaro Regional Council, and agency advice from TfNSW was also received.

The Department of Planning and Environment (DPE) addressed a letter to DoE dated 15 December 2022 requesting a response to the submission and agency advice received during exhibition of the modification report.

This report addresses the issues in the submission and agency advice received during exhibition.

2 Analysis of submissions

2.1 Breakdown of Submissions

A total of 1 submission was received which was from Snowy Monaro Regional Council who had no objection to the proposed modification and provided comments/suggestions to the proposed amendments. The issues raised by Council relate to the external roundabout configuration alignment, proposed screening of the agricultural building, retention of native trees, and stormwater management.

No submissions were made by the public or organisations.

In addition to the submission received from Council, there was also agency advice received from TfNSW. TfNSW raised no objection to the modified application in principle, and requested that the consent authority consider and note the following:

- that Barry Way is a local road with Council being the road authority;
- that the site fronts Barry Way which has a 100km/h speed limit;
- the current determination for SSI-15788005 is limited to works within the school grounds and does not include approval for any new works to provide for access within the road reserve of Barry Way;
- provisions of appropriate and safe access arrangement for construction activity;
- reconfiguration of the roundabout intersection; and
- the timing of the provision of the road works for the school premises.

3 Actions taken since exhibition

3.1 Consultation

Table 1 provides an overview of key consultation activities carried out prior to and following lodgement of the modification application and the outcomes of each meeting.

Table 1. Consultation activities

Consultation Activity	Outcome/comment
<p>Meeting with Cardno, Depcon, Snowy Monaro Regional Council (SMRC), School Infrastructure NSW (SINSW), Colliers</p> <p>Revised Roundabout Discussion</p> <p>14 July 2022</p>	<p>Consultation with Snowy Monaro Council and other relevant stakeholders on a revised Barry Way Road Upgrade Design. Critical items discussed included the roundabout locations and the speed limit.</p>
<p>Meeting with Transport for NSW (TfNSW) & SINSW 1</p> <p>August 2022</p>	<p>Consultation relating to TfNSW concerns including but not limited to requirement for a third roundabout, safety concerns with southern roundabout and Tinworth drive turn off, as well as speed limit along Barry Way</p>
<p>Meeting with Transport for NSW (TfNSW), Cardno, Aurecon, SINSW, Colliers, Snowy Monaro Regional Council (SMRC)</p> <p>Southern Roundabout Discussion</p> <p>12 October 2022</p>	<p>Consultation with Transport NSW and other relevant stakeholders on a revised Barry Way Road Upgrade Design. Critical items included the roundabout locations and the speed limit.</p>
<p>Meeting with SINSW, Snowy Monaro Regional Council (SMRC), HY, Colliers, TBH, Northrop</p> <p>Planning & pathways, external roads & roundabouts, shared pathway & sewer.</p> <p>7 December 2022</p>	<p>Consultation with Snowy Monaro Regional Council relating to numerous design items including but not limited to roundabouts and external roads.</p>

Post exhibition engagement with Council and TfNSW will be ongoing as required to address the existing conditions of consent imposed on SSD-15788005 that covers the issues raised regarding design requirements of the external roads including access and safety.

Given no public submissions were received by any individuals or organisations and no major revisions have been made to MOD 1 SSD- 15788005 in response to the issues raised by Council or TfNSW, no further public engagement was deemed necessary.

3.2 Design Refinements

Refinements to the tree retention strategy were made following approval of the SSD application, with further refinements now proposed resulting from comments received during exhibition of the modification application.

No other design refinements have been made post exhibition.

An updated Landscape Plan (existing tree study) illustrating the trees proposed to be retained and removed is attached at **Appendix 2**.

The original approved MOD1 submission noted 109 trees to be removed and 101 trees to be retained. The latest plan notes 105 trees to be removed and 105 trees to be retained (4 additional trees to be retained at the request of the Snowy Monaro Regional Council). Further, the current landscape plan shows an additional 172 new trees to be planted as part of the project.

Table 2 describes the proposed design refinements, which relate only to tree retention.

Table 2. Design Refinements

Design refinement	Reason			
Tree Retention	Following comments in Council's submission, the proposal has been modified to retain the 4 native trees within the paddock facing Barry Way.			
	A summary of the changes comparing the approved status and modification submission design refinement is provided below.			
	Tree No.	Approved Status	Mod Status	Reason
	62	Removed	Retained	<p>Reason for removal previously: Tree 62 was identified with a high retention value. This tree was considered important and identified to be prioritised for retention and protection. However, the tree was found to be subject to high impact and proposed to be removed.</p> <p>Reason for retention at MOD1: Following assessment of the proposed modification by Ecological Australia, it was found that the proposed road has been realigned to the south of the previous location and no longer resulted in a high impact to the tree.</p>
	127	Retained	Removed	<p>Reason for retention previously: Tree 127 was identified with high retention value and subject to low impact during assessment of the SSD application.</p> <p>Reason for removal at MOD1: Following assessment of the proposed modification, it was found that impact into the TPZ/SRZ of tree due to the need for a truck turning head serving the Agriculture Plot.</p>
123	Retained	Removed	<p>Reason for retention previously: Tree 123 was assessed with a high retention value that would be subject to medium impact. Retention of T123 was identified to require further investigation and mitigation methods.</p> <p>Reason for removal at MOD1: Following assessment of the proposed modification by Ecological Australia, it was found that the tree would be subject to high impact as a result of a broader extent of road batter in this location.</p>	
122	Removed	Retained	<p>Reason for removal previously: Tree 122 was identified with high retention value and considered important and should be prioritised for retention and protection. However, this tree was found to be subject to high impact and proposed to be removed.</p> <p>Reason for retention at MOD1: Following assessment of the proposed modification, Ecological Australia</p>	

Design refinement	Reason			
				found the amendment to the carpark and extent of road batter in this location will result in low impact.
	116	Removed	Retained	<p>Reason for removal previously: Tree 116 was identified with medium retention value but subject to high impact and proposed to be removed.</p> <p>Reason for retention at MOD1: Following assessment of the proposed modification, Ecological Australian identified that the extent of road batter had changes and the low impact would allow retention of the tree.</p>
	128	Retained	Retained	<p>Reason for removal previously as part of MOD1: Tree 128 was initially proposed under this modification to be removed due to construction methodology to accommodate site entry and site accommodation.</p> <p>Reason for retention at MOD1: The construction methodology has now been amended to relocate site entry and site accommodation, thus reducing the impact to tree 128 so the tree can be retained. The details of the construction methodology are to be provided in accordance with Condition B15 of SSD-15788005 as part of the Construction Environmental Management Plan</p>
	129	Retained	Retained	<p>Reason for removal previously as part of MOD1: Tree 129 was initially proposed under this modification to be removed due to construction methodology to accommodate site entry and site accommodation.</p> <p>Reason for retention at MOD1: The construction methodology has now been amended to relocate site entry and site accommodation, thus reducing the impact to tree 129 so the tree can be retained. The details of the construction methodology are to be provided in accordance with Condition B15 of SSD-15788005 as part of the Construction Environmental Management Plan</p>
	130	Retained	Retained	<p>Reason for removal previously as part of MOD1: Tree 130 was initially proposed under this modification to be removed due to construction methodology to accommodate site entry and site accommodation.</p> <p>Reason for retention at MOD1: The construction methodology has now been amended to relocate site entry and site accommodation, thus reducing the impact to tree 130 so the tree can be retained. The details of the</p>

Design refinement	Reason		
			<p>construction methodology are to be provided in accordance with Condition B15 of SSD-15788005 development consent as part of the Construction Environmental Management Plan.</p>
131	Retained	Retained	<p>Reason for removal previously as part of MOD1: Tree 131 was initially proposed under this modification to be removed due to construction methodology to accommodate site entry and site accommodation.</p> <p>Reason for retention at MOD1: The construction methodology has now been amended to relocate site entry and site accommodation, thus reducing the impact to tree 131 so the tree can be retained. The details of the construction methodology are to be provided in accordance with Condition B15 of SSD-15788005 development consent as part of the Construction Environmental Management Plan.</p>

Refer to **Figure 1** below.

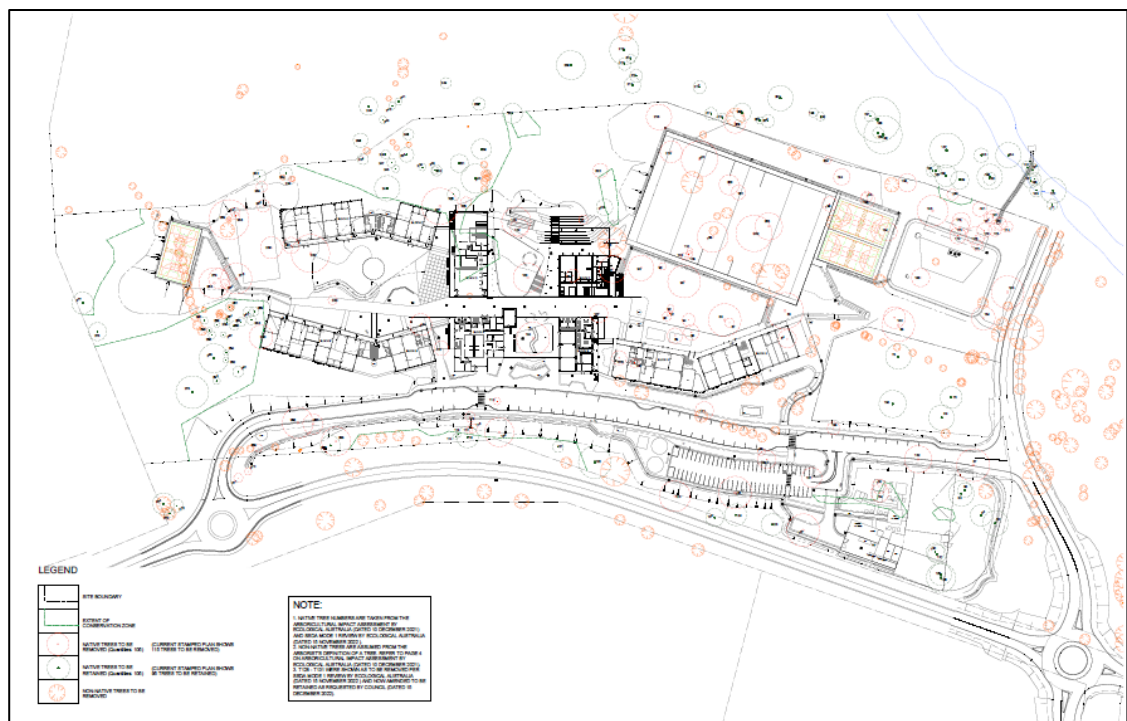


Figure 1 – Tree Study Plan

4 Response to agency advice

4.1 Response to Transport for NSW (TfNSW)

Table 3 provides a response to comments made by TfNSW in its agency advice letter dated 8 December 2022.

Table 3. Response to TfNSW

Summary of issue/comment	Response
<i>The site has frontage to Barry Way which is classed as a local road for which Snowy Monaro Regional Council is the road authority.</i>	Noted.
<i>The site is located with frontage to Barry Way within a 100 kmh speed zone.</i>	Noted.
<i>The current determination for SSI-15788005 is limited to works within the school grounds and does not include approval for any new works to provide for access within the road reserve of Barry Way</i>	Noted, this will be addressed under condition B30 imposed on SSD-15788005 development consent as approval under s138 of the Roads Act 1993 is required for the connection of the internal access road to Barry Way.
<i>The submitted documentation does not address the adequacy or safety of the proposed access arrangements between the development site and Barry Way;</i>	Noted, condition B16 imposed on SSD-15788005 consent requires a Construction Traffic and Pedestrian Management Sub- Plan to be prepared in consultation with Council and TfNSW. This will enable the adequacy and safety of the proposed access arrangements between the development site and Barry Way to be appropriately addressed. In addition, condition B30 of SSD-15788005 development consent requires approval under s138 of the Roads Act 1993 for the connection of internal access road to Barry Way.
<i>The provision of appropriate and safe access arrangements for construction activity do not appear to be addressed in the submitted documentation.</i>	Noted, condition B16 imposed on SSD-15788005 requires a Construction Traffic and Pedestrian Management Sub- Plan to be prepared in consultation with Council and TfNSW which will enable the provision for appropriate and safe access arrangements for construction activity to be appropriately addressed.
<i>The submitted plans show the minor relocation and reconstruction of the current intersection located at the southern end of the frontage to Barry Way. In principle TfNSW acknowledges that the relocation of this intersection and reconstruction of a roundabout to include Tinworth Road as a fourth leg to a roundabout would benefit the road network.</i>	Noted.
<i>The documentation refers to the proposed Northern and Southern Roundabouts on Barry Way as being the responsibility of the Snowy Mountains Special Activation Precinct. The commitment to and the timing for the provision of the road works by other parties</i>	Noted, this will be addressed under condition B30 of SSD-15788005 development consent where approval under s138 of the Roads Act 1993 for the connection of internal access road to Barry Way is required to be obtained

Summary of issue/comment	Response
<i>should be clarified for both the construction and operational activities for the school premises.</i>	from Council. This will also be addressed under Condition D16 as the road upgrade works to the intersection treatments on Barry Way and to the proposed internal road access is required to be completed to the satisfaction of Council prior to commencement of operation of the school.
<i>On the basis of the matters outlined above consideration should be given to limiting access to the development site, at least for construction activity, to the existing intersection located to the southern end of the frontage of the site to Barry Way.</i>	Noted, this will be addressed under condition B16 of SSD-15788005 where a Construction Traffic and Pedestrian Management Sub- Plan is required to be prepared in consultation with Council and TfNSW.

5 Response to Council Submission

This section provides responses to the issues raised by the Council submission. Only one submission was received by DPE. The responses to the issues raised are provided below.

Table 4. Response to public submissions

Summary of issue/comment	Response
<i>The external round-about configuration has not yet been approved by Council and as such its alignment and design may be subject to change.</i>	Noted, this will be addressed under condition B30 imposed on SSD-15788005, as approval under s138 of the Roads Act 1993 is required for the connection of internal access road to Barry Way.
<i>A condition of consent should be included to require screening of the new agricultural building where it fronts the Barry Way. The proposed screening should include native species and be shown on the final landscaping plan.</i>	The retention of the 4 native trees (T128-131) facing Barry Way will assist with keeping this area in context with the existing character. The revised location of the agricultural building is consistent with the existing rural character of the area.
<i>The native trees within the western paddock facing the Barry Way should be retained as Council can see no reasons why these would need to be removed. Fencing and use of the area would not be inhibited by the retention of existing native trees, and they provide for landscaping screening and shade for livestock.</i>	The 4 trees (T128-131) facing Barry Way are now proposed to be retained due the change in the construction methodology for the site and will provide suitable landscaping screening and shade for the livestock.

Summary of issue/comment	Response
<p><i>Council has no objections to changes to storm water management if the principles of post development flow not exceeding predevelopment flow are followed. Any design must ensure that stormwater is not directed onto neighbouring properties without appropriate easements and infrastructure in place.</i></p>	<p>The same principles for the stormwater have been applied as per the approved documentation whereby we meet the pre to post development flows and we are not discharging onto adjoining private property requiring easements or the like.</p> <p>In addition to this we have provided the pre and post development catchment plans in Appendix 3 and Appendix 4 respectively. Drawing 0603 provides a table indicating the pre and post development flows for all storm events from 20% AEP to 1% AEP highlighting reduced flows for all events.</p>

6 Updated mitigation measures

There are no updated mitigation measures required in response to Snowy Monaro Regional Councils submission or the agency advice from TfNSW.

7 Conclusion

This Submissions Report has addressed the submission received in response to the public exhibition of SSD-15788005 Mod 1. Supporting documentation accompanying the SSDA has been amended in response to the submission and agency comments.

In response to Snowy Monaro Regional Council comments, the proposal now proposes to retain the 4 native tree facing Barry Way, the retention of these tree will also address the concern raised with providing suitable screening to the agricultural building and shade for the livestock as this is consistent with the rural character of the area. The concern raised with regards to the external roundabout configuration can be adequately addressed through existing conditions of consent. In terms of stormwater management, pre and post development catchment plans have been provided that demonstrate the reduced flows for all storm events.

Following the receipt of the agency advice provided, a review of conditions of consent identified that the items raised by Transport for NSW can be appropriately addressed by existing conditions of consent. The issues raised have been considered and are currently being worked through with the consultation of both Transport for NSW and Snowy Monaro Regional Council.

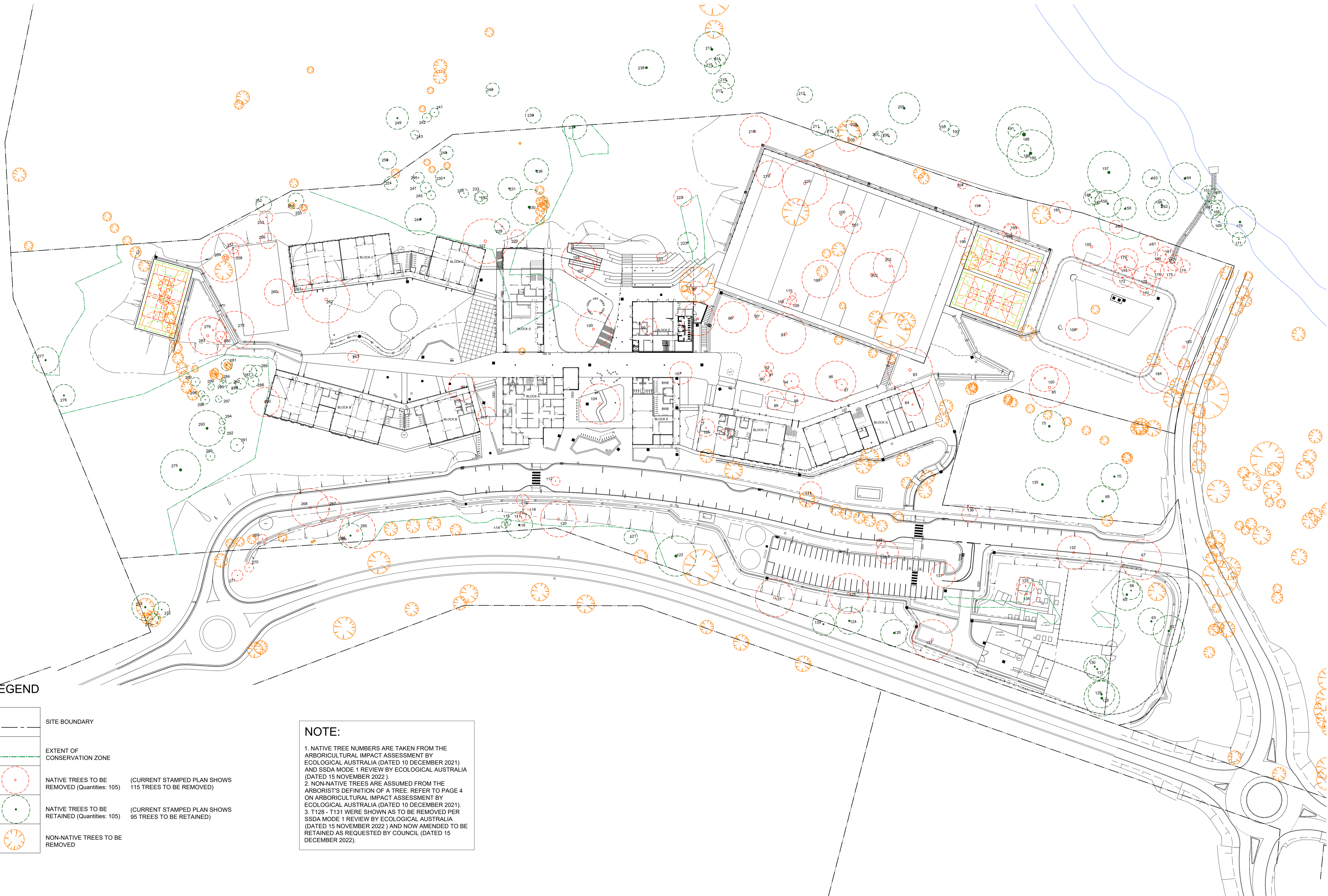
The proposal as refined will result in minimising the number of trees required for removal and improving environmental outcomes for the site.

Based on the supporting material provided in this Submissions Report in addition to the material provided in the original modification report, DPIE has now been provided with sufficient information and documentation to progress the assessment of SSD-15788005-MOD-1. We request that DPIE complete the assessment of the application and proceed to determination.

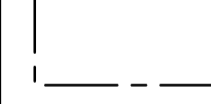




Appendix 1 – Submissions Register

Group	Name	Section where issues addressed in submissions report
Public authorities	Transport for NSW	4.1
Councils	Snowy Monaro Regional Council	5

Appendix 2 – Revised Existing Tree Study Plan



LEGEND

-  SITE BOUNDARY
-  EXTENT OF CONSERVATION ZONE
-  NATIVE TREES TO BE REMOVED (Quantities: 105) (CURRENT STAMPED PLAN SHOWS 115 TREES TO BE REMOVED)
-  NATIVE TREES TO BE RETAINED (Quantities: 105) (CURRENT STAMPED PLAN SHOWS 95 TREES TO BE RETAINED)
-  NON-NATIVE TREES TO BE REMOVED

NOTE:

1. NATIVE TREE NUMBERS ARE TAKEN FROM THE ARBORICULTURAL IMPACT ASSESSMENT BY ECOLOGICAL AUSTRALIA (DATED 10 DECEMBER 2021) AND SSDA MODE 1 REVIEW BY ECOLOGICAL AUSTRALIA (DATED 15 NOVEMBER 2022).
2. NON-NATIVE TREES ARE ASSUMED FROM THE ARBORIST'S DEFINITION OF A TREE. REFER TO PAGE 4 ON ARBORICULTURAL IMPACT ASSESSMENT BY ECOLOGICAL AUSTRALIA (DATED 10 DECEMBER 2021).
3. T128 - T131 WERE SHOWN AS TO BE REMOVED PER SSDA MODE 1 REVIEW BY ECOLOGICAL AUSTRALIA (DATED 15 NOVEMBER 2022) AND NOW AMENDED TO BE RETAINED AS REQUESTED BY COUNCIL (DATED 15 DECEMBER 2022).

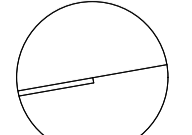
REV	BY	DATE	DESCRIPTION
A	YP	27.10.2022	FOR MOD 1 SSDA APPROVAL
B	YP	04.11.2022	FOR MOD 1 SSDA APPROVAL
C	YP	04.11.2022	FOR CROWN CERTIFICATE
D	YP	16.11.2022	FOR CROWN CERTIFICATE
E	YP	16.01.2023	FOR CROWN CERTIFICATE



DRAWING NAME
LANDSCAPE: EXISTING TREE STUDY

PROJECT
JINDABYNE EDUCATION CAMPUS
207 BARRY WAY, JINDABYNE

NORTH



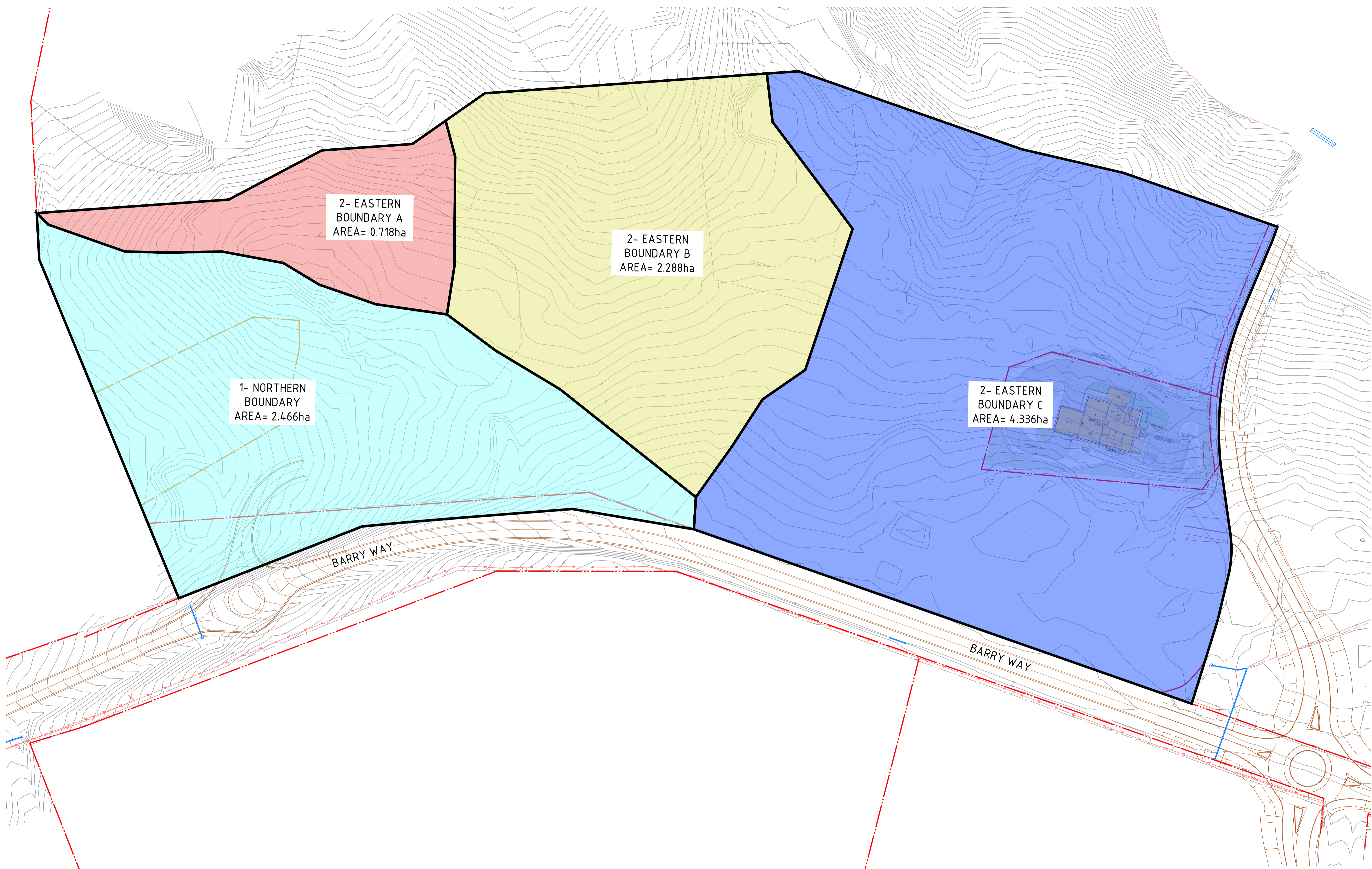
7500 15000 22500 30000 37500 75000

SCALE 1 : 750 @ A1

16 JANUARY 2023

PROJECT	DISCIPLINE	PHASE	SERIES NUMBER	REVISION
JEC - LA - SSDA - L300				E

Appendix 3 – Pre-Development Catchment Plan



2- EASTERN
BOUNDARY A
AREA= 0.718ha

2- EASTERN
BOUNDARY B
AREA= 2.288ha

1- NORTHERN
BOUNDARY
AREA= 2.466ha

2- EASTERN
BOUNDARY C
AREA= 4.336ha

BARRY WAY

BARRY WAY

FOR CONSTRUCTION

AMENDMENTS			
REV	BY	DATE	DESCRIPTION
A	UM	01.12.22	ISSUED FOR CONSTRUCTION CERTIFICATE 2
B	AS	14.12.22	ISSUED FOR CONSTRUCTION

NORTHROP
Sydney
Level 11 345 George Street, Sydney NSW 2000
Ph (02) 9241 4188 Fax (02) 9241 4324
Email sydney@northrop.com.au ABN 81 094 433 100

HANSEN YUNCKEN
NSW GOVERNMENT Education

PEDAVOLI ARCHITECTS PTY LTD
LEVEL 2
458-468 WATTLE STREET
ULTIMO NSW 2007 AUSTRALIA
TEL: +61 2 9291 0000
WEB: www.peda.com.au
NOMINATED ARCHITECT:
VOICE: PEDAVOLI
NSW REG. No. 5045

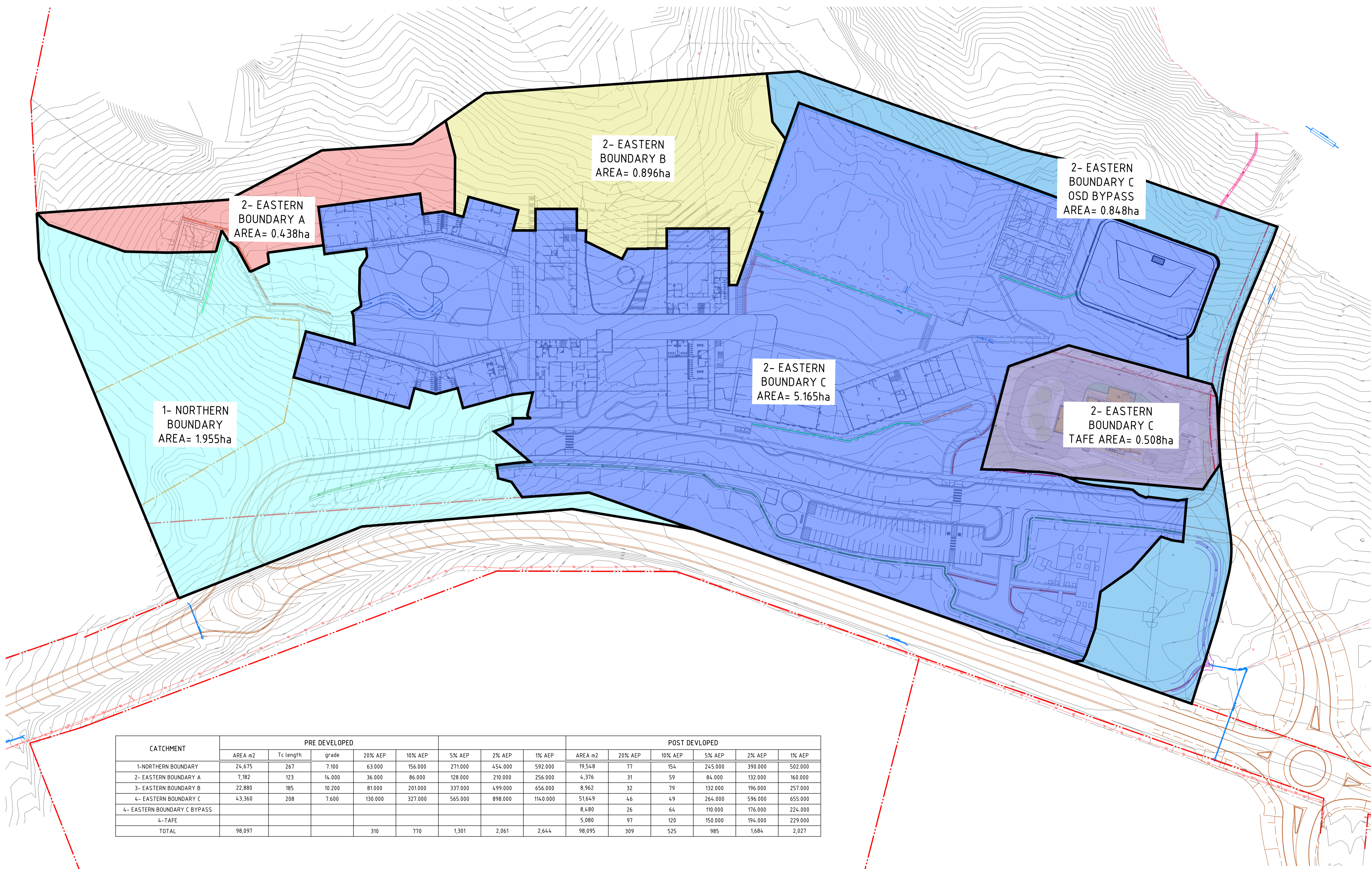
DRAWING NAME
PRE DEVELOPMENT CATCHMENT PLAN

PROJECT
JINDABYNE EDUCATION CAMPUS
207 BARRY WAY JINDABYNE

PROJECT NORTH
SCALE 1:750@A1
0 5 10 15 20 30 40m

AP	SF	-	22.11.22	
DRAWN	CHECKED	VERIFIED	DATE	REVISION
NRP-CEC-CC2-DWG-0602				B

Appendix 4 – Post Development Discharge Plan



CATCHMENT	PRE DEVELOPED							POST DEVELOPED						
	AREA m2	Tc length	grade	20% AEP	10% AEP	5% AEP	2% AEP	1% AEP	AREA m2	20% AEP	10% AEP	5% AEP	2% AEP	1% AEP
1-NORTHERN BOUNDARY	24,675	267	7.100	63.000	156.000	271.000	454.000	592.000	19,548	77	154	245.000	390.000	502.000
2- EASTERN BOUNDARY A	7,182	123	14.000	36.000	86.000	128.000	210.000	256.000	4,376	31	59	84.000	132.000	160.000
3- EASTERN BOUNDARY B	22,880	185	10.200	81.000	201.000	337.000	499.000	656.000	8,962	32	79	132.000	196.000	257.000
4- EASTERN BOUNDARY C	43,360	208	7.600	130.000	327.000	565.000	898.000	1140.000	51,649	46	49	264.000	596.000	655.000
4- EASTERN BOUNDARY C BYPASS									8,480	26	64	110.000	176.000	224.000
4-TAFE									5,080	97	120	150.000	194.000	229.000
TOTAL	98,097			310	770	1,301	2,061	2,644	98,095	309	525	985	1,684	2,027

FOR CONSTRUCTION

REV	BY	DATE	DESCRIPTION
A	UM	01.12.22	ISSUED FOR CONSTRUCTION CERTIFICATE 2
B	AS	14.12.22	ISSUED FOR CONSTRUCTION

NORTHROP
 Sydney
 Level 11 345 George Street, Sydney NSW 2000
 Ph (02) 9244 4188 Fax (02) 9241 4324
 Email sydney@northrop.com.au ABN 81 094 433 100

HANSEN YUNCKEN
 NSW GOVERNMENT Education

PEDAVOLI ARCHITECTS PTY LTD
 LEVEL 2
 458-468 WATTLE STREET
 ULTIMO NSW 2007 AUSTRALIA
 TEL: +61 2 9291 0000
 WEB: www.peda.com.au
 NOMINATED ARCHITECT:
 VINCE PEDAVOLI
 NSW REG. No. 5045

DRAWING NAME
POST DEVELOPMENT DISCHARGE PLAN

PROJECT
JINDABYNE EDUCATION CAMPUS
 207 BARRY WAY JINDABYNE

PROJECT NORTH
 SCALE 1:750@A1
 0 5 10 15 20 30 40m

AP	SF	-	22.11.22	
DRAWN	CHECKED	VERIFIED	DATE	REVISION

 NRP-CEC-CC2-DWG-0603
B

