Response to Submissions

New Wee Waa High School
SSD - 21854025

March 2022

NSW GOVERNMENT | Education

Document Control

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Glossary and abbreviations

Term/acronym	Description
AEP	Annual Exceedance Probability
AS	Australian Standards
BCA	Building Code of Australia
BC Act	*Biodiversity Conservation Act 2016*
CEMP	Construction Environmental Management Plan
COLA	Covered Outdoor learning Area
Council	Narrabri Shire Council
CPTED	Crime Prevention through Environmental Design
DA	Development Application
DCP	Development Control Plan
DoE	Department of Education
DPE	Department of Planning and Environment
EFSG	Educational Facilities Standards & Guidelines
EIS	Environmental Impact Statement
EP&A Act	*Environmental Planning and Assessment Act 1979*
ESD	Ecologically Sustainable Development
GFA	Gross Floor Area
Homebase	A primary school classroom
HVAC	Heating, Ventilation and Air Conditioning system
INP	Industrial Noise Policy
LALC	Local Aboriginal Land Council
LEP	Local Environmental Plan
LGA	Local Government Area
NCC	National Construction Code
Proposal	Construction of the New Wee Waa High School
RtS	Response to submissions
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policies
SSD	State Significant Development
WSUD	Water Sensitive Urban Design

1 Introduction

This Response to Submissions (RtS) has been prepared by Ethos Urban on behalf of the NSW Department of Education in support of the State Significant Development Application SSD-21854025 for the New Wee Waa High School.

The Department of Planning and Environment (DPE) addressed a letter to the Department of Education (DoE) dated 10 December 2021 requesting a response to the submissions received from the public and government agencies during exhibition of the Environmental Impact Statement (EIS).

This report addresses the queries and issues raised in those submissions and provides an updated proposal description.

Existing students of Wee Waa High School are currently being accommodated in temporary facilities at the existing Public School site after the high school site was closed. As such, the provision of the new high school is considered an urgent priority.

The school is targeting commencement of works on-site in mid-late 2022.

1.1 Proposal description

The Proposal involves the construction of a new high school with a capacity of 200 students (up to 300 future expansion, subject to funding and service need) in a two-storey building, an Indigenous learning centre, sporting fields and associated civil and utilities works (the 'Proposal'). The objectives of the Proposal are:

- Provide a suitable education facility for the high school staff and students that are currently collocated in an overcrowded site at Wee Waa Public School.
- Improve the learning environment for teachers and students through the provision of contemporary facilities which are fit for future focused learning and experiences.
- Maximise the opportunities provided by the proposed development to create new horizons for students and improve their pathways into knowledge-based careers with the future economy of Narrabri and beyond.
- Enable the school to become a central place in the community and provide a focal point for the community by acting as a hub and conduit for services that will support their education and overall health and wellbeing.
- Enable connections to the Aboriginal community and encourage cultural learning for all.

1.1.1 Proposed amendments since exhibition

The following amendments have been made to the proposal since exhibition:

- Car parking relocated from western boundary and consolidated with the internal access road, setback from northern boundary.
- Internal access road width increased to allow 2-way travel and reversing from parking spaces.
- Clarification of the proposed kerb, gutter and public footpath works.
- Changes to the landscape design to reflect the detailed design for construction.
- Changes to proposed security fencing based on consultation with surrounding neighbours.
- Inclusion of an Indicative Public Art Strategy.
- Minor design development to reflect the DoE Modern Methods of Construction (MMoC) methodology including:
    - Rotation of vertical stairs in quadrangle
    - External pedestrian circulation widths reduced to 3m

- A new covered pathway between Indigenous cultural centre and secondary pedestrian access gate.
- Minor shift in location of Indigenous cultural centre to accommodate road width increase.
- Minor changes to internal layouts in response to school user group feedback, design development and MMoC.
- Consolidation of student amenities block due to design development and request from school user group.

The amendments are discussed in further detail below.

Reconfiguration of car parking and internal access road

In response to concerns raised by the school user group and SINSW internal technical stakeholders, the parking proposed at the western boundary of the site has been relocated to be adjacent to the internal access road from George Street. There is no change to the total number of parking spaces proposed (40 spaces). All parking is now consolidated in one single area.

To accommodate the relocated parking, two-way access and reversing from spaces, the internal access road has also been increased in width. The Indigenous cultural centre has also been shifted to the south to accommodate the additional road.

Refer to Figure 1 and Appendix B for detail.

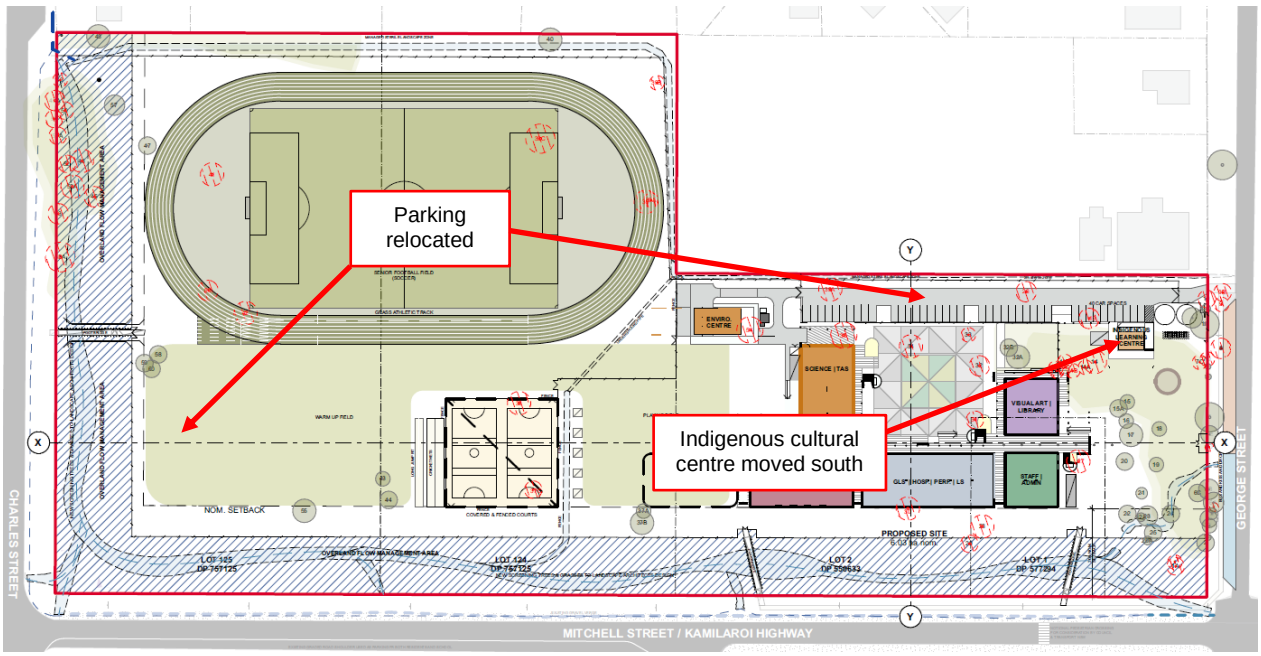


Figure 1 **Amended site layout showing relocation of parking and Indigenous cultural centre**

Kerb, gutter and footpath works

A Public Domain Plan has been prepared by SHAC and provided at Appendix B. The plan shows the extent of new footpath, road strengthening and kerb and gutter that will be delivered as part of the proposal. As shown in Figure 2, a new public footpath will be provided along the George Street frontage, continuing around to Mitchell Street and terminating at the western pedestrian access bridge. New kerb and gutter will be installed along the George Street frontage and new road pavement will be installed to accommodate the bus zone and kiss-and-drop along George Street.

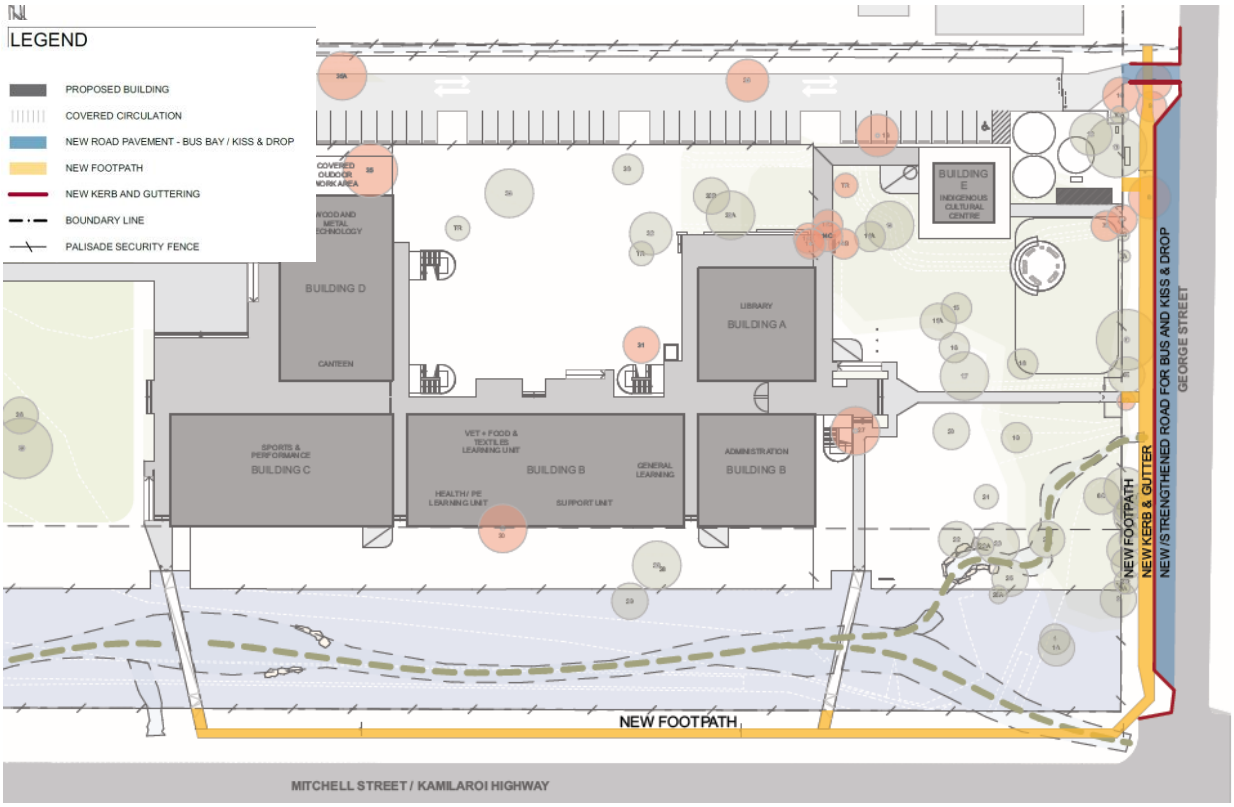


Figure 2 **Proposed public domain plan**

Changes to the landscape design

Changes are proposed to the landscape design to reflect the detailed design that will be constructed. The amended landscape design retains key features of the design as lodged and will allow for efficient construction as required for the urgently needed school. The changes include:

- Removal of sandstone logs, textured paving, and coloured concrete paving from original design.
- Inclusion of concrete play area in the central courtyard.
- Reconfiguration of boundary screen tree planting.
- Inclusion of new area adjacent to the hall.
- Inclusion of new pathway connecting the hall to the covered outdoor sports courts.
- Reconfiguration of tree planting within the site (reduction in overall number of trees).
- Clarification of tree removal.
- Rationalisation of the main school entry pathway.

Key features of the landscape design, such as retaining the native landscape at the school entrance, landscaping for playing fields, including a central courtyard, and including tree planting along the northern boundaries of the site at the interface with adjoining residents, have been retained in the amended design. The proposed landscape design seeks to maximise the use of native trees, particularly Casuarina and Coolibahs. The number of exotic Chinese Elm trees has been reduced from 12 to 10. An updated Landscape Report and Landscape Plans are provided at Appendix D.

Additional tree removal is proposed as part of the amended landscape design, due to further detailed design. Trees proposed to be removed are shown in the Tree Removal Plan prepared by SHAC at Appendix B, the Amended Landscape Plans provided at Appendix D and the

Amended Arborist Report at Appendix M. Tree retention has been maximised in the eastern portion of the site at the George Street entrance to the school, which is proposed to be retained as a natural landscape. Elsewhere, tree removal is required to facilitate the design of the school and associated construction access. Compensatory tree planting is proposed that will increase the canopy coverage of the site from 2,000sqm existing to 4,700sqm (when mature).

Twenty-one trees are proposed to be removed as part of the SSDA. This is two more than that proposed in the EIS (19). The numbers of trees that are proposed to be removed, as shown in the Arborist Report (Appendix M), are as follows: 6D, 7C, 7D, 8, 9, 9B, 10, 13, 14, 14A, 14B, 14C, 14D, 14E, 14F, 26, 27, 30, 35, 35A and 54. A Tree Removal Plan is provided at Appendix B.

Tree removal in the primary flood mitigation channel and within lots 124 and 125 DP 757125 will be subject to a separate approval under Part 5 of the EP&A Act.

The following trees have been identified as being at risk of removal, subject to detailed civil engineering design and final levels: 6, 24, 25, 28, 29, 31, 32, 32A, 32B, 33 and 34. Every attempt will be made to retain these trees if possible, but necessary civil earthworks may require their removal to allow for the safety of students (including during flood events). These trees will be subject to further investigation and details of whether they can be retained or not will be provided to DPE once the detailed civil design and final levels have been determined. DoE would accept a condition of consent requiring further investigation be undertaken to determine if the trees can be retained or not, similar to the approach taken by DPE and DoE on Fort Street Public School and Darlington Public School. A mitigation measure is recommended at Appendix L to implement these further investigations, which may be adapted to form a condition of consent.

Changes to security fencing and boundary interfaces

The proposed fencing and site access strategy has been amended in response to submissions. The following changes and clarifications are made:

- Consultation was undertaken with adjacent northern neighbours in the week starting 7 February 2022. Neighbours to the north of the sports fields were presented the option of retaining their existing fencing, with a landscaped buffer to offset the required school security fence from these neighbours and their existing fences. Follow up consultation was undertaken in the week commencing 7 March 2022 to discuss the proposed amended design. The neighbours to the north of the sports field confirmed their support to the amended fence proposal verbally followed up by email confirmation. The residents were also advised that the existing, informal, access over the subject site could not be provided. This is due to their being no formal easements, or rights of way, across the land.
- Consultation was also undertaken with the neighbour at 41 George Street in the weeks described above. In response to initial consultation, a palisade fence was proposed with a landscaped buffer between the site boundaries. The resident confirmed support for the amended fence proposal, however requested more time to confirm the preferred option of the fence type. A private agreement is currently being pursued with the owner.
- A 2.1m high palisade fence will be provided along the entire boundary of the school (internal to the flood mitigation channel and landscaped zone along the northern boundary).
- A 2.1m high palisade fence will be provided internal to the site, to delineate between shared community use areas and school-only areas.
- A 1.5m palisade fence will be installed along the outer perimeter of the flood mitigation channel. This is subject to a separate planning application as part of the flood mitigation works.

Refer to the Access and Security Drawing (WD1301) at Appendix B for detail.

Minor design development

Minor design development has also been undertaken to better align the design with the requirements of the DoE MMoC and feedback from the school user group. These changes are reflected in the architectural drawings at Appendix B and include the following:

- Rotation of vertical stairs in quadrangle
- External pedestrian circulation widths reduced to 3m
- A new covered pathway between Indigenous cultural centre and secondary pedestrian access gate.
- Minor changes to internal layouts in response to school user group feedback, design development and modern methods of construction.
- Consolidation of student amenities block due to design development and request from school user group.

Public Art

In response to comments made by DPE, an indicative Public Art Strategy has been prepared by SHAC and is provided at pages 91-95 of the Design Report (Appendix C).

The project provides the opportunity to include public art as part of the Wee Waa High School project that raises awareness, shares knowledge, and instils pride in local histories, cultural diversities and talents through art conversation. Public Art has been considered throughout the proposed campus, including engaging artworks and sculptures. The project has also provided spaces that will be used for creative expression such as performative arts, dance, song, community gatherings and events.

To ensure the chosen artworks are enduring and relevant to Wee Waa High School, artists and artworks for consideration should demonstrate all, or a combination of, the following;

- Persons or Communities capable to create public artworks, or be provided with a contractor who can manufacture the artwork.
- Demonstrate relevance, innovation and originality connected to the locality, community and/or design motifs.
- Consultation with local indigenous community to receive agreement with the proposed artworks.

Public Art for Wee Waa High School is to be chosen in consultation with Wee Waa High School community, and with deep consideration for the particular site, climate, history, landscape, patterns, layers and colours of the subject site and locality. The public art should reflect a genuine desire to Connect to Country.

Indicative opportunities and locations for public art have been identified as shown at Figure 3 and Figure 4. Key opportunities include a public artwork on the architectural screening adjacent to the main school entrance, as well as another public artwork or mural on the eastern façade of the Indigenous cultural centre. For further detail of potential content, programming and commissioning, refer to pages 91-95 of the Design Report (Appendix C). Public art will be further developed in consultation with the school user group and community and will be implemented upon completion as well as into the operational phase of the project.

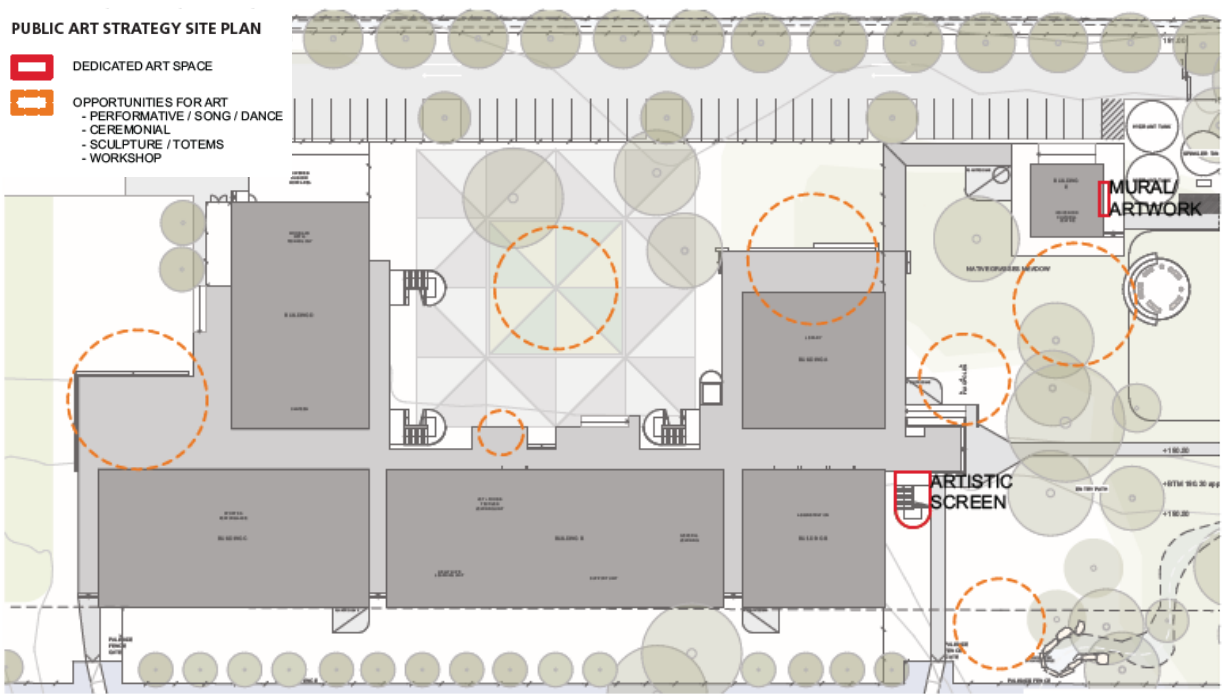


Figure 3 **Indicative opportunities for public art – elevation**

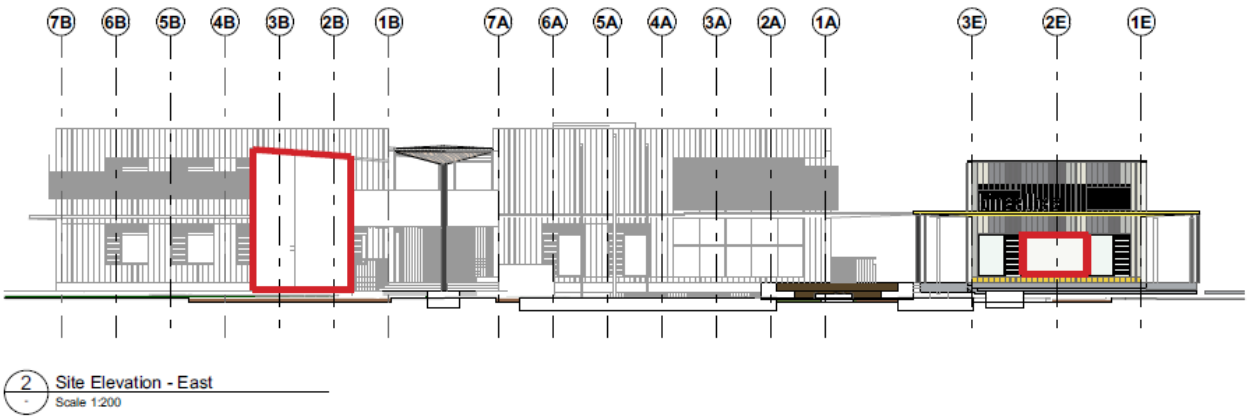


Figure 4 **Indicative opportunities for public art – elevation**

1.1.2 Proposal overview

A summary of the key components of the Proposal including the amendments made since exhibition of the EIS are provided in Table 1-1.

Table 1-1 Summary of key components of the Proposal

Proposal element	Brief description
Site preparation	Vegetation removal, grading, hoarding and localised remediation in the north-western corner of the proposed sports fields.
Built form	Construction of a main school building, Indigenous cultural centre and environment centre**.**
Heritage	No heritage items within the site or the surrounding vicinity.
Site area	6.03Ha
Gross Floor area	4,858.93m^2
Maximum height	12.3m
Site uses	• Educational establishment and ancillary school uses. • Community use of certain facilities outside school hours (to be confirmed at the operational stage).
Access	• All vehicular access from George Street • Main pedestrian access from George Street • Secondary access (controlled) from Mitchell Street and Charles Street
Car parking	• 40 on-site spaces for staff
Kiss-and-drop	• Dedicated kiss-and-drop and bus zone on George Street Road Reserve
Public domain and landscaping	• Sports field • Covered sports courts / COLA • Landscaping throughout - 22,250sqm outdoor area (74sqm outdoor play area per student**)**
Jobs	• Construction: 90 direct, 60 indirect. • Operation: 61.
Construction hours	• Monday to Friday: 7:00am to 6:00pm • Saturday: 8:00am to 1:00pm • Sundays and Public Holidays: No works
Hours of operation	• Core: 7:30am – 16:30pm Monday to Friday • Bell times: 8:15am – 14:15pm Monday to Friday • Community use: 7am – 10pm, depending on event (to be confirmed at operational stage).

2 Analysis of submissions

The EIS was placed on public exhibition from Thursday 11 November 2021 until Wednesday 8 December 2021. Soft copies of the EIS and appendices were available on the DPE Major Projects Website. During the exhibition period, government agencies and members of the community were able to make submissions on the application.

A total of 14 submissions were received from the public and public authorities during the exhibition period. Of the 4 submissions from the public, 3 were objections and 1 was in support.

Submissions were received from the following public authorities in the form of comments:

- DPE (Planning Assessments Key Issues Letter).
- Narrabri Shire Council.
- NSW Environment Protection Authority (EPA).
- Biodiversity, Conservation and Science Directorate (BCS) of DPE.
- Heritage NSW (as delegate of the Heritage Council of NSW).
- Heritage NSW Aboriginal Cultural Heritage Regulation.
- Transport for NSW (TfNSW).
- Crown Lands.
- DPE Water and Natural Resources Access Regulator (NRAR).
- NSW Government Architect (GANSW).

The key matters raised in the submissions include:

- Flooding and stormwater.
- Traffic and transport.
- Separate planning pathways.
- Land contamination and geotechnical conditions.
- Acoustic impacts.
- Biodiversity.
- Amenity impacts to neighbouring properties.
- Landscape design.
- Water supply and quality.
- Operational details.

Other issues related to land ownership and Native Title, commercial impacts to nearby properties, architecture and design, light spill, waste management, Aboriginal Cultural Heritage, historic heritage, construction impacts, construction hours and development contributions. Many of the submissions received from public authorities related to technical details of the environmental assessment that was undertaken for the EIS.

A response to each of the issues raised in the submissions is provided in Section 4.

The NSW Heritage Council noted that there were no comments on the proposal since the subject site is not listed on the State Heritage Register (SHR), nor is it in the immediate vicinity of any SHR items, and the site does not contain any known historical archaeological relics. GANSW stated that DPE should consider the comments provided during the second State Design Review Panel session as a framework for assessment. In light of this a response is only provided to GANSW feedback in this report if it was raised by DPE in their key issues letter.

All four of the public submissions received were from residents of Wee Waa. Three of the submissions were received from neighbours of the proposed school.

3 Actions taken during and after EIS exhibition

The additional environmental assessment and stakeholder engagement undertaken since submitting the EIS is outlined in this section.

3.1 Additional environmental assessment

Additional environmental assessment has been undertaken in response to the submissions received. The revised environmental assessments are provided as appendices to this report and are described below.

3.1.1 Flood assessment

The Flood Impact Assessment prepared by Lyall and Associates has been reviewed in response to Council comments, and has also undergone a peer review. A Flood Statement has been prepared which responds to Councils comments and is provided at Appendix H.

At Appendix H, a number of technical clarifications are made that clarify how the flood model was setup and run. In addition, the flood design has been reviewed with further emphasis on safety. As a result, it is proposed that the following safety measures be incorporated into the design:

- A minimum 1.5 m high security type fencing and lockable gates will be provided around the perimeter of the High Flow Conveyance / Flood Storage Area (subject to separate approval).
- Perimeter security type fencing and lockable gates would also be provided around the area that will be inundated by local catchment runoff adjacent to the main entrance to the school, thereby enabling staff to prevent access during periods when it is inundated.
- Appropriate signage will be fixed to the abovementioned perimeter fencing alerting of the potential for these areas to be subject to flash flooding and for people not to enter the floodwater.
- A grated inlet arrangement will be installed on the inlet of the new twin 1350 mm diameter reinforced concrete pipes which will run north along Charles Street.
- To reduce the likelihood that the new 1350 mm diameter reinforced concrete pipes will experience a blockage during a flood event, a chain-wire (or similar) debris control device will be provided immediately upstream of the aforementioned grated inlet arrangement. The debris control device will be designed so as to also act as a refuge for anyone who might be caught in the floodwater and find themselves being drawn toward the inlet of the new twin 1350 mm diameter reinforced concrete pipes.
- A Flood Emergency Plan is being prepared for the high school and will be completed prior to the commencement of school operation. The plan will incorporate as a minimum:
  - A description of the flood threat at Wee Waa and more specifically at the high school.
  - A description of the existing severe weather and flood warning systems that are presently in place at Wee Waa.
  - Details of the flood warning arrangements for the high school, including key trigger levels and contact details.
  - Details of the flood evacuation arrangements for both students and staff.
  - Maps and schematics showing key features such as the indicative extent and depth of inundation at Wee Waa and more specifically in the immediate vicinity of the high school, primary and secondary flood evacuation routes, and refuge areas.

3.1.2 Waste management

An Amended Waste Management Plan is provided at Appendix G which proposes waste be collected by a private contractor, internally to the site (at the western end of the internal access road, adjacent to the bin area). The design of the internal access road and waste collection point are capable of accommodating the waste vehicle.

3.1.3 Easements and access to neighbouring properties

In response to submissions regarding potential existing access rights through the subject site to neighbouring properties, further investigation was undertaken including title searches for the subject and neighbouring allotments. No easements were identified that would provide legal access to the neighbouring sites over the subject site. Further, DoE has obtained legal advice in relation to potential existing use claims for neighbours who may have been using the site for access over a number of years. The legal advice confirms that there is not a strong case for formalisation of any access over the site. Consultation with the neighbours also confirmed that the site had not been used as an accessway in recent years. As such, SINSW does not have a legal obligation to formalise any access that has occurred over the site to date. Further, SINSW are unable to provide private access through the school site due to security and safety concerns.

3.1.4 Visual privacy

Project architects SHAC have undertaken a visual privacy and sight-line analysis at Appendix B. The analysis considers north-south sections taken near the adjoining residence at 41 George Street. The analysis shows the amended boundary interface, tree planting and fencing as described at Section 1.1.1 of this report. Excerpts from the analysis are shown at Figure 5. The analysis demonstrates that the proposed tree planting (now Casuarina where previously Elms), in combination with the fencing and separation to the neighbouring site, provide appropriate visual privacy with no direct overlooking to the residences. Consultation with the neighbour at 41 George Street has been undertaken and they have agreed in-principle to the proposed fencing and landscaping arrangement, pending further confirmation and a private agreement with DoE.

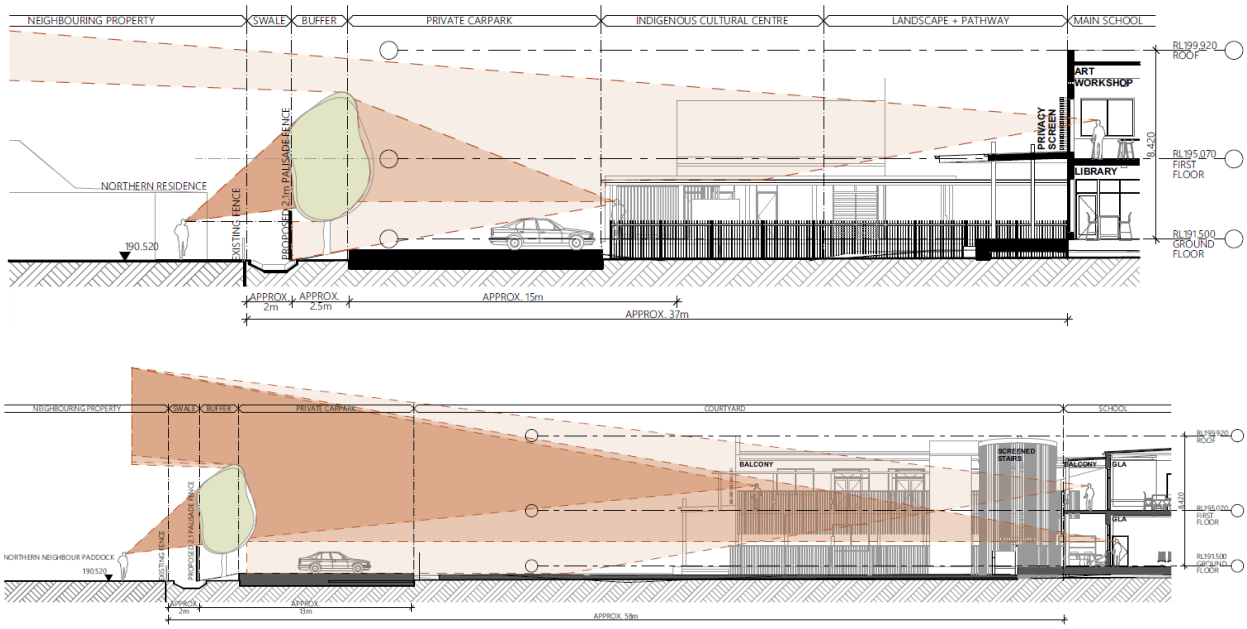


Figure 5 **Visual privacy and sightline analysis**

3.1.5 Transport and accessibility

Additional analysis of pedestrian movements and road safety has been undertaken by TTW and is provided at Appendix E. In particular, a Road Safety Audit was undertaken for the existing conditions along the Kamilaroi Highway/Mitchell Street, in the vicinity of the existing public school and the new high school site.

The Road Safety Audit identifies that there is a long crossing length across Mitchell Street to the south of the new school site and that there is a high percentage of heavy vehicles along Mitchell Street. This presents a risk that pedestrians (including school students and staff) may start crossing without sufficient time to completely cross the road, as well as potential that a pedestrian could be impacted by a heavy vehicle. These items were noted as being of “serious” severity and “high” level of risk. The key mitigation strategy is to provide a marked pedestrian crossing with kerb blisters on Mitchell Street, as currently proposed in the design.

As per the Manual of Uniform Traffic Control Devices Part 10 Pedestrian Control and Protection (TfNSW), a pedestrian zebra crossing may be installed if a crossing is used predominantly by school children, is in a location that is not suitable for a children’s crossing, and in two counts of one-hour duration immediately before and after school hours:

- Pedestrian volumes are greater than or equal to 30, and
- Vehicle volumes are greater than or equal to 200.

With the new proposed school and the existing Wee Waa Public School, there are a significant number of students in a walking catchment of 400 metres that need to cross Mitchell Street (41 primary school students and 77 high school students). With the future capacity of 300, an additional 76 students would need to cross. This would comfortably exceed the 30 pedestrian movements volume set out in the TfNSW Manual and would therefore warrant a pedestrian crossing.

Current pedestrian counts show 32 and 26 pedestrians crossing Mitchell Street in the vicinity of the site between 8-9am and 2:45-3:45pm respectively. Vehicle volumes in the same period indicate 180 vehicles in the AM peak and 198 vehicles in the PM peak. While current vehicle and pedestrian counts do not meet the warrants, once the new school is built and a safe crossing facility is in place, it is expected that pedestrian and vehicle travel will increase, and warrants would likely be met in both time periods. This is supported by the responses to the travel mode survey undertaken by TTW.

While kerb blisters alone on Mitchell Street would be an improvement on the current situation, it is not appropriate if warrants are likely to be met, which they are. Further, kerb blistering without a zebra crossing would not provide legal priority to pedestrians crossing.

Therefore, it is proposed to provide a zebra crossing across Mitchell Street since it is considered appropriate to enable safe crossing for children, staff and parents.

TTW also note that compliance with the requirements outlined in Austroads SISD, AS2890.1-2004, and the Transport Corridor Outdoor Advertising and Signage Guidelines 2017 is achievable and will be confirmed during the detailed design of signage.

3.1.6 Water quality and supply

An Amended Soil and Water Quality Report is provided at Appendix K. The assessment has been updated to remove the option of including a bore at the site to acquire water for irrigation of the sports fields and other outdoor areas.

The new school will obtain treated potable water from the town water supply. This would mean purchasing this water through Council’s municipal water supply system. Based on an

assessment of the proposal's water balance, there is sufficient residual/unused water in the Wee Waa allowance to support the school.

Roof water harvesting and tank storage is also proposed. Three water tanks are proposed, with the final size of these tanks to be developed during the detailed design phase. It is anticipated that they will each be sized between 5-10kL. The harvested rainwater will be pumped to toilets and urinals to avoid reliance on potable water for flushing.

3.1.7 Acoustic

An Amended Acoustic Impact Assessment has been prepared by Day Design and is provided at Appendix F. The assessment has been updated to include noise impacts from the use of the pick-up and drop-off area (including buses), an assessment of noise emissions from the hall both with doors open and doors closed, and verification of the mitigation measures required for the construction of the hall.

The amended assessment finds that while the inclusion of bus pick-up and drop-off in the modelling results in a minor increase in sound levels to some nearby residential receivers, all receivers will continue to experience noise levels that comply with the appropriate criteria. Noise emissions from the hall have now been assessed with doors open and doors closed. The assessment finds that, with the inclusion of the recommended materials and construction methods, sound levels from the hall with the door closed will be acceptable at surrounding receivers.

3.1.8 Biodiversity

An Amended Biodiversity Development Assessment Report (BDAR) has been provided at Appendix I. The BDAR has been updated to address comments made by DPE's Biodiversity, Conservation and Science Directorate (BCS). The proponent met with BCS on 22 March 2022 to discuss their submission and assist in clarifying the proposed scope of works and the scope of works being undertaken separately through Part 5 of the EP&A Act.

A complete response to the technical comments has been prepared by EcoLogical and is provided at Appendix I. The response confirms that the correct plot data has now been updated to the BAM-C, that the area total area of *PCT 40 Moderate* is 0.94Ha, bush stone-curlew and shrub sida data have been included as candidate species, and clarification of the approach where these is an inconsistency between the *Biodiversity Conservation Act 2016* (BC Act) and the Environment Protection and *Biodiversity Conservation Act 1999* (EPBC Act). The mitigation measures in the BDAR have been updated to address the BCS comments. These mitigation measures are described at Appendix L.

3.1.9 Light spill

Clarifications to the light spill assessment have been made as follows. All external lighting, including security lighting, will be provided with timeclock and photo-cell control in accordance with BCA/NCC Section J requirements. The security lighting is only to facilitate safe access and egress to school staff if arriving early or if an event is on. Otherwise, the lights will be turned off after hours. The control will include a predawn function and a night function which will be implemented at appropriate times.

External lighting that is provided for reasons other than security will be programmed to turn off at a set time each night.

All external lighting will be designed in compliance with AS 4282 to ensure no obtrusive light is created for neighbouring properties. Optics are selected to reduce light spill and glare shields will

be installed so lighting is directed to the car park and access points, minimising any spill to neighbouring properties. No lighting is proposed to the sports fields or covered sports courts.

3.1.10 Separate approvals (Part 5)

DPE requested that the scope of works being undertaken as "development without consent" under Part 5 of the *Environment, Planning and Assessment Act 1979* (EP&A Act) be clarified due to some inconsistencies presented between documentations submitted with the EIS. The clarifications are made below.

Two separate activities are being undertaken as Part 5 works. The first comprises installation of a new pole-mounted substation along Mitchell Street on behalf of Essential Energy. This approval process has been completed.

The second comprises flood mitigation works to improve flood conditions at the site and for surrounding properties, being undertaken on behalf of DoE.

Specifically, the flood mitigation works comprises the following:

- Vegetation removal within lots 124 and 125 DP 757125, the primary flood mitigation channel and off-site within the road reserve towards the Namoi River to accommodate drainage pipes and swales.
- Excavation, construction and landscaping of a flood mitigation channel on the school site (shown as "overland flow area" on the Architectural Drawings at Appendix B).
- Stockpiling and grading of excess fill on lots 124 and 125 DP 757125 (excluding the north-west portion of lot 125 which requires remediation to be undertaken as part of the SSD).
- Installation of 1.5m perimeter fencing around the flood mitigation channel.
- Upgrades to the downstream existing drainage system (within the road reserve).
- Upgrades to existing levee pump system.
- Deepening of the existing flood conveyance channel to the north of Boundary Street (within the road reserve).
- Scour protection at the junction with the Namoi River (within the road reserve).

For clarity, the following works are included within the scope of the SSDA:

- Vegetation removal in lot 1 DP 577294 and lot 2 DP 550633, outside the primary flood mitigation channel running along the southern boundary of these allotments.
- Remediation of the north-western corner of lot 124 DP 757125.
- Landscaping of the remainder of the site, including sport fields and two secondary stormwater channels (i.e. excluding landscaping the primary flood mitigation channel, which will be undertaken as Part 5 works).
- Construction of the main school buildings, internal access road and school security fencing (excluding the 1.5m fence around the perimeter of the primary flood mitigation channel).
- Construction of pedestrian bridges along the Mitchell Street and Charles Street frontage for secondary access.

Supporting documentation as it relates to the SSD has been amended where required to reflect the above scope of works and appended to this report. Note that the extent of works may vary between certain disciplines, i.e. for vegetation removal the SSD only needs to consider the areas of lot 1 DP 577294 and lot 2 DP 550633 outside the flood mitigation channel, whereas the landscape design needs to consider the entire school site outside the flood mitigation channel.

DoE have obtained legal advice to confirm that Section 4.38 of the EP&A Act is satisfied in the case of the Flood Mitigation Works Part 5 Approval and the separate but related School SSD. In summary, clause 4.38 is satisfied since:

- Section 4.38 only has work to do in respect of the development that is the subject of a development application. That is, the "proposed development" is only what is proposed in

the development application – anything which is not part of the development application falls outside of this definition.

- Selecting what should be the subject of a development application and what should be included or excluded is a matter for the applicant, and is not the role of the consent authority (see *Pilkington v Secretary of State for the Environment & Ors [1974] 1 All ER 283* and *Prineas v Forestry Commission of New South Wales (1984) 53 LGRA 160*).
- Further, it is a known principle of planning law (through the decision of Pilkington and those which follow) that multiple consents or planning approvals can apply to one site. For this reason, there is nothing in Section 4.38(4) preventing separate Part 5 approvals and development consents applying to the same site.
- It is understood that the intention of Section 4.38(4) is to streamline the process so that where one development application contains elements which fall into Part 4 and elements which fall into Part 5, all can be dealt with under one consent.
- Therefore, development can be carried out without development consent on land subject to an SSD application, as long as Part 5 of the EP&A Act is complied with, the EP&A Act permits the two separate planning pathways to occur.
- To ensure that this is possible the SSD Application needs to exclude the development that is proposed to be carried out without development consent and therefore treat such development as a separate project.

Therefore, Section 4.38(4) of the EP&A Act is satisfied in the case of the flood mitigation works, since the SSD excludes the works that will be undertaken under Part 5 of the EP&A Act (see description above).

3.2 Community engagement activities

The following community engagement activities have been undertaken since exhibition of the EIS:

- Project update issued to the community.
- In-person community information session (during exhibition of the EIS).
- Direct consultation with adjoining neighbours, including discussion of proposed fences.
- Student design briefing.

Table 3-1 Community engagement outcomes

Issues raised	Response
Design of fences	The fencing strategy for the school has been redesigned as follows: • Neighbours along the northern boundary will retain their existing fences. • A managed landscape zone will be introduced along the northern boundary to create a buffer between the neighbours and the school grounds. • A 2.1m security palisade fence will be installed on the internal side of the landscaped buffer. • A private agreement will be made with the occupier of 41 George Street in relation to the proposed fencing.
Potential acquisition of neighbouring land	Refer to Section 4.11.
Informal access to neighbouring land over the subject site	Refer to Section 3.1.3.
Layout and useability of internal spaces	Design of internal layouts updated to reflect feedback. Refer to Appendix B. Student amenities block consolidated.

3.2.1 Aboriginal Community consultation

Engagement with the Aboriginal Community will be undertaken in accordance with the Connecting with Country Engagement Strategy provided for exhibition.

3.3 Government agencies

DoE undertook further consultation with multiple government and non-government stakeholders after the EIS was submitted, as described below.

Table 3-2 Government stakeholder engagement outcomes

Agency/stakeholder	Issues raised	Response
School user group	Usability of space, furniture, fit out and equipment. Staff workshops	Further design refinements made as per the Architectural Drawings at Appendix B. School, community and technical stakeholder input incorporated.
Project reference group December 15, January 19, February 16, March 16		
Staff and executives December 15, March 15		
Letter to Native Title Claimants Representative (NTSCorp)	Invitation to comment on the proposal in accordance with the *Native Title Act 1993*.	DoE has undertaken the necessary consultation with the Native Title claimant and their representatives under the Native Title Act 1993 for the acquisition of the Crown Land parcels. The claimant group have been invited to comment on the proposal and in the exercising of their rights and responsibilities under the Act. The project was presented to the claimant group on 23 February 2022. Finalization of the land acquisition is forecast for April 2022 and will be complete before determination of the SSD. DoE has acted under the advice of the Crown Solicitor's Office in this matter. SINSW will continue the ongoing consultation and engagement with the Native Title claimant group.
DPE Biodiversity, Science and Conservation Directorate (BCS)	Scope of Part 5 approval and SSD Assessment of biodiversity impacts	The scope of the Part 5 flood mitigation works and SSD works was presented to BCS. The assessment of biodiversity impacts associated with the SSD was discussed. Separate discussions with BCS were offered after formal submission of the RtS.
Wee Waa Local Aboriginal Land Council (LALC)	Project update (15 February) Board Project Briefing (15 March)	Monthly project update. LALC Board project briefing: background, site selection, design, construction. Native Title update. Community engagement for Connecting with Country workshops.
Narrabri Shire Council – Councillor briefing	Project briefing (18 March)	Project presented to incoming Councillors. Background, site selection,

		design, construction. Representation from School Executive.
Transport for NSW	Workshop on proposed crossing (23 March)	Representatives from DPE, Narrabri Shire Council, TfNSW present. Road Space Allocation Policy, Movement and Place Strategy raised.
Connecting with Country Workshops (School, local Indigenous Community Groups, Students)	Connecting with Country Indigenous Cultural Principles in Design – Introduction Meeting (16 March)	Project Initiation and local context familiarisation. Building respect and relationships. Introductions with identified stakeholders. Introduction, themes and stories identified by student and community groups.

4 Response to submissions

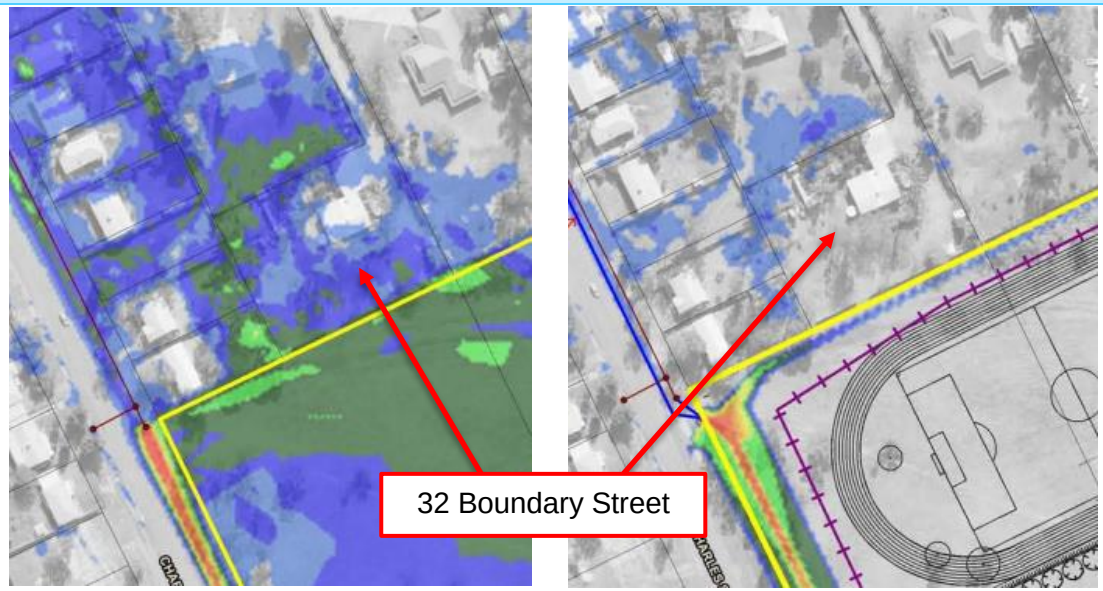
Each issue raised in the submissions received are addressed in this section. As the response has resulted in changes to some of the mitigation measures, an updated table of all proposed mitigation measures is provided in Appendix L.

4.1 Flooding and stormwater

The flooding and stormwater issues raised are outlined and a response is provided in Table 4-1 below.

Table 4-1 Response to the issues related to flooding and stormwater

Issue	Relevant submission	Response
Technical details on how the results of the flooding investigation were derived have not been provided. As a result, Council's appointed flood management consultant is not in a position to determine whether the proposed stormwater mitigation measures are technically adequate.	Council	As described in Section 3.1.1, a response has been provided to Council's queries that provides additional technical clarifications. The inputs to the TUFLOW model are essentially a refined version of the existing Wee Waa flood model. The flood study and design has also been subject to a peer review. Refer to Appendix H for further detail. No changes to proposed mitigation measures are required.
Impacts to 32 Boundary Street	SE-32931803	Majority of the site would currently be inundated under a relatively frequent 20% AEP localised flood event by up to 0.3-0.4m (see image over page) and deeper during more extreme flood events. The proposed development would render the site almost entirely free of inundation during the 20% AEP event (see image over page). Inundation is also reduced for more extreme flood events. Therefore, the property benefits from the proposal. No changes to proposed mitigation measures are required.

Issue	Relevant submission	Response
		 Figure: Pre development inundation (left) and post development inundation (right) for 20% AEP event.
A safety in design assessment of the proposed drainage works has not been provided. In particular, a risk assessment should have been undertaken for the proposed drainage channel and the Charles Street culverts.	Council	As described in Section 3.1.1, a more detailed review of the safety elements of the flood design has been undertaken including a peer review. It is accepted that there will be an increase in flood risk at the site. It is further noted that the SSD proposal provides a coherent safety response that is an improvement on the existing site. The current situation includes open swales with no security fencing or safety measures. A number of additional flood mitigation measures are recommended as described in Section 3.1.1, Appendix I and Appendix L. Amended mitigation measures are proposed as described at Appendix L.
Ongoing maintenance arrangement of flood channel	Council	The ongoing maintenance of the flood mitigation channel will be subject to direct discussions with Council. It is noted that the flood channel itself is being delivered as Part 5 works and approval for its construction is not sought as part of this SSDA. Areas within the school boundaries outside of the main flood channel will be maintained by the school. No changes to proposed mitigation measures are required.

Issue	Relevant submission	Response
Wee Waa High School is the community's designated Evacuation Centre under the adopted EMPLAN. This matter has not been addressed in the submitted documentation.	Council	A Flood Emergency Plan will be prepared for the high school which sets out the actions which would need to be undertaken by staff in the instance of both long-duration riverine and short-duration local catchment type flood events. The plan will be prepared prior to operation of the school. Amended mitigation measures are proposed as described at Appendix L.

4.2 Traffic and transport

The traffic and transport issues raised are outlined and a response is provided in Table 4-2 below.

Table 4-2 Response to the issues related to traffic and transport

Issue	Relevant submission	Response
Insufficient on-site parking	SE-32838276	The number of proposed on-site parking spaces has been developed in collaboration with the school user group and Council. Initially, less parking spaces were proposed, but at SEARs request stage Council requested that the number be increased to 40 spaces. It is still proposed to provide 40 on-site parking spaces, which is sufficient to accommodate the needs of staff. No changes to mitigation measures are required.
Proposed combined design and the location of the pickup drop-off area will result in queuing of vehicles onto the Kamilaroi Highway. Consider a pick-up drop-off bay be located separate to the bus zone, within the site boundary with access gained from a local road. Alternatively, the pickup drop-off bay should be located on a local road, designed with adequate length to ensure queuing into the Kamilaroi Highway is avoided.	TfNSW Council	A detailed response is provided in the Transport Statement at Appendix E. In summary, the pick-up and drop-off area has been designed to accommodate the necessary queue lengths associated with the potential future expansion capacity of the school, which is 300 students. The assessment is therefore conservative. On site pick-up and drop-off was considered during development of the design, however this configuration would be undesirable from a pedestrian safety point of view as it increases the number of pedestrian-vehicle conflicts within the site. It also would result in significant spatial and functional impacts to the site, reducing available area for play space and sports fields and courts, thereby adversely impacting students. Further, TfNSW's Road User Space Allocation Policy states that road user space should be allocated to road users in the order of walking, cycling, public transport, freight and deliveries, and point to point transport ahead of general traffic and on street

Issue	Relevant submission	Response
		parking for private motorised vehicles. The provision of an internal road to provide for kiss-and-drop would counteract this policy by prioritising general traffic over the pedestrian links across the playing field and football field/athletics track. If queuing becomes a problem, the school can implement staggered bell times to spread the peak arrival and departure numbers. No changes to proposed mitigation measures are required.
The location of a pedestrian crossing across the Kamilaroi Highway is not supported. Subject to support by Narrabri Shire Council TfNSW suggests that Kerb extensions, with no pedestrian refuge, designed in accordance with TfNSW Technical Directions, Australian Standard – Manual for uniform Traffic Control Devices and Austroads Design Guide Part 4 Intersections and Crossings be installed on Mitchell Street on the western side of the Mitchell and George Streets intersection to provide a formalized crossing location. The installation of kerb extensions at this point will also provide clear delineation of the traffic lane and discourage overtaking at the intersection.	TfNSW Council	A detailed response is provided in the Transport Statement at Appendix E. In summary, while the pedestrian counts on Mitchell Street currently fall just short of a warrant, with completion of the proposed development and installation of a safe crossing, the warrants would be met. Refer to Section 3.1.5 for further discussion. Further, a Road Safety Audit has been carried out and identified that there is a long crossing length across Mitchell Street to the south of the new school site and that there is a high percentage of heavy vehicles along Mitchell Street. This presents a risk that pedestrians (including school students and staff) may start crossing without sufficient time to completely cross the road, as well as potential that a pedestrian could be impacted by a heavy vehicle. These items were noted as being of “serious” severity and “high” level of risk. The key mitigation strategy is to provide a marked pedestrian crossing with kerb blisters on Mitchell Street, as currently proposed in the design. The provision of a marked crossing on the Kamilaroi Highway is also supported by TfNSW’s *Road User Space Allocation Policy* as it prioritises road user space to walking over freight and general traffic. While the recommendation from TfNSW to include kerb blistering with no zebra crossing would be an improvement on the existing condition, it is not an appropriate solution where warrants for a crossing are likely to be met. In addition, it would not provide legal priority to pedestrians. Therefore, the proposed location of the crossing is proposed to be retained to allow students to safely cross the Kamilaroi Highway. No changes to proposed mitigation measures are required.

Issue	Relevant submission	Response
A formal agreement in the form of a Works Authorisation Deed (WAD) is required between the developer and TfNSW.	DPE	Noted. A works authorisation deed will be entered into as appropriate before works commence. No changes to proposed mitigation measures are required. This matter is likely to form a condition of consent.
The Mitchell Street frontage gates create potential for multiple pedestrian desire lines across Mitchell Street. These gates are to be locked during the arrival and departure peak periods to limit the access points to the school.	TfNSW	The Mitchell Street gates are secondary entrances and will only be opened when direct access from the Mitchell Street frontage is required. The school will manage operation of these gates. No changes to proposed mitigation measures are required.
Clarify extent of kerb and gutter and shared path along Mitchell Street and George Street. Formalisation of these areas is required by the provision of, at a minimum, clear signage and edge delineation along the Mitchell Street site frontage. Consider pathway, kerb and guttering around the entire perimeter of the site.	TfNSW Council	The extent of kerb and gutter and public pedestrian footpaths to be provided as part of this project is clarified at Section 1.1.1. No changes to on-street parking are proposed apart from the kiss-and-drop and bus zone to be provided along George Street. A Public Domain Plan has been prepared by SHAC and is provided at Appendix B. The Public Domain Plan clearly shows the extent of public domain works that will be delivered as part of this project. No changes to proposed mitigation measures are required.
Any landscaping, fencing and signage to be provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians and motorists entering and exiting the site to minimise conflict in accordance with Austroads SISD and AS2890.1-2004 “Off-street car parking”.	TfNSW	Noted. SINSW will address these requirements. No changes to proposed mitigation measures are required.
All signage including any proposed internally lit signs must be contained within property boundaries and designed to meet the objectives of Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (NSW DPE 2017). Illuminated signage is to have maximum luminance levels as set out in guideline and Signage Guidelines.	TfNSW	TTW note compliance with the requirements outlined in Austroads SISD, AS2890.1-2004, and the Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (NSW DPE 2017). This will be referenced during detailed design of such signage. Refer to Appendix E. No changes to proposed mitigation measures are required.

Issue	Relevant submission	Response
Transportation of contaminated fill or materials from the site on public roads must be carried out in accordance with the requirements of Australian Dangerous Goods Code and Australian Standard 4452 Storage and Handling of Toxic Substances. This must include relevant incident management strategies for transportation on public roads.	TfNSW	Noted. Where relevant, transportation of any contaminated fill or materials will be in accordance with the relevant codes. This will be further documented in the Construction Environmental Management Plan prepared before works commence. No changes to proposed mitigation measures are required.
Incorrect student numbers identified in TAIA	Council	Assessment of traffic generation as well as pick-up and drop-off services has been undertaken for a total student population of 300 future students and 50 staff members. The additional 50 student and 150 student counts are not cumulative, instead representing the expected growth of 50 additional students from 150 to 200 as opposed to the maximum growth of 150 additional students from 150 to 300. No changes to proposed mitigation measures are required.
Consultation with local bus companies not undertaken	Council	Discussions with bus operators were held on the 30th of March 2021. No queuing issues were raised. During previous consultation meetings with Council the request for extended bus zone facilities at the previous High School site has not been raised. No changes to proposed mitigation measures are required.
Second parking area in the western portion of the site is isolated and has no covered walkway to main school buildings	Council	As described in Section 1.1.1, the western parking area has been relocated and all parking spaces consolidated to accessed from the internal access road from George Street. There is no change to the total number of parking spaces (40), as agreed with the school leaders and Council. No changes to proposed mitigation measures are required.
Parking for students and visitors not provided. Consider purchasing adjacent land for parking provision.	Council	Provision of student parking does not align with the promotion of alternate travel modes and is inconsistent with SINSW policy. On-street parking will be accessible to students and visitors travelling to site, including visitors for community events, with parking within proximity of site available along Charles Street, George Street north and south of Mitchell Road, and Church Street. Since staff parking demand is catered for within the site, it is expected that a number of on street parking spaces will be available for students and visitors in close proximity to the school.

Issue	Relevant submission	Response
		One of the reasons for selection of the site is that it is comprised of DoE and Crown Land. Purchasing an adjacent, privately owned site would undermine the reasons for site selection, add unnecessary cost and time increases to an urgent project, and would be inconsistent with DoE policy to not promote student travel by private car to school. No changes to proposed mitigation measures are required.
Clarify the route which school buses will be required to travel when accessing and leaving the school.	Council	Bus vehicles are expected to depart via a left turn on Boundary Street, a left turn on Charles Street and continue straight through Charles Street. Swept paths have been conducted as part of the design to ensure bus movements are possible through these alternate routes. Refer to Appendix E. No changes to proposed mitigation measures are required.
The developer must engage a Chartered Professional Engineer to develop an Operational Transport and Access Management Plan (OTAMP), which shall include the proposed bus routes.	Council	A preliminary OTAMP was provided with the Transport and Accessibility Impact Assessment. A detailed OTAMP will be prepared and implemented prior to operation of the school. No changes to proposed mitigation measures are required.

4.3 Separate planning pathways

The issues raised in relation to works occurring under separate planning pathways are outlined and a response is provided in Table 4-3 below.

Table 4-3 Response to the issues related to separate planning pathways

Issue	Relevant submission	Response
Clarify vegetation removal proposed in SSD and Part 5 Flood Mitigation Works	BCS	An Amended BDAR has been provided at Appendix I. The BDAR and associated calculations address the extent of vegetation removal that is proposed under the SSD Application. Vegetation removal is also being undertaken as Part 5 works and will be assessed as part of the Flora and Fauna Assessment accompanying the Review of Environmental Factors. Further description of the Part 5 works is provided at Section 1.1.1. No changes to mitigation measures are required.
Separate works including flood mitigation works, upgrades to the electricity distribution network and upgrades to the existing school agricultural plot are proposed on the site. These works ('Part 5 works') are proposed to be delivered via Part 5 of the Environmental Planning and Assessment 1979 (EP&A Act). Please provide information addressing how the Part 5 works are consistent with section 4.38(4) of the EP&A Act.	DPE BCS	A description of the Part 5 works is provided at Section 1.1.1. DoE has obtained legal advice which demonstrates that the proposed Part 5 works satisfy the requirements of Section 4.38(4) of the EP&A Act. In summary, the proposed flood mitigation works under a separate approval pathway satisfies clause 4.38(4) of the EP&A Act since the SSD application excludes the works from its scope and clause 4.38(4) only applies to the works proposed under a development application (i.e. not the flood mitigation works which are excluded). Refer to Section 3.1.10 for further detail. No changes to mitigation measures are required.
The EIS and the civil, landscape and architectural drawings all appear to show different boundaries and inclusions/exclusions for works that form part of the proposed separate Part 5 works (see Appendix 1 attached). All documentation and drawings must be updated for consistency and confirmation be provided of what components are undertaken in accordance under Part 5 / not part of this application.	DPE	A description of the Part 5 works is provided at Section 1.1.1. The relevant reports have been updated where appropriate and appended to this report. As described, the extent of Part 5/SSD works varies depending on the discipline. The flood mitigation works being undertaken as Part 5 works are excluded from the SSD. No changes to mitigation measures are required.

4.4 Land contamination and geotechnical conditions

The contamination and geotechnical issues raised are outlined and a response is provided in Table 4-4 below.

Table 4-4 Response to the issues related to land contamination and geotechnical conditions

Issue	Relevant submission	Response
Concerns about contamination given health problems at previous site	SE-32931803	The Remediation Action Plan provided with the EIS states that there is a small amount of in-ground contaminated fill within a very small portion of the site, at the north-western corner of the proposed sports fields. The contaminated fill will be removed and disposed of in accordance with the Remediation Action Plan, which has been considered appropriate by the NSW EPA. The contaminated material identified will have no direct impacts to moisture-related health issues at the new school. The new school building has been designed to avoid moisture and rising damp causing issues in the new buildings. This has included raising the buildings above the ground level to allow for ventilation beneath the buildings and to direct stormwater and runoff to the flood mitigation channel. No changes to proposed mitigation measures are required.
Implement the RAP and following the completion of the remediation the preparation of a validation report	EPA	Noted. The RAP will be implemented, and a validation report prepared upon completion of the remediation. A new mitigation measure is proposed that will require preparation of a validation report. Refer to Appendix L.
Disposal of fill to be undertaken appropriately, particularly if contaminated	EPA	Any fill, if contaminated, will be transported and disposed of appropriately and in accordance with the RAP and future Construction Environmental Management Plan. No changes to proposed mitigation measures are required.
Suitability of on-site cut to be used as fill	Council	The Geotechnical Report prepared by Pacific Geotech provides a high-level description of the suitability of on-site cut to be used as fill. The Pacific Geotech findings are based on investigations undertaken by previous project engineer Barnson. As described in the Pacific Geotech report, some material cut from the site may be unsuitable for re-use as on-site fill. For example, the natural soils are highly reactive and are unlikely to be suitable for structural fill or underneath walking paths (noting that the proposed buildings are designed to be screw-piered and sit above any soil, to accommodate any soil movement and improve ventilation beneath the buildings). The revised geotechnical report suggests stripping of the site to approximately 200-300mm and removing the topsoil component only, proof rolling and then commencing earthworks.

Issue	Relevant submission	Response
		The fill is then to be completed in a controlled manner and supervised by Pacific Geotec to be classed as certified fill. In light of the findings in the preliminary investigations, it is likely that some imported fill may be required. This will be confirmed prior to construction commencing, and subject to Council's comments requiring an Chartered Professional Engineer be engaged to prepare an earthworks management plan that details the true cut-fill balance and volumes of material to be removed from the site, etc. SINSW will review draft conditions and provide further comment as required. No changes to proposed mitigation measures are required.
Consultation with Council required regarding the proposed disposal of waste, particularly with respect to Asbestos Containing Materials (ACM)	Council	Noted. Consultation will be undertaken with Council as required. No changes to proposed mitigation measures are required.
Demolition works and site waste removal have already occurred on site	Council	Minor, localised clearing was undertaken in the north-western corner of lot 124 DP 757125 as part of the Detailed Site Investigations to determine site contamination. The investigations were carried out in accordance with Clause 20 and Schedule 1 of SEPP (Infrastructure) and the existing license granted by Crown Lands for access and investigations to be carried out. No changes to proposed mitigation measures are required.
Prepare a Long-term Environmental Management Plan (LEMP)	Council	NSW EPA have reviewed the application and require implementation of the RAP, with a validation report to be prepared upon completion of the remediation. As described in the RAP provided with the EIS, once the remediation has been undertaken and validation report complete, the requirement to prepare an LEMP will be determined. An LEMP will be prepared if the validation report determines one is necessary. An amended mitigation measure is proposed as described at Appendix L to require the validation report be prepared.
A Construction Environmental Management Plan (CEMP) should be prepared prior to any earthworks being commenced to ensure appropriate management	Council	Noted. A detailed CEMP will be prepared after determination of the application and prior to works commencing on site. No changes to proposed mitigation measures are required.

Issue	Relevant submission	Response
and classification of contaminated soils.		
The proponent should seek to engage an NSW EPA accredited site auditor.	Council	NSW EPA have reviewed the application and require implementation of the RAP, with a validation report to be prepared upon completion of the remediation. EPA stated that consideration be given to engaging an EPA accredited site auditor. An amended mitigation measure is proposed as described at Appendix L to consider appointing an EPA accredited site auditor.

4.5 Acoustic impacts

The Acoustic issues raised are outlined and a response is provided in Table 4-5 below.

Table 4-5 Response to the issues related to acoustic impacts

Issue	Relevant submission	Response
Construction impacts to be further addressed. The EPA recommends that any approval requires a noise validation assessment be completed, prior to construction works commence, that considers all equipment to be used and all mitigation measures to be implemented at the site.	SE-32931803 EPA	Construction impacts were assessed in the Acoustic Assessment provided with the EIS (Section 10, 11 and 12). An amended Acoustic Assessment is provided at Appendix F (no change to construction assessment). The EPA comments are noted. A noise validation assessment will be undertaken and provided along with the CEMP prior to works commencing. An amended mitigation measure is proposed as described at Appendix L requiring the noise validation assessment be undertaken.
School bell	SE-32931803	School bell noise has been assessed in the Acoustic Report provided with the EIS and recommendations provided, which have been adopted as mitigation measures. In summary, the Acoustic Report requires that to meet acceptable noise criteria at surrounding residential properties, the bell speakers are to face inwards towards the school and downwards towards the ground, positioned no closer than 40m from nearby residences, and with a maximum sound pressure level of 85dBA measured at 3m from each speaker.

Issue	Relevant submission	Response
		Refer to Section 5.2 and Section 6.3 of the Acoustic Report (Appendix F). No changes to proposed mitigation measures are required.
Consider the operational noise impact on nearby residential properties from the use of the proposed pick-up/drop-off facility and bus zone.	DPE	Refer to Section 3.1.7. Additional assessment was undertaken and no further mitigation measures are required. The amended assessment finds that while the inclusion of bus pick-up and drop-off in the modelling results in a minor increase in sound levels to some nearby residential receivers, all receivers will continue to experience noise levels that comply with the appropriate criteria. Amended Acoustic Assessment provided at Appendix F.
Updated tables 13 and 14 to include a new column confirming predicted noise impacts on receivers when the proposed Hall large doors are closed.	DPE	Refer to Section 3.1.7. Additional assessment undertaken and no further mitigation measures are required. Noise emissions from the hall have now been assessed with doors open and doors closed. The assessment finds that, with the inclusion of the recommended materials and construction methods, sound levels from the hall with the door closed will be acceptable at surrounding receivers. Amended Acoustic Assessment provided at Appendix F. No changes to proposed mitigation measures are required.
Confirm the impact of the proposed Hall mitigation measures (pg. 32) on predicted noise impacts.	DPE	Refer to Section 3.1.7. Additional assessment undertaken and no further mitigation measures are required. Noise emissions from the hall have now been assessed with doors open and doors closed. The assessment finds that, with the inclusion of the recommended materials and construction methods, sound levels from the hall with the door closed will be acceptable at surrounding receivers. Amended Acoustic Assessment provided at Appendix F. No changes to proposed mitigation measures are required.
Consider noise from increased traffic movement	SE-32838276	Traffic generation assessed in Section 5.6 of the Acoustic Report. Noise emissions meet the acceptable road traffic noise criteria. No changes to proposed mitigation measures are required.
Consider noise from staff and service vehicle movements	SE-32838276	Noise from staff and service vehicle movements have been assessed and a solid acoustic fence recommended along the northern boundary of the school. Consultation has been undertaken with the adjoining neighbour to confirm the preferred fence layout and acoustic mitigation strategy. A new mitigation measure is proposed to allow for on-site acoustic treatments to be installed at 41 George Street, subject to agreement by the neighbour.

Issue	Relevant submission	Response
Consider noise impacts from air conditioner condenser plant	SE-32838276	Preliminary mechanical plant noise was assessed in Section 5.5 of the Acoustic Report. Detailed design will be carried out once items are selected and a suitable enclosure designed. Preliminary recommendations have been made in Section 6.1 of the Acoustic Report and adopted as mitigation measures. No changes to proposed mitigation measures are required.

4.6 Biodiversity

The biodiversity issues raised are outlined and a response is provided in Table 4-6 below.

Table 4-6 Response to the issues related to biodiversity

Issue	Relevant submission	Response
Clarify whether the total area of vegetation zone 'PCT 40 Moderate' is 0.81 hectares or 0.94 hectares and update the Biodiversity Development Assessment Report (BDAR) as necessary.	BCS	The total area of *PCT 40 Moderate* is 0.94ha. This has been updated within the BDAR provided at Appendix I. The shapefiles have been updated to show *2b PCT 40 Moderate to be managed* as being within the 0.94ha, and additional to *2a PCT 40 Moderate to be cleared*. No changes to proposed mitigation measures are required.
Ensure the correct plot data is entered into the Biodiversity Assessment Method Calculator (BAM-C).	BCS	The project ecologist confirms that the correct plot data has been entered into BAM-C. Six plots were undertaken based on original footprint, however as the project progressed, only two of these plots were needed for the final development site. Plot 1 is correct in electronic data sheets supplied to DPIE, however Plot 2 is called 'Plot 6' in electronic plot data sheets as this was the last plot taken within the site throughout the progression of the project. Additionally, Plot 1 was allocated management zone 2 and Plot 2 was allocated management zone 1. The plots are consistent within the BDAR. Refer to Appendix I for further detail and an amended BDAR. No changes to proposed mitigation measures are required.
Matters relating to assessment and mitigation measures	BCS	BCS provided numerous detailed comments on the assessment methodology and mitigation measures within the BDAR. Ecological Australia have responded to each comment and provided an updated BDAR at Appendix I. DoE is happy to meet with BCS again once the RtS has been lodged to clarify any further queries they may have. Amended mitigation measures are proposed as described at Appendix L.

4.7 Amenity impacts to neighbouring properties

The amenity impacts to neighbouring properties issues raised are outlined and a response is provided in Table 4-7 below.

Table 4-7 Response to the issues related to amenity impacts to neighbouring properties

Issue	Relevant submission	Response
Access across site	• SE-32931803 • SE-32400989	As described in Section 3.1.3, further investigation was undertaken including title searches for the subject and neighbouring allotments. No easements were identified that would provide legal access to the neighbouring sites over the subject site. Further, DoE has obtained legal advice in relation to potential existing use claims for neighbours who may have been using the site for access over a number of years. The legal advice confirms that there is not a strong case for formalisation of any access over the site. Consultation with the neighbours also confirmed that site access had not been recently utilised.
Fencing	• SE-32931803 • SE-32400989 • SE-32838276 • DPE	Consultation with surrounding neighbours was undertaken in the week commencing 7 February 2022. Neighbours to the north of the sports fields were presented with the option of retaining their existing fencing, with a landscaped buffer to offset the required school security fence from these neighbours and their existing fences. This configuration is proposed as shown at Appendix B. Follow up consultation was undertaken in the week commencing 7 March 2022, at which the neighbours to the north of the sports fields agreed to the proposed approach. Consultation was also undertaken with the neighbour at 41 George Street on the dates described above. The outcome of the consultation was that a palisade fence is preferred, but the neighbour requested more time to make a final decision. The decision will be formalised through a private agreement between DoE and the occupant of 41 George Street. Refer to Section 1.1.1 for further discussion. A new mitigation measure is proposed to allow for a private agreement to be made with the neighbour at 41 George Street. Refer to Appendix L.
Visual privacy and overlooking	• SE-32931803 • SE-32838276	As described in 3.1.4, a visual privacy and sight-line analysis is provided at Appendix B. The analysis demonstrates that the proposed tree planting (now Coolibah where previously Chinese Elms), in combination with the fencing and separation to the neighbouring site, provide an appropriate level of visual privacy with no direct overlooking to the residence possible. No changes to proposed mitigation measures are required.

Issue	Relevant submission	Response
Loss of views and outlook	• SE-32838276	While residents have enjoyed an undeveloped open space near their properties for some time, this land was never formal open space, never purchased by council for this purpose, and its zoning meant that any one at some time could propose new development. The land ownership is also part DoE land, which indicates that it could likely have been developed for a school. The proposed school is permissible in the zone and complies with the relevant development standards. Therefore, any loss of views and outlook is commensurate with the scale that could be expected at the site. As described above, the interface with neighbours to the north of the school has been subject to consultation, and the neighbours will retain their existing fencing as well was benefit from a landscaped buffer between their own fence and the new school security fence. No changes to proposed mitigation measures are required.
Visual impacts caused by: • Fire booster location • Parking spaces • Building form • Air conditioner condenser compound • LED lights • Waste vehicles • Fence/acoustic wall • Chinese elm trees	• SE-32838276	The Hydrant Booster is required to be located in a position adjacent to the vehicle entry on the site, and also be within sight of the main entry of the building, as such this location is required for National Construction Code, BCA and AS 2419.1-2005 compliance requirements. Locating the hydrant booster to another location would be a non-compliance with the Building Code of Australia. Consultation with surrounding neighbours was undertaken as described previously in this report and boundary fencing has been developed in accordance with the outcomes of this consultation. Refer to Section 1.1.1 for further discussion. The closest portion of the air conditioner compound is over 17m from any shared boundary and the vegetation buffer and fencing acts to protect the visual privacy of neighbours. The number of Chinese Elm trees has been reduced, particularly along the northern boundary near adjacent neighbours, with natives in their place. Refer to Section 3.1.9 for a discussion on lighting impacts. No changes to proposed mitigation measures are required.

4.8 Landscape design

The landscape design issues raised are outlined and a response is provided in Table 4-8 below.

Table 4-8 Response to the issues related to landscape design

Issue	Relevant submission	Response
Use of exotic tree species. Consider replacement with native alternatives.	SE-32838276 Council DPE	As discussed in Section 1.1.1, the number of Chinese Elm trees has been reduced. Some Zeltkova and Elm trees remain proposed in certain areas, for the following reasons: • Context built form and landscape – the planting of these species is an appropriate landscape response to the townscape and planting palette that exists within Wee Waa township. The existing town landscape is a combination of native and exotic species, and this blended planting selection is carried through into the landscape of the new school. • Sustainable, durable and efficient – the use of a small number of deciduous trees to the north and west sides of the buildings allows for summer sun to be shaded from the building façade while allowing winter sun to penetrate. Wee Waa experiences very hot summers and deep green shade is a critical part of the external experience for uses of the landscape. The leaf form of both the Zelkova and Ulmus species are more horizonal than those exhibited by Eucalyptus and therefore they throw a more filtered green coloured shade. The experience of being in this environment is calming and pleasant, and the use of these tree species will provide a variety of external spaces and experiences for the staff and students that would otherwise not be available. In contrast Wee Waa also experiences cold winter days where the penetration of sunlight to the ground level is an important design outcome that will make the external landscape more habitable during the cold winter months. The use of deciduous trees in the Courtyard and on the north side the buildings will allow the spaces to be warmed by the winter sun and at the same time be protected from the winter winds by the built form. This will create a series of ‘sun traps’ in winter which can be used as external gathering areas for students and staff and will enable the year-long use of external spaces. • Providing for health and safety – the use of landscape areas with summer shade and winter sun is an important part of being ‘sun smart’ in the Australian climate. The provision of deep summer shade provided by these spreading canopy trees which also provide for the penetration of winter sun as described above.

Issue	Relevant submission	Response
		• Providing amenity- The use of deciduous trees provides variety in the landscape through the seasons. The Zelkova and Ulmus species will deliver visual amenity through seasonal change to the landscape in a way that Eucalypts cannot. The seasonal cycle of summer shade, autumn colouration and leaf fall, the stark bare branches evident in winter and the new bright green buds of leaves in Spring all contribute to the amenity and variety in the landscape. The amenity provided by these trees extends to the climate mitigation (summer shade, sheltered winter sun) as described above. Refer to the Amended Landscape Report at Appendix D for detail. No changes to mitigation measures are required.
Proposed fencing is unclear. Consider consulting further with neighbours located along the northern boundary of the site to resolve concerns raised about fencing. Fencing along the northern boundary should also respond to Acoustic Report noise mitigation requirements.	Council DPE	As described in Section 1.1.1, consultation was undertaken with adjacent northern neighbours in the week starting 7 February 2022. Neighbours to the north of the sports fields were presented the option of retaining their existing fencing, with a landscaped buffer to offset the required school security fence from these neighbours and their existing fences. Follow up consultation was undertaken in the week commencing 7 March 2022 to discuss the proposed amended design. The neighbours to the north of the sports field confirmed their support to the amended fence proposal verbally followed up by email confirmation. Consultation was also undertaken with the neighbour at 41 George Street in the weeks described above. In response to initial consultation, a palisade fence was proposed with a landscaped buffer between the site boundaries. The resident confirmed support for the amended fence proposal, however requested more time to confirm the preferred option of the fence type. A private agreement is currently being pursued with the owner. The proposed fence design comprises: • A 2.1m high palisade fence will be provided along the entire boundary of the school (internal to the flood mitigation channel and landscaped zone along the northern boundary). • A 2.1m high palisade fence will be provided internal to the site, to delineate between shared community use areas and school-only areas.

Issue	Relevant submission	Response
		• A 1.5m palisade fence will be installed along the outer perimeter of the flood mitigation channel. This is subject to a separate planning application as part of the flood mitigation works. Refer to the amended Architectural Drawings at Appendix B for detail. The final design of fencing adjacent to 41 George Street will be subject to a private agreement between DoE and the occupant. An amended mitigation measure is proposed at Appendix L.
Consider retaining Tree 28, noting it is not located within or affected by the proposed building footprint.	DPE	Tree retention was a core consideration during the initial design stages for the project. During the site layout and master planning for the proposed school, key areas for tree retention were identified, such as the stand of Eucalypts at the main school entrance off George Street. Outside of these areas on the site, it was anticipated that localised tree removal would be required to allow for the school to be constructed. Tree 28 is located outside the key areas identified for tree retention. The required Tree Protection Zone for Tree 28 would be directly impacted by the proposed building footprint and potentially surrounding civil earthworks relating to the grading of the site for flood mitigation and ventilation underneath the buildings. Whether tree 28 can be retained or not will be subject to further investigation based on the final detailed civil earthworks design. DoE will report to DPE the findings of further analysis undertaken to determine if the tree can be retained. Tree replacement planting is proposed and the school will deliver an increase in canopy coverage by approximately 2.5 times the existing site coverage. The natural landscape off George Street near the main entry will be retained and is a key feature of the proposal. A new mitigation measure is provided at Appendix L requiring further investigation be undertaken to determine if Tree 28 can be retained.
Consider relocating the Agricultural building further westward to retain Tree 54.	DPE	As described above, tree retention was a core part of the initial design stages for the project. Tree 54 is located outside of the key areas for tree retention and is impacted by the proposed agricultural building, which has been sited to be separate from the main school building, accessible by the internal service road, and adjacent to the playing

Issue	Relevant submission	Response
		fields and open space to the west. If the agricultural building was relocated, it would interfere with the open space precinct of the school and lose the advantages of its siting. As such, tree 54 cannot be retained due to the siting of the agricultural building. Tree replacement planting is proposed and the school will deliver an increase in canopy coverage by approximately 2.5 times existing site coverage. As described above, the natural landscape off the George Street entrance will be retained and is a key feature of the proposal. No changes to design or mitigation measures are required.
Consider the potential for the retention of Tree 26 by curving the access driveway around the tree.	DPE	In response to feedback from residents, the school user group and SINSW, the proposed internal access road has been set back from the boundary with a landscaped buffer, as well as being widened to accommodate two-way access and relocated parking spaces. Therefore, the driveway cannot be reconfigured to retain Tree 26 without significant impacts to the proposed built form, outdoor play/learning areas, Indigenous cultural centre and site access. Replacement tree planting is proposed that will result in an increase in tree canopy across the site, including screening planting along the northern boundary of the school. No changes to design or mitigation measures are required.
Update the landscaping drawing planting schedule to confirm the number of proposed trees and shrubs to be planted.	DPE	An amended planting schedule has been provided in the Landscape Report at Appendix D. No changes to mitigation measures are required.
Bicycle parking is inconsistent between the architectural and landscape drawings.	DPE	The bicycle parking shown on the Landscape Plans (Appendix D) has been updated to match the current set of architectural plans. No changes to mitigation measures are required.

4.9 Water supply and quality

The water supply and quality issues raised are outlined and a response is provided in Table 4-9 below.

Table 4-9 Response to the issues related to water supply and quality

Issue	Relevant submission	Response
Correspondence with council required for water main connection	Council	Noted. Correspondence will be undertaken with Council prior to construction. No changes to proposed design or mitigation measures are required.
Water pressure/flow test required	Council	Noted. A water pressure flow test will be undertaken prior to construction. No changes to proposed design or mitigation measures are required.
Water demand/balance in Marline report not sufficiently detailed	Council	The water assessment provided in the Marline report is superseded by attached Soil and Water Quality Report (Appendix K), which provides a detailed assessment of water demand and water balance associated with the proposed development. No changes to proposed design or mitigation measures are required.
A potable water main is available for connection along George Street, Mitchell Street and Charles Street. Given the size and nature of this development (and the potential increase in demand from the existing town water service) the developer must engage a Chartered Professional Engineer to investigate the requirements on potable water supply. The Engineer must submit calculations and detailed design plans.	Council	Noted. Detailed design plans will be submitted post determination and prior to construction commencing. No changes to proposed design or mitigation measures are required.
Given the size and nature of this development (and the potential increase in demand on the	Council	Noted. Detailed design plans will be submitted post determination and prior to construction commencing. No changes to proposed design or mitigation measures are required.

Issue	Relevant submission	Response
existing town sewerage service) the developer must engage a Chartered Professional Engineer to investigate the requirements on the existing sewerage infrastructure. The Engineer must submit calculations and detailed design plans.		
A Trade Waste Application should also be submitted to Council for approval	Council	Noted. A trade waste application will be sought prior to construction. No changes to proposed design or mitigation measures are required.
The proponent should provide confirmation of the requirement for a bore for the project. If the bore is required, it is recommended an impact assessment be completed to confirm the necessary yields and quality, and to address impacts on the water source and water users. As such, it is recommended the bore impact assessment be completed with consideration of the DPE Water assessing groundwater applications factsheet	DPE Water / NRAR	The bore has been removed from the project. An updated Soil and Water Quality Report is provided at Appendix K reflecting this change. No changes to proposed design or mitigation measures are required.
Should the proposal be approved, the proponent should prepare a Soil and Water Management Plan to address stormwater management and	DPE Water / NRAR	Noted. The Soil and Water Management Plan will be provided prior to construction commencing. An amended mitigation measure is proposed as described at Appendix L requiring the Soil and Water Management Plan be provided.

Issue	Relevant submission	Response
sediment and erosion control during construction and operation. The plan is to address the requirements of the guideline Managing Urban Stormwater: Soils and Construction (Landcom 2004) and to ensure peak discharge from the project site is not increased.		

4.10 Operational details

The operational issues raised are outlined and a response is provided in Table 4-10 below.

Table 4-10 Response to the issues related to operational details

Issue	Relevant submission	Response
Confirm whether the existing Wee Waa Public School is available for use by the community, and if so, confirm the nature of the use, frequency/times, what facilities and whether this will change following the relocation of the high school.	DPE	The existing Wee Waa Public School is available for use by the community. OOSH runs after school care 3pm to 6pm Monday to Friday and Vacation Care on all holidays 8:30am to 5:30pm. They utilise a room behind the main office of the Primary School's existing building. They also use the kindergarten and MC playground. Electoral voting occurs in the school hall. Funerals are occasionally held in the hall, including a 2021 Aboriginal funeral. It is understood that the proposed community uses in the EIS are indicative only and will be formalised prior to the commencement of any community uses. No changes to design or mitigation measures are required.
Update the application to provide consistent proposed and more detailed community use arrangements, noting inconsistencies in some documentation.	DPE Council	The proposed community uses and operational management plan are at this stage indicative only, and provided for the purposes of assessment for matters including acoustic impacts and security. Once the school is operational, community uses will be established and implemented as necessary. The indicative joint use activities in the Operational Management Plan are appropriate for assessment purposes.

Issue	Relevant submission	Response
		Based on further consultation with the school user group since exhibition of the EIS, the following activities are expected to occur once the school is operational: • Hall: Wee Waa Primary school annual awards including 2 practices in December/ during the school day then one evening late December from 5pm till approximately 10pm. • St Joseph's Primary School Musical (biannual): Several weeks of practice during school day in term 4 during the day then two matinee performances during school day and an evening performance. It would be open for the whole community to attend. • Aboriginal Learning Centre: AECG Meetings once a month. • Library: P & C Meeting 5:30PM once a month. The sports fields are also expected to be utilised by community user groups on weekends and potentially for training during the week. Uses in this SSD Application are indicative only and will be formalised prior to the commencement of any community uses. The Amended Architectural Drawings provided at Appendix B include a Security and Access Plan, which shows the areas that can be made accessible for community use. A 2.1m internal security fence demarcates the school-only area to the community use area. Access to the hall will be controlled, with access only provided when events are being undertaken. It is noted that the two pedestrian bridges from Mitchell Street have security gates for controlled access. The acoustic report has made some conservative assumptions about use outside of school hours for assessment purposes. The Traffic Assessment was based on a total student population of 300 students and 50 staff (see Appendix E). No changes to mitigation measures are required.
Confirm the operational details of the existing (temporary) high school, including hours of operation, any before or afterschool care to allow comparison with the proposal.	DPE	The existing temporary high school located on the site of Wee Waa Public School operates from 9:00 am till 3:00pm. Out of School Hours (OOSH) school-based child care is offered Monday to Friday 3pm till 6pm associated with the Public School, where the temporary high school is currently located. No changes to mitigation measures are required.
Clarify the current number of secondary school enrolments and FTE staff numbers.	DPE	The current number of secondary school enrolments is 143. Enrolments have been fluctuating. There are currently 50 total staff members including 27 full time employees. With an increase of 11 full time employees this would reach 61 total staff. No changes to mitigation measures are required.

4.11 Other issues raised

Further issues which were raised are addressed in Table 4-11 below.

Table 4-11 Response to the issues related to other issues raised

Issue	Relevant submission	Response
Undertake necessary consultation with the local Gamliaraay and Kamilaroi Aboriginal Community so that their input can be incorporated into the design of the buildings, spaces and landscape in accordance with the requirements outlined in the State Design Review Panel (SDRP) advice (dated 13/10/2021).	DPE	This project has been developed in collaboration with the Aboriginal Education Consultative Group from its inception and this collaboration has informed the proposed design. This is in addition to the requirements under the Aboriginal Cultural Heritage Assessment Report process. Continuing consultation with the local Aboriginal community is being undertaken in accordance with the Connecting with Country Framework submitted with the EIS. No changes to proposed mitigation measures are required.
Clarify the exact location and size of the COLA.	DPE	No standalone COLA is proposed. A covered sports court is proposed which can be used as a COLA. The covered sports court is depicted in the Design Report (Appendix C) and Architectural Drawings (Appendix B). The area of the covered sports courts is approximately 1,395sqm. Elevations of the sports courts are shown in the Design Report at Appendix C. No changes to proposed mitigation measures are required.
Clarify the details of the public art strategy for the site and likely location(s) for installation(s).	DPE	The Design Report (Appendix C) has been updated to include an indicative Public Art Strategy at pages 91-95. Opportunities identified for public art include: • A dedicated mural or artwork on the eastern façade of the Indigenous cultural centre. • A dedicated artwork on the architectural screening adjacent to the main school entry. • Spaces that can accommodate performative song/dance, ceremonial, sculptural/totem, and workshop style public art during the ongoing operation of the school. Further detail of the public art strategy and the installation/programming of public art can be provided prior to operation of the school. No changes to proposed mitigation measures are required.

Issue	Relevant submission	Response
Noting the concerns raised in public submissions regarding the potential for light-spill: Consider implementing a lighting curfew for the pole-mounted LED lighting along the access driveway off George Street or provide details of other mitigations. Clarify whether the proposal includes the installation of lighting to the sports field / track, covered courts and the secondary car park accesses from Charles Street.	DPE	Refer to 3.1.9 for detailed discussion. Lights will be fitted with timers and can be controlled to a curfew. The security lighting is only to facilitate safe access and egress to school staff if arriving early or if an event is on. No changes to proposed mitigation measures are required. No lighting is proposed for the sports fields or covered sports courts. They are intended to be used during school hours and for other daytime events.
Provide elevational drawings, including materials, of the covered sports courts.	DPE	The Architectural Drawings (Appendix B) and Design Report have been updated to provide elevational drawings of the covered sports courts. No changes to proposed mitigation measures are required.
Update the Accommodation Schedule to confirm the overall proposed GFA for the development.	DPE	The Accommodation Schedule has been updated. The total GFA is 4,858.9m^2. No changes to proposed mitigation measures are required.
Land ownership and Native Title. The appropriate acquisition process is to be completed	Crown lands Council	DoE has undertaken the necessary consultation with the Native Title claimant and their representatives under the *Native Title Act 1993* for the acquisition of the Crown Land parcels. The claimant group have been invited to comment on the proposal and in the exercising of their rights and responsibilities under the Act. The project was presented to the claimant group on 23 February 2022. Finalisation of the land acquisition is forecast for April 2022 and will be complete before determination of the SSD. DoE has acted under the advice of the Crown Solicitor's Office in this matter. SINSW will continue the ongoing consultation and engagement with the Native Title claimant group. No changes to proposed mitigation measures are required.
Commercial impacts to nearby properties including ability to subdivide land	SE-32931803 SE-32838276	Development for the purposes of a school is permissible with consent in the R1 General Residential zone which applies to the site. The proposal complies with the relevant planning controls set by the Narrabri Local Environment Plan and SEPP Educational Establishments and Child Care Centres. The land has also been owned by DoE and Crown Land for some time. Value of adjoining land is not a planning

Issue	Relevant submission	Response
		consideration. There are no predetermined subdivision patterns for the township and subdivision is to be considered by private landowners. No changes to proposed mitigation measures are required.
If excess fill is to be removed offsite any excavated soils should be classified as Virgin Excavated Natural Material (VENM) in accordance with the Act or as Excavated Natural Material (ENM) in accordance with the resource recovery order and exemption for ENM prior to being re-used off site or disposed of. If any loads of VENM are to be delivered to the Narrabri Waste Management Facility, they need a completed certificate, certifying the load as VENM. All other waste material from the development, including the contaminated material from north easter corner of Lot 124, should be classified in accordance with the EPA's Waste Classification Guidelines prior to be being disposed of at a facility that can lawfully accept the waste material.	EPA	Noted. The relevant waste disposal procedures will be undertaken at the appropriate time. No changes to proposed mitigation measures are required.
Aboriginal Cultural Heritage – implement ACHAR findings	Heritage NSW – Aboriginal cultural heritage (ACH) Council	Noted. The findings of the ACHAR will be implemented as mitigation measures, detailed in the EIS. No changes to proposed mitigation measures are required.
Historic heritage, - demolition of structures on site, no assessment of the significance criteria	Council	Comments are noted. As described in Section 4.4, a small local portion of the site was cleared to undertake detailed site investigations relating to potential soil contamination. A heritage assessment was not required as the site was not listed as a State or Local heritage item or draft item by Council. This was confirmed by the NSW Heritage Office. No changes to proposed mitigation measures are required.

Issue	Relevant submission	Response
Provide further detail of construction impacts, including how the workforce will be managed as Wee Waa has an accommodation shortage.	Council	A preliminary Construction Management Plan was provided with the EIS. A detailed Construction Environmental Management Plan (CEMP) will be prepared prior to construction commencing which will provide further information about the details of construction and will be prepared with input from the builder/contractor. It is not expected that all construction workers will be accommodated within Wee Waa and many may travel from outside the town. Further consideration of worker access arrangements can be provided in the CEMP. The construction process will support local businesses, including accommodation services in Wee Waa, and greater Narrabri area. No changes to proposed mitigation measures are required.
Clarify the proposed hours of construction and if they are outside the ICNG standard hours.	DPE	As described in Section 1.1.2, the following construction hours are proposed: • Monday to Friday: 7:00am to 6:00pm • Saturday: 8:00am to 1:00pm • Sundays and Public Holidays: No works These are in line with the INCG standard hours and no extended hours are sought. No changes to proposed mitigation measures are required.
Council requests that the proposal not be considered exempt from paying development contributions for the following reasons: • Council would be required to meet the corresponding demands and community expectations, and the request represents a form of cost-shifting to local government; • Current and ongoing resourcing impacts of the Wee Waa High School proposal, generally; • Narrabri Shire Council has been recently declared a natural disaster area on account of a major flooding event which has ongoing resourcing and financial impacts; and • Council's consistent application of the provisions of the Section 7.12 Plan, and the	Council	As described in Section 5.19 of the EIS, the relevant contribution plan applying to the site is Narrabri Shire Council Section 7.12 Fixed Development Consent Levies Contribution Plan 2011. The plan states that consideration can be given to request development be exempt for the purposes of: • Public infrastructure for or on behalf of the NSW Government including but not limited to hospitals, public transport, police and fire stations and education facilities. • Public community infrastructure such as but not limited to libraries, community facilities, child care facilities, recreational areas, recreational facilities or car parks. Therefore, DoE request that the proposed development be exempt under the plan as the proposed development will deliver public infrastructure (an education facility) and public community infrastructure (recreational areas and joint community use spaces). The proposal is genuinely public in nature, and provides a new public high school

Issue	Relevant submission	Response
commensurate potential to create an undesirable local planning precedent.		with joint community use of selected facilities such as the hall and sporting fields. Significant upgrades and new public infrastructure are also proposed to the road, footpaths, and stormwater/flood infrastructure within and surrounding the site. The NSW Department of Education is a government agency which relies on government grants to provide new facilities for the local community. The levying of a development contribution would divert a portion of these public funds, which have been specifically provided to fund a school redevelopment, to local services without any direct nexus to the impact on those services. The school has served as a catalyst for the government to improve the surrounding infrastructure through separate planning pathways, including flood mitigation works and augmentation of the electricity network. In response to Council's submission: • The proposal represents a significant upgrade to the community infrastructure provided by the NSW Government. • Current resourcing impacts associated with the existing school will be alleviated by the proposed new school. • The proposal includes a significant upgrade to the town's flood and stormwater network, which will provide flood benefits to the site and many surrounding properties. Therefore, the proposal will contribute to the effective management of any future flood events. • Since the proposal is for a new public high school that will directly serve the Wee Waa community, it is not considered to create an undesirable precedent. Consideration of an exemption for the type of development proposed is in fact in line with the contributions plan, as described above. For the reasons outlined above, it is therefore requested that an exemption be granted from the payment of development contributions. No changes to proposed mitigation measures are required.

Issue	Relevant submission	Response
Site suitability and consideration of alternative sites	Council SE-32838276	A number of sites were considered for the development of a new school, including the existing school site, the showgrounds site and an alternative park site near the existing public school. The options were discounted for the following reasons: • The existing school site was evacuated due to ongoing health concerns for students and staff. SINSW is in the process of investigation the building structures to confirm the cause of the issues. • The showgrounds site does not have adequate street frontages or vehicular access and is zoned *RE1 Public Recreation* where school development is not permissible. Using the site would require a rezoning process that would add significant time to the project. It is also located on the fringe of town and would not benefit from co-location with the primary school. • The alternate park site located near the existing public school is currently a town park for public use and is zoned *RE1 Public Recreation* where school development is not permissible. Development at this site would require a rezoning and reclassification process that would add significant time to the project. The proposed site was chosen since it comprised part DoE owned land, had sufficient street frontages, school development is permissible on the site. DoE believes that this location will enhance learning opportunities for Wee Waa's primary and secondary students, build on the strong bond shared by both schools and provide an opportunity for the broader community to benefit from facilities. The existing public school also does not have a sports field and co-location with the new high school will provide convenient access to the field for carnivals and other sporting events. The proposed site is the most suitable in the township for the development of a new school. No changes to proposed mitigation measures are required.
Acquisition of adjacent sites	SE-32838276 SE-32400989	DoE have selected the current site for development of the new school partly due to its ownership by NSW Government (DoE and Crown Land). The site is sufficiently large to accommodate the required school facilities while managing impacts to neighbours. Acquisition of adjacent land is not considered a viable or necessary option. The adjacent sites are not the subject of this SSDA.

Issue	Relevant submission	Response
		No changes to proposed mitigation measures are required.
Insufficient community consultation	SE-32931803	Community consultation was undertaken as described in the EIS and accompanying Consultation Summary Report. Further consultation since lodgement of the EIS is described at Section 3.2. The EIS was exhibited for the required 28-day period in accordance with the EP&A Regulations. A community information session was held during the exhibition phase in Wee Waa and attended by 60+ residents with technical specialists on hand to answer resident queries. This is in addition to consultation undertaken with residents who have made public submissions. No changes to proposed mitigation measures are required.
Dust management: Implement Air Quality mitigation measures	EPA	Noted. The mitigation measures related to air quality will be implemented. No changes to proposed mitigation measures are required.
Stormwater Management Plan and Sediment and Erosion Control Plans (Appendices H3 and K) be incorporated into the conditions of consent for the proposal.	EPA	Noted. Draft conditions will be reviewed once DPE assessment is complete. No changes to proposed mitigation measures are required.
Confirm the predicted number of direct (rather than combined direct/indirect) construction jobs.	DPE	The construction jobs expected to be generated are: • 90 direct. • 60 indirect. No changes to proposed mitigation measures are required.

5 Updated Project Justification

This RtS has been prepared by Ethos Urban on behalf of DoE to meet the requirements Section 4.39 of the *Environmental Planning and Assessment Act 1979.*

The RtS provides an amended proposal and is supported by additional environmental assessment and consultation. In particular, the revised proposal:

- Will result in more efficient construction of the urgently required school.
- Includes additional flood safety measures to protect staff, students, and the public.
- Provides a refined fence strategy that is based on safety and consultation with neighbours.
- Includes minor design changes that will allow for more robust construction and better usability for the school user group.
- Is supported by additional environmental assessment and investigations that address submissions made by the public and government authorities.

Having regard to biophysical, economic, and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The assessment of this proposal has demonstrated that the development will not generate any environmental impacts that cannot be appropriately managed and is consistent with the relevant planning controls for the site.
- The development will provide a significant new piece of social and educational infrastructure, providing a new school with permanent teaching spaces to accommodate up to 200 students (with future growth capacity to accommodate 300 students, subject to funding and service need). The new school is an urgent need for the community and will support and strengthen the availability of educational facilities in the region.
- The proposal is consistent with the principles of ecologically sustainable development as defined by Schedule 2(7)(4) of the EP&A Regulation 2000.
- The proposal needs to be delivered urgently and is undoubtably in the public interest.
- The area and shape of the site allows for the provision of new teaching and educational facilities that meet the special design requirements for the proposed uses, whilst not resulting in any significant adverse impacts on surrounding uses.
- The proposal will alleviate pressure from the existing Wee Waa Public School and provide a surplus of open space that can be used by the high school and public school populations as well as the wider community.
- The proposed development is anticipated to create an additional 11 full-time equivalent positions at the school. This is anticipated to have additional social benefits for the region in terms of providing additional employment.
- The development will also create 90 direct and 60 indirect jobs during construction.
- Transport and access impacts associated with the proposed development can be appropriately managed and active transport will be promoted and encouraged.
- The proposal is urgently needed, has significant social benefit and will contribute positively to the township and broader region.

Given the merits described above it is requested that the application be approved.

Appendices

A – Submissions Register

B – Amended Architectural Drawings (SHAC)

C – Amended Design Report (SHAC)

D – Amended Landscape Report and Plans (Moir)

E – Traffic and Transport Statement (TTW)

F – Amended Acoustic Report (Day Design)

G – Amended Waste Management Plan (MDE)

H – Flood Statement (Lyall & Associates)

I – Amended Biodiversity Development Assessment Report (EcoLogical)

J – Amended Civil Engineering Drawings (MDE)

K – Amended Soil and Water Quality Assessment (SMK)

L – Mitigation Measures Table

M – Amended Arboricultural Impact Assessment (McArdle)

Appendix L: Mitigation measures table

The updated list of measures required to mitigate the impacts associated with the proposed works are in the table below. Amendments and new mitigation measures are shown in ***bold italics***.

Mitigation measures
Aboriginal Heritage
Should development consent for the proposal be gained, the proponent will develop an Aboriginal Cultural Heritage Management Plan (ACHMP) which is to be agreed to by the Registered Aboriginal Parties and the Department of Education. The ACHMP will also include an unanticipated finds protocol, unanticipated skeletal remains protocol and protocols for the long-term management of any artefacts should they be discovered during construction and operation of the proposal
All staff and contractors involved in the proposed work will be made aware of the legislative protection requirements for all Aboriginal sites and objects. The procedures to conserve Aboriginal cultural heritage values in the ACHMP will also be made clear to all personnel involved with ground disturbing activities.
Air Quality
Prior to commencement of construction activities, develop appropriate communications to notify the potentially impacted residences of the project (duration, types of works, etc), relevant contact details for environmental complaints reporting.
A complaints logbook will be maintained throughout the construction phase which should include any complaints related to dust; where a dust complaint is received, the response actions should be detailed in the logbook.
Record any exceptional incidents that cause dust and/or air emissions, either on or off site, and the action taken to resolve the situation in the logbook.
Carry out regular site inspections, record inspection results, and make the logbook available for review as requested.
Erect shade cloth barriers to site fences around potentially dusty activities such as trench excavations and material stockpiles where practicable.
Keep site fencing and barriers clean using wet methods.
Impose a maximum-speed-limit of 20 km/h on all internal roads and work areas during construction.
Ensure proper maintenance and tuning of all equipment engines.
Deploy water carts to ensure that exposed areas and topsoils/subsoil are kept moist.
Provide an adequate water supply on the construction site for effective dust/particulate matter suppression/mitigation.

Modify working practices by limiting activity during periods of adverse weather (hot, dry and windy conditions) and when dust is seen leaving the site.

Minimise drop heights from loading or handling equipment.

Re-vegetate earthworks and exposed areas/soil stockpiles to stabilise surfaces as soon as practicable.

With respect to managing track-out, the following measures are recommended:

• Access gates to be located at least 10 m from receptors where possible.

• Use water-assisted dust sweeper(s), to remove, as necessary, any material tracked out of the site onto public roads.

• Avoid dry sweeping of large areas.

• Ensure vehicle loads entering and leaving sites are covered to prevent escape of materials during transport.

• Trips and trip distances should be controlled and reduced where possible, for example by coordinating delivery and removal of materials to avoid unnecessary trips.

Visual monitoring by construction personnel will represent an effective means of dust monitoring during construction. Visual monitoring should comprise of the following:

• Undertaking daily on-site and off-site inspections, where receptors are nearby, to monitor dust. The inspection results should be recorded in a specific log. Inspection should include regular dust soiling checks of surfaces such as street furniture and cars.

• At the commencement of each day's activities, the local meteorological forecast should be reviewed, including the timing of notable increases in wind speed and/or temperature. Appropriate increased intensity or additional mitigation measures should be planned for the day based on this forecast review. The likely meteorological conditions and implications for dust emissions and impacts should be discussed at the morning toolbox meeting.

• Increasing the frequency of site inspections when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions. Should notable visual dust emissions be observed leaving the site boundary, increased intensity or additional mitigation measures should be deployed.

Biodiversity

No hollow bearing trees are expected to be cleared for the project, however hollow bearing trees occur within the subject land. A pre-clearance survey of trees across the subject land and identification/location of habitat trees (e.g. trees with nests or to identify trees with any new hollows) by a suitably qualified ecologist is required. Supervision by a qualified ecologist/licensed wildlife handler during tree removal in accordance with best practice methods. Prior to and during clearing work.

Where possible, undertake clearing works outside of known seasonal breeding events for candidate fauna species known to inhabit the locality i.e. Major Mitchell's Cockatoo, Red-tailed Cockatoo, Superb Parrot, White-bellied Sea-Eagle, Little Eagle and Square-tailed Kite. Such breeding times take place between May-January. During clearing works.

Install temporary fencing and signage 'no go zones' along the boundary of any vegetation to be retained. Prior to clearing works.

Should any trees removed that have hollows/hollow trunks/fissures, they should be retained as ground fauna habitat and/or used as replacement hollows and attached to trees within the within the development site. If it is impractical to use salvaged hollows as replacement tree hollows, compensatory nest boxes should be installed where practical at a ratio of one nest box installed per hollow removed (if applicable). Prior to and during clearing work.

Appropriate controls will be utilised and maintained to manage exposed soil surfaces and stockpiles to prevent sediment discharge into waterways. Soil and erosion measures such as sediment fencing, clean water diversion must be in place prior the commencement of the construction work to apply for the duration of construction works.

Daily timing of construction activities is recommended in accordance with Table 1 of Interim Noise Guidelines (2009)

Dust suppression measures will be implemented during construction works to limit dust on site.

Vehicles, machinery and building refuse associated with the development construction should remain only within construction footprint areas, avoiding weed or pathogen related impacts to vegetation outside of the development site.

Waste bins to be present on site. Covers to be used to prevent blown litter and the entry of pest animals or rain. Removal and appropriate disposal of general waste generated during the works.

All staff working on the development will undertake an environmental induction as part of their site familiarisation. This induction will include items such as:

− Site environmental procedures (vegetation management, sediment and erosion control, exclusion fencing and weeds).

− What to do in case of environmental emergency (chemical spills, fire, injured fauna).

− Key contacts in case of environmental emergency.

− Unexpected finds protocols.

The retained vegetation would be managed to be kept in a natural undisturbed state as possible so that the traditional practices of the Kamilaroi People can be practiced/demonstrated within the school grounds (Refer to Section 7.2) . The management techniques for this area will be informed by the on-going 'Designing with Country' process that is currently in place, Weeds should be managed and controlled within the adjacent vegetation to be retained. Weed control targets are to be determined through the 'Designing With Country'. Slashing frequency is to be determined to allow for seed harvesting and the re-setting of seeds and the perpetual natural reseeding of the native grasses in the area.

Built Heritage and Archaeology

Following determination of the development, a Heritage Management Plan is to be prepared to provide policies to manage unanticipated finds of historic heritage significance, should any be found during the construction of the proposal.

Noise and Vibration

Construction impacts:

Engineering and practical noise controls, including distancing of machinery, enclosing mobile plant when being used for long periods of time, screening of construction site and silencing any mobile plant where possible. It is noted that a temporary sound barrier is recommended to be erected up to a height of 2.4 metres around the site.

All equipment is to comply with the requirements of AS IEC 61672.1:2004 Electroacoustic – Sound Level Meters-Specifications. The noise emission levels for all critical items is to be checked by the site environmental officer for compliance with noise limits in the instance of a complaint.

In the instance of a noise complaint, any attended noise measurements to be carried out are to be in accordance with the procedures outlined in the Australian Standard AS1055 Acoustic – Description and measurement of environmental noise.

All construction shall take place within the hours proposed in Section 3.16, to provide periods of respite from construction noise.

Measures will be implemented to reduce noise from plant and equipment, including the use of alternatives to diesel and petrol engines and comparison of machinery.

Appropriate work practices will be implemented, including ensuring all workers and contractors are trained in work practices to minimise noise emissions.

Appropriate construction management measures will be implemented as per a detailed construction management plan to manage the use and direction of vehicles entering and exiting the site and surrounding streets.

A Community Liaison Officer will be appointed by the contractor to provide a point of contact for surrounding residents. This person will receive and manage noise complaints and implement a Construction Complaints Management System.

Compliance monitoring of ground borne vibration is to be carried out at the nearest residence when vibratory machinery is likely to be used on site.

Installation of unattended vibration monitors shall be installed at each residential location where an exceedance of the Peak Particle Velocity vibration criteria is exceeded. These monitors will have the capability to trigger an alert to the site manager or similar aware of the vibration impact.

A noise validation assessment is required to be completed, prior to construction works commence, that considers all equipment to be used and all mitigation measures to be implemented at the site.

Operational impacts:

Mechanical Plant: A detailed assessment will be carried out once the plant selection is nearing completion to ensure the acceptable noise criteria is able to be met.

Noise emissions from internal road to adjacent residential dwelling:

• An exceedance of the noise criteria at the residential dwelling at 41 George Street may be considered acceptable without additional mitigation if an agreement can be made with the affected residential neighbour. Written confirmation of the agreement will be required. ***The type of fence and any acoustic mitigation measures will be subject to a private agreement with the occupier of 41 George Street.***

• PA Speaker System: Speakers are to face inwards towards the school, generally in a downwards direction ground no closer than 40m from the nearby residences.

• Waste Collection and Grounds Maintenance: Waste collection and maintenance is to be restricted to daytime hours of between 7:00am and 6:00pm Monday to Friday.

• School Hall Materiality: Materials used for external walls, ceiling and roof systems and glazing and glazed doors are to be chosen to restrict noise emissions where possible.

Construction Impacts

Prepare and implement a detailed Construction Environmental Management Plan as detailed in the Preliminary Construction Management Plan.

Contamination

It is recommended that access to the contaminated area be restricted and that procedures be put in place to prevent the dispersion of contaminated soil to other areas of the site.

Based on the findings of the further site investigation it is concluded that the site is suitable for the proposed development, as there are no contaminants present at the site which are likely to present an immediate risk of impact to the health of humans or the environment from the proposed activities.

Development of the Investigation Area as part of a playing field is subject to the removal of fibre cement fragments from the surface of the site.

The Remediation Action Plan (RAP) is to be implemented in the removal of the fibre cement fragments from the surface of the site.

Once remediation is complete, a Long-term Environmental Management Plan (LEMP) will be developed to provide recommendations for the long-term management of the containment, if required.

A Construction Environmental Management Plan is recommended to be prepared prior to any earth works being commenced. The purpose of the CEMP is for the management of contaminated soil as well as for the management of any excavated soils (which could include contaminated soils) and should include procedures for the classification of the soils as well as for the implementation of sediment and erosion controls for stockpiling of excavated soils.

Prepare a validation report once remediation has been completed in accordance with NSW EPA requirements.

Consider appointment of an EPA accredited site auditor.

Flooding

It is recommended that a “Construction Soil and Water Management Plan” (or similar) be developed as part of a Construction Environmental Management Plan for the proposal. The former document would set out the measures that are to be implemented to manage erosion and sediment, as well as stormwater runoff during the construction of the proposal, while the latter would identify the existing flood risk on the proposal site and include measures that are aimed at mitigating the impact that flooding would otherwise have on site personnel, equipment and work areas.

While flooding of the proposal site is generally of a low hazard nature, it will be important to locate site sheds in areas that lie above an elevation of RL 191.0 m AHD. Access off George Street will also be raised in order to prevent the frequent and potentially prolonged inundation of the access road into the proposal site. As this will require the filling of a portion of the proposal site, it is recommended that construction activities commence in its north-eastern corner, as this corresponds with the location of the proposed main vehicular entrance.

If not already incorporated in the construction of the FMW, it is recommended that temporary earth bunding be provided along the northern and eastern sides of the High Flow Conveyance / Flood Storage Area, as well as along the eastern side of the proposed fill platform upon which the school buildings would be constructed, as this will reduce the frequency floodwater impacts to the remainder of the proposal site, and hence reduce the impact that flooding has on construction activities.

Spoil stockpiles will be located in areas which are not subject to frequent inundation by floodwater, ideally outside the 5% AEP flood extent. The exact level of flood risk accepted at stockpile sites will depend on the duration of stockpiling operations and the type of material stored.

Minimum habitable floor levels to be set no lower than RL 191.5 metres AHD, noting that this would provide 0.5 metres freeboard to the peak 1% AEP local catchment flood level.

The underside of Pedestrian Footbridge No. 1 and Pedestrian Footbridge No. 2 to be set no lower than RL 191.0 metres AHD (i.e. no lower than the peak 1% AEP local catchment flood level.

The northern abutments of Pedestrian Footbridge No. 1 and Pedestrian Footbridge No. 2 are to be set no further south than 4 metres off the southern face of the proposed buildings, while the southern abutments are to be set as close as practical to the road reserve boundary.

Flood emergency management measures for construction and operation of the proposal will be incorporated into relevant environmental and/or safety management documentation

Materials and heavy machinery should not be stored on George Street where it borders the proposal site as during very intense storm events there is the potential for floodwater to surcharge the road, with any obstruction of this flow potentially exacerbating flooding conditions in existing residential development that is located on its eastern (upstream) side.

A minimum 1.5 m high security type fencing and lockable gates will be provided around the perimeter of the High Flow Conveyance / Flood Storage Area (subject to separate approval).

Perimeter security type fencing and lockable gates would also be provided around the area that will be inundated by local catchment runoff adjacent to the main entrance to the school, thereby enabling staff to prevent access during periods when it is inundated.

Appropriate signage will be fixed to the abovementioned perimeter fencing alerting of the potential for these areas to be subject to flash flooding and for people not to enter the floodwater.

A grated inlet arrangement will be installed on the inlet of the new twin 1350 mm diameter reinforced concrete pipes which will run north along Charles Street.

To reduce the likelihood that the new 1350 mm diameter reinforced concrete pipes will experience a blockage during a flood event, a chain-wire (or similar) debris control device will be provided immediately upstream of the aforementioned grated inlet arrangement. The debris control device will be designed so as to also act as a refuge for anyone who might be caught in the floodwater and find themselves being drawn toward the inlet of the new twin 1350 mm diameter reinforced concrete pipes.

A Flood Emergency Plan will be prepared for the high school which sets out the actions which would need to be undertaken by staff in the instance of both long-duration riverine and short-duration local catchment type flood events. The plan will be prepared prior to the commencement of school operation.

Transport and Accessibility

Further development of the Green Travel Plan, Operational Traffic and Access Management Plan, and Construction Traffic and Pedestrian Management Plan (or inclusion in the School Transport Plan subject to the relevant conditions of consent)

Construction of the required pedestrian footpaths to access the school including detailed public domain design, in accordance with the submitted Architectural Drawings as required for the school in this SSD Application.

Construction of required road widening to accommodate the kiss and drop and the bus bay within the road reserve including detailed design, in accordance with the submitted Architectural Drawings as required for the school in this SSD Application.

Future monitoring of the kerb blistering is to be undertaken to determine whether warrants have been met for construction of a marked pedestrian crossing between the public school and the new high school across Mitchell Street once the new high school is in operation.

Tree Removal

Engage a Project Arborist to oversee the site prior to site activity and for the duration of the works.

The trees retained require tree protection fencing, to be installed at the TPZ measurement given in the Tree Survey Table prior to any construction activity. All fencing must comply with AS 4970 2009 (Protection of Tree on Development Sites) and AS 4687 (Temporary fencing and hoarding). Displayed on each assembly a sign with the wording “TREE PROTECTION ZONE NO ACCESS” and a contact number of the Project Arborist. The fencing must remain in place and maintained for the duration of the proposed works.

Remove only the trees specified in the Tree Survey Table that will be impacted by the development footpad.

A suitable qualified licenced AQF 3 Arborist contractor must be engaged to complete the works and all pruning work to the Australia Standards AS 4373 2007 Pruning of Amenity Trees. Also see Safe work NSW engaging a contractor.

All tree waste can be mulched and stockpiled on site as per Environment Protection Authority (EPA) Raw Mulch Order 2016. The generated mulch is to be used on site.

Excavations or entry within the tree protection must be undertaken with the AQF 5 Consulting Arborist on site and or consult with the AQF 5 Arborist prior to any attempt to enter the enclosed TPZ's.

The development approval must include a tree planting programme to replace the trees of the same species that are being removed being removed to maintain the biodiversity of the site. (This excludes Tree 39C which is an invasive species).

Habitat trees that are identified on site require an ecologist to verify activity and species of animal so relocation or intervention can be appropriate.

Prior to the commencement of works that would encroach into the tree protection zones of trees numbered 6, 24, 25, 28, 29, 31, 32, 32A, 32B, 33 or 34 in the Arboricultural Impact Assessment Report dated 30 March 2022 and prepared by Moore Trees, the Applicant must undertake further investigations to determine the civil earthworks design required for flood protection and any potential design changes, measures and methods required to retain these trees. A report must be provided to the Planning Secretary for their information that documents the findings of the investigations and any methods and measures to retain the trees, where possible.

Waste

Construction impacts:

Waste planning controls, including:

− Designing buildings to minimise on site cutting of components and maximising on site assembly tasks, as per the DFMA model.

− Careful ordering of materials such as sand and building products to match quantities with amounts required, and on time ordering rather than having materials stored on site for months before being used.

− Segregating materials and providing weather protection for stored materials to maximise their fitness for use

− Bringing in material such as sand in large bags rather than as bulk loads, to enable excess materials to be easily picked up and used at other sites.

− Encouraging bulk handling and use of reusable and returnable containers.

− At the time of tendering, advise contractors and sub-contractors and suppliers of the requirements to minimise waste on site.

− Include provision in the tender documentation for the client to monitor the use of waste and recycling bins on site.

− Development of a Construction Waste Management Plan by the main site contractor, which includes details of the above elements.

On site controls, including:

− Implementation by the main site contractor of a Construction Waste Management Plan.

− Segregating wastes generated on site, using different skip bins for recycling and waste, with separate bins for different recyclable materials.

− Discussion about the site's waste management and recycling policies and practices with employees and subcontractors during site inductions and toolbox talks.

− Ensuring all waste disposal bins are clearly marked

− Keeping records of quantities of waste and recycled materials disposed of, and the destinations of these materials

− Ensuring that wastes are only disposed to licensed facilities.

Sediment and Erosion Control

• Prior to construction start:

− Erect site signage and construct entry and exit points as indicated on plans.

− Construct vehicle washdown area and associated silt management devices.

− Construct site office and storage compound area.

− Erect silt fence at low points of the site as demonstrated on the plans.

− Erect temporary 3 strand wire fence around existing trees to be retained.

− Construct rock check dams and silt fences downstream of basin.

• Clearing and bulk earthworks

− Silt fence, sandbags, and earth rills to be erected as indicated or required during clearing.

− Superintendent to confirm extent of stripping to contractor prior to commencement of works each day, based on predicted rainfalls.

− Silt fences and earth rills within roads to be erected as indicated or required during earthworks.

• Construction – stockpiling

− Temporary silt fence to be erected 3m from toe of batter on low side of stockpiling.

− Stockpile site to be clear of adjacent property boundaries so as not to cause a nuisance to adjoining properties.

• Maintenance (pre to post construction)

− The silt fences are to be inspected weekly.

− Any repairs required are to be affected immediately.

− Silt after rain is to be cleaned from streets and allotments immediately and corrective action taken to avoid a re-occurrence of the failure.

Social Impacts

A detailed Construction Management Plan will be prepared by the contractor to manage and mitigate where possible the impacts associated with the construction of the development.

The proposed development is to be designed and constructed utilizing the MMoC process, in order to reduce construction duration and impacts.

Soil and Water Management

A Soil and Water Management Plan is required to be prepared to address stormwater management and sediment and erosion control during construction and operation. The plan is to address the requirements of the guideline Managing Urban Stormwater: Soils

and Construction (Landcom 2004) and to ensure peak discharge from the project site is not increased. The plan should be prepared prior to construction works commencing.