

From: Alistair Smith <asmith@mecone.com.au>
Sent: Friday, 24 July 2026 5:39 PM
To: Anne McDonald
Cc: Jodi Gleeson; Martin Mende; Vince Marino; Peter Johnston
Subject: MFCM: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton
Attachments: Revised Draft Conditions - DA26 1070 - 17 Croobyar Rd Milton.docx

Importance: High

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Hi Anne,

The NSW Department of Education have reviewed and agree the draft conditions attached (I note there was a slight typo of "fir further assessment" rather than "for" throughout – so corrected in the attached).

Let me know Monday if you need anything directly from the Department on Monday – but pasted email below from the Project Director providing the confirmation of the conditions:

Hi Alistair

Martin and I have reviewed and it looks good to go.

Good news for a Friday afternoon. If you don't have any further comments or concerns and can forward confirmation to Anne that would be great.

Appreciate your efforts this week.

Kind regards

Jodi Gleeson

Project Director (contractor), Delivery South | School Infrastructure

0460 034 443 | jodi.gleeson2@det.nsw.edu.au | schoolinfrastructure.nsw.gov.au

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Please advise Monday if there are any particular requirements for the Planning Panel

Regards

ALISTAIR SMITH

Director, Environmental Planning

Mob. 0405 571 909

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From: Anne McDonald <Anne.McDonald@shoalhaven.nsw.gov.au>

Sent: Friday, 24 July 2026 3:33 PM

To: Alistair Smith <asmith@mecone.com.au>

Cc: Jodi Gleeson <jodi.gleeson2@det.nsw.edu.au>; Martin Mende <martin.mende@det.nsw.edu.au>; Vince Marino <vince.marino1@det.nsw.edu.au>; Peter Johnston <Peter.Johnston@shoalhaven.nsw.gov.au>

Subject: RE: MFCM: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

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Hi Alistair

Thank you for confirming that the school's student capacity is far in excess of the proposed number of students using the refurbished facility.

Sorry not to be clear in my last email but I meant that the Manager was generally supportive of your proposed condition that is without the requirement of a bond.

I can confirm now that condition 56 & 57 is now agreed upon with a 12-month time frame for completion of the pedestrian crossing.

Please find revised draft conditions attached. I have highlighted in yellow the changes that have been made to the wording.

Looking forward to getting the Department approval so I can book the Regional Panel meeting in.

Kind regards



Anne McDonald

Senior Planner

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shoalhaven.nsw.gov.au

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From: Alistair Smith <asmith@mecone.com.au>

Sent: Friday, 24 July 2026 12:10 PM

To: Anne McDonald <Anne.McDonald@shoalhaven.nsw.gov.au>

Cc: Jodi Gleeson <jodi.gleeson2@det.nsw.edu.au>; Martin Mende <martin.mende@det.nsw.edu.au>; Vince Marino <vince.marino1@det.nsw.edu.au>; Peter Johnston <Peter.Johnston@shoalhaven.nsw.gov.au>

Subject: MFCM: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

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Hi Anne,

1. Thanks for the confirmation on **Condition 32**
2. For your further question with respect to agreeing **Condition 57** – We have done a review of the consent history and have not found a determination or conditions specifically defining a capacity limit on the former SAS.

However, I can confirm that the Department of Education's GAP analysis, as part of the business case options for the use of the site, performed an assessment of the use of the existing school facilities based on a maximum student population of 510.

I have also found reference in the Parliament of NSW - Submissions to Planning and delivery of school infrastructure in New South Wales, from the Ulladulla HS P&C [https://files.parliament.nsw.gov.au/fileapi/ParlFiles/GetArtifact?serverRelativeUrl=%2Fdocs%2Fsubmissions%2F77295%2F0119%20Ulladulla%20High%20School%20Parent%20and%20Citizen%20\(P%20and%20C\)%20Executive%20Committee.pdf](https://files.parliament.nsw.gov.au/fileapi/ParlFiles/GetArtifact?serverRelativeUrl=%2Fdocs%2Fsubmissions%2F77295%2F0119%20Ulladulla%20High%20School%20Parent%20and%20Citizen%20(P%20and%20C)%20Executive%20Committee.pdf) – stating the “The site can cater for 500 students.”

Our proposal on page 21 of the SEE states:

The site will operate as a satellite campus that can support 184 students and 13 staff across indoor sports courts, a VET kitchen, general learning spaces, and outdoor playing fields. It is anticipated that the site and educational facilities will be used approximately 8 days per month (based on 4 schools utilising it 1-2 days each per month).

So we are proposing something that sits well within what we consider the capacity limits of the site.

3. The only other item requirement confirmation was with the agreement to **Condition 56** in the email below allowing Crown completion of works within the road reserve within 12 months after the occupation/use of the development. You still note a requirement for a bond to be put in place. The Department have advised that they will not agree to a bond requirement and see that as unnecessary time and cost to be imposed on State Government, with the fact that the proponent is the State Government being sufficient security that the works will be undertaken.

If you can address these matters and provide final draft of conditions for agreement then I can have the Department confirm ASAP.

Regards

ALISTAIR SMITH

Director, Environmental Planning

Mob. 0405 571 909

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From: Anne McDonald <Anne.McDonald@shoalhaven.nsw.gov.au>

Sent: Thursday, 23 July 2026 2:37 PM

To: Alistair Smith <asmith@mecone.com.au>

Cc: Jodi Gleeson <jodi.gleeson2@det.nsw.edu.au>; Martin Mende <martin.mende@det.nsw.edu.au>; Vince Marino <vince.marino1@det.nsw.edu.au>; Peter Johnston <Peter.Johnston@shoalhaven.nsw.gov.au>

Subject: RE: MFCM: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

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Hi Alistair

I have discussed the proposed condition 57 for the pedestrian crossing with our Manager Bruce Gibbs. He is generally supportive of your proposal and has asked if we could get written confirmation from you that the number of students that will be using the site is less than what it previously was for the Shoalhaven Anglican School.

We are agreeable to the wording of Condition 32.

Kind regards



Anne McDonald

Senior Planner

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From: Alistair Smith <asmith@mecone.com.au>

Sent: Tuesday, 21 July 2026 1:42 PM

To: Anne McDonald <Anne.McDonald@shoalhaven.nsw.gov.au>

Cc: Jodi Gleeson <jodi.gleeson2@det.nsw.edu.au>; Martin Mende <martin.mende@det.nsw.edu.au>; Vince Marino <vince.marino1@det.nsw.edu.au>

Subject: MFCM: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

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Hi Anne,

Thanks for the further response and follow-up discussions you have undertaken.

I think we are getting very close to agreement! The Department have flagged the following two further aspects where they seek revision:

- **Condition 32 (CTMP)** – The Department need a timeframe for Council's review and approval of the CTMP as under the construction contract they have 14 days from date of award the contractor needs to issue the Department with the CTMP for review and approval for the Department to be able to grant site access, anything over 14 days will put the Department in delay with the contractor. Can we suggest that the wording be accepted as 'Before the commencement of works, a Construction Traffic Management Plan detailing the proposed method of dealing with construction traffic and parking be **submitted to Council for review**. With the addition of wording to the effect of '...following council's review any amendments required to the CTMP will be implemented within 14 days of receipt and a final updated CTMP will be provided to Council'. This will enable the Department to get started on site (usually site establishment will be a couple of weeks and so there is time to address any concerns for the 'wider public' prior to contract works commencing on site).
- **Condition 57 (Works in Road Reserve – Works as Executed)** – Noting the acceptance of 'within 12 months' for Condition 56, can we provide a timeframe for works as executed to be provided example being ' Upon completion of the works in condition 56, Works as Executed documentation within 21 days '.

I also note with your agreement to Condition 56 in the email below allowing Crown completion of works within the road reserve within 12 months after the occupation/use of the development – you still note a requirement for a bond to be put in place. The Department have advised that they will not agree to a bond requirement and see that as unnecessary time and cost to be imposed on State Government, with the fact that the proponent is the State Government being sufficient security that the works will be undertaken.

I have reattached the response to draft conditions letter and entire table containing the conditions with further mark-ups in red and also noting Council's agreement in red where resolution has now been reached – so hopefully that is helpful (I can provide in word.doc if desired) to consolidate and send a complete draft of the proposed conditions for Crown endorsement.

Note I have not assigned a number to the condition sitting immediately after draft Condition 24 for ease of our reference in referring to draft condition numbers to date but please update numbering in the any final draft returned for Crown agreement.

Regards

ALISTAIR SMITH

Director, Environmental Planning

Mob. 0405 571 909

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From: Anne McDonald <Anne.McDonald@shoalhaven.nsw.gov.au>

Sent: Tuesday, 21 July 2026 11:15 AM

To: Alistair Smith <asmith@mecone.com.au>

Subject: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

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Hi Alistair

I have discussed the matter with Peter Johnston, my supervisor, and we don't think we need to have a meeting about it.

We have decided that we would be agreeable to a condition that required it to be built 12 months after the occupation/use of the development as you have suggested with a condition for it to be bonded as per Scott's comment below.

Would the Department be agreeable to this proposal?

In regard to the schools that haven't completed the works, Scott has said that they are private schools not public ones.

Kind regards



Anne McDonald

Senior Planner

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From: Alistair Smith <asmith@mecone.com.au>

Sent: Monday, 20 July 2026 2:58 PM

To: Anne McDonald <Anne.McDonald@shoalhaven.nsw.gov.au>

Cc: Martin Mende <martin.mende@det.nsw.edu.au>; Jodi Gleeson <jodi.gleeson2@det.nsw.edu.au>

Subject: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

Importance: High

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Hi Anne,

Thank you for the response, however can we please still schedule a meeting to discuss as soon as possible. If there is a desire to meet in person, the project team are also happy to do so.

We would also be interested in the details of any similar situations at other schools within the LGA where works have never come back to be completed as the team will follow-up on those.

Regards

ALISTAIR SMITH

Director, Environmental Planning

Mob. 0405 571 909

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From: Anne McDonald <Anne.McDonald@shoalhaven.nsw.gov.au>
Sent: Friday, 17 July 2026 10:31 AM
To: Alistair Smith <asmith@mecone.com.au>
Cc: Martin Mende <martin.mende@det.nsw.edu.au>; Jodi Gleeson <jodi.gleeson2@det.nsw.edu.au>
Subject: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

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Hi Alistair

I have had the following response from Scott Haylett, Council's Development Engineering Coordinator about your request:

Council's Engineers have agreed that there is a sufficient nexus for the development application to provide the imposed pedestrian crossing. There will be a significant upturn in pedestrian activity adjacent to the school and the majority of the catchment will come from the north. A crossing of some description at this location has also been shown within Council's PAMP for a considerable time. It isn't a requirement which couldn't have been foreshadowed previously.

We are however concerned if we relax the timing of the delivery, it may not ever be done. Council has experienced similar situations at other schools within the LGA and the works have never come back to be completed and there hasn't been sufficient security to force these works to be completed.

The applicant always has the option to accept the condition and work with Council to provide security in lieu of undertaking the works – this is acceptable under Clause 4.17 (6) of the EP&A Act. This negotiation could either support the delay of the delivery by the Department or support Council undertaking these works themselves.

Kind regards



Anne McDonald
Senior Planner

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From: Alistair Smith <asmith@mecone.com.au>

Sent: Friday, 17 July 2026 9:14 AM

To: Anne McDonald <Anne.McDonald@shoalhaven.nsw.gov.au>

Cc: Ryleigh Bowman <Ryleigh.Bowman@shoalhaven.nsw.gov.au>; Martin Mende <martin.mende@det.nsw.edu.au>; Jodi Gleeson <jodi.gleeson2@det.nsw.edu.au>

Subject: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

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Hi Anne,

Further to our conversation Tuesday afternoon - How did you get on coordinating a meeting with Ryleigh Bowman and Scott Haylett so we can hopefully resolve the draft conditions relating to the pedestrian crossing and a decision can be made in the meeting. We would like to resolve as soon as possible.

(I have copied Martin and Jodi from the Dept of Education to this follow-up email if you can include them in any meeting invite that would be appreciated)

Specifically, the conditions unresolved that I discussed with you relate to the provision of the raised pedestrian crossing requiring the department to meet costs and undertake works to other infrastructure and the requirement to have all works completed prior to the use or occupation of the development:

XX

**Public Infrastructure –
Design Standards –
Pedestrian Crossing**

Before works commence in the public domain, certified engineering design plans must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by Council's Development Services Manager (or their delegate). The public infrastructure design must comply with the following:

A raised pedestrian crossing on Croobyar Road, located immediately east of the intersection with Drury Lane. The raised pedestrian crossing, alongside associated signage and linemarking, is to be designed in accordance with AS1742.10:2024.

Any impacted roadside assets or infrastructure, including stormwater, existing kerb and gutter, and service utilities, will need to be demonstrated in the design. The design must make any necessary modifications or adjustments to these assets to accommodate the raised pedestrian crossing.

To ensure proposed public infrastructure is appropriately designed.

Amend:

[Amend to include condition number]

... Any impacted roadside assets or infrastructure, including stormwater, existing kerb and gutter, and service utilities, will need to be demonstrated in the design. ~~The design must make any necessary modifications or adjustments to these assets to accommodate the raised pedestrian crossing.~~

Reason:

The Department agrees to provide a raised pedestrian crossing but not to modify or adjust other associated Council or third party assets.

Not accepted

This is standard wording and it covers any existing assets that may need to be altered to accommodate the proposed new pedestrian crossing.

The raised pedestrian crossing is to be supported by a lighting design compliant with AS/NZS 1158.4:2015

- | | | | | |
|-----|---|--|--|--|
| 56. | Works in the Road Reserve - Evidence of Completion
Before the use or occupation of the development, the developer must obtain a Construction Inspection Ticket / Completion of Works in Road Reserve Letter provided by Council, confirming | To ensure works in the road reserve are completed appropriately. | Amend:
<i>Within 12 months of</i>
Before the use or occupation of the development, the developer must obtain a Construction ... | Not accepted
This is standard wording and ensures that the works in the road reserve are completed prior to the use of the development. To allow 12 months would set an undesirable precedent for other developments in the LGA. |
|-----|---|--|--|--|

ALISTAIR SMITH

Director, Environmental Planning

Mob. 0405 571 909

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From: Alistair Smith

Sent: Friday, 10 July 2026 1:09 PM

To: 'Anne McDonald' <Anne.McDonald@shoalhaven.nsw.gov.au>

Subject: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

Thanks Anne!

That has got to be a record turn around! We will take a look and provide any further feedback

Regards

ALISTAIR SMITH

Director, Environmental Planning

Mob. 0405 571 909

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From: Anne McDonald <Anne.McDonald@shoalhaven.nsw.gov.au>

Sent: Friday, 10 July 2026 11:56 AM

To: Alistair Smith <asmith@mecone.com.au>

Subject: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

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Hi Alistair

Please find attached Draft conditions and Council comments on proposed amendments.

I have gone through them with the Development Engineer this morning.

Kind regards



Anne McDonald

Senior Planner

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From: Alistair Smith <asmith@mecone.com.au>

Sent: Friday, 10 July 2026 7:30 AM

To: Anne McDonald <Anne.McDonald@shoalhaven.nsw.gov.au>

Cc: Vince Marino <vince.marino1@det.nsw.edu.au>; Daniella Johnson <djohnson@mecone.com.au>

Subject: RE: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

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Hi Anne,

Please find attached a response to the draft conditions, noting there are a number of conditions the Department of Education would seek amendments to.

Happy to discuss and clarify any aspects of the attached request.

Regards

ALISTAIR SMITH

Director, Environmental Planning

Mob. 0405 571 909

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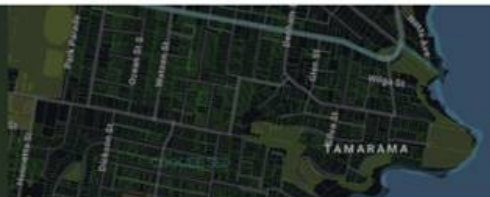


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From: Anne McDonald <Anne.McDonald@shoalhaven.nsw.gov.au>
Sent: Thursday, 25 June 2026 10:21 AM
To: Vince Marino <vince.marino1@det.nsw.edu.au>; Alistair Smith <asmith@mecone.com.au>
Subject: Draft Conditions - DA26/1070 - 17 Croobyar Rd Milton

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Good morning Vince and Alistair

Please find draft conditions attached for your review.

Kind regards



Anne McDonald

Senior Planner

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shoalhaven.nsw.gov.au

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