


# Review of Environmental Factors Decision Statement

## Kingswood Public School Upgrade

**Table 1: REF Details**

Document Name	Review of Environmental Factors – Upgrades to Kingswood Public School – New Classroom Building
REF Date	14 May 2025
REF Version No.	4
Location	Kingswood Public School, 46-54 Second Avenue, Kingswood
Summary of Proposed Activity	<ul style="list-style-type: none"> <li>• Removal of ten existing portable classrooms;</li> <li>• construction of a single storey classroom building;</li> <li>• construction of a covered walkway connecting the new building to the existing school building;</li> <li>• tree removal;</li> <li>• new landscaping;</li> <li>• stormwater management works; and</li> <li>• utility service connections.</li> </ul>
Prepared by	Kendal Mackay, DFP Planning Pty Ltd
Manager Assessments Endorsement	<p>I certify that I have reviewed and endorsed the contents of the REF document and the Decision Statement and, to the best of my knowledge, it is in accordance with the <i>Environmental Planning and Assessment Act 1979</i> (EP&amp;A Act), sections 171 and 171A of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&amp;A Regulation) and the Guidelines approved under section 170 of the EP&amp;A Regulation and the information it contains is neither false nor misleading.</p>  <p>Shelley Reed, Manager Assessments</p>

The Review of Environmental Factors (**REF**) has been assessed and considered in accordance with the requirements of sections 1.7, 5.5, 5.7 and 5.10 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**), sections 171 and 171A of the *Environmental Planning and Assessment Regulation 2021* (**EP&A Regulation**) and the Guidelines approved under section 170 EP&A Regulation.

In considering the activity and for the purpose of attaining the objects of the EP&A Act relating to the protection and enhancement of the environment, the NSW Department of Education (the

department) has examined and taken into account to the fullest extent possible, all matters affecting or likely to affect the environment arising from the activity, as addressed in the REF including any necessary mitigation or management measures.

The REF is supported by specialist investigations and studies that have assessed the following key impacts:

- Traffic, Access and Parking
- Tree Removal and Protection
- Ecology
- Noise and Vibration
- Hydrology, Flooding and Water Quality
- Stormwater Management
- Aboriginal Heritage
- Non-Aboriginal Heritage
- Contamination and Hazardous Materials

The REF provides an environmental assessment of the activity against the requirements of Division 5.1 of the EP&A Act and the EP&A Regulation, including but not limited to:

- *Guidelines for Division 5.1 Assessments*, prepared by the Department of Planning and Environment, June 2022; and
- *Guidelines for Division 5.1 assessments—Consideration of Environmental Factors for Health Services Facilities and Schools* prepared by DPHI, October 2024.

The relevant local council was provided written notice of the proposed activity on 13 February 2025 as well as the relevant State government agencies and adjoining neighbours. The activity has considered the issues raised in submissions received during the notification period and these submissions have been addressed in the assessment of the proposed activity. As the determining authority, the department is satisfied that appropriate consultation has been undertaken.

This determination is made following a consideration of the matters in sections 1.7, 5.5, 5.7 and 5.10 of the EP&A Act, section 171 and section 171A of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).

The REF has considered the potential impacts arising from the proposal, including any impacts on critical habitat and threatened species, populations and ecological communities and their habitats in accordance with Part 7 of the *Biodiversity Conservation Act 2016*. The REF has also assessed the need for referral to the Commonwealth Minister for the Environment under the *Environment Protection and Biodiversity Act 1999* (EPBC Act).

As an authorised person on behalf of the department who did not prepare the REF, I discharge the duty as a determining authority under section 5.1 of the EP&A Act and conclude that based on the REF document and other information provided:

- the proposed activity is not likely to have a significant impact on the environment and therefore an Environmental Impact Statement is not required;
- the proposed activity will not be carried out in a declared area of outstanding biodiversity value and is not likely to significantly affect threatened species, populations or ecological communities, or their habitats or impact biodiversity values, meaning a Species Impact Statement and/or Biodiversity Development Assessment Report is not required;

- the proposed activity may proceed as the siting of the new building and associated infrastructure has minimised the impact on existing trees, construction impacts on school operations and neighbouring residents can be mitigated through specific site management measures and flood impacts have been mitigated with additional stormwater infrastructure;
- mitigation measures are required to eliminate, minimise or manage environmental impacts and have been addressed by the REF author at Appendix 1 of the REF and endorsed and amended by the reviewing officer at **Table 1** of this Decision Statement; and
- the proposed activity is not likely to have a significant impact on matters of national environmental significance, or on the environment of Commonwealth land, and therefore referral to the Minister under the EPBC Act is not required.

The following additional mitigation measures have been included:

- SWMM7 – to ensure stormwater runoff around the building does not impede the use and occupants of the building or cause nuisance flooding to adjoining neighbours.

The following mitigation measures have been amended or deleted:

- OPMM2 (amended) – to ensure stormwater runoff around the building does not impede the use and occupants of the building or cause nuisance flooding to adjoining neighbours and to ensure that on site detention, grated drains and overland flow paths are adequately maintained.
- PACMM3 and PACMM4 (deleted) – removed noting that independent audits are not required for minor REFs as classified by the department.

Having regard to the above, the proposal as described in the REF at Kingswood Public School, 46-54 Second Avenue, Kingswood is **APPROVED** on behalf of the department and may proceed without the need for further assessment, subject to compliance with and implementation of the following:

1. The signed REF and associated appendices;
2. The Requirements and Mitigation Measures, included at **Appendix 1** of the REF, and the additional or amended measures listed in **Attachment 1**; and
3. All relevant statutory requirements, including approvals, licences, notifications, permits, authorisations and owner's consent.



**Jason Maslen**  
Acting Director Assessments  
3/06/2025

## Attachment 1

### Additional Measures

**SWMM7** (new measure to be inserted after SWMM6)

**Sufficient drainage provisions should be provided around the proposed building within the site to fully contain and divert anticipated stormwater runoff away from the building and ensure no intensification of flows or increase in volumes onto adjoining properties for all events up to and including the PMF event.**

### Amended Measures

(amendments and deletions in ~~strike through~~ and additions in **bold text**)

**OPMM2** (amended)

Prior to the commencement of operations, a Stormwater Operation and Maintenance Plan is to be prepared and include the following:

- (a) Maintenance schedule of all stormwater quality treatment devices, **OSD, drainage infrastructure and overland flow paths**;
- (b) Record and reporting details; and
- (c) Work Health and Safety requirements.

A copy of the Stormwater Operation and Maintenance Plan is also to be provided to the relevant DoE Project Lead for implementation.

**PACMM3** (deleted)

~~A risk-based program of independent audits must be prepared for the work, having regard to the AS/NZS ISO 19011-2019 Guidelines for Auditing Management Systems. Audits are to be undertaken by suitably qualified personnel independent to the works and documented in an audit report which:~~

- ~~(a) Assesses how the Mitigation Measures are being satisfied;~~
- ~~(b) Outlines the adequacy of any documents required under the Mitigation Measures;~~
- ~~(c) Outlines the performance of the works with respect to any impacts on the surrounding environment including the local community; and~~
- ~~(d) Recommends any measures or actions to improve the performance of the works, if deemed required.~~

~~The independent audit program is to be provided to the relevant DoE Project Lead and DoE Post Approval and Compliance Team for agreement.~~

**PACMM4** (deleted)

~~The Independent Audits must be carried out in accordance with the approved audit program.~~

~~Each Independent Audit Report is to be finalised within four weeks from the auditor's site inspection or where an alternative timeframe is agreed to by the Post Approval and Compliance Team.~~

~~Each Independent Audit Report is to be provided to the relevant DoE Project Lead and DoE Post Approval and Compliance Team within 7 days of completion of the report.~~