


## Review of Environmental Factors Decision Statement

### Gables New Primary School and Preschool

**Table 1: REF Details**

Document Name	Review of Environmental Factors – Gables New Primary School and Preschool
REF Date	9 May 2025
REF Version No.	7
Portal Reference No.	P5-2025-36
Location	1 Pennant Way, Gables (Lot 301 DP 1287967)
Summary of Proposed Activity	Construction and operation of a new primary school and preschool school at the Gables
Prepared by	Chris McGillick, Ethos Urban - Director
Senior Manager 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>, 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>  Helen Mulcahy, Senior Manager Early Childhood and Part 5

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 a range of matters and impacts, with the key issues summarised below:

- bush fire,
- transport, traffic and access,
- design quality,
- flooding, and
- social impact.

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 Department of Planning, Housing and Infrastructure (DPHI), October 2024.

Notification of the activity occurred in accordance with s3.38A of *State Environmental Planning Policy (Transport and Infrastructure) 2021 (TI SEPP)* and having regard to:

- the *Stakeholder and Community Participation Plan for New Health Services Facilities and Schools* published by DPHI in October 2024; and
- the *Stakeholder and Community Participation Plan* published by the Department of Education in October 2024.

The REF was publicly exhibited on the NSW Planning Portal for 28 days from 25 February 2025 until 24 March 2025. Written notice was provided to neighbouring and nearby property owners and/or occupants in vicinity of the proposal. The Hills Shire Council was provided written notice of the proposed activity in correspondence dated 23 February 2025 as well as relevant State and Commonwealth government agencies and service providers. Five (5) submission were received during the exhibition period, comprising 4 submissions from government agencies, including The Hills Shire Council, and 1 submission from the community. There were no late submissions.

The activity has considered the issues raised in submissions received during the consultation 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, having regard to the relevant stakeholder and community participation plans.

This determination is made following consideration of the matters in sections 1.7, 5.5, 5.7 and 5.10 of the EP&A Act, and section 171 and section 171A of the EP&A Regulation. This determination is also made following consideration of the design quality of the development, evaluated in accordance with the design quality principles set out in schedule 8 of the TI SEPP and the design principles set out in the *Design Guide for Schools* (May 2018) published by the NSW Government Architect.

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 Conservation Act 1999 (EPBC Act)*.

The REF identifies a range of environmental outcomes and safeguards as mitigation measures that would be required to avoid or reduce environmental impacts. The mitigation measures for the proposal are included at **Appendix 1 of the REF** and additional and amended measures are listed in **Attachment 1**.

The additional measures have been included to:

- (i) ensure Dial before you Dig processes are followed as part of the construction process; and
- (ii) consider opportunities for the provision of dedicated pick up and drop off spaces in proximity to the Support Learning Unit in the detailed design stage.

Three mitigation measures have been amended or deleted to:

- (i) modify the timing for the review of on-site car parking to be undertaken 9 months after the school opens and identify the School Travel Co-ordinator as being responsible for undertaking that review (OPTMM3);
- (ii) remove the requirement to obtain approval under s138 of the Roads Act 1993 as this is not required for works undertaken by the department in accordance with its functions on an unclassified road. Schedule 2, Part 2, clause 5 of the Roads Act exempts a "public authority" from compliance with s138 when it is exercising its functions on or over an unclassified road (GMM7); and
- (iii) remove the measure for the development of community programming such as monthly school markets. Whilst shared use of the school grounds is encouraged, this is subject to further detailed consultation with the school principal and community and was not assessed as part of this activity (CEMM6).

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 it responds to an existing need for secondary education facilities in this part of North Western Sydney and it generally complies with, or is consistent with all relevant legislation, plans and policies;

- mitigation measures are required to eliminate, minimise or manage environmental impacts and have been addressed at **Appendix 1** of the REF and at **Attachment 1** of this Decision Statement, and endorsed by the Senior Manager 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.

Having regard to the above, and having the power to exercise the functions of the determining authority under Part 5, Division 5.1 of the *Environmental Planning and Assessment Act 1979* and Part 8, Division 1 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), the proposal as described in the REF for a new primary school and preschool at 1 Pennant Way, Gables (Lot 301 DP 1287967) 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 REF and associated appendices;
2. The Mitigation Measures included at **Appendix 1 of the REF** and the additional and amended measures listed in **Attachment 1**; and
3. All other relevant statutory requirements, including approvals, licences, notifications, permits, and authorisations.

*Yvette Buchli*

**Yvette Buchli**  
Executive Director - Planning and Assessments

15 May 2025

## Attachment 1

### Additional Mitigation Measures

#### **CMM1A** (new measure to be inserted after CMM1)

Contact “Dial Before You Dig on 1100” to obtain a Service Diagram. The sequence number obtained from “Dial Before You Dig” is to be provided to the Project Lead.

#### **OPTMM4** (new measure to be inserted after GMM15)

Consider opportunities for the provision of dedicated pick up and drop off spaces in proximity to the Support Learning Unit in the detailed design phase, in consultation with the Transport Working Group. Any specific arrangements associated with the Support Unit shall be captured in the School Transport Plan.

### Amended Mitigation Measures

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

#### **CEMM6** (measure to be deleted)

~~Support the development of community programming such as a monthly school market to foster community use of the proposed school grounds to foster community cohesion.~~

#### **GMM7** (measure to be deleted)

~~Approval under Section 138 of the Roads Act 1993 is to be obtained from the relevant road authority. Any work in the road reserve, including a road opening permit for temporary construction access, requires Section 138 approval.~~

#### **OPTMM3** (amended)

A review of the staff car park capacity and staff travel behaviours is to be undertaken ~~within 12 months of the school operating at full capacity. Should the review find that additional parking is appropriate to manage staff parking demand, consideration of increasing the at-grade staff car park via exempt development under Schedule 5 of State Environmental Planning Policy (Transport and Infrastructure) 2021 is required.~~ **9 months from commencement of school operations (i.e. Term 3). The School Travel Coordinator shall conduct a staff survey to ascertain staff parking behaviours and mode share performance in order to identify any additional mitigation measures (such as additional on-site parking provision) that may be required to address staff parking. The results of the review are to be provided to the Project Lead.**