

3 April 2025

Shay Bergin
Senior Project Director, Major Projects
Department of Education
Level 8, 8 Central Avenue
Eveleigh NSW 2015

Via email: shay.bergin1@det.nsw.edu.au
cc: david.thalouth@tsariley.au

Dear Shay,

Re: Interim Advice 3 (IA3r) Endorsement of the Remedial Strategy (SMEC, 30 January 2025) for the New High School for Leppington and Denham Court

1 Introduction

The Department of Education (DoE) has appointed Rebeka Hall of Geosyntec Consultants Pty Ltd (Geosyntec), a NSW EPA Auditor accredited under the Contaminated Land Management (CLM) Act 1997, to conduct an Audit for 128-134 Rickard Road, Leppington, NSW (the **site**). The site is legally identified as Lot A and Lot B in DP 411211 and occupies approximately 4.1 hectares.

This interim advice (IA) letter has been prepared to support a Review of Environmental Factors (REF) for the DoE for the new high school for Leppington and Denham Court (the **activity**).

The purpose of the REF is to assess the potential environmental impacts of the activity prescribed by State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP) as “development permitted without consent” on land carried out by or on behalf of a public authority under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The activity is to be undertaken pursuant to Chapter 3, Part 3.4, Section 3.37A of the T&I SEPP.

This document has been prepared in accordance with the NSW EPA (2017) Contaminated Land Management Guidelines for the NSW Site Auditor Scheme (3rd edition). The purpose of this current IA letter is to endorse the remedial strategy proposed, as documented in the Remediation Action Plan, to render the site suitable for the proposed activity.

The overall aim of the Audit is to enable a Section A2 site audit statement (SAS) and associated site audit report (SAR) to be prepared that confirms the suitability of the site for the proposed secondary school at the completion of remediation and management works.

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The site is known as 128-134 Rickard Road, Leppington, NSW, 2179 and is legally described as Lots A and B in Deposited Plan 411211. The site is located on the eastern side of Rickard Road and is approximately 4.1ha in area. The site is located immediately south of the existing Leppington Public School at 144 Rickard Road and is approximately 700m south of Leppington Train Station.

Figure 1 provides an aerial image of the site.



Figure 1 Aerial image of site (source: NearMap)

The northern portion of the site is currently used for rural residential purposes. The southern portion of the site is used for market gardening, with multiple greenhouses and two dams.

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The proposed activity is for the construction and operation of a new high school for Leppington and Denham Court. The new high school will accommodate up to 1,000 students across 3 new buildings that will comprise 48 permanent teaching spaces (PTS), 3 support teaching spaces (STS), 9 specialist labs/workshops/kitchens and a hall.

Buildings A, B and C will wrap the western and southern boundaries of the site, with the hall being located in south-east corner. The activity also includes the construction of a sports field in the centre of the site and 3 x multipurpose courts along the northern boundary. The proposed scope of works is illustrated in Figure 2.



Figure 1 New High School for Leppington and Denham Court (source: djrd architects)

4 Scope of Audit and Nature of Interim Advice

NSW EPA (2017) describes the site assessment and audit process as:

1. *Consultant is commissioned to assess contamination.* The contaminated site consultant designs and undertakes the site assessment and, where required, all remediation and validation activities to achieve the objectives specified by the owner or developer; and
2. *Site auditor reviews the consultant's work.* The site owner or developer commissions the Auditor to review the consultant's work. The Auditor then prepares a SAR and SAS at the conclusion of the review, which are given to the owner or developer.

Therefore, the contaminated land consultant and other relevant parties should be satisfied that the work to be conducted conforms to all appropriate regulations, standards and guidelines and is suitable based on the site history and the proposed land use.

The Audit is currently non statutory. Once the REF has been approved, the Audit may become statutory and will require notification to NSW EPA.

5 Current Interim Advice

In preparing this IA letter, the Auditor has reviewed the following reports related to land contamination assessment and proposed remediation:

- SMEC (14 January 2025) Detailed Site Investigation (DSI) – New High School for Leppington and Denham Court – 128 to 134 Rickard Road, Leppington, NSW 2179 (Ref.: 300018043-07.1_DSI_Rev2) (SMEC, 2025a); and
- SMEC (30 January 2025) Remedial Action Plan (RAP) – New High School for Leppington and Denham Court – 128 to 134 Rickard Road, Leppington, NSW 2179 (Ref.: 300018043-07.1_RAP_Rev2) (SMEC, 2025b).

The Auditor had reviewed earlier versions of the DSI and provided comments in Interim Advice No.1 (IA1) and No.2 (IA2) dated 22 July and 10 October 2024 respectively.

The Auditor has reviewed the planned remediation approach, outlined in the RAP (SMEC, 2025b), as summarised in Section 6.

Note: This IA3r (3 April 2025) is issued as revised to update the reference to the final RAP prepared by SMEC and dated 30 January 2025 (Rev2). Previously IA3 (17 January 2025) was issued that referred to the SMEC RAP dated 14 January 2025 (Rev1). The RAP Rev2 was updated to correct a typographic error. The Auditor has checked the RAP Rev2 and confirms there is no material change to the remedial strategy and approach proposed in the document.

6 Summary of Remediation Strategy (SMEC, 2025b)

The objective of the RAP is to:

- Provide a strategy to manage contamination risk to human health and the environment; and
- Render the Site suitable for its intended purpose (proposed high school).

Contamination identified in the DSI (SMEC, 2024a) included:

- Aesthetic impacts in soil including anthropogenic materials (buried waste) and some (limited) odours and staining.
- Exceedances of criteria for soil (human health and/or ecological criteria) for asbestos, PAHs and benzo(a)pyrene, metals (lead, zinc, copper), and total recoverable hydrocarbons (TRHs).
- Soils near the onsite septic tank indicated the presence of faecal coliforms.
- Groundwater at the site was generally not considered to be contaminated with concentration detected representative of background conditions.
- Surface water sampled did not exceed adopted criteria at the time of sampling.

Based on the findings of the previous environmental investigations, SMEC identified the extent of remediation works comprising the following:

- For Lot A – soil within the dam bund wall, access roads, and generally across the broader site (as defined in RAP) contain waste, rubbish, and/or fill, with contaminants including asbestos, PAHs, metals, and/or TRH.
- For Lot B – soil within the driveway and central northern portion, based on the presence of waste material and/or fill, with contaminants including asbestos and/or heavy metals.

SMEC detailed the approximate extent of remediation in tables and figures included in the RAP. The soils identified were considered to pose a potential risk to future human and/or ecological receptors through direct contact, ingestion or inhalation pathways.

The proposed remediation approach comprises:

- Establishment of encapsulation area (containment area) for the placement of non-leaching impacted material.
 - Two options for the encapsulation area were included in section 7.4 of the RAP based on the proposed development layout.
 - Soils generated as part of remediation would be placed within the encapsulation area until filled (with surplus disposed off-site) and the encapsulation area subsequently capped.
- Demolition of existing structures/infrastructure including hazardous building materials (HBM) and removal of surface waste/rubbish (including the draining of the on-site dams and the

removal of onsite above-ground storage tanks (ASTs)). Auditor notes that these ASTs are water tanks.

- Conduct a surface asbestos pick and asbestos clearance.
- Excavation of soil material required for construction works to achieve required levels and/or geotechnical specifications followed by classification and re-use on site (or alternately disposed offsite if required).
- Validation sampling and to confirm impacted fill materials have been removed and to confirm.
- Development of a long-term Environmental Management Plan (EMP) to be implemented to manage areas where contaminated materials are retained onsite (encapsulation area/s).

The remedial works for soils would occur during the bulk earthworks. The above will be subject to validation to demonstrate the remedial objectives have been achieved and to document the final condition of the site at the completion of remediation. Works will also include the validation of surplus soils for reuse and any imported materials.

The RAP (SMEC, 2025b) includes a protocol for managing unexpected finds where evidence of contamination is identified (during construction works) that has not been previously identified or managed.

SMEC concluded that subject to the implementation of the above remedial measures and a long-term EMP, the site can be made suitable for the proposed high school.

7 Mitigation measures

The mitigation measures associated with this IA are presented in Table 1.

Table 1. Mitigation Measures

	Mitigation	Aspect	Mitigation Measure	Reason for Mitigation Measure
1	Site Auditor endorsement of Remedial Action Plan (with Interim Advice (IA))	Prior to commencing site demolition and earthworks activities confirming the extent and volume of remediation required, and is consistent with the approved development layout	Independent review to confirm remedial approach conforms to all appropriate regulations, standards and NSW EPA guidelines and is suitable based on the site history and land use	The IA ensures the site is capable of being made suitable for the proposed high school use, subject to the implementation of the RAP and associated validation works, and a long-term EMP
2	Site Auditor review and endorsement of Data Gap Assessment	Following removal of surface rubbish, demolition of all site structures, and surface asbestos clearance (Steps 1 to 3 of Remediation per Section 7.4 of RAP) and prior to any earthworks and soil remediation.	Independent review by Auditor to confirm the defined remediation areas are appropriate, the material proposed for placement in the onsite containment is non-leachable, and data gaps (previously inaccessible areas) have been appropriately assessed. The report will be reviewed to confirm the remedial approach conforms to all appropriate regulations, standards and NSW EPA guidelines.	The IA ensures the site is capable of being made suitable for the proposed high school use, and confirms the remediation areas are appropriate following preliminary works at the site and data gap assessment
3	Site Auditor endorsement of Containment Cell design (encapsulation area)	Prior to commencing construction of the containment cell	Independent review to confirm the cell design including proposed capping and finish surfaces, location, and capacity, conforms to	The IA ensures the containment cell design is appropriate and commensurate with the final development layout

	Mitigation	Aspect	Mitigation Measure	Reason for Mitigation Measure
			appropriate regulations, standards and NSW EPA guidelines and is compatible with the remediation strategy for the site as defined in the RAP and post-demolition Data Gap reporting	
4	Site Auditor endorsement of LTEMP (IA)	Following remediation and validation of the site, including capping of the containment cell	Independent review of the long-term EMP for management of the site. Note - The EMP must be legally enforceable and publicly notified.	The IA ensures the EMP is appropriate to manage long-term risks and to maintain the containment cell/s onsite (encapsulating residual contamination)
5	Site Auditor endorsement of remediation and validation works (SAR/SAS)	Following review of the consultant's Validation Report (including capping of the containment cell) and endorsement of the LTEMP	Independent review of all aspects of the contaminated site remediation and validation works, in accordance with the NSW EPA (2017) Site Auditor Guidelines.	Site Audit Report (SAR) and Site Audit Statement (SAS) document the Auditor findings in relation to the remediation and validation works conducted and the suitability of the site for the proposed high school use. Confirms the site is suitable for the proposed high school use.

8 Evaluation of Environmental Impacts

Based on the review of available information and as documented herein, the following evaluation of environmental impacts, relating to site contamination and the remediation approach have been made:

- The nature and extent of contamination outlined in the SMEC (2025b) RAP has generally been determined, and the remediation and validation works presented in the RAP, if appropriately implemented and validated, will not have significant impact on the locality, community and/or the environment.
- Subject to implementation of the SMEC (2025b) RAP and compliance with Auditor requirements presented below, potential impacts can be:
 - Adequately mitigated or managed through the outlined mitigation measures, and
 - Are not considered to be significant.

9 Auditor Conclusions

The Auditor considers that the SMEC (2025b) RAP has been prepared in general accordance with relevant NSW EPA made or endorsed guidelines and the proposed remediation is appropriate for the contamination known at the site.

Given the available information, **the Auditor concludes that the site is capable of being made suitable for the proposed use, provided that the SMEC (2025b) RAP is implemented and subject to the following** (corresponding to mitigation measures in Section 7):

1. The proposed remediation is considered appropriate for the contamination known at the site. The RAP must be revised if the approved development layout varies to the layout presented in Figure 5 or as new information becomes available, and be provided to the

Auditor for review and endorsement, prior to implementation of any works described in the report.

2. A Data Gap Assessment must be conducted by consultant to confirm remediation areas and close data gaps following site demolition works [i.e., removal of surface rubbish, demolition of site structures, and surface asbestos clearance (Steps 1 to 3 of Remediation per Section 7.4 of RAP)].
 - i. Planning for the Data Gap Assessment must occur in coordination with the Auditor including provision of a Sampling, Analysis and Quality Plan for review and endorsement prior to implementation of works.
 - ii. Materials proposed for placement within onsite containment must be confirmed during Data Gap works to be non-leachable. Placement volumes (and encapsulation areas) should be confirmed.
 - iii. The Data Gap Assessment report must be provided to the Auditor for review and endorsement prior to any soil remediation works.
3. The Auditor supports placement of contamination within an appropriately designed onsite containment cell(s). The containment cell design specifics (including location, capacity, construction, final capping and surface covering) must be provided to the Auditor for review and endorsement prior to commencing construction.
 - i. A Material Tracking and Management Plan for movement of material to, from and within the site (containment cell), should be prepared and provided to the Auditor for review and endorsement as a component of the containment cell planning works.
4. The long-term EMP must be provided to the Auditor for review and endorsement. The long-term EMP must provide a mechanism for legal enforcement and public notification.
5. At the completion of remediation activities a validation report, prepared in accordance with NSW EPA reporting guidelines, must be provided to the Auditor for review and endorsement, to enable the Auditor to issue a Section A2 Site Audit Statement confirming the site is suitable for high school land use.

10 Closure

This interim advice does not constitute a SAS or a SAR, but rather is provided to assist the Client in the assessment and management of contamination issues at the site. The information provided herein should not be considered pre-emptive of the final Audit conclusions. It represents the Auditor's opinion based on the review of currently available information.

Should you have any queries or wish to discuss any points, please do not hesitate to contact Clair Aggett or the undersigned.

Yours sincerely,



Rebeka Hall
Site Auditor (NSW EPA 0802)
Geosyntec Consultants Pty Ltd