

Review of Environmental Factors Decision Statement

Leppington Public School Upgrade

Table 1: REF Details

Document Name	Review of Environmental Factors - Leppington Public School Upgrade (The REF)
REF Date	19 May 2025
REF Version No.	Version 6
Portal Reference No.	P5-2025-41
Location	144 Rickard Road, Leppington
Summary of Proposed Activity	Construction and operation of new school facilities and associated works
Prepared by	Gyde Consulting - Mel Krzus
Assessments 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&A Regulation) and the Guidelines approved under section 170 of the EP&A Regulation and the information it contains is neither false nor misleading.</p> <p><i>Lynne Sheridan</i></p> <p>Lynne Sheridan, Manager, Statutory Planning</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 matters and key impacts:

- Transport, traffic and access
- Contamination
- Non Aboriginal heritage
- Design quality.

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.

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

- 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 21 days from 31 March 2025 until 20 April 2025. Written notice was provided to neighbouring and nearby property owners and/or occupants in vicinity of the proposal. The relevant local council, Camden Council was provided written notice of the proposed activity on 26 March 2025, as well as relevant State and Commonwealth government agencies and service providers on 26 March 2025. Nine submissions were received during the exhibition period, comprising six submissions from government agencies, including the relevant Council, and three submissions from the community. One late submission from government agency, Transport for NSW was also received. These submissions were not addressed in the final REF but were considered as part of the assessment and determination of the project.

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* (**BC 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 mitigation measures have been included to:

- maximise tree replacement and improve biodiversity outcomes (ECO21);
- ensure that excavation is conducted safely and in accordance with the requirements of utility asset owners (G21);
- require a Flood Emergency Response Plan (FERP) to be prepared for the school (HYD2).

Seven mitigation measures have been amended or deleted to:

- remove the reference to approved plans and includes DoE standard mitigation requiring all necessary approvals are sought under all legislation (G0);
- remove the requirement for Roads Act approval as it does not apply and to include a standard requirement to obtain landowner consent (G1);
- ensure appropriate road safety measures are introduced and co-ordinated with the New High School for Leppington and Denham Court (TT2 to be amended and TT3 to be deleted); and
- encourage non-car mode share and encourage students and staff to use sustainable forms of travel and transport for their journey to and from school (TT1 to be deleted and TT4 to be amended).

As an authorised person on behalf of the department who did not prepare the REF, I discharge the duty as a determining authority under Division 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 the ongoing demand for educational facilities in this locality;

- 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 and amended by the Assessments 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 at 144 Rickard Road, Leppington 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 Assessment

12 June 2025

Attachment 1

Additional Measures

ECO21 (new measure to be included after ECO20)

The provision of additional replacement trees is to be considered during the detailed design, seeking to achieve a target of one-to-one replacement. Details are to be provided to the department's Assessment Team for approval, including justification where one-to-one replacement has not been achieved. Additional trees as approved are to be provided prior to the commencement of operation.

Prior to operation

G21 (new measure to be included after G20)

Prior to the commencement of any excavation or ground-disturbing activities, the proponent shall undertake a 'Dial Before You Dig' (DBYD) enquiry to identify the presence and location of any underground utilities and infrastructure within the proposed work area. Evidence of the DBYD and all relevant utility plans shall be kept on site at all times. The proponent shall ensure that all personnel involved in ground works are informed of the identified underground services and that appropriate exclusion zones, protective measures, and procedures are implemented to prevent damage, service disruption, or safety incidents.

Prior to construction

HYD2 (new measure to be included after HYD1)

Prior to the commencement of operation, a Flood Emergency Response Plan (FERP) is to be prepared and incorporated with the Emergency Management Plan for the school. The Plan should include the following:

- (a) Prioritise evacuation and avoid shelter-in-place by closing the school before the school day if flood events are forecasted and SES advises.
- (b) School administration must undertake annual evacuation preparations and an evacuation drill prior to the commencement of the wet season (typically November to April). This includes delegation of responsibilities across staff members;
- (c) School administration to undertake responsibilities as set out in the FERP including presenting risks present on site and protocol to students, staff and parents; and
- (d) Ensure that the Flood Warning Notice is maintained and permanently visible.

Prior to commencement of operations

Amended Measures

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

G0 (measure to be amended)

~~The activity must be carried out in accordance with the approved REF, dated 19 March 2025, prepared by Gyde Consulting, in accordance with the approved plans, and generally in accordance with the supporting documentation (outlined above), except where a mitigation measure listed below expressly requires otherwise.~~ **These Mitigation Measures do not remove the obligation to obtain all other licences, permits, approvals and consents as required under any other legislation.**

All stages

G1 (measure to be amended)

~~Prior to the commencement of the relevant stage of work that it applies to, approval under Section 138 of the Roads Act 1993 is to be obtained (if required) from the relevant road authority.~~ **Landowners consent must be obtained in writing from the relevant landowner or authority.**

Prior to construction

~~TT1~~ (measure to be deleted)

~~Queuing is to be reduced on Rickard Road by implementing staggered bell times within the school. The staggering of bell times is to be undertaken in accordance with the approved Transport Impact Assessment, prepared by a suitably qualified traffic engineer.~~

TT2 (measure to be amended)

~~The department is to engage with Transport for NSW to facilitate the appropriate relocation of the bus stop further to the south of the site that will effectively service the existing Leppington Public School and the future (adjacent) High School. An assessment of the new location is to be undertaken by a suitably qualified traffic consultant to ensure adequate accessibility and functionality for the existing Leppington Public School.~~

Facilitate Transport Working Group meetings during detailed design to finalise and co-ordinate road safety measures for Leppington Public School which are co-ordinated with the new Leppington High School, including consideration of:

- **provision of 'No stopping' signage and line marking along the western side of Rickard Road for a distance of 100 metres north of the existing public school and south of the proposed high school to encourage parents/ guardians not to pick-up or drop-off students on the western side of Rickard Road during school zone times.**
- **the relocation of the bus stop further to the south of the site that will effectively service the existing Leppington Public School and the future (adjacent) High School. An assessment of the new location is to be undertaken by a suitably qualified traffic consultant to ensure adequate accessibility and functionality for the existing Leppington Public School.**
- **the detailed design and delivery of a new children's crossing on Rickard Road to be delivered by council.**

Finalised measures to be implemented prior to operation

~~TT3~~ (measure to be deleted)

~~The department to consult with Transport for NSW and Camden Council on the detailed design and delivery of a new children's crossing on Rickard Road.~~

TT4 (measure to be amended)

~~A School Transport Plan must be prepared to the satisfaction of the Department of Education Transport Planning Team. Any existing School Transport Plan is to be reviewed and updated if necessary to reflect the impact of the REF works, to the satisfaction of the Department of Education Transport Planning Team.~~

A School Transport Plan (STP) is to be prepared prior to operation to the satisfaction of DoE Transport Planning Team. The Plan is to consider the following:

- **Implementation of measures to encourage non-car mode share and encourage students and staff to use sustainable forms of travel and transport for their journey to and from school.**
- **Measures to be provided until such time that Rickard Road has been upgraded and queueing on Rickard Road is not excessive:**
 - **Staggering of bell times for students in the public school and from bell times of the proposed Leppington High School in order reduce queueing and congestion in the road network during pick-up and drop-off times and any consequent need to provide staff supervision for students with siblings in the Leppington High School.**
 - **Staff supervision of drop-off and pick-up to minimise queueing on Rickard Road at LPS**
- **Issuing of a road safety brochure for parents/carers explaining the traffic control and drop-off/pick up arrangements.**
- **Working with Transport for NSW (TfNSW) to ensure adequate bus services are provided.**
- **Whether additional road network capacity and active transport facilities are provided as part of the development of the Leppington Town Centre.**
- **A review of demand for bike parking at the school and if additional bike parking is required to meet demand.**

The STP is to be implemented during operations.

Prior to and during operation

TT5 (measure to be amended)

The School Transport Plan is to be reviewed on an annual basis **for the first five years of operation or earlier period agreed with the department's Transport Planning team** and updated (if required) to the satisfaction of the department's Transport Planning team to ensure active and sustainable travel measures are implemented.

During operation