



Our Ref.

30 April 2020

Mr Karl Fetterplace
Senior Planning Officer
Key Sites Assessments
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Dear Mr Fetterplace

**Cricket NSW Centre of Excellence (SSD 10354)
EPA comment on Response to Submissions**

I am writing to you in reply to the invitation to the Environment Protection Authority (EPA) to provide comment on the Response to Submissions (RtS) for above project involving the construction and operation of a cricket training facility at Sydney Olympic Park.

The EPA provided advice regarding the Noise and Vibration and the Contamination assessments in its submission on the Environment Impact Statement (EIS). The EPA has reviewed the relevant RtS documents provided by the Department of Planning, Industry and Environment (DPIE) and provides the following advice:

Noise and Vibration

The EPA reviewed the updated acoustic documents: *Acoustic Assessment*, prepared by Acoustic Logic, (dated 16.01.20) and the *Preliminary Construction Noise and Vibration Management Plan*, prepared by Acoustic Logic (dated 17.10.19) as well as the RtS letter prepared by Ethos Urban (dated 14.04.20), containing the cross reference table.

The management plan has been included in the acoustic documentation as requested. This includes a complaints management procedure that could be used to modify the management plan in the future should complaints continue to be received.

The assessment does not appear to include modification factors for impulsive noise as required by the chosen assessment method, being the *Noise Policy for Industry* (EPA, 2017) (NPfI). There are no specific numerical levels given at the receivers either, with the report showing that the noise level at the most affected receiver will be "<43" when the criteria is 43 dB. As a result, the EPA is unsure of what the actual noise impact at the receivers will be, short of it being less than the criteria.

However, the EPA reiterates previous advice that the development will have limited opportunities for remediation measures outside of appropriate management. Given that the request for a management plan to be put in place has been complied with, the development is likely to have the best possible noise outcomes given the proximity to nearby receivers.

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Contamination

The response to EPA's comments on the EIS was contained in the RtS letter prepared by Ethos Urban (item numbers 81 to 91 in the table).

The EPA noted that no hazardous material survey report was submitted as part of the EIS. Therefore, the EIS did not comply with the requirement to include a hazardous materials survey of all existing structures and infrastructure prior to any demolition or site preparation works. A hazardous materials survey report is required to be submitted as part of the applicant's RtS.

The applicant responded that: "*Douglas Partners has submitted a proposal for a hazardous materials survey. Works have not yet been commissioned but a report will be prepared prior to Construction Certificate.*" The hazardous materials survey must be completed before any demolition or site preparation can take place. This requirement must be part of the SSD consent conditions.

The EPA notes that the applicant suggested a change in wording for a condition to be amended as follows (in ***bold italics***): The applicant must ensure that all reports, management plans and remediation action plan/s are prepared, ***reviewed or approved*** by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)), or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.

However, the EPA notes the role of accredited Site Auditors to review contamination-related reports and plans. As such the EPA requests that previous recommended conditions be replaced with the following:

1. The applicant must engage a NSW EPA-accredited Site Auditor throughout the duration of works to ensure that any work required in relation to soil or groundwater contamination is appropriately managed.
2. Prior to commencing demolition works or site preparation, the applicant must submit to the Department a copy of Hazardous Building Materials Survey.
3. The applicant must adhere to the management measures in the Contamination Management Plan that have been reviewed and approved by the Site Auditor. Any variations to the approved Contamination Management Plan must be approved in writing by the Site Auditor.
4. If work is to be completed in stages, the Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice/s.
5. The Applicant must obtain a Section A1 Site Audit Statement – or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan – from an EPA-accredited Site Auditor and submit it to the consent authority prior to commencement of operation.
6. The Site Audit Statement must certify the site is suitable for the proposed use. Prior to operation, the applicant must obtain confirmation from the Certifying Authority in writing that the requirement of condition **5** has been met.

Should you require clarification of any of the issues please contact Anna Timbrell on 9274 6345 or email anna.timbrell@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "B. Treharne". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

BENN TREHARNE
A/Manager, Regional Operations – Metro South
Environment Protection Authority