Reference: DOC21/990503
Date: 6 December 2021

Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

Attention: Tuong Vi Doan

**New High School in Jerrabomberra – SSD-24461956 – NSW Department of Education**

I refer to the Department of Planning, Industry and Environment's referral of the State Significant Development SSD-24461958 received by the NSW Environment Protection Authority (EPA) on 9 November 2021 by way of the Major Projects Planning Portal. The referral is for the establishment of a new high school in Jerrabomberra (the proposal).

Based on the information provided, the EPA understands that the proposal will not require an Environment Protection Licence under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act). However, the EPA is the appropriate regulatory authority for the proposal as it is being undertaken by a public authority.

The EPA has reviewed the Environmental Impact statement and supporting documents and had provided detailed comments in **Appendix A**.

The receiving environment for the proposal is Jerrabomberra Creek which flows into Lake Burley Griffin and forms part of the Murrumbidgee catchment which supports a range of environmental values and uses. As such the EPA considers that a high standard of planning, implementation and operation of sediment and erosion controls will be required to protect the NSW Water Quality Objectives and environmental values of the catchment.

Thank you for discussing the matter with the EPA. If you have any questions or wish to discuss the matter further, please contact Claudine Jeffery or myself on (02) 6229 7002 or at EPA.southopsregional@epa.nsw.gov.au.

Yours sincerely

**MATTHEW RIZZUTO**
**Unit Head – Regional South**
**Regulatory Operations**

## Appendix A

### Water Quality

Construction

The receiving waterway for the proposal is the Jerrabomberra Creek, which ultimately flows into Lake Burley Griffin which forms part of the high conservation value Murrumbidgee Catchment. The EIS does not consider the NSW Water Quality Objectives (WQOs)for the receiving waters. The WQOs and the Australian and New Zealand Guidelines for Fresh and Marine Water Quality provide the general framework to assess the potential impact of discharge on the environmental values of the receiving waters.

**The EPA recommends consideration of the receiving environment and the relevant WQOs in relation to the proposal and how any discharge from the site will meet or improve the environmental values of the receiving waters.**

The EIS identifies that, prior to any earthworks commencing onsite, soil and water management control measures that comply with the *Managing Urban Stormwater – Soils and Construction* will need to be in place. The EPA acknowledges that a range of sediment and erosion control measures are discussed in the EIS, including the installation of a temporary sediment basin to capture site runoff. Details on the capacity, sizing, design rain event, catchment and management of the sediment basin has not been provided.

**The EPA recommends further information to demonstrate the capacity, sizing, design rain event, catchment and management of the sediment be provided.**

**The EPA recommends that a detailed Sediment and Erosion Control Management Plan is developed for the proposed construction prior to the commencement of works.**

Pre-rainfall Procedures

The EPA notes that the EIS and supporting documents outline that additional sediment and erosion controls are to be implemented during wet weather events. The EPA recommends that these additional controls are developed and implemented at a high standard to protect the receiving environment. Typical measures that can be implemented include covering high risk areas with geotechnical material and maintaining site traps and check dams.

**The EPA recommends these additional measures are captured as formal procedures and all relevant team members are aware of the procedures.**

Use of Flocculant

The EPA notes that the EIS and associated document identify the potential use of flocculants as a means to manage prior to discharge from the site. All feasible and reasonable alternatives to the discharge of water collected onsite to the environment should be investigated with discharge to the environment used as a last resort.

The EPA reminds the proponent the Section 120 of the *Protection of the Environment Operations Act 1997* (POEO Act) applies to any discharges from the proposal site, as such the proponent must ensure that any discharge does not pollute the receiving waterway. The EPA also notes that the receiving waters for the proposal flow into the Lake George catchment, as such the EPA considers a

high standard of planning and implementation of sediment and erosion controls, including the use of flocculants will be required to protect the WQOs of the receiving environment.

Where a chemical has the potential to have non-trivial impacts to the environment, it is the responsibility of the person using the chemical to ensure that the potential impacts are fully identified, managed and mitigated. Considering the potential water pollution risks associate with the use of flocculants, all components of a potential discharge from the sediment dam that may impact receiving waters assessed. This will include any chemical used to treat water captured onsite prior to discharge. Should flocculants be used to treat the water captured onsite, information on the product and details on the proposed chemicals to be used and potential impacts must be provided to the EPA for consideration and assessment. Such details should include, but need not be limited to:

- The dose concentration(s) of the proposed flocculant
- A characterisation of the expected quality in terms of all pollutants present that pose a risk of non-trivial harm to the environment should they enter the receiving water
- An assessment of the potential impact of discharges on the environmental values of the receiving waterway with reference to the Australian and New Zealand Guideline for Fresh and Marine Water Quality and the NSW Water Quality objectives
- The degradation rate of the flocculant and the potential for accumulation in bed sediment of the receiving waterways.

## Noise and Vibration

The EIS assess the potential noise impacts during construction and operation in accordance with the Noise Policy for Industry (EPA 2017). The EIS identifies that there are multiple sensitive receivers located close to the proposal, particularly to the south of the proposal site.

### Operation

There is predicted noise impacts on nearby sensitive receivers during outdoor play periods and the use of sports courts. The EIS identifies that the most effected sensitive receivers are located to the south of the proposal site with a direct line of site to the oval and courts. The remainder of the sensitive receivers would have lower levels of noise exposure due to the additional distance and screening effects of the school buildings.

### Out of Hours Use of School Facilities

The EPA is aware of government policy to encourage out of hours community use of school facilities provided that use does not cause noise emissions that interfere unreasonably with the comfort or repose of the persons not on the premises. The EIS proposes the use of external school spaces and the courts before school commences and occasionally in the afternoon and on Saturdays for sports tournaments and competitions.

The EPA considers that the use of external school facilities, including the courts, particularly outside of school hours, has the potential to impact nearby sensitive receivers.

The EPA considers the proposed use of school facilities outside normal school hours needs to be carefully managed to ensure noise impacts on nearby sensitive receivers are minimised.

**The EPA recommends that the external school facilities not be made available for community use:**

- **During weekday mornings,**

- **Later than 6:00pm on weeknights**
- **Other than between the hours of 8:00am and 6:00pm on Saturdays, and**
- **At any time during Sundays and public holidays.**

Mechanical Plant and Equipment

The EPA is unclear whether mechanical plant and equipment (especially mechanical ventilation plant) has been selected. Accordingly, the EPA anticipates that details of mechanical services, plant and equipment are not yet available and the EIS does not appear to show the location of plant and equipment.

**The EPA recommends that the proponent ensure that mechanical p[lant and equipment installed does not generate noise that:**

- **Exceeds 5 dBA above the rating background noise level (day, evening and night) measured at the boundaries of the proposal site, and**
- **Exhibits tonal or other annoying characteristics.**

Waste Removal

The EIS identifies that the waste removal truck would park approximately 200m from the nearest residential building and notes that this distance separation should adequately address noise impacts from waste removal operations. However, no information has been provided regarding operation times for the waste removal service.

**The EPA recommends waste collection and removal services not be undertaken outside the hours of 7:30am and 6:00pm Monday to Friday.**

Public Address and School Bell System

The EPA notes that inadequate design and installation as well as inappropriate use of school public address and bell system can have noise impacts on nearby sensitive receivers. Appropriate design, installation and operation of these system can both meet the objectives of proper administration of the school and ensuring the safety of students, staff and visitors and avoid interfering unreasonably with the comfort and repose of nearby sensitive receivers.

**The EPA recommends that the school public address and bel system be designed, installed and operated to ensure that the system does not interfere unreasonably with the comfort and repose of nearby sensitive receivers.**

Construction

There is predicted noise impacts on nearby sensitive receivers, particularly those to the south during the construction phase of the proposal. The noise levels are predicted to generally exceed the noise management level, however no exceedance of the highly noise affected levels is foreseen. The EIS outlines a series of broad mitigation and management recommendations to address potential noise impacts during construction, including the development of a Noise Management Plan. The proponent is encouraged to also consider:

- Using alternative to tonal reversing alarms (beepers) such as broadband alarms, reversing cameras, proximity alarms or a combination; and
- Communication with sensitive receivers prior to the commencement of construction works to advise them of the timeframes of works and key noise producing activities.

**The EPA recommends that a Noise Management Plan be developed to minimise noise impacts on sensitive receivers prior to commencing construction works and implemented throughout the construction phase of the project.**

**The proponent should implement all feasible and reasonable noise mitigation and management measures to minimise noise impacts for sensitive receivers during construction.**

Hours of Operation During Construction

The EIS identifies that construction is proposed to occur from Monday to Friday 7am to 6pm and Saturday 8am to 5pm. No construction works are proposed on Sundays or Public Holidays. The EPA notes that standard construction hours on Saturdays in 8am to 1pm. The EPA does not consider suitable justification has been provided to justify construction outside these hours.

**The EPA recommends that the proponent provide further information to justify the approval of construction outside of standard hours identified in the Interim Construction Noise Guidelines. The EPA considers it appropriate to capture the standard hours of construction in the project approval.**