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21 November 2024

Thomas Piovesan
Senior Planning Officer
Planning and Assessment Division
Department of Planning, Housing and Infrastructure

Via: Major Projects Portal

**EPA Comment on Planning Advice Request EIS for Affordable Housing Redevelopment
(SSD-71454960)**

Dear Thomas

I am writing in response to your request for the NSW Environment Protection Authority (EPA) to comment on the Environmental Impact Statement (EIS) for the proposed affordable housing redevelopment (Application SSD-71454960) at 195-213 Fitzgerald Avenue and 40-64 Yorktown Parade, Maroubra.

The EPA understands the proposal is for the demolition of existing buildings and the construction of 144 residential units.

The information provided indicates that the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) and therefore will not require an Environment Protection Licence (EPL) under the POEO Act.

However, Section 6(2)(c) of the POEO Act states: “A local authority is the appropriate regulatory authority (ARA) for non-scheduled activities in its area, except in relation to ... (c) activities carried on by the State or a public authority, whether at premises occupied by the State or a public authority or otherwise ...”. NSW Land and Housing Corporation (operating as Homes NSW), a public authority, is the applicant, therefore, the EPA would be the ARA during construction.

The EPA recommends the conditions in Attachment A be included in any consent issued for this development.

If you have any questions about this request, please contact Jenny Gustafson on 9585 6471 or via email at environmentprotection.planning@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Christie Jackson', is written over a light blue horizontal line.

CHRISTIE JACKSON
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Attachment A – EPA recommended conditions

Construction Noise

- The proponent must implement reasonable and feasible noise management measures, to minimise off-site impacts.
- The noise management measures used must achieve the noise management levels in the EPA's *Interim Construction Noise Guidelines*.
- Construction activities must only be undertaken during the hours identified in Table 1 of the ICNG. Section 2.3 of the ICNG identifies the circumstances in which construction outside of standard hours can be undertaken.

Water Quality

- Erosion and sediment controls must be installed and maintained throughout the construction period to prevent water pollution.

Waste

- Any waste materials exposed or created in association with the construction works and proposed to be disposed of to an offsite location, must be classified in accordance with the EPA's waste classification guidelines.

Air Quality

- Construction activities must be carried out in a manner that prevents the emission of dust from the premises.
- The construction site must be maintained in a manner that minimises the generation of wind-blown dust.

Chemicals

- All chemicals, fuels and oils must be kept in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and EPA's *Storing and Handling Liquids: Environmental Protection – Participant's Manual*

Contamination

- Any site contamination identified during construction must be assessed and managed in accordance with the *Contaminated Lands Management Act* (1997).