



Your reference: SSD 5175 MOD1
Our reference: EF15/2643, DOC15/359105-03
Contact: J Goodwin 9995 6838

Simon Truong
Department of Planning and Infrastructure
GPO BOX 39
SYDNEY 2001

Dear Mr Truong

SSD 5175 MOD 1 – EASTERN CREEK BUSINESS HUB

I am writing to you in reply to your invitation to the EPA to comment on the application to modify the consent in respect of the above project.

The EPA has had regard to the Department's letter dated 8 September 2015; conditions of consent issued on 7 January 2015 for concept plan and stage 1 (subdivision and early works); and information obtained from the Department's Major Projects web site.

The EPA notes that the proposed modification would significantly increase bulk earthworks with associated increases of potential impacts from:

- (a) noise and vibration on nearby residences and Eastern Creek Public School;
- (b) dust emissions; and
- (c) runoff and sediment impacts on Eastern Creek.

The EPA expands on its concerns in Attachment A to this letter.

Should you require clarification of any of the above please contact John Goodwin on 9995 6838.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Frank Garofalow', with the date '29-9-15' written below it.

FRANK GAROFALOW
Manager, Metropolitan Infrastructure
NSW Environment Protection Authority
encl. Attachment A

ATTACHMENT A**- ENVIRONMENT PROTECTION AUTHORITY COMMENTS -****EASTERN CREEK BUSINESS HUB – MODIFICATION 1****1. General**

The EPA considers that the project comprises distinct phases of site preparation and development (including bulk earthworks) and operation and has set out its comments on that basis.

The EPA notes the proximity of surrounding residences (particularly those located west of Rooty Hill Road South) and Eastern Creek Public School.

Similarly, the EPA notes the proximity of Eastern Creek.

The EPA emphasises that it does not review or endorse environmental management plans or the like for reasons of maintaining regulatory 'arms length'. And, has not reviewed the environmental management plans forming part of or referred to in the EIS.

2. Construction phase

The EPA anticipates that site preparation and clearing, bulk earthworks and other civil construction and construction-related activities will be undertaken in an environmentally responsible manner with particular emphasis on –

- Site investigation and remediation,
- compliance with recommended standard construction hours,
- adoption of intra-day respite periods from high noise generating construction activities (including jack hammering, rock breaking, pile boring or driving, saw cutting),
- feasible and reasonable noise and vibration minimisation and mitigation,
- effective dust control and management,
- runoff, erosion and sediment control, and
- waste handling and management, particularly concrete waste and rinse water.

2.1 Site investigation and remediation

The EPA understands from the Appendix F to the application that a Site Audit Statement (SAS) has been issued subject to certain actions being implemented. And, the SAS anticipates the presence of asbestos cement sheeting fragments and undefined unauthorised fill materials.

EPA guidance material concerning the handling, transport and disposal of asbestos wastes is available via the following link to its web-site

<http://www.environment.nsw.gov.au/waste/asbestos/index.htm>.

Recommendation

The proponent be required to satisfy the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 'asbestos wastes'.

Recommendation

The proponent should be required to consult with Workcover NSW concerning the handling of any asbestos waste.

2.2 noise and vibration

The EPA understands that the proposal includes site preparation and clearing, bulk earthworks, road construction, stormwater infrastructure and services installation.

The EPA provides guidance material available on its web site including downloadable copies of –

- the Interim Construction Noise Guideline (2009), and
- Assessing Vibration: a technical guideline (2006).

The EPA considers that the project is likely to generate significant noise and vibration impacts on surrounding residences and the Eastern Creek Public School during the activities outlined above.

2.2.1 *general construction hours*

The EPA notes that the current conditions of consent for the project more or less adopt recommended standard construction hours.

The proponent should be required to undertake all site preparation and clearing, bulk earthworks, and other civil construction activities during standard construction hours as recommended in Table 1 Chapter 2 of the Interim Construction Noise Guideline, July 2009

2.2.2 *intra-day respite periods*

ICNG section 4.5 specifies construction activities proven to be particularly annoying and intrusive to nearby residents. The EPA anticipates that those activities generating noise with particularly annoying or intrusive characteristics would be subject to a regime of intra-day respite periods where –

- (a) they are only undertaken after 8.00 am,
- (b) they are only undertaken over continuous periods not exceeding 3 hours with at least a 1 hour respite every three hours, and,
- (c) 'continuous' means any period during which there is less than an uninterrupted 60 minute respite between temporarily halting and recommencing any of the work referred to in ICNG section 4.5

Recommendation

The proponent be required to schedule intra-day 'respite periods' for construction activities identified in the Interim Construction Noise Guideline as being particularly annoying to noise sensitive receivers, including surrounding residents and tourism destinations.

2.2.3 *queuing and idling construction vehicles and vessels*

The EPA is aware from previous major infrastructure projects that community concerns are likely to arise from noise impacts associated with the early arrival and idling of construction vehicles (including concrete agitator trucks) at the development site and in the residential precincts surrounding that site.

Recommendation

The proponent be required to ensure construction vehicles (including concrete agitator trucks) involved in construction and construction-related activities do not arrive at the project site or in surrounding residential precincts outside approved construction hours.

2.2.4 *reversing and movement alarms*

The EPA has identified the noise from 'beeper' type plant movement alarms to be particularly intrusive and is aware of feasible and reasonable alternatives. Transport for NSW (nee Transport Construction Authority), Barangaroo Delivery Authority/Lend Lease and Leighton Contractors (M2 Upgrade project) have undertaken safety risk assessments of alternatives to the traditional 'beeper' alarms. Each determined that adoption of 'quacker' type movement/reversing alarms instead of traditional beepers on all plant and vehicles would not only maintain a safe workplace but also deliver improved outcomes of reduced noise impacts on surrounding residents.

Interim Construction Noise Guideline Appendix C provides additional background material on this issue.

The proponent should commit to undertaking a safety risk assessment of construction activities to determine whether it is practicable to use audible movement alarms of a type that would minimise the noise impact on surrounding noise sensitive receivers, without compromising safety.

2.3 Dust control and management

The EPA understands that the modification would (if approved) involve a significant increase in bulk earthworks with stockpiles of excavated material to be located at the northern end of the site (off Church Street).

The EPA considers dust control and management to be an important air quality issue during site preparation and clearing, bulk earthworks and other civil construction activities. And, anticipates that those works and activities will inevitably generate dust as a result of –

- (a) the excavation, processing and handling of excavation spoil,
- (b) wind action on spoil stock piles, and
- (c) wind action on and plant movement across areas bare of vegetation or other cover.

The EPA notes the relevant conditions of consent which refer broadly to preserving the neighbourhood amenity.

Recommendation

The proponent be required to :

- (a) minimise dust emissions on the site, and
- (b) prevent dust emissions from the site.

2.4 Erosion and sediment control

Managing Urban Stormwater Soils and Construction, 4th Edition published by Landcom (the so-called 'Blue Book') provides guidance material for achieving effective erosion and sediment control on construction sites. However, the proponent should implement all such feasible and reasonable measures as may be necessary to prevent water pollution in the course of developing the site.

The EPA emphasises the importance of –

- (a) not commencing earthmoving or vegetation removal until appropriate erosion and sediment controls are in place, and
- (b) daily inspection of erosion and sediment controls which is fundamental to ensuring timely maintenance and repair of those controls.

Recommendation

The proponent should be required to identify how it will implement erosion and sediment control measures consistent with the practices and principles in –

- *Managing Urban Stormwater Soils and Construction, Volume 1, 4th Edition, 2004, and*
- *Managing Urban Stormwater Soils and Construction Volume 2A Installation of Services.*

2.5 Waste control and management (general)

The proponent should manage waste in accordance with the waste management hierarchy. The waste hierarchy, established under the [Waste Avoidance and Resource Recovery Act 2001](#), is one that ensures that resource management options are considered against the following priorities:

Avoidance including action to reduce the amount of waste generated by households, industry and all levels of government

Resource recovery including reuse, recycling, reprocessing and energy recovery, consistent with the most efficient use of the recovered resources

Disposal including management of all disposal options in the most environmentally responsible manner.

All wastes generated during the project must be properly assessed, classified and managed in accordance with the EPA's guidelines to ensure proper treatment, transport and disposal at a landfill legally able to accept those wastes.

The EPA further anticipates that, without proper site controls and management, mud and waste may be tracked off the site during the course of the project.

Recommendation

The proponent be required to ensure that :

- (1) all waste generated during the project is assessed, classified and managed in accordance with the "*Waste Classification Guidelines Part 1: Classifying Waste*" (Department of Environment Climate Change and Water, December 2009);

- (2) the body of any vehicle or trailer, used to transport waste or excavation spoil from the premises, is covered before leaving the premises to prevent any spill or escape of any dust, waste, or spoil from the vehicle or trailer; and
- (3) mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site, is removed before the vehicle, trailer or motorised plant leaves the premises.

2.5 Waste control and management (concrete and concrete rinse water)

The EPA anticipates that during the course of the project concrete deliveries and pumping are likely to generate significant volumes of concrete waste and rinse water. The proponent should ensure that concrete waste and rinse water is not disposed of on the project site and instead that –

- (a) waste concrete is either returned in the agitator trucks to the supplier or directed to a dedicated watertight skip protected from the entry of precipitation, and
- (b) concrete rinse water is directed to a dedicated watertight skip protected from the entry of precipitation or a suitable water treatment plant.

Recommendation

The proponent be required to ensure that concrete waste and rinse water are not disposed of on the development site.

3. Operational phase

The EPA considers that environmental impacts that arise once the business hub is developed can largely be averted by responsible environmental management practices, particularly with regard to water quality impact avoidance and minimisation.

The EPA understands that the stormwater system serving the subdivision will discharge through a system of basins (including macrophytes plantings to serve as bio-filters) and thence via an existing culvert under the M7 Motorway to Eastern Creek. And, that the application proposes increased capacity of the subdivision stormwater management system. However, the proposed stormwater system upgrades appear to have a civil engineering focus.

Accordingly, the proponent should provide a detailed assessment of potential operational impacts on water quality in Eastern Creek. And should, identify feasible and reasonable measures including rainwater re-use to minimise those impacts.

Guidance material is available via the following link –

<http://www.environment.nsw.gov.au/water/usinganzeccandwqos.htm>

The EIS should also explicitly:

- a) assess existing surface water and groundwater quality against relevant criteria for the environmental values of Eastern Creek identified in ANZECC Guidelines for Fresh and Marine Water Quality 2000;
- b) identify pollutants likely to be generated by project activities, including stormwater runoff, and estimate the concentration and quantity of those pollutants reported against the environmental values and criteria referred to in paragraph (a) above;

- c) assess the impact of any pollutants referred to in paragraph (b) on surface and groundwater, including Eastern Creek and its tributaries;
- d) include details of practical measures proposed to be adopted to prevent, control, abate and mitigate any water pollution arising from the project activities; and
- e) include details of any proposed discharge (nature, volume and location) to receiving waters, including Eastern Creek and its tributaries.
