

SICEEP, The Haymarket – Response to EPA Submission

Issue	Response
SICEEP, The Haymarket Precinct - (South West Plot – SSDA5) Licensing In accordance with the Protection of the Environment Operations Act 1997, the EPA is the appropriate regulatory authority (ARA) for activities being undertaken by or on behalf of public authorities. The EPA is therefore the ARA for construction of the SICEEP Haymarket project. The EPA is currently working with Lend Lease to determine whether an Environment Protection Licence under the Protection of the Environment Operations Act 1997 is required for construction works across the SICEEP site. The EPA will advise Planning & Infrastructure of the outcome once the matter is resolved.	As discussed with EPA, no licence is required and as works are not being undertaken on behalf of an Authority, the EPA is not the ARA.
Construction noise Construction hours The EPA notes that the construction hours referred to within the EIS are not in accordance with the standard construction hours set out in the Interim Construction Noise Guideline (DECC 2009). The EPA recommends the following Conditions of Approval: • The Proponent shall only undertake construction works associated with the project during the following hours: a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive; b) 8:00am to 1:00pm on Saturdays; and c) at no time on Sundays or public holidays. • Notwithstanding the above condition, construction works associated with the project may be undertaken outside the hours specified under that condition in the following circumstances: a) where the construction works cause LAeq(15mintue) noise levels that are: i) no more than 5dB above the Rating Background Level at any residence in accordance with the Interim Construction Noise Guideline (DECC 2009); and ii) no more than the Noise Management Levels specified in Table 3 of the Interim Construction Noise Guideline (DECC 2009) at other sensitive land uses; or	DoPI standard condition as per PPP consent E1

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b) for the delivery of materials required by the police or other authorities for safety reasons; or c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or d) as approved through the process outlined in the condition below. • Work outside of the hours specified in the above condition may be undertaken with the prior written approval of the Director General. Any request to undertake out-of-hours works shall be: a) considered on a case-by-case or activity-specific basis; b) accompanied by details of the nature of and justification for the activities to be conducted; c) accompanied by written evidence to the Director General that appropriate consultation with potentially affected sensitive receivers and notification of relevant council(s) (and other relevant agencies) has been and will continue to be undertaken; and d) accompanied by a noise impact assessment consistent with the requirements of the Interim Construction Noise Guideline (DECC 2009). e) accompanied by details of the noise mitigation measures that will be put in place. The EPA further recommends that any conditions of approval for the project require the proponent to coordinate works with other works in the vicinity of the project to minimise impacts on and maximise respite for the affected sensitive receivers	
Construction noise and vibration levels The EPA recommends the following Condition of Approval: • Any construction activities identified as exceeding the Construction Noise Management Levels and/or vibration criteria shall be managed in accordance with the Construction Noise and Vibration Management Plan and Environmental Noise Construction Work Method Statement referred to by this approval.	DoPI standard condition as per PPP consent D5
Construction Noise and Vibration Management Plan The EPA recommends the following Condition of Approval:	

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Prior to the start of construction, the proponent shall have an approved Construction Noise and Vibration Management Plan (approved by the Director General) that is consistent with the guidelines contained in the Interim Construction Noise Guideline (DECC 2009) and details how construction noise and vibration impacts will be minimised and managed across the project.	DoPI standard condition as per PPP consent D5
Environmental Noise Construction Work Method Statement The EPA recommends the following Conditions of Approval: • An Environmental Noise Construction Work Method Statement, based on the detailed design and finalised work methods, shall be prepared for the work site(s) to detail noise mitigation and management measures. The Environmental Noise Construction Work Method Statement may form part of the Construction Noise and Vibration Management Plan required by the above condition. • The Environmental Noise Construction Work Method Statement shall include the following at a minimum: a) identification of sensitive noise receivers likely to be impacted by construction noise and vibration; b) identification of applicable Construction Noise Management Levels, vibration criteria and ground-borne noise levels, as relevant; c) details of construction activities and a schedule for construction works for each work site; d) identification of construction activities that have the potential to generate noise and/or vibration levels exceeding the relevant criteria; e) a detailed description of what feasible and reasonable actions and measures would be implemented to ensure, to the greatest extent practicable, that these works would comply with the relevant noise objectives and vibration criteria; f) procedures for notifying residents of construction activities that are likely to result in noise or vibration impacts, and procedures for responding to noise and vibration complaints; and g) a description of how the effectiveness of management and mitigation measures would be monitored during construction, how often this monitoring would be conducted, how the results of this monitoring would be recorded, and the actions that would be taken if any non-compliance is detected.	DoPI standard condition as per PPP consent D5

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Construction ground-borne noise and vibration limits The EPA recommends the following Conditions of Approval: - Reasonable and feasible noise mitigation measures shall be applied to construction activities when the following residential ground-borne noise levels are exceeded: a) evening (6pm to 10pm) -Internal LAeq(15min) 40dB(A); and b) night-time (10pm to 7am) -Internal LAeq(15min) 35dB(A). The mitigation measures shall be included in the Construction Noise and Vibration Management Plan and Environmental Noise Construction Work Method Statement required under the conditions above. - Any work generating high noise impact (e.g. rock hammering) must only be undertaken: a) between the hours of 8:00am and 6:00pm Monday to Friday; b) between the hours of 8:00am and 1:00pm Saturday; and c) in continuous blocks of no more than 3 hours, with at least a 1 hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers. For the purposes of this condition 'continuous' includes any period during which there is less than a 1 hour respite between ceasing and recommencing any of the work the subject of this condition.	DoPI standard condition as per PPP consent D5
Blasting The EPA recommends the following Condition of Approval: No blasting shall occur without the approval of the Director General.	DoPI standard condition as per PPP consent D5
Groundwater and water quality The EPA's letter to Planning and Infrastructure regarding the Stage 1 State Significant Development Application for The Haymarket Concept Proposal (letter dated 10 May 2013) provided comments in relation to groundwater management. These comments are still applicable do not appear to have been addressed in the EIS. The need to address groundwater is also identified in the Director General's Requirements (DGR 9).	Lend Lease agree to the proposed EPA conditions of approval

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The Director General's Requirements also include the need to address water quality impacts during construction, including details of source, volume and monitoring methods. The EIS provides very limited discussion of this issue. The EPA notes that it is likely that groundwater (and rainwater) will need to be removed from excavations on site during construction. The construction site will also need to be managed to prevent off-site transport of soils and sediment and other pollutants to waterways. The EPA recommends the following Conditions of Approval: - Any water discharged from the site to stormwater or surrounding waterways must be of sufficient quality to comply with Section 120 of the Protection of the Environment Operations Act 1997. This may require treatment and testing of water prior to discharge. - Appropriate soil and water management measures that are consistent with the guidelines of the 'Managing urban stormwater: soils and construction publications (including Volume 1 - Blue Book and Volume 2A - Installation of Services)' shall be implemented during construction.	
Waste Construction waste management The EPA recommends a Condition of Approval requiring that all waste generated on site be classified and disposed of in accordance with the Waste Classification Guidelines (DECC 2008). The EPA also recommends a Condition of Approval requiring the proponent to develop and implement a construction waste management plan to maximise resource recovery and recycling of construction waste materials, and ensure appropriate handling of construction and demolition waste. Operational waste management The EPA recommends a Condition of Approval requiring that all waste management facilities be designed in accordance with the 'Better Practice Guide for Waste Management in Multi-Unit Dwellings' (DECC 2008) and 'Waste Management and Recycling in Commercial and Industrial Facilities' (EPA 2012), as applicable.	DoPI standard condition as per PPP consent E5 DoPI standard condition as per PPP consent F19

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Community consultation The EPA recommends a Condition of Approval requiring the development of a Community Consultation and Engagement Plan prior to the start of construction. The plan should include a strategy for managing cumulative impacts from works associated with construction of other SICEEP elements.	DoPI standard condition as per PPP consent D13