



Your reference SSD 7445
Our reference: DOC16/201154-03

Mr Brendon Roberts
Acting Team Leader
Department of Planning and Environment, Planning Services
GPO Box 39
SYDNEY NSW 2001

Dear Mr Roberts,

Request for EPA input to Residential/Commercial Mixed Use Development at Site 9, Corner Sarah Durack Avenue and Olympic Boulevard, Sydney Olympic Park (SSD 7445)

I refer to the request for EPA input to SEARs for Residential/Commercial Mixed Use Development at Site 9, Corner Sarah Durack Avenue and Olympic Boulevard, Sydney Olympic Park (SSD 7445), received by the Environment Protection Authority (EPA) on 22 April 2016.

On the basis of the information provided, the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act). The EPA does not consider that the proposal will require an Environment Protection Licence (EPL) under the POEO Act.

The EPA however, has identified a range of potential environmental issues which need to be addressed. The EPA also notes that the types of work to be undertaken for the project and their proximity to sensitive receivers will present particular challenges. Accordingly, the EPA recommends that the proponent gives consideration to the following:

- air quality management during the construction phase;
- soil and water management during the construction phase;
- contaminated land management;
- appropriate classification, storage and handling of hazardous material and dangerous goods; and
- incident risks and contingency practices.

Further comments are outlined in 'Attachment A'.

Please feel free to contact Ibrahim Muharrem on 9995 5893 with any queries or if anything should change in regards to the proposal.

Yours sincerely



3 June 2016

James Goodwin
Unit Head Sydney Industry
Environment Protection Authority

Attachment A

Request for EPA input to Residential/Commercial Mixed Use Development at Site 9, Corner Sarah Durack Avenue and Olympic Boulevard, Sydney Olympic Park (SSD 7445)

Environment Protection Licence

At present the current outlined activities do not demonstrate a need for an Environmental Protection Licence under the current *Protection of the Environment Operations Act* ("POEO Act").

Contamination Management

The EPA has the following comments regarding contamination issues at the site:

- 1) The proposed mixed use development is proposed to be constructed on a putrescible waste containment area that is producing landfill gases at significant concentrations. This causes an explosion hazard; an adequate assessment and management of this hazard is of utmost importance.
- 2) The EPA notes that a site auditor accredited under the Contaminated Land Management Act 1997 has been engaged to provide independent advice on the suitability of the site for the proposed land uses as well as advice on the appropriateness of the proposed engineering and management response to address the landfill gas issue. The EPA supports the requirement for a site auditor accredited under the Contaminated Land Management Act.
- 3) In relation to the site audit process, the EPA recommends the following site audit statements and interim site audit advices should be issued:
 - a. A Section B Site Audit Statement, issued prior to the remediation works and prior to the commencement of construction works that certifies the appropriateness of the following detailed plans: remediation action plan, leachate management plan, gas management plan, and any other environmental management plan developed for the site.
 - b. A Section B Site Audit Statement, issued following the remediation and construction works but prior to the occupancy certificate being issued; this site audit statement should certify that the land can be made suitable for its uses subject to implementation of the above plans.
 - c. Interim Site Audit Advices, issued annually until a Section A Site Audit Statement has been issued; the interim site audit advices should confirm that the implementation of the above plans is appropriate and that the objectives of the plans are being met.
 - d. A Section A Site Audit Statement, issued three years after the first Interim Site Audit Advice has been issued; this site audit statement should certify that the site is suitable for its uses subject to the ongoing implementation of the above plans.
- 4) The EPA further recommends that DPE requires a separate risk analysis and assessment that considers the details of the gas and leachate management systems and evaluates both probabilities for the systems to fail and consequences if the systems were to fail (in that context, DPE may consider the applicability of State Environmental Planning Policy 33 and relevant documents listed In Appendix 1 of this SEPP; we also refer DPE to the document entitled "EPA Guidelines for the Assessment and Management of Sites Impacted by Hazardous Ground Gases 2012" (<http://www.epa.nsw.gov.au/resources/clm/120932GroundGas.pdf>) and particularly Figure 5 on page 23 outlining the risk analysis and assessment process).

Air Quality Management

Air quality from construction activities must be managed to prevent impacts to sensitive receivers located near the site. Activities need to be monitored closely for air quality impacts such as excess dust generation and where necessary effective controls need to be implemented to prevent air quality impacts to nearby sensitive receivers. The implemented air quality controls should be reviewed for performance and take into account changing site activities/methodologies and conditions that may adversely affect air quality at nearby sensitive receivers.

Soil and Water Management

Soil and water impacts and associated management measures from each activity/section of the proposed works will need to be identified. Each proposed activity/zone may vary in requiring management methodologies that are more suited in order to achieve the EPA's discharge expectation of meeting the water quality objectives for the receiving environment. ANZECC water quality triggers should be adopted for all activities including potential discharges.

To ensure minimal impacts to soil and water quality, the proponent should thoroughly assess their activities and associated controls. When reviewing current controls and performance the proponent should consider the following:

- How sediment and other potential pollutants will be managed to prevent water quality impacts especially during construction activities;
- How any fuel, hydraulic oils, paints, chemicals, etc. involved with the project will be managed to prevent/manage spillage;
- How well management practices/operating procedures perform in reducing water quality impacts;
- How any issues around soil and water quality are detected and promptly acted upon/rectified to prevent impacts;
- If discharges are required into the receiving environment at any stage, how these are to be managed to prevent adverse effects; and
- If required, how the use of flocculants/coagulants or other water treatment measures associated with the water quality improvement processes are selected and managed to prevent water quality impacts from these additives.

Any contractors or personnel undertaking works on the premises should be made aware of any risks associated with water quality and implement/maintain effective controls. These controls should be reviewed for performance throughout the duration of the activity. For example, any excess concrete slurry from any potential concreting works undertaken at the premises should be stored/disposed of adequately as to not impact the receiving environment. Any materials present on the premises should be stored/handled appropriately as to not negatively affect stormwater runoff from the premises.

Noise Impact Management

In undertaking these operations the proponent should identify and manage any noise sources from the construction and operational phase and undertake all practical measures to mitigate the impacts of noise on any potential sensitive receivers.

The EPA recommends that any significantly audible construction activities are undertaken within the following recommended standard hours of operation:

- Monday to Friday 7:00am to 6:00pm
- Saturdays 8:00am to 1:00pm
- No work on Sundays or Public Holidays.

Construction noise associated with the project should be assessed/managed using the Interim Construction Noise Guideline, EPA, 2009. The above guideline can be viewed online at <http://www.environment.nsw.gov.au/noise/constructnoise.htm>

Operational noise from all activities to be undertaken on the premises should be assessed/managed using the guidelines contained in the NSW Industrial Noise Policy, EPA. The above guideline can be viewed online at http://www.epa.nsw.gov.au/resources/noise/ind_noise.pdf

Dangerous Goods/Chemical/Waste Management

The proponent must ensure that environmental risks associated with the storage, procession and handling of hazardous materials and dangerous goods are reviewed appropriately. Storage and handling of any dangerous goods must be undertaken in accordance with The Storage and Handling of Dangerous Goods Code of Practice, 2005 which can be viewed online at -

http://www.workcover.nsw.gov.au/data/assets/pdf_file/0019/17074/storage-handling-dangerous-goods-1354.pdf

The type, quantity and location of all dangerous goods, chemicals and wastes needs to be easily identified by site personnel and included in management plans/documentation for the premises.

Effective controls need to be implemented and maintained in the storage, procession and handling of chemicals at the premises. These controls should also include operating and maintaining bunds or spill containment systems where necessary to minimise the risk of pollution from potential spills and leaks. Information on bunding and spill management can be found online at -

<http://www.epa.nsw.gov.au/mao/bundingspill.htm>

Wastes generated from the proposed works must be classified within the EPA Waste Classification Guidelines; Part 1: Classifying Waste, November 2014 found online at

<http://www.epa.nsw.gov.au/resources/wasteregulation/140796-classify-waste.pdf>

General Advice

The proponent needs to be aware of the strict liability provisions of the POEO Act. All site personnel must be aware of the details of the any works plans, environmental legislation/guidelines and associated pollution controls before any works commence and during the undertaking of relevant activities.

The proponent should note and be aware of its responsibility to notify each relevant authority of any pollution incident, in accordance with Section 148 of the *Protection of the Environment Operations Act 1997* (POEO Act). Incident triggers and notification protocols need to be detailed so that compliance with section 148 of the POEO Act is achieved.