



NOTE: Redacted sections of this document contained issues not relevant to the Submissions and Preferred Infrastructure Report.

DOC18/92845-01
SSI 16-7485

Mr Glenn Snow
Director, Transport Assessments
Department of Planning and Environment
Level 29, 320 Pitt Street
SYDNEY NSW 2001

Dear Mr Snow,

RE: SSI 16_7485 - SUBMISSIONS & PREFERRED INFRASTRUCTURE REPORT AND DRAFT CONDITIONS OF APPROVAL - REQUEST FOR EPA COMMENT

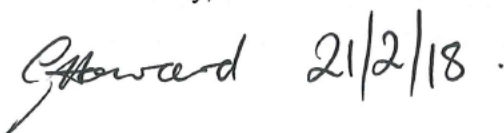
I refer to the Department of Planning and Environment's (DPE) request for the Environment Protection Authority (EPA) to comment on the Submissions and Preferred Infrastructure report (SPIR) and the draft Conditions of Approval (CoA) for the proposed M4-M5 Link Motorway project dated 5 and 14 of February 2018 respectively.

The EPA notes that the proponent has addressed some of the EPA's concerns in relation to water, air, noise and contamination in the SPIR, but reiterates its previous advice that all impacts should be assessed in detail during the Environmental Impact Assessment rather than under post-approval management plans. The EPA has reviewed the SPIR and provided comment at Attachment 1

As the project will trigger the requirement for an Environment Protection Licence (EPL) under the *Protection of the Environment Operation Act 1997* if approved, the EPA would appreciate the opportunity to review and provide comment on a revised draft Instrument prior to a determination being made, once the Department has considered the EPA's comments.

If you have any questions, please contact Claire Miles at claire.miles@epa.nsw.gov.au or on 9995 5167.

Yours sincerely,

 21/2/18

GISELLE HOWARD
Regional Director - Metropolitan
NSW Environment Protection Authority

Phone 131 555
Phone +61 2 9995 5555
(from outside NSW)

Fax +61 2 9995 5999
TTY 133 677
ABN 43 692 285 758

PO Box 668
Parramatta
NSW 2124 Australia

Level 13
10 Valentine Av
Parramatta NSW
2150 Australia

info@epa.nsw.gov.au
www.epa.nsw.gov.au

Attachment 1 - SPIR

A4 Clarifications

The status for the BP Express Service Station (2 Princes Highway, St Peters) has not been updated in Table A4-1 to reflect its new management class - *Regulation under CLM Act not required*.

The EPA suggests that a statement is included in A4.2.10 to the effect that Table A4-1 of Chapter A4 supersedes the relevant tables in Appendix R (Technical working paper: Contamination).

B2 Noise and Vibration

Works outside of standard construction hours

No further assessment or justification for construction works to be undertaken outside of standard construction hours has been provided. Therefore, other than for tunnelling and tunnelling support works (including spoil haulage other than at the C4 Darley Road site) the EPA considers construction works should be limited to standard construction hours.

When these situations arise during the project, rigorous noise and vibration impact assessments will need to be undertaken to accurately determine potential impacts on affected receivers, determine feasible and reasonable mitigation measures and transparently convey anticipated impacts to affected receivers.

If approved, the project will require an Environment Protection Licence under the *Protection of the Environment Operations Act 1997* and the EPA will regulate noise and vibration impacts from the construction works through the provisions of this licence. Future applications direct to EPA for works to be undertaken outside of standard construction hours will only be considered where this assessment has been undertaken and the justification is robust. Poor construction planning and scheduling are not considered to be an appropriate justification to undertake works outside of standard construction hours where there will be noise and vibration impacts experienced by sensitive receivers.

Addition of the White Bay Civil Site (C11)

There is no cumulative assessment of construction and operation noise from White Bay civil site with other non-M4-M5 works in the area.

Minor exceedances of the noise management levels and sleep disturbance criteria are predicted at residential receivers from C11 operations during the night time. As for other works proposed outside of standard construction hours, detailed and robust justification for night-time operations at the C11 Site is required.

Construction fatigue and the proposed mitigation

The reasonableness of mitigation for affected receivers must be based on the consecutive (and concurrent) infrastructure project impacts.