

6 March 2020

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Three International Towers
300 Barangaroo Avenue
Sydney NSW 2000

Director,
Transport Assessments Planning & Assessment,
Department of Planning Industry and Environment,
4 Parramatta Square,
12 Darcy Street,
Parramatta NSW 2150

RE: SSI-8863 - Submission in relation to the Western Harbour Tunnel & Warringah Freeway Upgrade and its impacts upon Little Zak's Academy at 6-8 Waterloo Street, Rozelle.

To Whom It May Concern,

This submission relating to SSI-8863 ('the project') is made on behalf of Little Zak's Academy which is a childcare centre scheduled to open in June/July 2020 at 6-8 Waterloo Street, Rozelle ('Little Zak's site').

The Little Zak's site is immediately adjacent to the Balmain Leagues Club which will become the Victoria Road construction support site, referred to as 'WHT2' in the Environmental Impact Statement (EIS) and this submission. The Little Zak's site was identified in the EIS and supporting documents as a 'commercial/industrial' site and not as a childcare centre (figure 1).

This submission formally identifies 6-8 Waterloo Street as a childcare centre which will be operational as of June/July 2020 and we require that this omission be comprehensively reassessed and considered in the design and operation of WHT2.

We request that the omission of the site from the EIS be reassessed and that the findings be re-exhibited for further comment.

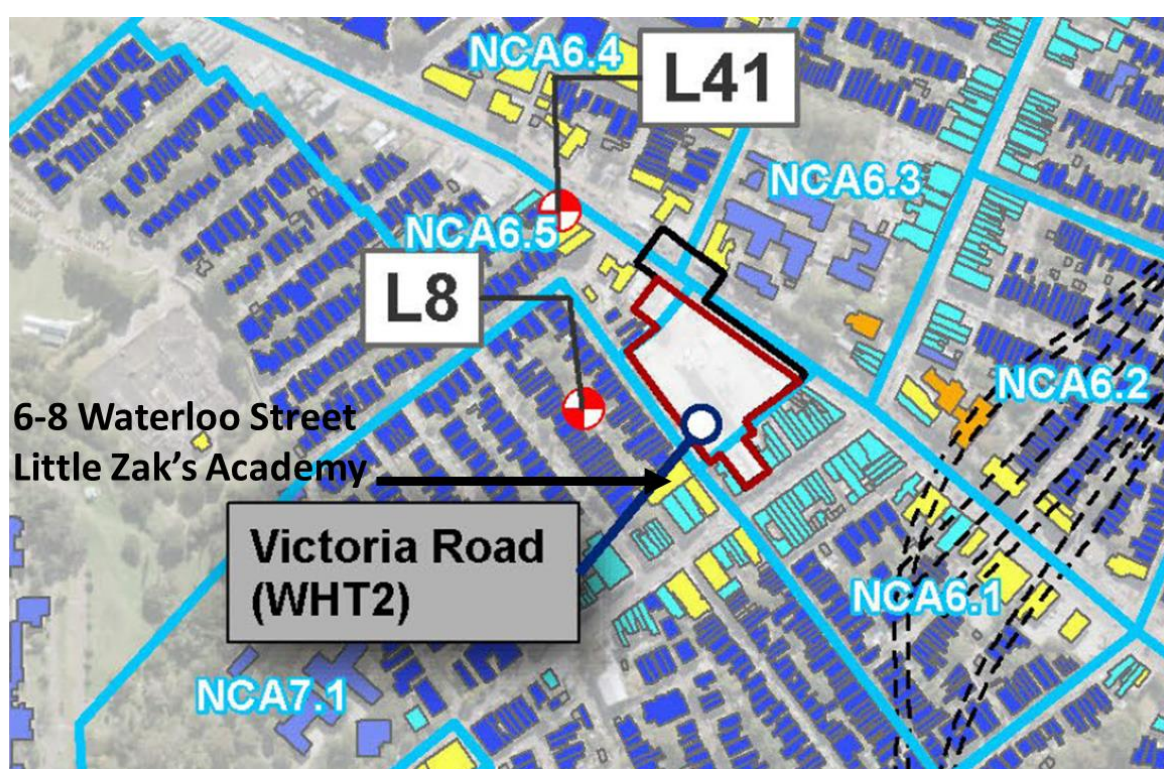
The EIS has acknowledged that the proposed harbour tunnel works will have impacts on sensitive receivers and has included mitigation measures. Different categories of land use have been given different acceptability criteria in relation to impacts with commercial/industrial properties having some of the most relaxed criteria.

In contrast, childcare centres have among the most stringent criteria. With the Little Zak's site having been considered 'commercial/industrial' during the initial site planning phase, we are concerned that the necessary protection measures will not be extended to Little Zak's Academy during the lengthy construction phase. The EIS indicates that the acoustic impacts on Little Zak's Academy may be particularly severe.

This letter will consider acoustic, air quality and traffic impacts as well as the storage of dangerous goods and hazardous material as they relate to Little Zak's Academy.

It is of the utmost importance that Transport for NSW (TfNSW) acknowledges that the approved use of the site is as a childcare centre and that this use will commence in June/July 2020 and continue during the estimated project construction timeline.

The impacts of the project upon the child-care centre must be reassessed. Any and all necessary modifications to the construction and operation of WHT2 must be undertaken to ensure that the Little Zak's site reaches the project's amenity targets for childcare centres and ensures the safety and wellbeing of children and staff.



Legend

Construction features

- Construction footprint
- Construction support site
- Tunnel section

Noise assessment features

- ⊕ Long-term noise monitoring location
- Noise catchment area (NCA)

Receiver type

- Commercial/industrial
- Mixed use
- Non receiver building
- Educational/childcare

- Place of worship
- Recreational - active
- Recreational - passive
- Residential

Figure 10-2 Noise catchment areas and monitoring locations (map 1)

Figure 1 - Composite image of Figure 10-2 identifying Little Zak's site which was shown as being 'commercial/industrial' and being within NCA7.1 in the noise assessment

Little Zak's Site History and Use

The application process for the development of little Zak's was commenced with a Pre-DA meeting held with Leichhardt Council on 7 November 2013 (PREDA/2013/153). In June of 2014, a development application (D/2014/299) was submitted to Council which was eventually approved by the Land and Environment Court in July 2015.

A construction certificate was approved in July 2019. The development of Little Zak's Academy involves significant alterations and additions to the existing commercial building on the site and the construction works are currently underway, with completion planned for June/July 2020. Little Zak's Academy in Rozelle has approval to operate between 7:00am-6:30pm on weekdays with up to 90 children. It is expected to open in June 2020 and is currently accepting enrolments.

Acoustic Impacts

As shown in figure 1, the Little Zak's site was identified as being a commercial/industrial land use which was likely due to the site's previous use as a car hire business. As detailed in the site history, the Little Zak's site has had an approval for the purposes of a childcare centre since 2015 which is prior to the commencement of public consultation and noise impact studies for the project.

EIS Appendix G 'Noise Impacts and Vibration', Table 3-23 provides project amenity noise levels for residential, commercial and industrial uses the relevant content is reproduced in Table 1. EIS Appendix G, Section 3.4.1.2, under subheading 'Childcare centres', states:

"Considering the above NMLs, an external screening level of LAeq (15 min) 50 dB(A) has been adopted for assessing childcare centres."

The amenity criteria for childcare centres is significantly lower than that of day time residential receivers and far lower than commercial and industrial uses.

Table 1 - relevant project amenity noise levels

Receiver	Where objective applies	Amenity noise level LAeq, 15min
Residential	Day	58 dB(A)
	Evening	48 dB(A)
	Night	43 dB(A)
Commercial	When in use	63 dB(A)
Industrial	When in use	68 dB(A)

In EIS Appendix G, the impact of the Victoria Road construction support site is considered. It states on page xxv (underline added for emphasis):

“The highest predicted noise levels occur during early works and site establishment, which is expected when carrying out rock hammering for the relocation of services and demolition of existing structures. During these stages, up to 27 residential receiver buildings are predicted to be highly noise affected (ie. >75 dB(A)) and up to 208 residential receiver buildings are predicted to be noise affected (ie. > NML) during standard construction hours. During other stages, up to 138 residential receiver buildings are predicted to be noise affected during standard construction hours. Up to thirteen non-residential receivers would also be noise affected. It is noted that the longest duration works, being tunnel construction and tunnel fitout, would have the lowest potential noise impact, no more than 11 receiver buildings being noise affected during standard hours”

Because the site was assessed as a commercial/industrial site it is likely to be noted as one of the 13 non-residential receivers that are affected. In reality, the residential affectation is a more appropriate guide for the affectation of the Little Zak’s site.

The indicative layout of the WHT2 and the location of Little Zak’s academy is shown in figure 2. It seems very likely that the immediate northern neighbouring residential building is among those 27 receivers which will be ‘highly noise affected’ meaning an impact of >75 dB(A). Little Zak’s site, as a child care centre with a lower daytime affectation threshold is almost certainly highly impacted and may be among the 11 receiver buildings that will be noise affected during tunnel construction.

An additional issue presented herein is that the times of greatest impact from noise generation vary between residential and childcare uses. Where residential receivers are most sensitive at night, the child-care centre is most sensitive during the day, operating between 7:00am – 6:30pm.

The EIS indicates that, where possible, the works generating the greatest noise levels will be undertaken during standard working hours which is the time that would most greatly affect Little Zak’s Academy. I acknowledge that this is a case of balancing competing interests which are diametrically opposed but this imbalance must be considered in detailed plans for the WHT2 construction and operation plans.

The predicted construction noise levels shown in EIS Appendix G, Table 5-27, show that the noise levels during construction could reach as high as 83 dB(A) which exceeds the 50 dB(A) threshold applied to childcare centres by 33 dB(A). This impact would be extreme and warrants specific consideration in the assessment.

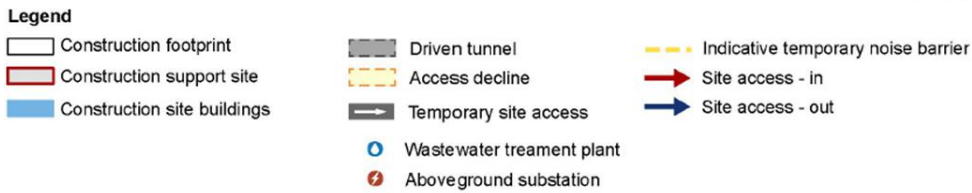
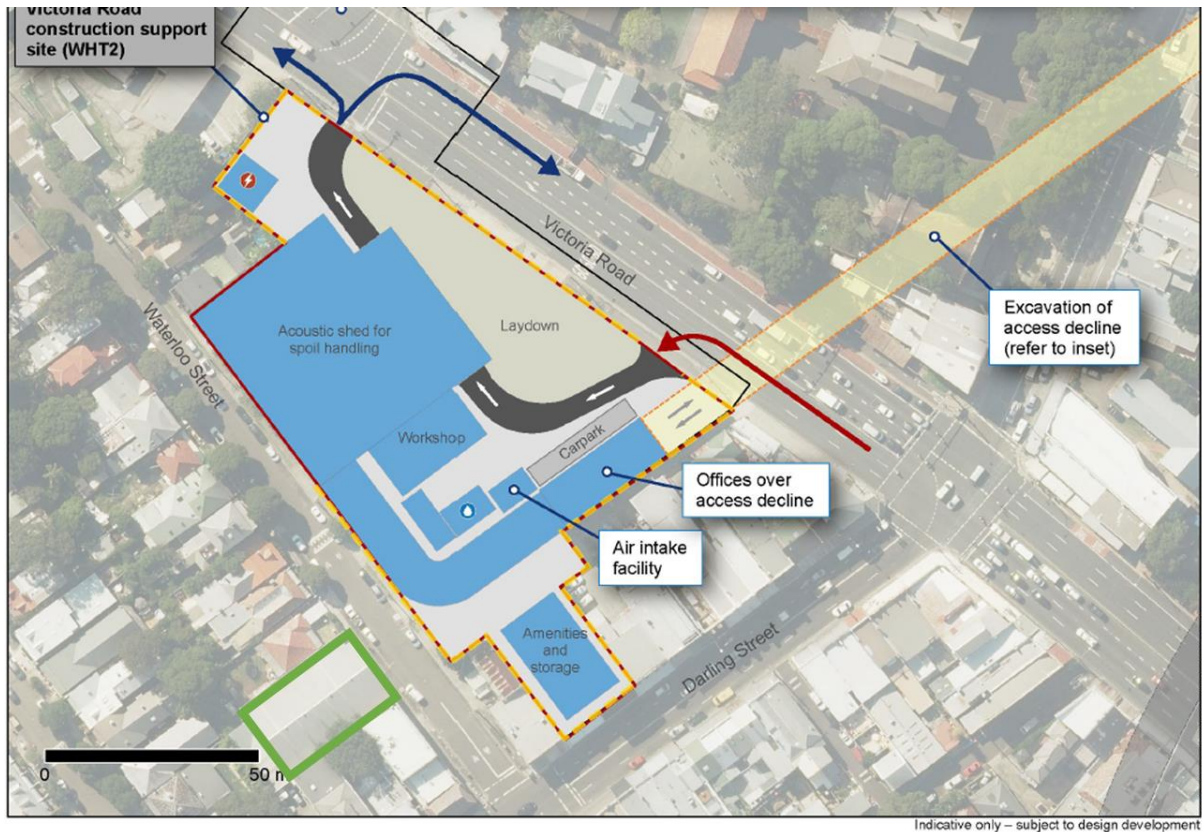


Figure 6-27 Indicative layout – Victoria Road construction support site

Figure 2 - Image of Figure 6-27 identifying Little Zak's site (green), in relation to the indicative site layout of WHT2.

Air Quality During Construction

The assessment of air quality during construction involved categorising sensitive land uses. As noted in relation to acoustic impacts, the Little Zak's site has been identified as a commercial building rather than a childcare centre. We note that zone 2, in which WHT2 is located, was already considered to have a 'high sensitivity' and that a receiver was placed at the nearby Rozelle Primary School for assessment.

Given that 6-8 Waterloo Street will be operating as a Child Care Centre as of June/July 2020, we require that this omission be comprehensively addressed in the assessment of air quality during construction and operation of WHT2. We request that the omission of the site from the IES be reassessed and that the findings be re-exhibited for further comment. Specifically, the report must assess and confirm that the air quality is always suitable for the children and staff.

Traffic Impacts

EIS Chapter 6, under Section 6.8.2, indicates that no on-site parking is being provided for the workforce at the Victoria Road construction support site. The EIS states that shuttles from other sites will be provided and that construction workers will be encouraged to use public transport. It is likely that many people working at WHT2 will drive and use the already limited on-street parking in the vicinity.

Chapter 8 of the EIS considers the impacts of the proposal on traffic and transport during the construction phase. The impact on the area near WHT2 is considered in relation to road and intersection performance, however, the impacts on on-street parking are not addressed. Appendix F 'Traffic and Transport' states on page 128 under the subheading 'Construction workforce parking' (emphasis added by underline):

"A car parking area would be provided at the White Bay construction support site (WHT3). Where required, shuttle bus transfers between construction support sites would also be provided. Where on-site parking is not provided or where provision of on-site parking cannot accommodate the full construction workforce, the workforce would be required to park on the surrounding road network. Impacts on these roads would be detailed in the CTMP."

The impacts on on-street parking along Waterloo Street will be significant during the 5-year construction phase and should be suitably addressed prior to Gateway Determination being issued. It is not sufficient to address them later in a future Construction Transport Management Plan as an intervention may be required to protect on-street parking.

An example of an intervention which could be taken in relation to Little Zak's academy is converting the parking outside the building to 15-minute parking zones prior to 9am and between 5pm-6pm. This will reduce the potential conflicts for on-street parking during Little Zak's Academy's peak drop-off and collection times. It will also discourage the use of these on-street parking spaces by the construction workforce and encourage their use of public transport and the provided shuttle service.

Storage of Hazardous Goods

As shown in figure 2, the Zittle Zack's site is within 50m of an area identified for storage. I note that as per EIS Chapter 23 'Hazards and Risks', WHT2 will be used for the storage of dangerous goods and hazardous substances. Section 23.2.1 states:

"The types and quantities of dangerous goods and hazardous substances would be confirmed during further design development, and if necessary, further screening of potential risks would be carried out at that time. The screening would be used to confirm that the project would not pose a significant off-site risk."

During the screening process, the location of Little Zak's Academy in relation to the possible storage locations of dangerous goods or hazardous substances should be considered.

Summary

The purpose of this submission has been to inform TfNSW that 6-8 Waterloo Street, Rozelle which is immediately adjacent to WTH2, will be used as a childcare centre trading as 'Little Zak's Academy' from June 2020 onwards, and during the time period identified for construction works.

The Little Zak's site was assessed in the EIS as being commercial/industrial and so the noise and air quality impacts have not been appropriately considered.

We require that this omission be comprehensively reassessed and considered in the design and operation of WHT2. We request that the omission of the site from the IES be reassessed and that the findings be re-exhibited for further comment.

The likely noise impacts upon Little Zak's Academy appear to be extremely high and well beyond the project's amenity noise criteria for childcare centres.

We ask that TfNSW responds directly to the author to respond to this submission, ensuring that the ultimate design and operation of the Victoria Road construction support site meet the project amenity noise criteria for child-care centres. We similarly ask that the various air quality indicators be considered in relation to a childcare land use and that the project's target criteria are met in relation to Little Zak's Academy.

In addition, we believe that the impact of on-street parking by the WHT2 workforce could be significant. These impacts have not been addressed in the EIS and are instead said to be addressed in a future Construction Traffic Management Plan. We believe that these should be addressed in the EIS so that methods of minimising the impact can be developed such as making changes to the current parking restrictions.

The indicative site plan has identified unspecified storage areas less than 50m from Little Zak's Academy. Chapter 23 of the EIS identifies that the Victoria Road construction support site will store dangerous goods and hazardous materials. We ask that the location of the childcare centre be considered in the screening phase relating to the storage of any dangerous goods or hazardous materials.

Please do not hesitate to contact me for any reason in regards to this submission.

Yours Sincerely,



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