

Our ref: DA/463/1993

4 March 2014

NSW Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Attention: Ashley Cheong

Dear Mr. Cheong

**Subject Land: 30 Friendship Road, PORT BOTANY,
Elgas Liquid Petroleum Gas Pipeline DA/463/1993
(MOD 1)**

I refer to the above Section 75W application and supporting documentation.

The following issues are raised in relation to the proposed amendments.

Noise

Noise nuisance complaints from Port related activities are being received by Council from residents located in Matraville, Chifley and Little Bay locations, particularly in streets located on elevated topographies and during after hour activities. Given this context Council's Environmental Health team have reviewed the Environmental Assessment and is pleased to provide the following comments.

Construction Noise Management- Construction operation during the early morning period

Council acknowledges that certain construction activities will require works to be undertaken at 6am Monday to Saturday. Council raises concerns that early morning construction noise activities in conjunction with general port related activities may have a significant impact on residential receivers within the area.

Council therefore recommends that a condition is included in the development consent to ensure a Construction Noise Management Plan is developed and addresses the following criteria prior to any early morning construction operations;

- Confirm acoustic measurements from the proposed construction operations (specific construction activities including vehicle movements on site) in conjunction with other related early morning port activities, at the nearest affected residential dwellings meet the requirements of the NSW Industrial Noise Policy. Should quieter activities be undertaken

during this early morning period, the activities should be outlined in the Construction Noise Management Plan.

- Confirmation of compliance with DECCW Interim Construction Noise Guidelines and the NSW EPA Industrial Noise Policy requirements.

Monthly acoustic measurements should be undertaken when early morning construction activities are being conducted. Considering noise from construction activities varies, depending on the type of activity being undertaken, an acoustic assessment should be undertaken at commencement of each new construction activity proposed during the early morning activities. This will verify compliance with the DECCW-Interim Construction Noise Guideline 2009 and address any potential errors with predicted noise modelling that may have occurred during the acoustic assessment for the development application.

Noise emanating from the operations of the development

The Environmental Assessment advises that a Noise Impact Assessment was undertaken by EMS PTY in May 2013. This assessment confirmed that noise and vibration from the current operations complies with the requirements of the NSW Industrial Noise Policy and the proposed development is likely to comply with the noise criteria of the Industrial Noise Policy. However Council remains concerned about the cumulative noise emissions from NSW Port activities which is significantly impacting the neighbouring residents.

This proposed development may conclude that the noise from this specific operation will comply with the relevant noise criteria however when it is assessed in conjunction with other port activities, noise levels may exceed the relevant amenity noise criteria outline in the Industrial Noise Policy and may have a significant impact on the local residents especially during the night time period.

It is therefore recommended that the consent includes a condition of consent to ensure an acoustic assessment is undertaken prior to operation of the proposed development. The assessment should include the accumulated noise impacts from all other developments operating under NSW Ports during the night time period.

The report should also demonstrate and certify that the noise and vibration from the proposed development and the accumulated noise from existing developments under NSW Ports, satisfies the relevant provisions of the *Protection of the Environment Operations Act 1997*, NSW EPA Noise Policy.

Water quality during construction

It is acknowledged that dewatering of groundwater and site stormwater may occur during the construction phase and may be discharged into Botany Bay. It has also been acknowledged that a groundwater management plan will be developed to manage any dewatering works during the construction phase. Council recommends that the Groundwater Management Plan considers and complies with the requirements of the Australia New Zealand Environment Conservation Council guidelines (ANZECC 2000) and the National Environment Protection (assessment of contaminated sites) Measures 2013, prior to the discharge of site stormwater or ground water into Botany Bay. This will ensure there is no potential environmental risk to Botany Bay by the dewatering process of the proposed development.

It is also recommended that all soil and water quality monitoring results and reports for the dewatering discharge are provided to the relevant authorities for information and review.

Contaminated Land SEPP 55

Under the provisions of SEPP 55 contaminated land must be considered and the land made suitable for the intended use prior to the commencement of any works. Consideration should be given if contaminated soils are to be removed as part of the undergrounding of pipelines.

Should you have any further enquires please do not hesitate to contact Matthew Choi on 9399 0990.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Kerry Kyriacou', written over the closing 'Yours faithfully,'.

Kerry Kyriacou
Manager Development Assessment