



DOC16/592474-26:CP

Michelle Niles  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001



Dear Ms Niles

**Molecular and Life Sciences Building (SSD 8096)**  
**University of Wollongong, Wollongong Campus (Lot 1 DP 1188267)**

I am writing in response to the Department of Planning and Environment letter dated 9 June 2017 inviting comment from the Environment Protection Authority (EPA) on the above development application.

All activities must comply with the Protection of the Environment Operations Act 1997 (the POEO Act) and associated Regulations. Based on a review of the information provided in the Environmental Impact Statement, the proposed project will not require an Environment Protection Licence under the POEO Act. The EPA will not be the Appropriate Regulatory Authority (ARA) for this project under the POEO Act should development consent be granted. The ARA is expected to be Wollongong City Council.

The EPA has provided comments in the Attachment to this letter (**Attachment A**) for Department of Planning and Environment to consider in assessing the development application.

If you have questions regarding the above, please phone the contact officer on (02) 4224 4100.

Yours sincerely

27/07/17

**PETER BLOEM**  
**Manager Regional Operations Illawarra**  
**Environment Protection Authority**

Contact officer: CRAIG PATTERSON  
(02) 4224 4100

Attachment

## Attachment A

1. Section 4.2 of the Environmental Impact Statement (EIS) indicates that the proposed Molecular and Life Sciences (MLS) Building will include facilities and research spaces that will require x-ray capability.

The EPA administers the *Radiation Control Act*, Regulation and associated legal instruments. The Act and Regulation apply to the use and possession of radiation apparatus and radioactive substances. Should consent be granted for the proposed development, the University of Wollongong must ensure that any new radiation apparatus that is installed, or new room/area where unsealed radioactive substances are kept or used, are included on the university's Radiation Management Licence, prior to that apparatus or area being used. All operators of the apparatus must also be appropriately licensed, unless the exemption provisions of Clause 10 of the Regulation are satisfied. Radiation apparatus used for medical, dental, chiropractic or veterinary diagnostic purposes must also be tested by an EPA accredited consulting radiation expert who certifies that the apparatus meets the requirements of EPA Radiation Guideline 6.

2. Table 5.1 and Section 7.5.2 indicates that Class 5 Acid Sulphate Soils (ASS) are present across the university campus however, the MLS Building site is located in area of 'no known occurrence' of ASS. The EIS includes a mitigation measure to neutralize any spoil material extracted or excavated from the foundation by the addition of 10 kilograms of lime per 1 cubic metre of spoil material before it is disposed of or re-used on-site.

The assessment and management of potential ASS at the proposed site should be undertaken in accordance with the "Acid Sulphate Soil Manual" (August 1998) issued by the NSW Acid Sulphate Soil Management Advisory Committee.

3. Based on the information provided in the Acoustic Report prepared by Acoustic Studio dated April 2017, further assessment of noise and vibration impacts may be required as a detailed assessment has not been carried out. The acoustic report states that as detail of construction noise equipment/plant to be used during the construction stages of the project is not known at the time of this assessment, a generic approach has been adopted. It also states that the contractor will be responsible for preparing a Works Plan and Schedule, including updated noise and vibration impact assessments for proposed methods and timing of each stage of work.

Noise monitoring has been proposed for at least 1.5 days per week during the first four weeks of demolition and construction as part of the mitigation measures. The proponent should ensure that noise monitoring is undertaken at times when the noise is representative of the demolition and construction activities being undertaken at the time. Further monitoring may also be required if a noise complaint is received and/or during high noise generating activities (For example, piling) to assess the effectiveness of any mitigation and management controls implemented.

4. The Preliminary Construction Management Plan dated May 2017 incorrectly refers to the Noise Control Act 1975. The Protection of the Environment Operations Act 1997 (the POEO Act) repeals and replaces this Act. The proponent must ensure that the assessment and management of the project complies with current legislation.
5. Section 4.9 of the Waste and Recycling Management Plan dated 25 May 2017, includes details for responding to environmental incidents. Under the POEO Act (Part 5.7) pollution incidents causing or threatened harm to the environment should be reported to the Appropriate Regulatory Authority (ARA). The ARA for this project is expected to be Wollongong City Council. The plan should be modified to reflect these regulatory responsibilities. The proponent should consider including other relevant authorities that may need to be contacted should an incident occur. This may include but not be limited to Wollongong Council and SafeWork NSW.