

Heather Warton  
Director  
Metropolitan and Regional Projects North  
Department of Planning and Infrastructure  
GPO Box 39 Sydney NSW 2001

Your reference: SSD 5243  
Our reference: DOC12/32439  
Contact: Stephen McClure 9995 6814

Dear Ms Warton

I refer to the Environmental Impact Statement (EIS) for the Stage 2A – North Penrith Mixed Use Development (SSD 5243) provided to the Office of Environment and Heritage (OEH) for review on 7 August 2012.

Please note that OEH has now been split into two separate agencies with distinct responsibilities: OEH and the Environment Protection Authority (EPA). In accordance with the Protection of the Environment Operations Act 1997, the EPA is the appropriate regulatory authority for the activities undertaken by or on behalf of public authorities, including Landcom. This letter covers EPA's response only. OEH may make a separate submission.

As previously advised, in OEH's letter dated 27 June 2012, OEH was not given the opportunity to contribute to the Director General's Requirement's for the Stage 2A (SSD 5243) development. The EPA has reviewed the EIS and has identified issues in relation to noise and vibration management, air quality and erosion and sediment management.

Specific comments on these issues are outlined as an attachment to this letter (Attachment 1). The EPA recommends these matters be addressed by the proponent in the Statement of Commitments, or where they are not, that the Department of Planning and Infrastructure address them in the Conditions of Approval, should approval be granted for the project.

If you require any further information or clarification on the above points please contact Stephen McClure on 9995 6814.

Yours sincerely



**FRANK GAROFALOW**  
Manager Metropolitan Infrastructure  
Environment Protection Authority

## **ATTACHMENT 1: EPA comments on the Stage 2A – North Penrith Mixed Use Development (SSD 5243) EIS**

### **Noise and Vibration Management**

The Noise and Vibration Impact Assessment (Appendix P) indicates that the predicted construction noise levels are within the levels outlined in the *Interim Construction Noise Guideline (DECCW, 2009)*. The EIS states that noise and vibration during the construction phase will be managed through the Construction Environmental Management Plan (CEMP).

The EPA recommends the proponent prepare and implement a specific Construction Noise and Vibration and Management Plan (CNVMP) as part of the CEMP that includes all feasible and reasonable noise mitigation measures outlined in EIS noise assessment recommendations and in accordance with the ICNG. The CNVMP should include but not be limited to:

- Identification of all potentially affected sensitive receivers;
- Notification procedures for potentially affected residents of the nature, times and duration of the works;
- Identification of the specific activities that will be carried out and associated noise sources at the premises and access routes;
- Assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in the Environmental Impact Statement;
- Description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including the early erection of operational noise control barriers; and
- Measures to monitor noise performance and respond to complaints.

The EPA recommends that any high noise impact activities, or works with tonal, intermittent or otherwise annoying characteristics are only undertaken during standard construction hours and in continuous block of no more than 3 hours, with at least 1 hour respite between each block of work generating high noise impact where the location of the work is likely to impact on the same receivers.

### **Air quality management**

The CEMP should include a specific Air Quality and Dust Assessment and Management Plan and include the following:

- Identification of sources (including stockpiles and open worked areas) and qualification of airborne pollutants (including dust and exhaust emissions);
- Identification of nearest sensitive receivers; and
- Mitigation measures to minimise impacts.

### **Erosion and sediment control**

The EIS indicates that erosion and sediment will be managed through the draft soil and water management plan (SWMP) contained in the CEMP.

As a condition of approval the EPA recommends that the SWMP is prepared in accordance with Landcom's "*Managing Urban Stormwater-Soil and Construction*", March 2004 (the Blue Book) and in addition to the site specific erosion and sediment management measures and plans outlined in Appendix B, drawings 701, 702, and 703.