

DOC17/418856

18/8/17

Ms Mary Garland
Team Leader
Transport Assessments
Department of Planning & Environment
320 Pitt Street
SYDNEY NSW 2000

Attention: Amy Porter

Dear Ms Garland

Inland Rail (Parkes to Narromine) - SSI 7475 Notice of Exhibition

I refer to the request from the Department of Planning and Environment (DPE) to the NSW Environment Protection Authority (EPA) dated 13 July 2017 inviting comment on the Environmental Impact Statement (EIS) for the Parkes to Narromine section of the Inland Rail programme.

The EPA has reviewed the EIS and provides comments at Attachment A. The comments outline the EPA's concerns regarding aspects of the EIS in relation to noise and vibration, water quality, soils and contamination.

The EPA may provide recommended conditions during the response to submissions stage of the process. The EPA also requests the opportunity to comment on the draft conditions of approval proposed by the DPE prior to determination.

The Australian Rail Track Corporation (ARTC) currently holds Environment Protection Licence (EPL) No. 3142, for premises including the existing section of rail between Parkes and Narromine, as per the scheduled activity 'railway systems activities' under the *Protection of the Environment Operations Act 1997*. Whilst the exact licensing arrangements for this project will be determined in the future, the conditions in EPL 3142 represent the EPA's expectations of the management of rail construction environmental impacts.

The EPA further notes that the 1700 km Inland Rail project is being divided into thirteen projects to be delivered over a ten year period, with seven of these projects located in NSW. Given this, it may be difficult to assess the overall impacts of the project on the community.

If you have any questions regarding this letter, please contact Kyle Browne, Operations Officer, on 9995 6107, or email at kyle.browne@epa.nsw.gov.au.

Yours sincerely

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A handwritten signature in blue ink, appearing to read "Jacinta Hanemann". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke extending to the right.

JACINTA HANEMANN
Regional Manager Operations - Metropolitan Infrastructure
Environment Protection Authority

Attachment A

The EPA's comments on the EIS: Parkes to Narromine section of the Inland Rail programme

Noise and vibration

Standard operating hours

The proponent is proposing primary construction hours that include periods outside the recommended standard hours in the Interim Construction Noise Guideline (ICNG). Section 2.3 of the ICNG outlines works that a proponent might undertake outside recommended standard hours, which includes where a proponent demonstrates and justifies a need. The proponent needs to provide clear justification, for reasons other than convenience, for any variance to these recommended standard hours.

The EPA recommends any approval limit construction to standard hours.

Sleep disturbance criteria

The proponent incorrectly interchanges sleep disturbance and awakenings, which are two different effects. This has resulted in the "awakening" noise levels in the Road Noise Policy being incorrectly adopted as sleep disturbance levels. Awakening is only one type of sleep disturbance. Sleep disturbance needs to be assessed according to the relevant application note to the Industrial Noise Policy (<http://www.epa.nsw.gov.au/noise/applicnotesindustnoise.htm>). If the "background + 15" screening criterion is exceeded then a more detailed analysis is required, as explained in the application note.

The EPA recommends that the proponent be required to assess sleep disturbance potential in accordance with the relevant application note to the Industrial Noise Policy.

Proposed Inland Rail NSW Construction Noise and Vibration Management Framework

Depending on the activity, construction noise levels will be up to 33 dB over the noise management level at up to 228 receivers. The proponent commits to implementing all feasible and reasonable noise mitigation measures to minimise impacts associated with noise that exceeds the noise management levels, in accordance with an Inland Rail NSW Construction Noise and Vibration Management Framework.

The EPA recommends that this commitment be mandated through appropriate conditions in any approval.

Construction vibration

The chosen criterion for construction vibration (1 mm/s from BS 5228) is different to the criteria in Assessing vibration: a technical guideline. The proponent should assess the impact against the criteria in the guideline.

The management control for construction, of implementing alternative work methods if construction occurs within 25 metres of a residence, appears to be based on structural damage criteria but should be based on amenity criteria.

The EPA recommends that the proponent assess the impact against the amenity criteria.

Operational noise

It is not clear what rolling stock mix was modelled when assessing operational noise. The model calibrated well to existing traffic, but it is not clear if this is representative of the interstate freight fleet.

The EPA recommends that the proponent's proposed operational noise and vibration review be included as a condition of any approval.

Water Quality

Wastewater

The EIS has identified that during construction wastewater from construction compounds and vehicle wash down sites will be captured and either treated prior to discharge to surface waters or disposed of at an appropriately licensed facility. Water captured in sedimentation basins and generated from dewatering of excavations will be discharged to surface waters if required.

Any discharge to waters will need to comply with s.120 of the *Protection of the Environment Operations Act 1997*. If the licensee applies for a licensed discharge point, the EPA will require an impact assessment that considers the full range of potential pollutants associated with the activity and the environmental values of the receiving waters consistent with s45 of the *Protection of the Environment Operations Act 1997*.

Re-use of mine water

The EIS has identified recycled/treated water from Parkes North and Peak Hill mines, 10 to 15 megalitres from each mine, as potential sources of water required during construction to control dust, compact soil, undertake site concrete works and establish vegetation. Given the nature of works on these mine sites there is the potential for water originating from these sites to be contaminated.

The EPA recommends that any conditions of approval require investigations to be undertaken by a suitably qualified and experienced person to confirm the wastewater (including recycled/treated water) is fit-for-purpose and does not pose a risk of non-trivial harm to human health or the environment before it is sourced for use on the project.

Soils and Contamination

The EPA recommends that any conditions of approval require the proponent to engage a Site Auditor accredited by NSW EPA under the *Contaminated Land Management Act 1997* to prepare a Section B Site Audit Statement "To determine the appropriateness of a management plan".

Air Quality

The EPA recommends that any conditions of approval require the proponent to manage dust generating activities on site so as to minimise the generation of dust and prevent it going offsite so far as reasonably practicable.