



DOC19/312263-1  
SSD 8967

13/5/19

Mr Tim Green  
Department of Planning and Environment  
GPO BOX 39  
SYDNEY NSW 2001

Dear Mr Green

**SSD 8967 – AUSTRALASIAN STEAM NAVIGATION COMPANY BUILDING RE-DEVELOPMENT – ENVIRONMENTAL IMPACT STATEMENT (EIS)**

I am writing in reply to your letter of 9 April 2019 to the NSW Environment Protection Authority (EPA) inviting comment on the Environmental Impact Statement (EIS) for the above project.

The EPA requests that this submission be read in conjunction with its letter dated 18 December 2017 in respect of the draft Secretary's environmental assessment requirements for the project.

The EPA emphasises that it does not review or endorse environmental management plans or the like for reasons of maintaining regulatory 'arm's length'. As such the EPA has not reviewed any environmental management plan forming part of or referred to in the EIS.

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 particular relating to hazardous materials, and noise and vibration.

The EPA understands that a Preliminary Environmental and Construction Management Plan (ECMP) was prepared for the site as part of the EIS and this is to be further developed to include management plans in relation to the key environmental issues of air quality, noise and vibration, soil and water, and waste. It is important that the following are addressed:

- (a) construction phase noise and vibration impacts (including recommended standard construction hours and intra-day respite periods for highly intrusive noise generating work) on noise sensitive receivers such as surrounding residences;
- (b) construction phase dust control and management;
- (c) construction phase erosion and sediment control and management;
- (d) operational noise impacts on noise sensitive receivers, especially surrounding residences arising from operational activities such as waste collection services and mechanical services (especially air conditioning plant).

Should you require clarification of any of the above please contact me on 9995 6212.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Sarah Thomson', is positioned above the printed name.

**SARAH THOMSON**  
**Unit Head, Metropolitan Infrastructure**  
**NSW Environment Protection Authority**

**Attachment A**

## ATTACHMENT A

### NSW Environment Protection Authority (EPA) review of the Environmental Impact Statement (EIS) for Australasian Steam Navigation Company Building – Re-development – SSD 8967

The EPA considers that the project comprises distinct phases of construction and operation and has set out its comments on that basis.

The EPA notes the proximity of surrounding residences which may be adversely affected by noise impacts during demolition, site preparation, construction and operation phases of the project.

#### 1. Construction phase

The EPA anticipates that site establishment, demolition, construction and construction-related activities will be undertaken in an environmentally responsible manner with emphasis on:

- compliance with recommended standard construction hours,
- intra-day respite periods from high noise generating construction activities (including jack hammering, rock breaking, pile boring or driving, saw cutting),
- feasible and reasonable noise and vibration minimisation and mitigation,
- effective dust control and management,
- erosion and sediment control, and
- waste handling and management, particularly concrete waste and rinse water.

##### 1.1 Hazardous materials (incl. asbestos containing material)

The EPA anticipates that given the age of some of the structures on the development site, asbestos containing materials and lead-based paints are likely to be encountered during demolition. EIS section 14.1 in respect of the presence of asbestos containing material wrongly refers to the "... Department of Environment Climate Change and Water ..." which has not existed for many years. Instead, the proponent should refer to the EPA's *Asbestos and Waste Tyres Guideline, October 2015*.

The EPA notes that EIS Appendix 17 Hazardous Materials Management Plan appears to be a plan prepared for the then Sydney Harbour Fore shore Authority in June 2012 and is likely to be inconsistent with current legislation.

For instance, since late 2015, clause 79 of the Waste Regulation has required transporters of loads of asbestos waste to provide certain details of the loads to the EPA using the "WasteLocate" system. These details include details of the source site, date of proposed transport, details of the proposed destination site and the approximate weight of asbestos waste in the load. The information must be provided to the EPA before transportation of the load commences.

WasteLocate is an online tool that allows the EPA to track the transport of asbestos waste. Transporters are required to use WasteLocate to report the movement of more than 100 kilograms of asbestos waste or more than 10 square metres of asbestos sheeting within NSW. The details can be reported on WasteLocate by using an app on a mobile phone or tablet or by using a computer.

#### Recommendation

The proponent be required to:

1. Review and revise the Hazardous Waste Management Plan as necessary to ensure that it is consistent with current legislation and materials handling guidance material.

2. Ensure that all waste (including hazardous waste) generated during the project is assessed, classified and managed in accordance with the EPA “*Waste Classification Guidelines Part 1: Classifying Waste*”, November 2014 and the 2016 Addendum thereto.
3. Ensure that prior to commencing any work on the development site, an appropriate procedure:
  - (a) is prepared and implemented to identify and deal with unexpected finds of site contamination, including asbestos containing materials, and lead-based paint; and
  - (b) details who will be responsible for implementing the unexpected finds procedure and the roles and responsibilities of all parties involved.
4. Satisfy the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 ‘asbestos wastes’.

**Note:** The EPA provides additional guidance material at its web-site

<http://www.environment.nsw.gov.au/waste/asbestos/index.htm>.

5. Consult with Safework NSW concerning the handling of any asbestos waste that may be encountered during the course of the project.

## 1.2 noise and vibration

The EPA anticipates that demolition, site preparation, construction and construction-related activities are likely to have significant noise and vibration impacts on surrounding residences and other noise sensitive receivers.

Section 3.1 states that “*No work is proposed to occur outside of standard construction hours*” (of the *Interim Construction Noise Guideline*). However, Section 4.3.3 states work will be scheduled between 7:30am to 3:30pm on Saturday. It also states that high-impact noise generating construction work will be limited to before 12am suggesting this may occur outside of the recommended standard construction hours. All construction activities should be limited to the recommended standard hours of construction work set out in the *Interim Construction Noise Guideline*.

Table 10 of the Noise and Vibration Assessment sets out the assumed sound power levels (LWA) for the main sources of construction noise. For demolition, the LWA of a pneumatic jackhammer is 121 dB(A), but the typical overall sound power level for all internal demolition is quoted as 120 dB(A). It is assumed this takes into account the estimated duration that items of plant will operate. The proponent should provide further information to validate the assumed typical overall sound power levels in Table 10.

Construction noise levels are predicted to exceed the construction noise management level (NML) by 10 to 20 dB for external works, and “*10 to 15 dB less*” for internal works. A noise contour map, or a table indicating predicted noise levels at affected noise-sensitive receivers has not been provided and Figure 2 does not sufficiently provide an evaluation of noise impacts at surrounding noise-sensitive receivers. The proponent must provide further details of predicted construction noise levels for each key phases of work either as a noise contour map or in a tabulated format to identify predicted noise levels at surrounding noise-sensitive receivers.

The Noise and Vibration Assessment sets out an overview of feasible and reasonable management measures and work practices and implemented in a Construction Noise and Vibration Management Plan. However, this does not include an evaluation of the likely effectiveness of these measures to manage noise impact on surrounding noise-sensitive receivers. This should include consideration of intra-day respite periods for the ‘Highly noise affected’ NML is exceeded. Further information must be provided to evaluate and identify specific feasible and reasonable work practices that will be implemented.

## Recommendation

The proponent be required to undertake all construction work activities in accordance with the *Interim Construction Noise Guideline* and the *Noise Policy for Industry* (EPA, 2017), in particular:

- all construction activities should be limited to the recommended standard hours of construction work set out in the *Interim Construction Noise Guideline*;
- provide further information to validate the assumed typical overall sound power levels in Table 10;
- provide further details of predicted construction noise levels for each key phases of work either as a noise contour map or in a tabulated format to identify predicted noise levels at surrounding noise-sensitive receivers; and
- provide further information to evaluate and identify specific feasible and reasonable work practices that will be implemented, particularly intra-day respite periods.

## 2. Operational phase

The EPA considers that environmental impacts that arise once the development is operational should be able to be largely averted by responsible environmental management practices, particularly with regard to feasible and reasonable noise mitigation measures, and energy conservation and efficiency.

### 2.1 Noise and vibration impacts

All mechanical plant and equipment must be designed and operated to comply with the *Noise Policy for Industry* (EPA, 2017) Project Noise Trigger Levels.

The Noise and Vibration Assessment does not address the requirements in the EPA's letter of 18 December 2017 to assess "*operational noise impacts on noise sensitive receivers (especially surrounding residences) arising from operational activities such as waste collection services...*".

## Recommendation

The proponent be required to:

- (a) provide a comprehensive quantitative assessment of operational noise impacts of mechanical plant and equipment (especially ventilation/ air conditioning plant and equipment) on surrounding noise sensitive receivers, especially surrounding residences;
- (b) ensure mechanical plant and equipment installed on the development site does not generate, (either individually or cumulatively) –
  - (i) noise emissions that exceed the Project Noise Trigger Level (day, evening and night assessment periods) measured at the boundary of the most affected or reasonably most affected residence, and
  - (ii) noise emissions that exhibit tonal or other annoying characteristics.

### 2.2 Energy and water conservation and efficiency

EIS section 16 indicates that the development "... will incorporate a number of ESD initiatives ..." However, the EIS further indicates (1<sup>st</sup> para, p.114) that "the specific initiatives that will be installed ..." are yet to be determined.

## Recommendation

The proponent be required to explicitly identify and implement the energy and water conservation and efficiency measures to be incorporated in the development.