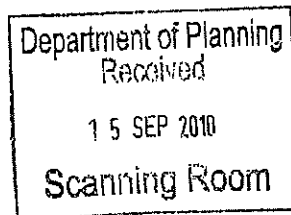


Your reference: MP 10\_0105  
Our reference: DOC10/39911  
Laura Wythes, 9995 6858



PCU014556

Mr Michael Woodland  
Director  
Metropolitan Projects  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001



Dear Mr Woodland

**RE: REQUEST FOR PROVISION OF DETAILS OF KEY ISSUES AND ASSESSMENT  
REQUIREMENTS, PROJECT APPLICATION MP10\_0105  
2A and 3A, 40 WALKER STREET, RHODES**

I refer to your letter dated 2 September 2010, seeking a submission from the Department of Environment Climate Change and Water ("DECCW") on the above proposal.

DECCW has considered the details of the proposal and draft Director General Requirements as provided by the Department of Planning and has no additional environmental issues or assessment requirements.

However, DECCW would like to provide the following comments and information (please see Attachment A) relating to contamination, co- and tri-generation and noise and vibration.

If you have any queries regarding these matters please contact Laura Wythes on 9995 6858.

Yours sincerely

*Giselle Howard 13/9/10*

**Giselle Howard**  
**Director Metropolitan**  
**Environment Protection and Regulation**

The Department of Environment and Climate Change is now known as the Department of Environment, Climate Change and Water

PO Box 668, Parramatta NSW 2124  
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Department of **Environment and Climate Change** NSW



### **CONTAMINATION ASSESSMENT REQUIREMENTS**

The project should address the site limitations and considerations as outlined in the s28 notice to be issued under the *Contaminated Lands Management Act 1997* and to be placed on the site at the completion of remediation. This will include:

- an Environmental Management Plan for the site, as prepared by the remediator Thiess Services; and
- the Site Audit Report prepared for each of the specific Lots referred to under the Applications including how these limitations will impact the design and construction of the development.

It should be noted that as remediation is not yet complete these documents are currently not available.

Particular consideration should be made to the depths of contaminated material placed at each of these Lots and how this will impact the design and construction of the supporting structures (eg foundations/piling), lift wells and access to service utilities for the building.

The Proponent should note that the removal and disposal of large volumes of contaminated material may be difficult or potentially not permissible. Handling of material disturbed during construction will also require special procedures, which will be outlined in the Environmental Management Plans for the Lots.

Furthermore, the Environmental Assessment (EA) will need to address how onsite establishment and construction will minimise impact to the configuration of the remediated site.

It is also important for the Proponent to note that if the Maintenance Layer is breached without approval from DECCW, the Lot will then be subject to a further Site Audit to verify that the area remains suitable for the intended use.

### **NOISE AND VIBRATION ASSESSMENT REQUIREMENTS**

The EA should include a detailed acoustic assessment that addresses acceptable standards for both noise emission (noise emitted) and imission (noise received), as well as potential vibration impacts.

Relevant DECCW guidelines include:

- the *Interim Guidelines for the Assessment of Noise from Rail Infrastructure Projects* which can be found at <http://www.environment.nsw.gov.au/noise/railinfranoise.htm>;
- the *Interim Construction Noise Guidelines* which can be found at <http://www.environment.nsw.gov.au/resources/noise/09265cng.pdf>;
- the *ANZEC Guideline for Blasting* which can be found at <http://www.environment.nsw.gov.au/noise/blasting.htm>; and
- *Environmental Noise Management – Assessing Vibration: a technical guideline* which can be found at: <http://www.environment.nsw.gov.au/noise/vibrationguide.htm>

### **CO- AND TRI-GENERATION PLANT ASSESSMENT REQUIREMENTS**

Please be aware that an Environment Protection Licence may be required under the provisions of the *Protection of the Environment Operations Act* 1997 if the proposal includes cogeneration or tri-generation plant.

A co- or tri-generation plant is likely to require a licence if it generates electricity through the use of an internal combustion engine that has the capacity to burn more than 3 mega joules of fuel per second. Reference should be made to Schedule 1 of the *Protection of the Environment Operations Act* for full details of the applicable licensing thresholds for electricity generation (available at: <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N>).

The proponent should be aware of DECCW's *Interim Nitrogen Oxide Policy for Cogeneration in Sydney and the Illawarra* if it intends to include co- or tri-generation in its proposal. This policy is available at <http://www.environment.nsw.gov.au/resources/air/inp09124.pdf> and supporting information is found at <http://www.environment.nsw.gov.au/air/cogentrigen.htm>.

The proponent will also need to assess the noise impacts of any co- or tri-generation plant in accordance with the NSW Government's *Industrial Noise Policy* (2000), which is available at: <http://www.environment.nsw.gov.au/noise/industrial.htm>.