



**Environment,
Climate Change
& Water**

Your reference: 10/16292-2
Our reference: DOC10/50579
Contact: Bernie Brompton, 9995 6844

Neville Osborne
Manager - Energy Projects
Infrastructure Projects
Department of Planning
GPO Box 39
Sydney 2001

Attn: Kate Masters

Dear Mr Osborne,

RE: Exhibition of Environmental Assessment for Sydney Citygrid Stage 2D

I refer to your letter dated 5 November 2010 inviting the Department of Environment, Climate Change and Water (DECCW) to make a submission on the environmental assessment (EA) for Stage 2D of the Sydney Citygrid, which addresses the environmental assessment requirements for Stage 2B, 2D and 2E of the Sydney Citygrid project.

DECCW has undertaken a review of the EA and considers that it adequately addresses the Director General's Requirements. The key environmental impacts associated with the proposal relate to noise and vibration during construction.

While DECCW supports approval of the project it is strongly recommended that the comments/conditions in the attachment are considered when developing any consent.

If your Department proposes any condition of approval or statement of commitment that would further involve DECCW please do not incorporate any such condition unless you seek and receive written endorsement.

If you wish to discuss any of the issues raised in this letter, please contact Bernie Brompton on 9995 6844.

Yours sincerely

Giselle Howard 9/12/10

GISELLE HOWARD
Director Metropolitan
Environment Protection and Regulation

Attachment

Noise and vibration impacts

1. Construction Noise and Vibration Management Plan

The proponent must prepare and implement a detailed Construction Noise and Vibration Management Plan (CNVMP) that includes but is not necessarily limited to;

- a) Implementing all the construction noise and vibration management measures in Section 9 of the Noise and Vibration Impact Assessment accompanying the EA, and all the commitments in the Draft Statement of Commitments;
- b) Identification of the specific activities that will be carried out and associated noise sources at the premises,
- c) Identification of all potentially affected sensitive receiver premises,
- d) quantification of the rating background noise level (RBL) for sensitive receivers, as part of the CNVMP, or as undertaken in the EA,
- e) the construction noise, ground-borne noise and vibration objectives outlined in these conditions of approval,
- f) assessment of potential noise, ground-borne noise and vibration levels from the proposed construction methods expected at sensitive receiver premises against the objectives identified in these conditions of approval,
- g) where the objectives are predicted to be exceeded, an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts,
- h) description of management methods and procedures, and specific noise mitigation treatments that will be implemented to control noise and vibration during construction,
- i) where the objectives cannot be met, a sliding scale of additional mitigation measures are to be developed and implemented including, but not necessarily limited to the following, which should be considered and implemented where practicable; reduced hours of construction, the provision of respite from noisy / vibration intensive activities, an acoustic enclosure over the excavation site, alternative excavation methods or other negotiated outcomes with the affected community,
- j) where it is determined that the works cannot be undertaken in a manner that satisfies the construction noise and vibration objectives, a report justifying that the construction noise and vibration measures (including management measures) consistent with current best practice shall be submitted to the Director General for approval prior to commencement of works,
- k) procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity,
- l) measures to monitor noise performance and respond to complaints.

2. Construction Hours

All construction work at the premises, other than below ground tunnelling works and noise intensive activities such as rock breaking, may be conducted between 7am and 7pm Monday to Friday and between 7am and 5pm Saturdays and at no time on Sundays and public holidays. Below ground tunnelling works may be conducted 24 hours per day.

Noise intensive activities such as rock breaking must be conducted between 9am and 12pm Monday to Saturday and between 2pm and 5pm Monday to Friday and at no time on Sundays and public holidays.

Works outside these hours are not permitted except as explicitly specified below or in other conditions and include:

- a) the delivery of materials which is required outside these hours as requested by Police or other authorities for safety reasons;
- b) emergency work to avoid the loss of lives, damage to property and/or to prevent environmental harm;
- c) other works expressly approved by the Director General.

3. Construction Noise Objective

The Construction noise objective for the project is to manage noise from Construction activities (as measured by a LAeq(15minute) descriptor) so it does not exceed the background LA90 noise level by more than 10 dB(A) for works during standard construction hours; and by more than 5 dB(A) for works outside standard construction hours.

Background noise levels are those identified in the EA.

Any activities that have the potential for noise emissions that exceed the objective must be identified and managed in accordance with the Construction Noise and Vibration Management Sub Plan. The Proponent must implement all feasible and reasonable noise mitigation and management measures with the aim of achieving the Construction noise objective.

5dB (A) must be added to the measured Construction noise level when comparing the measured noise with the Construction noise objective, for those activities listed in Section 4.5 of the ICNG as being particularly annoying to nearby residents.

4. Vibration

Vibration caused by Construction and received at any sensitive receiver outside the proposal must be assessed against the guidelines contained in the DECC publication "Environmental Noise Management - Assessing Vibration: a technical guideline" and in accordance with the CNVMP.

5. Regenerated noise

Regenerated noise from construction works must not exceed the following criteria as measured at the nearest sensitive receptor:

- a) 40 dB(A) between the hours of 6:00 pm and 10:00 pm; and
- b) 35 dB(A) between the hours of 10:00 pm and 7:00 am.

Aboriginal Cultural Heritage

It is noted that Recommendation 8.2 3 (c) and (e) of the cultural heritage assessment and 11.3 Mitigation Measures of the EA both state that if Aboriginal objects are encountered during construction, all work must cease and not recommence until written authority is received from DECCW. The DECCW does not support this recommendation

in the EA. Rather, if new, previously unidentified Aboriginal objects are located during the course of the approved works, DECCW recommends that they are collected, recorded and deposited at the Australian Museum in accordance with standard archaeological practice.

DECCW further advises that it must be provided the opportunity to review and provide written endorsement of any condition of approval or statement of commitment that involve DECCW.

Groundwater

The proponent must prepare and implement a Water Quality Management Plan that includes but is not necessarily limited to implementing water quality management measures as outlined in the EA and Draft Statement of Commitments.

Waters to be discharged via the stormwater system into Sydney Harbour must be managed to ensure compliance with s120 of the Protection of Environment Operations Act 1997.

The proponent may require an Environment Protection Licence to cover discharge of waters encountered during tunnelling works. DECCW are the Appropriate Regulatory Authority for Energy Australia and as such will impose more specific conditions regarding water quality on the licence.

Cumulative Impacts and Coordination

Due to the close proximity of a number of major projects within the Sydney precinct area and the significant residential population of the area, DECCW recommends that Energy Australia be required to coordinate planned works in the area to reduce the impacts on both the community and the environment. To this effect, DECCW recommends the following condition:

Prior to the commencement of construction of the project, the proponent shall develop a Coordinated Construction Environmental Management Protocol. The protocol shall provide a framework for identification of reasonable and feasible opportunities for the coordinated monitoring and management of environmental impacts from the developments.

The protocol shall include but not necessarily be limited to:

- a) Identifying all Energy Australia planned works with proximity to the CityGrid Stage 2D Project
- b) Identifying all planned works to be carried out in the project area through consultation with Sydney City Council and Department of Planning
- c) Identifying and implementing reasonable and feasible opportunities for a coordinated approach to the management of cumulative environmental impacts from the developments, with particular consideration of noise and vibration impacts (this may involve timetabling works to avoid prolonged or excessive noise disturbance)
- d) Procedures for access to, and provision of, monitoring data from each development

- e) Arrangements for communication between projects, including designated contact persons and contact details
- f) Notification procedures in the event of an incident at any of these developments that may impact on the other developments or generate a significant common or cumulative impact; and
- g) Mechanisms for review of the protocol from time to time.

The proponent shall provide a copy of the protocol to the Director General as soon as practical after agreement on the terms of the protocol.

