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Mr David Way
Department of Planning, Industry and Environment
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Dear Mr Way

SSD 9476 – New East Leppington Primary School
Environmental Impact Statement

I am writing in reply to your invitation to the Environment Protection Authority (EPA) to provide advice on the Environmental Impact Statement (EIS), including recommendations for Conditions of Approval, for the above proposal.

The EPA has reviewed the EIS provided by the Department of Planning, Industry and Environment (DPIE) and provides comments below. The EPA emphasises that it does not review or endorse environmental management plans or similar. The EPA encourages the development of such programs to ensure proponents demonstrate how they will meet their statutory obligations and designated environmental objectives. Our role is to set the environmental objectives for environmental management, not be directly involved in the development of strategies to achieve those objectives. As such, the EPA has not reviewed any environmental management plan forming part of or referred to in the EIS.

The EPA considers that the project comprises distinct phases of construction and operation and has set out its comments on that basis. The EPA comments relate to a range of contaminated land management, noise and vibration, waste management, air (dust) and water (erosion and sediment control) issues.

If you have questions regarding the above, please phone James Crawford on (02) 4224 4123.

Yours sincerely

William Dove 06.12.2019

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Acting Manager Regional Operations Illawarra
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Attachment

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EPA Comments on the EIS prepared by RPS for the NSW Department of Education in support of SSD 9476 for the proposed development of East Leppington Primary School at Commissioners Drive, Denham Court

1.0 Construction Phase

The EPA expects that all construction and construction related activities will be undertaken in an environmentally responsible manner with emphasis on:

- contaminated land management
- noise and vibration
- waste handling and management
- effective dust control and management
- erosion and sediment control.

1.1 Contaminated land management

Section 6.7 of the EIS states that the proposed development site has low contamination. The *Stage 2 Environmental Site Assessment* prepared by Environmental Investigation Services dated 20 December 2018 indicates that soil and groundwater contamination is below Site Assessment Criteria with the exception of Zinc groundwater levels. The report states that groundwater will not be used as a resource onsite, and the elevated levels of Zinc are of no concern. The report indicates that soil and groundwater salinity levels are above SAC and will require ongoing management.

The potential remains for isolated pockets of contamination to be present in untested areas of the site.

EPA recommendations

- The proponent be required to develop a plan for dealing with and appropriately disposing of any unexpected contamination.
- The proponent be required to develop a salinity management plan to manage elevated soil and groundwater salinity levels.
- All site contamination be assessed and managed meeting the requirements in *'State Environmental Planning Policy (SEPP) 55 – Remediation of Land'*

1.2 Noise and vibration

The proposed construction site is in very close proximity to existing housing and noise and vibrations issues could become contentious if not management adequately.

The EPA's (2009) Interim Construction Noise Guideline (ICNG) identifies the various issues and potential control measures that can be used during construction to mitigate noise and vibration. https://www.environment.nsw.gov.au/resources/noise/09265cng.pdf.

The recommended standard hours of work from the ICNG are week day construction hours (7:00 am to 6:00 pm) and Saturday construction hours (8:00 am to 1:00 pm). Additionally, the recommended hours for blasting are weekdays (9:00 am to 5:00 pm) and Saturday (9:00 am to 1:00 pm).

Section 3.10.2 of the EIS states the proposed week day construction hours (7:00 am to 6:00 pm) and Saturday construction hours (8:00 am to 3:00 pm), which are outside of the ICNG recommendations.

The EPA has identified the noise from *'beeper'* type plant movement alarms to be particularly intrusive and is aware of feasible and reasonable alternatives. The EIS appears to make no

reference to the use of reversing beepers on the construction vehicles including trucks, excavators, dozers and bobcats.
The EPA is aware from previous infrastructure projects that community concerns are likely to arise from noise impacts associated with the early arrival and idling of construction vehicles (including concrete agitator trucks) at the development site and in the residential precincts surrounding that site.

The EPA is aware that construction noise and vibration is often a contentious issue for the local community and that early and continued consultation is necessary in a successful project. Community also appreciate the ability to lodge complaints with the proponent directly, and a complaints hotline is often powerful tool in alleviating community concerns.

EPA recommendations

- The proponent be required to modify their normal construction hours to match that of the ICNG or provide strong evidence as to why they should operate later on Saturday afternoons.
- The proponent be required to conduct blasting only during hours matching those in the ICNG or provide strong evidence as to why they should blast outside of these hours.
- The proponent be required to consider the implementation of *'quaker'* type reversing alarms. Appendix C of the ICNG provides additional background material on this issue.
- The proponent be required to ensure construction vehicles (including concrete agitator trucks) involved in demolition, site preparation, bulk earthworks, construction and construction-related activities do not arrive at the project site or in surrounding residential precincts outside approved construction hours.
- The proponent be required to, where feasible, ensure construction vehicles turn off their engines during idling to reduce noise impacts.
- The proponent be required to consider alternative noise control measures, such as temporary noise barriers, considering the close proximity to existing housing and potential for community complaints.
- The proponent be required to undertake community consultation prior to and during the construction phase of the project.
- The proponent be required to create a community complaints hotline for the duration of the construction phase.

1.3 Waste handling and management

The proponent should manage waste in accordance with the waste management hierarchy. The waste hierarchy, established under the *Waste Avoidance and Resource Recovery Act 2001*, is one that ensures that resource management options are considered against the following priorities:

- **Avoidance** including action to reduce the amount of waste generated by households, industry and all levels of government
- **Resource recovery** including reuse, recycling, reprocessing and energy recovery, consistent with the most efficient use of the recovered resources
- **Disposal** including management of all disposal options in the most environmentally responsible manner.

All wastes generated during the project must be properly assessed, classified and managed in accordance with the EPA's guidelines to ensure proper treatment, transport and disposal at a landfill legally able to accept those wastes.

Proper site controls and management should be implemented to ensure mud and waste is not tracked off the site during the project.

The EPA anticipates that during the course of the project concrete deliveries and pumping are likely to generate concrete waste and rinse water. The proponent should ensure that concrete waste and rinse water is not disposed of on the project site and instead that:

a) waste concrete is either returned in the agitator trucks to the supplier or directed to a dedicated watertight skip protected from the entry of precipitation
b) concrete rinse water is directed to a dedicated watertight skip protected from the entry of precipitation or a suitable water treatment plant.

EPA recommendations

- The proponent be required to ensure that all waste generated during the project is assessed, classified and managed in accordance with the EPA (2017) Waste Classification Guidelines Part 1: Classifying Waste.
- The proponent be required to ensure the body of any vehicle or trailer, used to transport waste or excavation spoil from the premises, is covered before leaving the premises to prevent any spill or escape of any dust, waste, or spoil from the vehicle or trailer.
- The proponent be required to ensure that mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site, is removed before the vehicle, trailer or motorised plant leaves the premises.
- The proponent be required to ensure that concrete waste and rinse water are not disposed of on the development site, and prevented from entering waters, including any natural or artificial watercourse.

1.4 Effective dust control and management

The proposed site is extremely close to existing housing and dust emitted during construction has the potential to cause great community concern. Section 6.11 of the EIS outlines some dust control measures to be considered, such as installation of a 1.8m high chain fence covered with geo-textile filter fabric and a temporary truck wash.

These controls listed in Section 6.11 may not be enough to control dust emission leaving the site, especially in the often dry and windy Campbelltown LGA. EPA has created a toolkit to help local government manage air quality. This toolkit contains valuable information that the proponent should consider for minimising dust emissions: https://www.epa.nsw.gov.au/your-environment/air/air-nsw-overview/local-government-air-quality-toolkit.

In particular pages 213-215 of the Air Pollution Control Techniques identifies a range of controls for managing dust emissions, such as using water sprays and using matting covers. The Construction Sites PDF is also very relevant for this project and the proponent should consider what techniques would be effective for this site.

EPA takes local air quality very seriously, and the EIS provides limited dust control measures. EPA believes the proponent needs to create an Air Quality Management Plan to prove how it will control dust emissions from construction activities. As with the noise issues, early and continuous community engagement and an avenue to voice complaints will be important in alleviating community concerns over dust emissions.

EPA recommendations

- The proponent be required to create an Air Quality Management Plan that details how dust emissions from construction will be controlled.
- The proponent be required to implement the Air Quality Management Plan once construction commences.
- The proponent be required to undertake community consultation prior to and during the construction phase of the project.
- The proponent be required to create a community complaints hotline for the duration of the construction phase.

1.5 Erosion and sediment control

Section 6.11 of the EIS outlines some erosion and sediment controls to be considered, but EPA believes the proponent will need to create and implement a site-specific erosion and sediment control plan to better manage risks.

Managing Urban Stormwater Soils and Construction, 4th Edition published by Landcom (the so-called *'Blue Book'*) provides guidance material for achieving effective erosion and sediment control on construction sites. The proponent should implement all such feasible and reasonable measures as may be necessary to prevent water pollution in the course of developing the site.

EPA recommendations

- The proponent be required to create an erosion and sediment control plan to comply with Landcom's *Managing Urban Stormwater Soils and Construction,* 4th Edition.
- The proponent be required to implement this erosion and sediment control plan during the construction phase of the project.
- The proponent be required to not commence site preparation, bulk earthworks, construction and construction-related activities until appropriate and effective sediment controls are in place.
- The proponent be required to conduct daily inspection of sediment controls to ensure timely maintenance and repair of those controls.

2.0 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.

- Noise and vibration impacts
- Waste management.

2.1 Noise and vibration impacts

The proposed development (especially out of hours use of school facilities by external parties) could have the potential for significant operational noise impacts on nearby sensitive receivers, unless carefully considered. The EPA notes the proximity of the surrounding residences and is aware from previous experience of the need for appropriate operational noise mitigation and management measures, particularly in regard to:

a) the nature of and times during which school facilities are made available for community use
b) design, selection and operation of mechanical ventilation plant and equipment
c) the design and operation of the school public address/bell system
d) the design and location of waste storage facilities
e) time restrictions on waste collection services
f) time restrictions on grounds maintenance using powered equipment (for example, leaf blowers, brushcutters and lawn mowers).

EPA recommendations

- The proponent be required to ensure that the school facilities are not made available for community use during week day mornings, later than 10:00pm on week nights, outside of Saturday hours (8:00am – 6:00pm) or anytime on Sundays or public holidays.
- The proponent be required to ensure doors and other large ventilation opening should be closed after 6:00 pm where activity involves amplified loud music or speech.
- The proponent be required to undertake comprehensive noise compliance monitoring of representative uses of the school hall, outdoor sports courts and associated facilities (for example, parking) outside school hours to demonstrate that the level, nature, quality and character of noise emitted by those uses and the time at which and frequency of those uses

would not interfere unreasonably with or be likely to interfere unreasonably with the comfort or repose of persons not on the development site, especially the occupants of nearby residences.

- The proponent be required to operate the public address and school bell system in a way that would not interfere unreasonably with or be likely to interfere unreasonably with the comfort or repose of persons not on the development site, especially the occupants of nearby residences.
- The proponent be required to ensure waste collection services are not undertaken outside the hours of 7.30 am to 6.00 pm Monday to Friday to minimise noise impacts on surrounding receivers in the more sensitive morning, evening and night time periods.
- The proponent be required ensure grounds maintenance involving the use of powered equipment is not undertaken outside the hours of 7.30 am to 6.00 pm Monday to Friday.

2.2 Waste management

The proponent should manage waste in accordance with the waste management hierarchy outlined in section 1.3 of this document.

The EIS does not mention how effluent waste will be disposed of. Section 3.8 of the EIS states that there is a sewerage maintenance shaft within the site boundary but notes that connection to sewer has not been finalised.

EPA recommendations

- The proponent be required to identify and implement feasible and reasonable opportunities for the reuse and recycling of waste, including food waste.
- The proponent be required to confirm if effluent will be discharged to sewer once the school is in operation.