



DOC21/508879

21 June 2021

Mr Navdeep Shergill
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Department of Planning, Industry and Environment
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By email: navdeep.singshergill@planning.nsw.gov.au

Dear Mr Shergill

**New Epping South Primary School – Concept and Stage 1 (SSD 8873789)
EPA Advice on the Environmental Impact Statement (EIS)**

I am writing to you in reply to your invitation to the NSW Environment Protection Authority (EPA) to provide comment on the Environmental Impact Statement (EIS) for the above project.

The EPA has reviewed the relevant sections of the EIS provided by the Department of Planning, Industry and Environment (DPIE) and provides the following advice regarding noise and vibration, contamination, and waste.

Noise and Vibration

The EPA reviewed the *Noise Impact Assessment* (NIA), ver A Final, dated 21 April 2021, prepared by RWDI and Wilkinson Murray. The EPA notes that standard hours of construction are proposed, in accordance with the *Interim Construction Noise Guidelines* (ICNG) (DECC, 2009), and that the applicant will identify noise mitigation measures for the project in a Construction Noise and Vibration Plan (CNVMP).

The EPA recommends consent including conditions that require the following:

- Standard construction hours in accordance with the ICNG;
- Intra-day respite periods from high noise generating construction activities (including jack hammering, rock breaking, pile boring or driving, saw cutting); and
- The preparation and implementation of a CNVMP to identify reasonable and feasible noise mitigation measures to be employed during construction.

The following operational measures are also recommended to be implemented by the applicant:

- Noise from mechanical plant should be designed to achieve no greater than background noise of + 5 dB;
- Waste collection should occur during the day-time period only; and
- The nature of and times during which school facilities (e.g. sports court, sports field and hall) are made available for community use should be identified.

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Contamination

The applicant has submitted interim audit advice, prepared by an EPA-accredited site auditor. The advice – *Interim Audit Advice Letter No. 1 – Review of RAP, New Public School in Epping, 86 Chelmsford Avenue, Epping* (IAA), dated 20 April 2021 – was prepared by Rowena Salmon of Ramboll Australia Pty Ltd, and was submitted as Appendix 15 of the EIS documentation.

The IAA reviewed the contamination-related reports also provided as part of the EIS (Appendices 12 to 15 and 38):

- *Preliminary (Contamination) Site Investigation* (PSI), Rev 1, dated 22 April 2021, prepared by Douglas Partners;
- *Sampling and Analysis Quality Plan* (SAQP), Rev 1, dated 22 April 2021, prepared by Douglas Partners – to set out the scope of works for a Detailed Site (Contamination) Investigation;
- *Detailed Site Investigation* (DSI), Rev 1, dated 22 April 2021, prepared by Douglas Partners;
- *Remediation Action Plan* (RAP), Rev 1, dated 22 April 2021, prepared by Douglas Partners¹; and
- *Hazardous Building Materials Survey* (HBM), Rev 2, dated 22 April 2021, prepared by Douglas Partners.

The reports note the contamination is associated with its site history as an educational institution teaching horticulture as part of Ryde School of Horticulture and then part of TAFE. Existing buildings date from 1975 and asbestos containing materials were identified in most of the (accessible) buildings onsite.

Site investigations were found to be adequate to characterise the site and did not identify the need for remediation of soil or groundwater contamination. However, it is noted some data gaps exist – such as soil sampling below building footprints that were inaccessible – and that these are proposed to be addressed through the RAP. A review of the remediation requirements will be required following completion of the data gap investigations, and an amended RAP may be required if additional contamination issues requiring management or remediation are identified. However, this will be reviewed as part of the site audit.

The EPA is satisfied with the early engagement of a site auditor and submission of the interim audit advice. The following conditions of approval are recommended.

1. The applicant must engage an NSW EPA-accredited Site Auditor throughout the duration of works to ensure that any work required in relation to soil or groundwater contamination is appropriately managed;
2. Prior to commencing remediation, the applicant must submit to the Certifying Authority, an Interim Audit Advice from the Site Auditor that advises that the site can be made suitable for the proposed use subject to the implementation of the Remedial Action Plan and that the Remedial Action Plan is appropriate. A copy must also be provided to the Planning Secretary;
3. The applicant must adhere to the management measures in the Remedial Action Plan as approved by the Site Auditor;
4. Any variations to the approved Remedial Action Plan must be approved in writing by the Site Auditor;
5. If work is to be completed in stages, the Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice/s;

¹ Note the RAP and IAA were both identified as Appendix 15.

6. The applicant must obtain a Section A1 Site Audit Statement – *or* a Section A2 Site Audit Statement accompanied by an Environmental Management Plan – from the accredited Site Auditor and submit it to the consent authority prior to commencement of operation. The Site Audit Statement must certify the site is suitable for the proposed use; and
7. Prior to operation, the applicant must obtain confirmation from the Certifying Authority in writing that the requirement of condition 6 has been met.

Waste

The EPA notes the inclusion of Construction and Operational Waste Management Plans and reminds the applicant of the following:

- All asbestos waste loads over 100 kilograms or 10 square metres removed from the site must be tracked using the EPA's online "Waste Locate" system, according to the requirements of the *Protection of the Environment Operations (Waste) Regulation 2014*. Further details on these requirements can be found on the EPA's website at: <https://www.epa.nsw.gov.au/your-environment/waste/transporting-asbestos-waste-tyres/tracking-asbestos-waste-locate>;
- The applicant must not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal, except Virgin Excavated Natural Material as defined by the *Waste Classification Guidelines* issued by the EPA that are current at that time, unless expressly permitted by planning legislation and/or approvals and/or consents relevant to the site;
- Processing of fill material containing asbestos is prohibited. Any loads of waste from the works that are rejected from a waste facility due to the presence of asbestos must not be reprocessed but transported to a facility that can lawfully receive asbestos waste; and
- It is the EPA's expectation that effective oversight of contractors, sub-contractors and agents is maintained in relation to the lawful disposal of waste from the site.

Should you require clarification of any of the above please contact Anna Timbrell on 9274 6345 or email anna.timbrell@epa.nsw.gov.au

Yours sincerely



21 June 2021

MARIA MORENO
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Environment Protection Authority