



DOC20/321091

27 April 2020

Ms Prity Cleary
Senior Planning Officer
Social Infrastructure and Other Assessments
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Dear Ms Cleary

**Fort Street Public School (SSD 10340)
Advice on the Environmental Impact Statement (EIS)**

I am writing to you in reply to the 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 understands that the project involves site remediation and demolition of some school buildings, selective removal of various elements of the main school building, construction of new school buildings, associated bulk excavation, landscaping and other building modification works.

The EPA has reviewed the EIS provided by the Department of Planning, Industry and Environment (DPIE) and advises the following with regards to noise and vibration and contaminated lands:

1. Noise

The EPA reviewed the *Acoustic Assessment Report* prepared by ARUP in Appendix Z (dated 20.12.19) for the Fort Street Public School and provides the following comments:

Construction noise

The EPA notes that Construction noise and vibration will occur from demolition, bulk excavation and bulk earthworks and will take up to 26 months.

The project is seeking extended construction hours consistent with the *City of Sydney Code of Practice* (1992) being: Monday to Friday 0700 – 1900, Saturday 0700 to 1700 and no work on Sundays or Public holidays. These hours differ from the recommended standard hours of work in the *Interim Construction Noise Guideline* (ICNG) which are: Monday to Friday 0700 to 1800, Saturday 0800 to 1300 and no work on Sundays or public holidays.

The *City of Sydney Code of Practice* is not referenced in the Secretary's Environmental Assessment Requirements (SEARs) and no justification has been provided for the need to work extended construction hours, particularly on Saturdays.

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It is recommended that construction is limited to the recommended standard hours of work (as defined in the ICNG), and any construction undertaken outside of the recommended standard hours of work should only be permitted if it can comply with the noise affected management level of RBL + 5 dB (see Table 2 in the ICNG), unless justification can be provided in accordance with section 2.3 in the ICNG.

There is no assessment of likely construction vibration impact on human comfort in accordance with *Assessing Vibration: A Technical Guideline 2006*. Construction vibration has only been considered in the context of structural impacts. Nonetheless, construction vibration impacts are not anticipated.

The assessment identifies periods where some construction activity will exceed the (ICNG) noise affected management level for work during the recommended standard hours, and presents outline mitigation measures, including the development of a construction noise and vibration management plan. Further consideration of feasible and reasonable mitigation, particularly for work scheduled outside of the recommended standard hours of work is required in addition to the mitigation outlined in Section 6.3.2 of the *Acoustic Assessment* (Appendix Z) and adopted in any consent requirements.

Operational noise

The main source of operational noise will be from mechanical services, including chillers, fans and pumps. The acoustic assessment has only considered noise from chillers as a reasonable worst-case noise source and assessed this in accordance with the *Noise Policy for Industry* (EPA, 2017) for day and evening periods only. Because it is anticipated that mechanical services plant may also be operational during the night, it is recommended that all mechanical services plant be designed to achieve 50 dB $L_{Aeq15min}$ at the closest noise sensitive receiver/s. This is based on the project noise trigger level for the night-period of 45 dB $L_{Aeq15min}$ + 5 dB (refer Table 7 of the *Acoustic Assessment*).

Although there are no anticipated changes to the PA system, or school bell use at the school, no assessment has been presented on the likely impacts. Further detail should be provided to indicate how they will be designed, sited and used to minimise noise impacts on the community.

The assessment also indicates there may be communal events within the school outside school hours. There is also a rooftop, and it is unclear if this will be used outside school hours. It is recommended that limitations are placed on permitted hours and frequency of use, particularly for any outdoor spaces to manage potential noise impacts on the community.

2. Contaminated Lands

The EPA reviewed the *Detailed Site Investigation* prepared by JBS&G (dated 9 August 2019) and the *Remedial Action Plan* (RAP), prepared by JBS&G, dated 14 October 2020 for the project.

The EIS did not provide details on the type or types of asbestos material or other potential hazardous materials that could be encountered on site. The site investigation report did identify heavy metals and polycyclic aromatic hydrocarbons (PAH) impacts to soil at the site, which pose potentially unacceptable risk to human health under the proposed development. The associated RAP will need to be certified as appropriate by a site auditor.

Given that remediation is a likely requirement, the applicant will need to engage an EPA-accredited Site Auditor for the duration of the construction works to ensure that any works in relation to soil or groundwater contamination are appropriately managed. This should be done as soon as possible.

As part of the Response to Submissions, the proponent must:

- submit a detailed hazardous materials survey report; and
- submit an Interim Audit Advice from an EPA-accredited Site Auditor commenting on the nature and extent of the contamination and what further works are required.

At present, the following conditions of SSD consent are recommended:

1. The Applicant must engage a 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 with the remediation, the Applicant must submit Interim Audit Advice from an NSW EPA-accredited Site Auditor that advises that the site can be made suitable for the proposed use subject to the implementation of the Remediation Action Plan.
3. The applicant must adhere to the management measures in the Remediation Action Plan which were approved by the NSW EPA-accredited Site Auditor.
4. Any variations to the approved Remediation 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.
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 a NSW EPA-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.
7. Prior to operation, the applicant must obtain confirmation from the Certifying Authority in writing that the requirement of condition 6 has been met.

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

Yours sincerely



LAURA ANSTED
A/Unit Head, Regional Operations – Metro South
Environment Protection Authority