



DOC20/322410

28 April 2020

Mr Navdeep Singh Shergill
Planning Officer
Social Infrastructure and Other Assessments
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Dear Mr Singh Shergill

**Chatswood education Precinct (SSD 9483)
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 Consent, for the above proposal.

The EPA understands that the project includes site preparation including remediation works, the demolition of three school buildings and three covered outdoor learning areas and the construction of new buildings at both campuses.

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 Day Design Pty Ltd (dated 10.03.20) in relation to noise and vibration issues.

The Secretary's Environmental Assessment Requirements (SEARs) require the proponent to assess construction noise and operational noise, and identify mitigation to minimise noise impacts with reference to the *Noise Policy for Industry* (EPA, 2017) for operational noise assessment and the *Interim Construction Noise Guideline* (DECC, 2009) (ICNG) for the construction noise assessment.

The EPA considers that the noise criteria determined by the loggers appear to be representative of the acoustic environment of residential receivers, and that operational noise considerations include the preliminary review of noise from service and mechanical plant.

The EPA recommends that waste collection occurs during the day-time period only and that construction works be limited to standard hours of construction work described in Table 1 of the ICNG.

The EPA also recommends that any approval includes conditions to achieve the following:

Phone 131 555
Phone 02 9995 5555
(from outside NSW)

Fax 02 9995 6900
TTY 133 677, then
ask for 131 155

Locked Bag 5022
PARRAMATTA
NSW 2124

12 Darcy Street
PARRAMATTA NSW
2150 AUSTRALIA

info@epa.nsw.gov.au
www.epa.nsw.gov.au
ABN 43 692 285 758

- The public address should be designed to achieve a noise levels of no greater than background noise + 10 dB at the nearest sensitive receiver.
- Noise from mechanical plant should be designed to achieve no greater than background noise + 5 dB at the nearest sensitive receiver.

Furthermore, any approval should require the proponent to adopt the following noise mitigation described in the *Acoustic Assessment Report*:

- Section 5 – School Noise Emission. to manage operational noise; and
- Section 11 – Construction Noise and Vibration Mitigation Recommendations. to manage potential construction noise impacts.

2. Contaminated Lands

The EPA reviewed the *Results of Geotech, Environmental and Hazmat Investigation* (contamination report) in Appendix 12, prepared by PSM Consult Pty Ltd (dated 23.03.20) and the *Remediation Action Plan* (RAP) in Appendix 13, prepared by JBS&G Australia Pty Ltd (dated 20.02.20)

The contamination report identified potentially unacceptable risks to human and ecological health due to petroleum hydrocarbons and polycyclic aromatic hydrocarbons at several locations. Although the RAP was submitted, it has not been certified as appropriate by a Site Auditor.

An EPA-accredited Site Auditor is required to be engaged throughout the duration of works for this project to ensure that any work required in relation to soil or groundwater contamination is appropriately managed.

As part of the Response to Submissions, the proponent must submit Interim Audit Advice from an EPA-accredited Site Auditor commenting on the nature and extent of the contamination and what further works are required.

Currently, the following conditions 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 with the remediation, the Applicant must submit 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 Remediation Action Plan.
3. The applicant must adhere to the management measures in the Remediation Action Plan which were approved by the 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 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.
7. Prior to operation, the applicant must obtain confirmation from the Certifying Authority in writing that the requirement of condition 6 has been met.

The EPA also reminds the applicant of the following:

1. The processes outlined in *State Environmental Planning Policy 55 – Remediation of Land* (SEPP55) are to be followed in order to assess the suitability of the land and any remediation required in relation to the proposed use.
2. The proponent must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site so as to result in significant contamination [note that this would render the proponent the 'person responsible' for the contamination under section 6(2) of *Contaminated Land Management Act 1997* (CLM Act)].
3. The EPA should be notified under section 60 of the CLM Act for any contamination identified which meets the triggers in the Guidelines for the Duty to Report Contamination www.epa.nsw.gov.au/resources/clm/150164-report-land-contamination-guidelines.pdf
4. The EPA recommends use of "certified consultants". Please note that the EPA's *Contaminated Land Consultant Certification Policy* (<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/18520-contaminated-land-consultant-certification-policy.pdf?la=en&hash=D56233C4833022719BCE0F40F870C19DC273A1F7>) supports the development and implementation of nationally consistent certification schemes in Australia, and encourages the use of certified consultants by the community and industry. Note that the EPA requires all reports submitted to the EPA to comply with the requirements of the CLM Act to be prepared, or reviewed and approved, by a certified consultant.

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