



DOC20/501026

24 June 2020

Mr Mick Fallon  
Team Leader  
Transport Assessments  
Department of Planning, Industry and Environment  
GPO Box 39  
Sydney NSW 2001

Dear Mr Fallon

**Redfern Station Upgrade – New Southern Concourse (SSI 10041)  
Advice on Environmental Impact Statement (EIS)**

I am writing to you in reply to your invitation to the Environment Protection Authority (EPA) to provide input to the development of EIS for the above project.

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

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

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Claire Miles'.

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# APPENDIX A

## 1. Noise and Vibration

The EPA reviewed *Technical Report 4 – Noise and Vibration*, prepared by AECOM, dated 22.05.20 as well as the TfNSW document *Construction Noise and Vibration Strategy*, dated 18.06.19 (CNVS) which sets out the protocols and mitigation actions, including out of hours work protocols and specific mitigation actions depending on the extent of exceedance of the Noise Management Level (NML), as well as a community engagement strategy.

Table 19 of the technical report outlines the total number of dwellings that will be impacted by construction noise for each construction stage. It outlines the number of dwelling which will experience exceedances, and the magnitude of these exceedances over the NML (derived from the *Interim Construction Noise Guideline* (DEC, 2009)) during standard hours and outside the recommended standard hours of work.

In addition to the general mitigation and management measures outlined in Table 28 of the technical report, where exceedances are identified the technical report requires that the additional mitigation in Table 29 is also considered and implemented as appropriate. It is recommended that any project approval reference the general mitigation and require consideration of the additional mitigation and applied in accordance with the procedures set out in CNVS.

Furthermore, it is recommended that community engagement is undertaken to inform noise-sensitive receivers about the work, when it will take place, and for how long. Engagement is particularly important for the NCA1 location if the adjacent auxiliary facility is to be installed. The community that resides within NCA1 should be told as soon as possible if the auxiliary facility will be required. The advice in CNVS on community engagement strategies should be implemented as appropriate.

Regarding operational noise impacts, the technical report notes that due to the early stage of design, mechanical plant and equipment has not yet been selected for the project and therefore cannot be assessed. The EPA advises that all mechanical plant and equipment selections, as well as noise emission from other parts of the development, should comply with the Project Noise Trigger Levels derived in accordance within the *Noise Policy for Industry* (EPA, 2017) (NPfI) set out in Table 15 of the technical report.

## 2. Contamination

The EPA reviewed the *Contamination Investigation Report*, dated 05.02.18, prepared by Jacobs (within Appendix G – *Geotechnical and Contamination Investigation Reports*).

Selected heavy metals and benzo(a)pyrene were detected in a few site samples exceeding ecological investigation levels or ecological screening levels but not health investigation levels.

The results of the ground investigations did not identify contamination which would constrain the current and proposed use of the project area for railway station use. The report further stated that given the age of the structures, it is likely that contaminated material, including lead paint and asbestos, could be present.

Table 17-6 in the EIS main report outlined the following generic mitigation measures, which the proponent has committed to follow:

1. Prepare a Soils and Water Management Sub-Plan when developing the Construction Environmental Management Plan (CEMP);
2. Prior to construction, prepare a detailed site investigation to confirm the risk present and to develop site specific management responses;
3. Undertake hazardous materials survey;
4. Prepare Asbestos Management Plan, if asbestos is found;

5. If a Remediation Action Plan (RAP) is required, engage a “*suitably qualified and experienced contamination advisor to audit the works*”;
6. Cease work if contamination or acid sulfate soils are encountered during construction; and
7. Adhere to the notification requirements of section 60 of the *Contaminated Land Management Act 1997*.

The EPA recommends the following conditions of approval:

1. The proponent must prepare a **Soils and Water Management Sub-Plan** when developing the CEMP.
2. Prior to commencing construction, the proponent must undertake a hazardous materials survey. If hazardous materials were found, the proponent also must prepare a management plan to address this.
3. Prior to commencing construction, prepare **Unexpected Finds Protocol, Asbestos Management Plan** and **Acid Sulfate Management Plan**.
4. Prior to commencing construction, the proponent must conduct a **Detailed Site Investigation** to determine the full nature and extent of the contamination at the project area. The **detailed site investigation/s** must be undertaken, and the subsequent report(s), must be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*. The reports must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand’s Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.
5. If unexpected contamination is found and remediation is required based on guidelines made or approved under s105 of the CLM Act, the proponent must prepare a **Remediation Action Plan (RAP)** following results of further detailed site investigations. This Remediation Action Plan must be reviewed by a NSW EPA accredited Site Auditor and certified appropriate to make the project area suitable for the proposed use. The approved **Remediation Action Plan** must be implemented throughout duration of project work.
6. If remediation has been undertaken as part of the CEMP or a RAP, the proponent must submit a **Validation Report** for the development prior to commencement of operation. The **Validation Report** must:
  - a) be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand’s Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.
  - b) be prepared in accordance with the relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*.
  - c) include, but not be limited to:
    - i. comment on the extent and nature of the remediation undertaken;
    - ii. if material is to remain in-situ and capped, describe the location, nature and extent of any remaining contamination on site as well as any ongoing management requirements;
    - iii. sampling and analysis plan and sampling methodology undertaken as part of the remediation;
    - iv. if treated material is to remain on the subject site, results of sampling of treated material, compared with the treatment criteria in the RAP;
    - v. results of any validation sampling, compared to relevant guidelines/criteria; and
    - vi. comment on the suitability of the area for the intended land use
  - d) be submitted to the Planning Secretary for review one month after the completion of remediation works
7. If remediation has been undertaken as part of the CEMP or a RAP, then prior to commencement of operation, the proponent must obtain confirmation from the Certifying Authority in writing that the requirements of condition 6 have been met. If remediation is not required, then the requirements in Condition 6 do not apply.

8. If, based on further site investigations, it is determined that ongoing on-site management of soil or groundwater contamination is required, then the following requirements will apply:
- a) the proponent must engage a NSW EPA-accredited Site Auditor to provide increased certainty to the Department on the appropriateness of the site for the proposed use. The proponent must obtain from a NSW EPA-accredited Site Auditor a **Section A2 Site Audit Statement** accompanied by an **Environmental Management Plan** prepared by a certified consultant, and submit it to the Planning Secretary and relevant Council for information no later than one month before the commencement of operation.
  - b) the development must not be used for the purpose approved under the terms of this consent until a Site Audit Statement determines the land is suitable for that purpose and any conditions on the Site Audit Statement have been complied with.

The EPA reminds the proponent of the following:

- The processes outlined in State Environmental Planning Policy 55 - Remediation of Land (SEPP55) be followed in order to assess the suitability of the land and any remediation required in relation to the proposed use.
- 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* (CLM Act)].
- 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](http://www.epa.nsw.gov.au/resources/clm/150164-report-land-contamination-guidelines.pdf)
- 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.