



DOC20/575711

16 July 2020

Mr Caleb Ball
Planning Officer
Social and Other Infrastructure
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Ball

**University of Sydney – Engineering & Technology Precinct –
Modification 1 – Extension of Construction Hours (SSD 8636 Mod 1)
EPA Advice on Modification**

I am writing to you in reply to your invitation to the Environment Protection Authority (EPA) to provide comment on the above modification request for a new ancillary facility.

The EPA has reviewed the modification report and three attachments and provides the following advice:

Although justifying the extended hours based on COVID-19 limitations and the requirements for safe work practices, the requested hours do not align with those allowed by the Ministerial Order – *Environmental Planning and Assessment (COVID-19 Development – Construction Work Days) Order 2020* – being Saturdays, Sundays and public holidays. The applicant reasons that this is in order to provide respite to the surrounding receivers but does not provide evidence of community support for the preferred hours of construction.

The EPA notes there are inconsistencies within and between the documentation about the proposed timing of work. (Further details are provided in **Appendix A**). However, the EPA's advice is based on extended hours involving the following works and times:

6 am – 7 am (Mon-Fri) – 'Night' works	6 pm – 10 pm (Mon-Fri) – 'Evening' works
Internal service installation Internal fitout Works	Façade installation (install façade panels) Internal service installation Internal fitout works

Internal service installation and internal fitout works would be undertaken behind the installed façade that would provide additional attenuation and would have a negligible impact to surrounding residential and other receivers.

The EPA notes that the Notification letter (Attachment 3) had proposed 24 hours works internal to the building. It would appear to be only through this SSD Modification application that the surrounding community would be advised of the changes to proposed hours and scope of works (that include

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façade installation). Community submissions on this modification will be an important consideration in this assessment.

The main noise generating works out of hours would be from the façade installation that would generate the following additional impacts above noise management levels: 3 dB at Urban Nest (R1), 6 dB at International House (R2) and 3 dB at Shepherd Street south residences (R5) – all residential receivers; and 3 dB at Mechanical Engineering building (R9) and by 5 dB at Engineering Link building (R10) – non-residential receivers. It is noted that exceedances are below the highly noise affected level of 75 dB(A).

The applicant states in section 5.1.1 of the Modification report that truck movements and deliveries would continue between the existing approved hours. However, section 5.1.2 states: “The façade installation will be carried out during currently approved daytime hours as usual and only carry out this work out of hours when deliveries have been delayed.” The EPA notes that no assessment of out of hours vehicle movements has been undertaken. Therefore, it is concluded that “delayed deliveries” must still be made before 6 pm on weekdays, while the actual installation of panels could occur between 6 pm and 10 pm.

The EPA notes that the extended hours would reduce the overall construction time with the applicant stating a 9-week construction schedule, rather than 6 months with the implementation of social distancing measures.

On the basis of this understanding, the EPA makes the following recommendations:

1. If approved, detailed information will need to be provided to the community, so they can understand what construction activities will take place; where they will take place; when they will take place and for how long. Where construction activities are proposed outside of the recommended standard hours, the community should – as far as practicable – be engaged to identify feasible and reasonable mitigation.
2. If approved, the duration of the extended hours should only be allowed to the extent of the life of the Ministerial Order.

The EPA's comments on the modification documents are provided in **Appendix A** and notes several discrepancies. If the applicant clarifies any aspect that is inconsistent with the EPA's understanding of the proposal, then further consideration of the modification application should be made.

Should you require clarification of any of the above please contact Anna Timbrell on (02) 9274 6345 or email anna.timbrell@epa.nsw.gov.au

Yours sincerely



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

APPENDIX A

The EPA has reviewed the following documents (abbreviations highlighted):

- Modification Report – *Letter re Section 4.55(1A) Modification Application to SSD 8636 – University of Sydney – Engineering Technology Precinct (ETP) Stage 1 – Extension to Construction Hours*, from SJP Planning, dated 2 June 2020 (**SJP letter**)
- Attachment 1 – *Construction Management Plan*, Rev 11, dated 28.05.20 (**CMP**)
- Attachment 2 – *Acoustic Assessment – Letter re USYD Electrical Engineer Building ETP Stage 1 Out of Hours (OOH) Construction Noise Assessment – COVID 19 (Social Distancing)*, dated 28.05.20 (**AA**)
- Attachment 3 – **Notification letter**

Table 1 in section 4.1 Details of Request (SJP letter) regarding ‘Scope of Works – New Build’ identifies proposed out of hours activities as follows:

6 am – 7 am (Mon-Fri) – ‘Night’ works	6 pm – 10 pm (Mon-Fri) – ‘Evening’ works
Internal service installation Internal fitout Works	Façade installation (install façade panels) Internal service installation Internal fitout works
7 am – 6 pm (Mon-Fri) – Existing approved hours	7 am – 3:30 pm (Sat) – Existing approved hours
Façade installation Service installation Internal fitout works Civil and Landscaping works Site Logistics	Façade installation Service installation Internal fitout works Civil and landscaping works Site Logistics

The EPA observes the following:

- Section 4.4.2 Façade Installation (AA) states: *“The application for permission to allow for façade installation in the **weekday mornings from 6am to 7am** and evenings only, from 6pm - 10pm is made with the intention that it will only be used if necessary to continue with work where, delays in deliveries of façade sections and materials occur due to the unpredictability caused by the COVID-19 pandemic. Otherwise façade installation works will be carried out during currently approved hours.”*
However, this contradicts section 4.1 Details of Request (SJP letter) which states: *“OOH works on Monday to Friday will be limited to:*
 - *Internal Service Installation and Internal Fit out Works (6:00 am – 7:00 am & 6:00 pm – 10:00 pm)*
 - ***Faced*** [sic] ***Installation (6:00 pm – 10:00 pm)*** and the associated Scope of Works table” (extract reproduced above).**The applicant should clarify the Scope of Works and whether or not it includes façade installation between 6 am and 7 am.**
- Section 5.1.1 (SJP letter) notes that no deliveries are proposed out of the current approved hours; Section 5.1.2 (SJP Letter) states: *“The façade installation would generally be carried out during currently approved daytime hours as usual and only carry out this work OOH when deliveries have been delayed.”* **The applicant should clarify whether late deliveries would intrude into the extended evening hours. (Further, depending on the clarification of whether façade installation is proposed to also take place between 6 am and 7 am, the applicant would be required to assess any associated impact).**

- Section 5.1.2 Noise and Vibration of the (SJP letter) states: “*As detailed in the Acoustic Assessment provided at Attachment 2, the nature of the proposed OOH work is such that the majority of proposed work will be carried out inside the building, behind the façade, except for the façade installation itself **and landscaping and civil work.***” This contradicts the ‘Scope of Works’ table in section 4.1 (SJP letters) that shows Civil and Landscaping works are proposed only during existing approved hours. **The applicant should verify that the scope of works does not include landscaping and civil works.**
- The applicant’s request for COVID-19-related extension to hours that are outside the Ministerial Order are justified as being to provide respite from construction works on Sundays and public holidays. **No details have been provided on why the permissible extended hours would not work** – eg. was the community specifically asked if it would prefer evening and night works during weekdays, over extended daytime hours (Saturday afternoon, Sundays and Public holiday)? Two community submissions had been received to date, however the modification application does not advise **what issues were raised in the two community submissions.**
- The community Notification letter stated: “[*Laing O’Rourke*] *has undertaken an independent noise assessment of the proposed work activities in the extended work hours. **The assessment reveals that all works are noise compliant for both the University campus and the Darlington neighbourhood.** The planned work activities for extended work hours inside enclosed buildings will create no unreasonable levels of noise to impact surrounding neighbours.*” However, the noise assessment shows exceedances of noise management levels. **Clear community consultation would need to be a significant part of the proposed extended hours.**
- The applicant advises that mitigation measures will be those applied for the CNVMP (Rev A, dated 1 March 2019). However, these are not specifically outlined. The applicant provided an updated *Construction Management Plan* Rev 11, dated 28.05.20 with amendments for the mod provided in section 4.8.1 (CMP). This includes Mitigation Measures (7 dot points, on pp. 32-33 of 63) which are not exhaustive, and which do not include all efforts being made to deliver and install the façade during standard construction hours. **Proposed mitigation measures should be detailed for these specific works.**