



DOC19/813184-3

Department of Planning, Industry and Environment  
Returned via the Major Projects Portal

Attention: Mr Dimitri Gotsis

9 October 2019

Dear Mr Gotsis

**Environmental Impact Statement Exhibition  
New Warnervale Public School (SSD 9439)**

I refer to the email from the Department of Planning, Industry and Environment (DPIE) to the Environment Protection Authority (EPA) dated 17 September 2019 seeking the EPA's advice in relation to the adequacy of the proponent's Environmental Impact Statement (EIS) for the New Warnervale Public School Proposal (SSD 9439).

The proponent, the NSW Department of Education, is proposing a new Primary School at Warnervale to be located at 75 Warnervale Road, Warnervale, NSW. The EPA would be the Appropriate Regulatory Authority for environmental pollution matters under the *Protection of the Environment Operations Act 1997* (POEO Act) as the proposal is being undertaken by, or on behalf of, a state government entity.

The EPA has reviewed the EIS and accompanying specialist assessments and has determined that it is able to provide its recommended conditions of approval. The EPA's recommended conditions of approval are at **Attachment A** to this letter. Please note that the provisions of the POEO Act and its Regulations also apply in addition to these conditions.

If you have any questions about this matter, please contact Matthew Corradin on 02 4908 6830 or by email to [hunter.region@epa.nsw.gov.au](mailto:hunter.region@epa.nsw.gov.au)

Yours sincerely

**MITCHELL BENNETT**  
**Head Strategic Operations Unit**  
**Environment Protection Authority**

## ATTACHMENT A – EPA recommended conditions of approval

### Administrative

- The Proposal must be undertaken in accordance with the Development Application and accompanying Environmental Impact Statement (and Appendixes) prepared by Creative Planning Solutions Pty Ltd and titled “Environmental Impact Statement – The New Primary School at Warnervale” (August, 2019).

### Noise/Vibration

- Construction activities at the premises are permitted to occur during the following time periods:
  - 7am to 6pm Monday to Friday;
  - 8am to 1pm Saturdays; and
  - At no time on Sundays or Public Holidays.
- The Proponent must implement all reasonable and feasible noise and vibration mitigation measures to minimise construction noise and vibration impacts in accordance with the “Interim Construction Noise Guidelines” (DECC, 2009) and “Assessing Vibration: a technical guideline” (DEC, 2006).
- The Proponent must implement all reasonable and feasible noise mitigation measures to minimise operational noise in accordance with “Fact Sheet F: Feasible and reasonable mitigation” contained within the “Noise Policy for Industry” (EPA, 2017).

### Air/Odours

- During construction activities, the premises must be maintained in a condition which prevents or minimises the emission of air impurities, including dust, from the premises.
- During construction activities, all operations and activities occurring at the premises must be carried out in a manner that prevents or minimises the emission of air impurities, including dust, from the premises.
- During construction activities, trucks entering and leaving the premises that are carrying loads of materials that may generate air impurities, including dust, must have their loads covered at all times, except during loading and unloading.
- The Proponent must not cause or permit the emission of offensive odours beyond the boundary of the premises.

### Water/Land

- The Proponent must comply with Section 120 of the *Protection of the Environment Operations Act 1997*.
- The Proponent must develop and implement an Erosion and Sediment Control Plan prior to the commencement of any surface disturbance and/or construction activities in accordance with the publication “Managing Urban Stormwater: Soils and construction – Volume 1” (Landcom, 2004) and “Managing Urban Stormwater: Soils and construction – Volume 2A, Installation of Services” (DECC, 2008).
- Prior to the commencement of any surface disturbance and/or construction activities, the Proponent must install and maintain appropriate erosion and sediment control measures at the premises in accordance with the publication “Managing Urban Stormwater: Soils and construction – Volume 1” (Landcom, 2004) and “Managing Urban Stormwater: Soils and construction – Volume 2A, Installation of Services” (DECC, 2008).

## **Waste**

- The Proponent must, as far as possible, follow the waste hierarchy principals contained within the *Waste Avoidance and Resource Recovery Act 2001* when dealing with any waste generated at the premises.
- The Proponent must assess and classify any waste generated at the premises in accordance with the “Waste Classification Guidelines – Part 1: Classifying waste” (EPA, 2014) and manage this waste in a lawful manner.
- The Proponent must not cause, permit or allow any waste to be received at the premises, except that waste which complies with a Resource Recovery Order and Exemption and is used for the purpose(s) stipulated by each Resource Recovery Order and Exemption.
- The Proponent must maintain a waste register that tracks any waste received at or transported from the premises that clearly identifies each entity and vehicle involved in the waste transaction and the premises from which or to which the waste originated or was transported to.
- The Proponent must retain all waste related records in a legible form, or in a form that can readily be reduced to a legible form, for at least 4 years after the record was made.

## **Chemical Storage**

- Chemicals, fuels and oils used on-site must be kept in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA’s Storing and Handling of Liquids: Environment Protection - Participants Manual (DECC, 2007).

## **Incident Management**

- The Proponent must have in place adequate procedures including notification requirements to the Appropriate Regulatory Authority and other relevant authorities for incidents that cause, or have the potential to cause, material harm to the environment (Part 5.7 of the POEO Act).