



DOC19/1015631

20 November 2019

Mr Jason Maslen
Social and Other Infrastructure Assessments
Department of Planning, Industry and Environment
GPO Box 39,
Sydney NSW 2001

Dear Mr Maslen

**Meadowbank Education and Employment Precinct Schools Project (SSD 9343)
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 construction of a multi-level, multi-purpose, integrated school building with a primary school wing and high school wing connected by centralised library with potential to accommodate 1,000 primary, 1,500 high school students and 120 Intensive English Centre (IEC) students. The school will be situated on the northern portion of the triangle-shaped Meadowbank TAFE site and will also provide outdoor learning and recreational areas, associated landscaping and public domain, 60 on-site parking spaces and 273 bicycle parking spaces.

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, contaminated lands, and waste, water and air quality.

1. Noise and Vibration

The EPA reviewed the EIS main report and Noise Impact Assessment (NIA) (Appendix N) for the proposed school.

Operational noise impacts have been considered using the *Noise Policy for Industry* (EPA, 2017) (NPfI). The assessment is generally based on intrusive noise and the outcomes are consistent with the requirements in the NPfI. The background noise assessment used to derive construction and operational noise criteria is adequate.

Operational noise considerations include the use of playgrounds by students, noise from service and mechanical plant, and road traffic noise including student drop-off and pick-up. Predicted noise from students in the playground (Table 6-1) indicate there will be exceedances of the background noise at times. However, use of the playground is limited and any exceedances will occur over a relatively short-duration.

Traffic noise impacts, including pick-up/drop-off comply with relevant criteria (*NSW Road Noise Policy*, DECCW 2011) based on 2031 predicted traffic volumes.

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The NIA propose hours of construction work described in the City of Ryde *Development Control Plan* 2014. These differ from the recommended standard hours of construction work described in Table 1 of the *Interim Construction Noise Guideline* (DECCW, 2009) (ICNG). The EPA recommends that construction work is limited to the standard ICNG construction hours.

Noise from mechanical plant, the public address system, and the school bell has not been assessed. Notwithstanding, it is recommended that any approval include conditions to achieve the following:

- The public address and the school bell should be designed to achieve a noise levels of no greater than background noise + 10dB. It is recommended that this is conditioned in any approval.
- Noise from mechanical plant should be designed to achieve no greater than background noise + 5dB. It is recommended that this is conditioned in any approval and include the specific design requirements set out in section 6.4 of the NIA.

Furthermore, any approval should require the applicant to adopt the noise mitigation described in:

- section 6.5 and 6.7 of the NIA to manage operational noise; and
- section 6.8 of the NIA to manage potential construction noise impacts.

2. Contaminated Lands

The EPA reviewed the EIS main report, the *Stage 1 Preliminary Site Investigation* (Appendix O), the *Stage 2 Detailed Site Investigation* (Appendix P), the *Remedial Action Plan* (Appendix Q), *Supplementary Contamination Assessment* (Appendix AA), and the *Supplementary Asbestos Assessment* (Appendix BB) in its review of contaminated land matters.

The main contaminants of concern identified in on-site soils include: benzo(a)pyrene; lead; and fibrous asbestos and asbestos fines. A *Remedial Action Plan* (RAP) was prepared to address the potential risks that may be posed by these contaminants of concern. However, the potential remains for isolated pockets of contamination to be present in untested areas of the site.

The EPA believes that the report has not yet demonstrated that the site is suitable for the proposed use. Due to the presence of these contaminants, and the sensitivity of the proposed use as a school, the applicant is required to engage an EPA accredited Site Auditor to prepare a section B Site Audit Statement to verify that the *Remedial Action Plan* is appropriate and that the land can be made suitable for the proposed use. The applicant must adhere to the management measures accepted by the auditor.

In addition, to provide a better understanding of the on-site risk due to fibrous asbestos and asbestos fines, the applicant must submit a revised Asbestos Assessment Report which includes:

- a site history to explain where the fibrous asbestos and asbestos fines came from; and
- a site map that shows where asbestos fines/friable asbestos were found and notes what the future use of these areas are with regard to the proposed development. It is important to clarify if these areas (where asbestos were found) will be used actively (e.g. play field or other recreational area) or will be covered with buildings as part of the proposed development.

Recommended conditions of approval

1. Due to the presence of asbestos fines and fibrous asbestos and the proposed sensitive use, the applicant must engage an EPA accredited site auditor to prepare a section B site audit statement that confirms that the remediation action plan is appropriate for the site and that the site can be made suitable for the proposed use.
2. The applicant must adhere to the remediation and management measures accepted by the auditor.

3. 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.
4. The applicant must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site that would result in significant contamination [note that this would render the applicant the 'person responsible' for the contamination under section 6(2) of the *Contaminated Land Management Act 1997*].
5. The EPA is to be notified under section 60 of the *Contaminated Land Management Act 1997* 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)

The EPA recommends the use of "certified consultants". Please note that the EPA's *Contaminated Land Consultant Certification Policy*, Version 2, November 2017, (<http://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/18520-contaminatedland-consultant-certification-policy.pdf?la=en>) 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 *Contaminated Land Management Act 1997* to be prepared, or reviewed and approved, by a certified consultant.

3. Waste, Water, Air Quality

The consent conditions should ensure that the development complies with standard requirements regarding waste management, water management (preventing run-off and subsequent pollution of waters) and appropriate site management to minimise air quality impacts, particularly dust.

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

Yours sincerely



SARAH THOMSON
Unit Head, Metropolitan Infrastructure
Environment Protection Authority