



Our reference: DOC14/275507-02
Contact: Wendy Stevenson 9995 6866

Peter McManus
Industry, Key Sites and Social Projects
Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

Dear Mr McManus

**Site 68 Mixed Use Development, Sydney Olympic Park (SSD 6603)
Comments on the Proposal and Conditions of Consent**

I refer to the letter from the Department of Planning and Environment dated 14 November 2014, which invited comments from the Environment Protection Authority (EPA) on the above proposal.

Please find attached recommended Conditions of Consent and associated comments for the key issues of concern within the jurisdiction of the EPA (Attachment 1).

If you wish to discuss any of the issues raised in this letter please contact Wendy Stevenson on 9995 6866 or wendy.stevenson@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Hanemann', followed by the date '16.12.2014' written in blue ink.

MARK HANEMANN
A/ Unit Head Infrastructure
Environment Protection Authority

Attachment 1 – EPA's recommended Conditions of Consent – Site 68 Mixed Use Development, Sydney Olympic Park (SSD 6603)

**Attachment 1 - EPA's recommended Conditions of Consent
Site 68 Mixed Use Development, Sydney Olympic Park (SSD 6603)**

Licensing

In previous comments on the SEARs dated 29 July 2014, the EPA noted that excavation works undertaken as part of the proposed development may constitute 'extractive activities' as defined under Schedule 1 of the POEO Act. Schedule 1 states that an environment protection licence is required for works involving "the extraction, processing or storage of more than 30,000 tonnes per year of extractive materials, either for sale or re-use, by means of excavation, blasting, tunnelling, quarrying or other such land-based methods."

The need for an environment protection licence has not been addressed in the EIS. The requirements for an environment protection licence will need to be considered and addressed prior to commencement of works.

Construction noise and vibration

The EPA recommends the following Conditions of Consent:

- Construction works associated with the project may only be undertaken during the following hours unless permitted by a subsequent condition or otherwise approved by the Secretary:
 - a) 7:00 am to 6:00 pm, Mondays to Fridays;
 - b) 8:00 am to 1:00 pm on Saturdays; and
 - c) at no time on Sundays or public holidays.
- Construction works associated with the project may be undertaken outside the hours specified under the above condition in the following circumstances:
 - a) where the construction works cause LAeq(15mintue) noise levels that are:
 - i) no more than 5dB above the Rating Background Level at any residence in accordance with the Interim Construction Noise Guideline (DECC 2009); and
 - ii) no more than the Noise Management Levels specified in Table 3 of the *Interim Construction Noise Guideline* (DECC 2009) at other sensitive land uses; or
 - b) for the delivery of materials required by the police or other authorities for safety reasons; or
 - c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or
 - d) as approved through the process outlined for out of hours works.
- Construction works may be undertaken outside of the hours specified under the above condition with the prior written approval of the Secretary. Any request to undertake out-of-hours works shall be:
 - a) considered on a case-by-case or activity-specific basis;
 - b) accompanied by details of the nature of and justification for the activities to be conducted;
 - c) accompanied by written evidence to the Secretary that appropriate consultation with potentially affected sensitive receivers and notification of relevant council(s) (and other relevant agencies) has been and will continue to be undertaken; and
 - d) accompanied by a noise impact assessment consistent with the requirements of the *Interim Construction Noise Guideline* (DECC 2009).
 - e) accompanied by details of the noise mitigation measures that will be put in place.
- Any work generating high noise impact (e.g. rock hammering) must only be undertaken:
 - a) between the hours of 8:00am and 6:00pm Monday to Friday;
 - b) between the hours of 8:00am and 1:00pm Saturday; and

c) in continuous blocks of no more than 3 hours, with at least a 1 hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers.

For the purposes of this condition 'continuous' includes any period during which there is less than a 1 hour respite between ceasing and recommencing any of the work the subject of this condition.

- No blasting shall occur without the approval of the Secretary.
- Prior to the start of construction the proponent must prepare a Construction Noise and Vibration Management Plan that is consistent with the guidelines contained in the *Interim Construction Noise Guideline* (DECC 2009) and details how construction noise and vibration impacts will be minimised and managed across the project.
- An Environmental Noise Construction Work Method Statement, based on the detailed design and finalised work methods, must be prepared for the work site to detail noise mitigation and management measures. The Environmental Noise Construction Work Method Statement shall include the following at a minimum:
 - a) identification of sensitive noise receivers likely to be impacted by construction noise and vibration;
 - b) identification of applicable Construction Noise Management Levels, vibration criteria and ground-borne noise levels, as relevant;
 - c) details of construction activities and a schedule for construction works for each work site;
 - d) identification of construction activities that have the potential to generate noise and/or vibration levels exceeding the relevant criteria;
 - e) a detailed description of what feasible and reasonable actions and measures would be implemented to ensure, to the greatest extent practicable, that these works would comply with the relevant noise objectives and vibration criteria;
 - f) procedures for notifying residents of construction activities that are likely to result in noise or vibration impacts, and procedures for responding to noise and vibration complaints; and
 - g) a description of how the effectiveness of management and mitigation measures would be monitored during construction, how often this monitoring would be conducted, how the results of this monitoring would be recorded, and the actions that would be taken if any non-compliance is detected.
- Any construction activities identified as exceeding the Construction Noise Management Levels and/or vibration criteria shall be managed in accordance with a Construction Noise and Vibration Management Plan and Environmental Noise Construction Work Method Statement.

The EPA further recommends that any conditions of approval for the project require the proponent to coordinate works with other works in the vicinity of the project to minimise impacts on and maximise respite for the affected sensitive receivers.

Operational noise and vibration

In previous comments on the SEARs the EPA recommended that the EIS include an assessment of the impacts of surrounding land uses on the proposed Site 68 development, including an assessment of the impacts of noise from the Olympic Park Rail Line and SOPA events. Consistent with this recommendation, the SEARs included the following requirement:

"Assess the impacts on the proposed development from surrounding land uses, including noise from the Olympic Park Rail Line and Sydney Olympic Park events."

Table 1 of the EIS indicates that this requirement has been addressed in Section 8.2.3 and within the Noise and Vibration Assessment provided at Appendix L. However, while the issue has been addressed in the Acoustic Assessment (Appendix L), it has not been adequately addressed in Section 8.2.3. Noise impacts on the proposed development from events within Sydney Olympic Park and the Olympic Park Rail Line are

considered to be key issues. The EPA therefore recommends that these issues are addressed in the Conditions of Consent in consideration of the results and recommendations of the Acoustic Assessment provided at Appendix A to the EIS.

Groundwater and surface water management

The EPA notes that it is likely that groundwater and rainwater will need to be removed from excavations on site during construction and that the construction site will need to be managed to prevent off-site transport of soils and sediment and other pollutants to waterways.

The EPA recommends the following Conditions of Consent:

- Any water discharged from the site to stormwater or waterways must meet relevant ANZECC guidelines.
- Appropriate soil and water management measures that are consistent with the guidelines of the *'Managing urban stormwater: soils and construction'* publications (including *Volume 1 – Blue Book* and *Volume 2A – Installation of Services*) shall be implemented during construction.

There may be a need for ongoing groundwater discharge after project completion. The EPA notes that the issue of groundwater contamination and management has been discussed in the EIS and that the EIS identifies both the need for further assessment of groundwater and the need for further consideration of drainage requirements during detailed design.

The EPA therefore recommends that the Conditions of Consent include requirements for the further assessment of groundwater, and the ongoing management and discharge of groundwater, including contaminated groundwater.

Contamination

The EPA notes that the EIS has included a Preliminary Contamination Assessment and that a number of potentially contamination issues have been identified. The EPA recommends that the Conditions of Consent include requirements for the further assessment and management of contamination, including requirements for further assessment and management of the materials that are to remain on site and requirements for the assessment and classification of materials to be disposed of in accordance with relevant guidelines.

Dust

The EPA recommends a condition of consent be included that requires off-site emissions of dust from the construction site to be minimised.

Waste management

The EPA recommends a Condition of Consent requiring all waste generated on site be classified and disposed of in accordance with the *Waste Classification Guidelines* (DECC 2008).

The EPA also recommends a Condition of Consent requiring the proponent to develop and implement a construction waste management plan to maximise resource recovery and recycling of construction waste materials, and ensure appropriate handling of construction and demolition waste.