

Response to Council's Request for Additional Information DA/906/2019 – Liverpool Civic Place Early Works DA

Item Raised		Proponent's Response
Council 12/03/2020		
1. Council's Environmental Health Section		
1.01	Statement of Environmental Effects <i>Table 14 of the SEE notes Work Cover for compliance with removal of Asbestos, when it should be SafeWork NSW.</i>	The Statement of Environmental Effects has been updated accordingly (see Attachment A).
1.02	Waste Management Plan <i>The Waste Management Plan has been deemed insufficient in that the plan is almost silent on the removal and lawful disposal of soils (VENM, ENM and GSW) as well as rock.</i> <i>Section 2.1 Waste Streams, notes that the project will produce the following waste streams having the following waste classifications;</i> - Concrete – General Solid waste - Masonry (Brick) – General Solid Waste - Steel reinforcement – General Solid Waste - Rubbish – General Solid Waste - Timber – General Solid waste - Hazardous Materials (Asbestos) - See Asbestos Removal Control Plan (ARCP). No Asbestos disposed of by DECC - Timber – is to be disposed of to an authorised landfill <i>General earth, such as soil, sandstone, rock etc. has not been discussed.</i> <i>Section 2.3 Stockpile Management does include VENM including shale, silty clay and sandstone.</i> <i>Table 1 – Waste Management Statistics discusses the estimated tonnage of waste divided by material. The largest amount of waste from the development will be approximately 200,000 tonnes of excavated earth with no destination indicated.</i> <i>The applicant / consultant is required to provide further information on where the earth is likely to be transported, recycled and/or disposed of. The Waste Management Plan is to be amended to demonstrate compliance with the Waste</i>	A revised Construction Waste Management Plan (CWMP) has been prepared by DECC and is provided at Attachment B. As identified in Attachment B: - Section 2.1 has been updated to address general earth waste streams. - Section 2.2 has been updated to identify that soil can then either be disposed of at an EPA licensed landfill facility (for re-use or waste purposes). Such materials may be classified as VENM, ENM, General Solid Waste Soils or Special Waste Soils. The disposal procedure must be in compliance with the NSW EPA Waste Classification Guidelines Part 1. It is noted that the CWMP is preliminary only and will be embellished by Built's construction team as the detailed demolition and excavation methodology is developed. Any further detail can be provided via an appropriately worded condition of consent.

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	<i>Classification Guidelines published by the NSW Environment Protection Authority.</i>	

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1.03 Contamination, Ecological and Flood Report <i>The Contamination, Ecological and Flood Report prepared by Cardno summaries all of the contamination assessments undertaken on the development site. This includes the Preliminary Site Investigation and Preliminary Groundwater and Waste Classification Assessment prepared by Douglas Partners in 2016, as well as the recent 2019 Preliminary Site Investigation prepared by Douglas Partners. Cardno also reviewed the Geotechnical and Environmental Investigation Report prepared 2019 by Golder.</i> <i>As a result, the following reports/investigations are to be conducted in accordance with the findings:</i> <i>- Undertake the additional groundwater sampling as indicated by Golder (2019) to further investigate hydrocarbon and PFAS concentrations and distribution, including reporting and incorporation of any findings, and</i> <i>- Develop an Excavation Management Plan, incorporating actions including (but not limited to):</i> <i>• The functions of an Asbestos Management Plan, to enable the safe removal and management of asbestos impacted fill, including requirements for the validation of removal;</i> <i>• An Unexpected Finds Protocol, to enable management of any further identified contamination;</i> <i>• Waste classification sampling requirements, in line with EPA endorsed guidelines, to characterise spoil for off-site disposal; and</i> <i>• Management and/or treatment and disposal measures if required for groundwater during development.</i>	In correspondence with Council, dated 6 April 2020 (see Attachment C), Council confirmed that these matters can be conditioned and addressed post approval. For the purposes of conditioning the matter raised in this item, the following suggested conditions are provided. Groundwater Additional groundwater sampling was undertaken in March 2020 in response to Council's request and as per the recommendation of the original report. The further testing confirmed the findings of the original Golder report that hydrocarbons identified at Borehole 304 were not detected in the other monitoring wells which may suggest that they are localised in the fractured zone identified in that monitoring well and not present in the bulk rock at the site. Section 9.10 of the updated report identifies that "<i>Laboratory analytical results of soil and groundwater samples did not indicate evidence of gross contamination warranting additional investigation. Two rounds of groundwater sampling have been conducted in support of the application. PFAS compounds have been detected above laboratory reporting limits in three of the four monitoring wells and petroleum hydrocarbons have been detected in one monitoring well. Water quality monitoring should be conducted during excavation works to verify the selected disposal option for groundwater entering the excavation remains appropriate.</i>" Excavation <i>Prior to the issue of the relevant Construction Certificate, an Excavation Management Plan must be submitted to the PCA that incorporates the following actions:</i> <i>- The functions of an Asbestos Management Plan, to enable the safe removal and management of asbestos impacted fill, including requirements for the validation of removal;</i> <i>- An Unexpected Finds Protocol, to enable management of any further identified contamination;</i> <i>- Waste classification sampling requirements, in line with EPA endorsed guidelines, to characterise spoil for off-site disposal; and</i> <i>- Management and/or treatment and disposal measures if required for groundwater during development.</i>

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1.04 Construction Noise and Vibration Management Plan <i>The Construction Noise & Vibration Management Plan (Ref: 43144-1, Revision 002) prepared by Wood & Grieve Engineers now part of Stantec, dated 29 November 2019 has been reviewed.</i> <i>Figure 2: Overview of the site, measurement locations and surrounding sensitive receivers, does not indicate the monitoring locations known as L1 and L2, nor the attended noise level measurement location. An amendment to the figure will be required.</i> <i>Furthermore, the figure illustrates that the nearest and only residential receivers are located to the north east of the development at 39 Scott Street which is incorrect. C1 is a mixture of commercial and residential. The report will need to be amended to reflect this.</i> <i>It is noted in section 3.1.1 Background Noise, that the resulting equivalent noise levels and RBL for each period have been outlined in Table 1 for both monitors L1 and L2 however the table does not include L1. It is acknowledged that L2 is considered to represent the existing noise environment at the nearest receiver however, given the location of L1 is not indicated and that the nearest residential receiver is in fact C1, it is valuable to see the results for the L1 readings. This information is to be provided accordingly.</i> <i>Given the building identified as C1 is also residential and thus the Noise Management Level is 65 Leq,15min dB(A) the noise management exceedance level is therefore 19 dB. The consultant is to adjust the findings to incorporate the residential portion of the property identified as C1 and provide acoustic attenuation measures as necessary (if possible).</i> <i>Section 7.3 Complaint Handling Procedures and Community Liaison, states the City of Sydney on a number of occasions. The report is to be amended to state Liverpool City Council.</i>	An updated Construction Noise and Vibration Management Plan has been prepared by Stantec and is provided at Attachment D. Specifically: • Figure 2 has been updated to identify the locations the attended and unattended and noise level measurement locations. • The 300 Macquarie Street building has been correctly identified as a mixture of commercial and residential uses (C&R1). • Table 1 has been updated to include the resulting equivalent noise levels for L1. • As shown in Table 10, Stantec identifies that there will be periods of time where the noise levels generated by construction works exceed the highly noise affected level. In these instances, the early works contractor is to implement the noise mitigation measures provided in Section 7 of the Acoustic Report together with any other reasonable and feasible measures in order to reduce any potential adverse noise impact. • Section 7.3 has been amended.

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2.0 Council's Traffic Engineering Section		
2.01	<i>Council's Traffic Engineering Section has requested the submission of a revised Construction Traffic Management Plan (CTMP) addressing the following:</i> <i>i. left-in/left-out arrangement for both Scott Street and Terminus Street access points (alternatively, left-in at Terminus and left-out at Scott Street)</i> <i>ii. haulage times to be outside of the network peak period (say, 9:30am to 2:30pm)</i> <i>iii. the routes that construction vehicles will follow in accordance with the recommended left-in/left-out arrangement at both access points</i> <i>iv. RMS comments on the proposed use of Terminus Street access for construction traffic.</i>	To ensure this arrangement is enforced, Council can include an appropriate condition of consent specifically requiring these measures to be implemented and/or requiring a detailed Construction Traffic Management Plan that integrates these measures. This is appropriate as the current site situation only provides access off Terminus Street via a left in, left out arrangement. A draft condition has been provided below for Council's consideration. Construction Traffic Management Plan <i>Prior to the commencement of works, a Construction Management Plan must be submitted addressing the following:</i> - <i>left-in/left-out arrangement for both Scott Street and Terminus Street access points (alternatively, left-in at Terminus and left-out at Scott Street)</i> - <i>haulage times to be outside of the network peak period (say, 9:30am to 2:30pm)</i> - <i>the routes that construction vehicles will follow in accordance with the recommended left-in/left-out arrangement at both access points</i> - <i>RMS comments on the proposed use of Terminus Street access for construction traffic.</i>
3.0 Integrated Referral Fees		
3.01	<i>The Application was referred to WaterNSW and Roads and Traffic Authority (now known as Transport for NSW) as an Integrated Development via the DPIE's eplanning portal requiring their concurrence. Council has been advised that these concurrent agencies are still awaiting payment of the Integrated Development referral fee from the Applicant. (Below is an extract of the eplanning portal detailing the assessment status of the application by the State Agencies and attached is a Fee estimate downloaded from the eplanning portal for your action).</i>	The integrated development fees have been paid. Remittance of these fees is evidenced at Attachment E.