

APPENDIX B – Submissions



Your reference: S06/00631
Our reference: DOC 12/31972
Our contact: James Goodwin 9995 6847

Ms Christine Chapman
Senior Planner – Industry, Major Development Assessment
Department of Planning
PO Box 39
SYDNEY NSW 2001

Dear Ms Chapman,

Tooheys Brewery – Modification to Acoustic Criteria (06_0303 Mod 4)

I refer to the above Modification Application received by the Environment Protection Authority (EPA) on 6 August 2012.

In this modification application, Tooheys has sought to increase the noise limit in its Environment Protection Licence (no. 1167), to reflect noise emissions from its entire premises instead of the project limit for the upgrade approved under MP06_0303.

The EPA has been involved in ongoing discussions with regard to the proposed noise limit increase and has previously required Tooheys to assess all feasible and reasonable noise mitigation measures that could be implemented to reduce noise emissions from the premises.

Tooheys subsequently erected a noise barrier which, while it has not reduced noise levels at the most affected residence across from the site entrance, has reduced noise levels at other residences on the eastern side of Nyrang Street. The EPA considers this is a good environmental outcome.

The EPA has reviewed the information supporting the Modification Application and advises that it can support the modification on the basis of the noise limits those proposed in the Summary, Section 6, page 13 of the Arup report entitled "Tooheys Brewery, Acoustic Criteria, Modification of Acoustic Criteria", dated 19 July 2012.

Please contact James Goodwin on 9995 6847 if you have any queries regarding this letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Greg Sheehy', followed by the date '15/8/12'.

GREG SHEEHY
Manager Sydney Industry
Environment Protection Authority

Christine Chapman - Tooheys Lidcombe - Modification to Noise Limits - Mod 4

From: Glenn Francis <glenn.francis@auburn.nsw.gov.au>
To: Glenn.Hornal@planning.nsw.gov.au
Date: 9/13/2012 11:20 AM
Subject: Tooheys Lidcombe - Modification to Noise Limits - Mod 4
CC: samuel.barnard@auburn.nsw.gov.au
Attachments: Auburn Council.pdf; 0006Modification to Acoustic Criteria_1.pdf

Glenn

Good morning. Further to your request for comments regarding the proposal Council makes the following observations and recommendation as follows:

- Based on the information provided it difficult to determine how/why the original noise criteria was placed on the development consent that was issued in 2007. Based on this it is unclear whether or not the non-compliance identified in the recent acoustic reports is due to a variation of the internal operation or is due to a change in the use of the premises
- Based on the reports provided the noise measurements taken during the compliance report exceed the noise criteria, however the exceedance is not as high as the predicted noise level due to peak demands. Once again based on the information provided it is hard determine if this is consistent with information/noise levels at the time of the original consent.
- The noise reports demonstrate that consideration was given to installing a noise barrier to attenuate noise from the loading dock however the report provides that the predicted attenuation achieved by the barrier would be minimal and not effective.
- According the information the proposed modification is to increase the noise criteria for the site by 13dB (A) to be in line with the current predicted noise levels.
- As the site is currently subject to an Environmental Protection Licence issued by the EPA under the provision of the Protection of the Environment Operation Act 1997. This licence contains noise limits for the site in line with the original limits contained in the consent. It is assumed that this application has been referred to the EPA for comments/concurrence.
- It is my understanding that to date council has not received complaints from residents regarding noise from the site however this does not mean that noise from the site is not an issue. Consideration should also be given to potential for the changes to the noise criteria resulting in the operation /truck movements increasing which in turn may comply with the criteria but cause new complaints from residents.
- The limited number of complaints could also be a result of the site emitting noise levels consistent with those measured in the compliance report with the predicted noise levels only being emitted on a small number of occasions.

Council Recommendation:

Based on the history of the site and the limited (or no) complaints being received, Council does not oppose the proposed modification however as the premises is subject to an Environmental Protection licence noise limits contained on the approval for the premises should be in accordance with the licence and/or the recommendations of the EPA.

Further consideration should also be given to ensuring that the operation of the site including the number of truck movements and noise emitting activities are restricted inline with the current operation of the site.

Regards

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