

DOC20/281812-1

Mr William Hodgkinson
Department of Planning, Industry & Environment
-Via Major Projects Portal-

Dear Mr Hodgkinson

Thank you for the request for advice from Public Authority Consultation (PAE-2728), requesting the NSW Environment Protection Authority's (EPA) input on the Secretary's Environmental Assessment Requirements (SEARs) for the proposed Aspect Industrial Estate (SSD-10448) at Lots 54-58 in DP 25913, Kemps Creek NSW.

The proposal is for:

- Masterplan for 11 industrial buildings
- Demolition, bulk earthworks and importation of soil material
- Construction, fit out and use of two warehouse and distribution buildings
- Boundary stormwater management
- Internal Road network

The proposal states that *no dangerous goods are to be stored within the proposed facility*. However, the description of the scheduled activity of *general chemical storage* Clause 9 of Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) includes warehouses have the capacity to store more than 20 tonnes (pressurised gases), 200 tonnes (liquified gases) or 2,000 tonnes (chemicals in any other form).

The SEARs should require consideration of the likelihood of the development reaching the threshold of gasses and chemical storage. If there is an intention to not exceed these thresholds, describe the measures taken to ensure these thresholds are not exceeded.

Other scheduled activity descriptions should also be considered at the time of publishing to confirm whether an Environment Protection Licence may be required. The SEARs should include provisions, that if the applicant determines that a licence will be required, the risk of pollution arising from that scheduled activity is fully described.

General environmental assessment requirements are provided in **Attachment A**.

If you have any questions in relation to this letter, please contact Mr Jarrod Grimston on 9895 6602 or via email at Jarrod.Grimston@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Craig Flemming'.

20/04/2020

CRAIG FLEMMING
Unit Head Regulatory Operations Metropolitan
Environment Protection Authority

Attachment A – EPA recommendations for SEARs for Aspect Industrial Estate (SSD-10448)

ATTACHMENT A

EPA recommendations for SEARS for Aspect Industrial Estate (SSD-10448)

Noise

The EIS should include a Noise Impact Assessment that takes into consideration the impacts of construction and operational noise for the life of the proposal, including increases in vehicle movements. The NMP should be prepared in accordance with the following documents:

- *Noise Policy for Industry* (EPA, 2017);
- *Interim Construction Noise Guideline* (EPA, 2009); and
- *Assessing Vibration: a technical guideline* (EPA, 2006).

Water

In general development should maintain or restore the community's uses and values of waterways, including human and environmental health, through the achievement of relevant NSW Water Quality Objectives (WQO). The EIS should provide the following for the construction and operational phases of the proposal:

- Provide an assessment of any potential impacts of the proposal on the surface and groundwater of the area, with particular focus on water quality and the community's agreed environmental values and human uses for relevant watercourses (the NSW WQO).
- Provide a Stormwater Management Plan that outlines the general stormwater management measures for the proposal, including erosion and sediment controls, first flush systems, and the use of sustainability measures such as Water Sensitive Urban Design to create more resilient and adaptable urban environments.
- Outline opportunities for the use of integrated water cycle management practices and principles to optimise opportunities for sustainable water supply, wastewater and stormwater management across the proposal.

Air Quality

The EIS for the proposal should include an Air Quality Impact Assessment (AQIA), prepared in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales 2016*. The AQIA should include:

- Sources of all potential air emissions from the site, including vehicle movements, during construction and operation;
- Identification of sensitive receivers potentially impacted by air emissions during construction and operation;
- Assessment of potential impacts on identified sensitive receivers; and
- Details of air quality management and monitoring procedures proposed to minimise any impacts to the environment and human health during construction and operation.

Waste Management

The EIS for the proposal should include details of how waste will be managed during construction and operation, with reference to relevant EPA guidelines. This includes:

- identifying, characterising and classifying all waste that will be generated during the construction and operational phases;
- details of the quantities of waste and wastewater to be generated; and
- detailing the measures proposed to manage, reuse, recycle and/or safely dispose of waste, including any proposed stockpiling or on-site treatment of waste.

The following guidelines should be consulted when preparing the EIS:

- The *Waste Not Development Control Plan (DCP) Guideline* (EPA 2008) provides suggested planning approaches and conditions for planning authorities to consider at the development application phase in relation to waste minimisation and resource recovery. This includes consideration of demolition and construction waste and the provision of facilities and services to allow the ongoing separation, storage and removal of waste and recyclables.
- The *Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities* (DEC 2012) for commercial development proposals. This guideline can be accessed at: <http://www.epa.nsw.gov.au/resources/managewaste/120960-comm-ind.pdf>
- The NSW Waste Avoidance and Resource Recovery Strategy 2014.

Management of Dangerous Goods and Hazardous Materials

The EIS must provide details of the following for the construction and operational phase:

- Details of the type and quantity of all chemical substances to be used or stored on site; and
- Procedures for the classification, assessment, handling, storage, transport and disposal of all hazardous and dangerous materials used, stored, processed or disposed of as part of the proposal, in addition to the requirements for liquid and non-liquid wastes.

Incident Risks and Contingency Practices

The EIS must include a comprehensive assessment of the potential for incident to occur at any stage of the proposal, the measures to be used to minimise the risk of incidents, and the procedures to be employed in the event of an incident.

This concludes the EPA's submission