DOC21/1142757-11

Chris Ritchie
Director Industry Assessments
Department of Planning and Environment

3 February 2022

Via email Sheelagh.laguna@planning.nsw.gov.au

Attention: Sheelagh Laguna

EPA Advice on Revised Submissions Report – Addendum Noise Impact Assessment

Dear Mr Ritchie

Thank you for the request for advice on 23 December 2021 from Public Authority Consultation (PAE-34237526), requesting the review by the NSW Environment Protection Authority (EPA) of the Revised Submissions Report for the Sell & Parker Pty Ltd (the Proponent) proposed Kings Park Metal Recovery and Recycling Facility Expansion (SSD-10396) (the Proposal) at 23-43 and 45 Tattersall Road, Kings Park (the Premises).

This letter addresses issues related to the noise assessment for this development. The EPA is currently preparing a response to address air quality issues and it will be provided as soon as possible.

On 31 August 2021, the EPA provided the Department of Planning, Industry and Environment, now the Department of Planning and Environment (DPE), comment (DOC21/666127-17) on the Proponent's previous response to Submissions Report:

- *Kings Park Metal Recovery and Recycling Facility Expansion Response to Submissions* – Arcadis – 2 August 2021 (the *RTS Main Body*); and
- *Appendix C Addendum Noise Impact Assessment* – Renzo Tonin and Associates – 10 June 2021.

The Proponent has responded to the EPA's comments in the *Kings Park Metal Recovery and Recycling Facility Expansion - Addendum Noise Impact Assessment* - 20 December 2021 - Sell & Parker – prepared by Renzo Tonin and Associates *(TK653-06F01 Report (r6).docxA) (*Addendum NIA*).*

The Addendum NIA has satisfactorily addressed some of the issues raised by the EPA on the 31 August 2021. However, the EPA requests DPE ask the Proponent to revise the Addendum NIA to consider the following:

Phone 131 555
Phone +61 2 9995 5555
(from outside NSW)

TTY 133 677
ABN 43 692 285 758

Locked Bag 5022
Parramatta
NSW 2124 Australia

4 Parramatta Square
12 Darcy St, Parramatta
NSW 2150 Australia

info@epa.nsw.gov.au
www.epa.nsw.gov.au

Matters to be addressed prior to determination

a. Model validation using LAmax events

Section 7.2 of the Addendum NIA indicates that the Premises is periodically audible at the residential locations to the east (Charles and Anthony Street Blacktown), however a clear signal could not be obtained for a fifteen minute period to obtain an LAeq,15minute,dB level.

The Addendum NIA has relied on noise model validation at the Premises' eastern and western boundaries. Validation at points so close to the activities under consideration has limited utility given that factors in the model such as ground absorption, atmospheric absorption, barrier effects, topography, meteorology are not being validated at such close locations.

Maximum noise events to the east of the Premises are the major source of concern for the community. As these are being predicted by the model, the EPA considers it appropriate to validate the noise model by capturing LAmax events at the residential receivers to the east of the Premises.

The DPE has informed the EPA that a DPE officer undertook noise measurements in the vicinity of 13 Anthony Street Blacktown in the morning shoulder period on Friday 28/1/2022. The DPE officer recorded LAmax levels correlated with audible events purportedly from the Premises in the range of 55-76dB. These measured levels significantly exceed the predicted LAmax levels (predicted upper level of LAmax 50dB) in the Addendum NIA for that location. This highlights the need for effective noise model validation to ensure that impacts are accurately reported and appropriate mitigation measures considered.

b. Objective assessment of modifying factor relevance

The EPA's comments of 31 August 2021 requested an "objective assessment" to demonstrate whether the *Noise Policy for Industry* (NPfI) Fact Sheet C modifying factors adjustments are relevant to the assessment. While the Addendum NIA states an objective assessment has been undertaken, the data relied on to support these statements and conclusions, or the results of the analysis, has not been presented in the Addendum NIA.

The EPA requests the Addendum NIA be updated to include the quantitative assessment.

c. Objective assessment of modifying factor relevance

The Proposed activity involves intermittent and potentially impulsive events from metal handling activities. While the NPfI does not apply a modification factor for impulsive events, it does require that mitigation is considered to eliminate these events to the extent that is practicable.

The Addendum NIA at Section 7.3 identifies raising the eastern boundary noise barriers from 8m to 16m as the only additional physical mitigation measure considered reasonable. Enclosure of noise producing plant has been deemed not reasonable.

Section 7.3 also identifies that dropping waste materials from a lower height will have noise benefits and that this constitutes existing practice. However, the current noise management plan for site (submitted with the Addendum NIA) does not include any practices, controls or corrective actions to reduce or eliminate poor materials handling practices.

Both physical and operational controls to ensure best practice material handling practices are key measures to reduce or eliminate unacceptable short-term noise impacts. For example, video monitoring or optical sensors with alerts to ensure that materials are dropped into receival areas (e.g. hammer mill and shears) at the optimal height to reduce impact noise.

The EPA recommends the proponent prepare a Noise Management Plan that documents both physical and operational control measures to ensure that materials are handled in a proper and efficient manner. This should be provided prior to approval as it relates to the ultimate performance of the activity.

d. Sound power levels for site activities

The Addendum NIA at Table 7.2 presents the sound power levels for site activities. For both the hammer milling and metal shearing activities, the comments note that several activities potentially contributed to the derived sound power level, for example: "*Hammer milling – includes noise from hammer mill, front end loaders pushing materials, crane loading materials into hammer mill and trucks dumping materials into stockpiles".*

The description of activities in Table 7-2 suggests various activities with potentially varying distances to the monitoring position. To ensure the derived sound power level is sensitive to the distance of the monitoring location from the actual event, the EPA requests the Addendum NIA be updated to include:

- measured LAmax levels;
- cause(s) of the maximum levels; and
- how far away was the monitoring position from the event(s).

e. Predicted noise levels in Addendum NIA Table 7.7 and 7.8

The EPA requests the predicted noise levels in Table 7.7 and 7.8 of the Addendum NIA be updated so that the modelling of morning shoulder period predictions includes the night-time temperature inversion and associated wind conditions.

For receivers in NCAs 1A, 1B, 1C, 1D and 1E the EPA requests the Addendum NIA be updated to explain why predicted noise levels under temperature inversion conditions are equal to or higher than predictions with both source to receiver winds and temperature inversion conditions.

The Addendum NIA should be updated to demonstrate that the receiver locations selected in each noise catchment area represent the receiver with the highest predicted noise level. For example, Receiver R1E is predicted to experience a noise level of 37dB(A) during the morning shoulder period under calm conditions in Table 7.7; however "Figure 3 – Operational noise contours for shoulder period during calm conditions, LAeq,15min" suggests that the most affected receivers are further to the south near 5-7 Raymond Street and will experience levels between 39-40dB(A). This is the same situation for day and evening calm conditions.

If you have any questions about this request, please contact Damien Rose on (02) 9995 5586 or via email at damien.rose@epa.nsw.gov.au.

Yours sincerely

MITCHELL BENNETT
Unit Head, Statutory Planning