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**EPA Advice on Response to Agency Comments for proposed Jalco Manufacturing Facility,
Horsley Park (SSD 21190804)**

Dear Rebecka

Thank you for the request for advice from Public Authority Consultation (PAE-44263892), requesting the review by the NSW Environment Protection Authority (EPA) of the Response to Submissions (Response to Agency Comments) for the proposed Jalco Manufacturing Facility (SSD 21190804) at Warehouse 1, Lot 201, Horsley Logistics Park.

The EPA has reviewed the following documents:

- *Response to Agency Comments SSD-21190804 Jalco Manufacturing Facility – Urbis Pty Ltd – 26 May 2022*
- *HORSLEY LOGISTICS PARK SSD 10436 Lot 201 Warehouse 1 Internal Operations Operational Noise Impact Assessment (Version No: -v2.0) – SLR Consulting Australia - 26 May 2022 - reference: 610.19360-R08 (Post-RtS NIA)*
- *HORSLEY LOGISTICS PARK Lot 201 - Warehouse 1 Air Quality Impact Assessment (Version No: -v4.0) – SLR Consulting Australia Pty Ltd – 26 May 2022 – reference: 610.19360-R04 (Post RtS AQIA)*

The EPA notes the Response to Agency Comments and associated documents have satisfactorily addressed all of the items raised in the EPA's submissions on this project from 10 January 2022 (EPA Ref: DOC21/1027113-7) and 25 March 2022 (EPA Ref: DOC22/160370-17).

Based on the information provided, the proposal will require an environment protection licence (licence) under clause 8(2) of Schedule 1 of the *Protection of the Environment Operations Act 1997* (the POEO Act) for the production of soap and detergent products. Under Sch 1, clause 8(2) of the POEO Act, an activity requires a licence if there is a capacity to produce more than 5,000 tonnes of soap and detergent a year. If this proposal is approved, a separate application for a licence must be made to the EPA by the occupier of the premises before the activity is undertaken.

The EPA now provides its finalised comments and recommendations for this project below, and in Attachment A, Consolidated Recommended Conditions. These conditions would be reflected in an Environment Protection Licence.

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1. Matters to be addressed with conditions

a. Noise

The EPA recommends that project specific noise limits are applied to the consent.

The proposed Jalco Manufacturing Facility is sited within the Horsley Logistics Park which has been approved under SSD 10436. The consent for SSD 10436 contains noise limits for the Horsley Logistics Park as a whole.

The EPA notes that the assessment basis for the proposal has been focused on the cumulative impact of all premises operating within the Logistics Park. However, Environment Protection Licence noise limits would only apply to the noise from the Jalco premises which the EPA would regulate. Therefore, the limits proposed by the EPA in Attachment A are specific only to the Jalco Manufacturing Facility (this Proposal).

The noise limits have been set at the *Noise Policy for Industry 2017* (NPfI) minimums, as the Post-RtS NIA has stated that these are achievable with practical control measures required to meet the cumulative noise limits placed on them by another Planning Approval (SSD 10436).

The noise limits have been set to apply under noise enhancing meteorological conditions. The Post-RtS NIA uses neutral meteorological conditions during the day and evening and noise-enhancing meteorological conditions at night. Whilst during the evening period, one or two locations were predicted to be close to the noise limit under neutral conditions, they are at such a close distance to the premises it would appear that the influence of adverse meteorological conditions is likely to be minimal. Predictions in the Post-RtS NIA during the night period for neutral and noise-enhancing conditions appear to support this position.

Monitoring requirements are not proposed at this stage as the EPA considers in the context of the area and the predicted noise levels, this premises appears be lower risk. If noise is found to be an issue for the premises the EPA would consider incorporating monitoring requirements into the Environment Protection Licence.

b. Air

The EPA recommends that air quality and odours are managed through conditions on an Environment Protection Licence

The EPA considers the information provided in the Post-RtS NIA adequately addresses previously identified deficiencies. The EPA notes the following:

- dispersion modelling predicts compliance with the EPA's odour impact assessment criterion at neighbouring sensitive receptors
- odorous sources are fitted with extraction and pollution control
- activated carbon filters are designed to achieve 90%-95% adsorption of odorous compounds
- contingency options have been identified should further reduction of odour be required
- identified residual odour risk could be mitigated via proper and efficient operation and diligent management.

The operating, odour and special conditions outlined in Attachment A are proposed to be included in the Environment Protection Licence to address any residual odour risk.

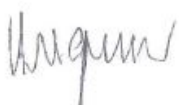
c. Water

The EPA recommends conditions prohibiting pollution of water are added to the consent and to the Environment Protection Licence

The EPA has previously provided comments and recommended conditions in relation to water. The EPA has no further comments regarding water. The recommended conditions are included in Attachment A: Consolidated Recommended Conditions.

If you have any questions about this request, please contact Larissa Borysko on (02) 9995 6843 or via email at Larissa.borysko@epa.nsw.gov.au

Yours sincerely



17 June 2022

Hamish Campbell
Unit Head - Regulatory Operations
NSW Environment Protection Authority

Attachment A: Consolidated Recommended Conditions

Noise Limit Conditions

LX.1 Noise generated at the premises must not exceed the noise limits at the times and locations in the table below.

Location	Noise Limits in dB(A)			
	Day	Evening	Night	Night
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{AFmax}
All residential receivers	40	35	35	52

LX.2 For the purposes of condition LX.1:

- Day means the period from 7am to 6pm Monday to Saturday and the period from 8am to 6pm Sunday and public holidays.
- Evening means the period from 6pm to 10pm.
- Night means the period from 10pm to 7am Monday to Saturday and the period from 10pm to 8am Sunday and public holidays.

LX.3 Noise-enhancing meteorological conditions

- The noise limits set out in condition LX.1 apply under the following meteorological conditions:

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Evening	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Night	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level; or Stability category E and F with wind speeds up to and including 2m/s at 10m above ground level.

- For those meteorological conditions not referred to in condition LX.3(a), the noise limits that apply are the noise limits in condition LX.1 plus 5dB.

LX.4 For the purposes of condition LX.3:

- The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as HORSLEY PARK EQUESTRIAN CENTRE AWS (Station ID: 067119)
- Stability category shall be determined using the following method from Fact Sheet D of the *Noise Policy for Industry* (NSW EPA, 2017):
 - Use of sigma-theta data (section D1.4).

LX.5 To assess compliance:

- with the L_{Aeq}(15 minutes) or the L_{Amax} noise limits in condition LX.1 and LX.3, the noise measurement equipment must be located:
 - approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to premises; or where applicable,

- (ii) in an area within 30 metres of a residence façade, but not closer than 3 metres where any residence on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable,
- (iii) in an area within 50 metres of the boundary of a National Park or Nature Reserve,
- (iv) at any other location identified in condition LX.1

- b) with the $L_{Aeq(15 \text{ minutes})}$ or the L_{Amax} noise limits in condition LX.1 and LX.3, the noise measurement equipment must be located:
 - (i) at the reasonably most affected point at a location where there is no residence at the location; or,
 - (ii) at the reasonably most affected point within an area at a location prescribed by condition LX.5 (a).

LX.6 A non-compliance of conditions LX.1 and LX.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at the locations referred to in condition LX.5 (a) or LX.5 (b).

NOTE to LX.5 and LX.6: The reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest sound pressure level from the premises.

LX.7 For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the *Noise Policy for Industry* (NSW EPA, 2017) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.

LX.8 Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

Note: The EPA has published an [Approved Methods for the Measurement and Analysis of Environmental Noise](#). The licence would require the measurement and analysis of noise required by the licence to be done in accordance with the Approved Methods.

Additions to Definition of Terms of the licence

- Noise Policy for Industry - the document entitled “*Noise Policy for Industry*” published by the NSW Environment Protection Authority in October 2017.
- Noise – ‘sound pressure levels’ for the purposes of conditions LX.1 to LX.8.
 - $L_{Aeq(15 \text{ minute})}$ - the value of the A-weighted sound pressure level of a continuous steady sound that, over a 15 minute time interval, has the same mean square sound pressure level as a sound under consideration with a level that varies with time (Australian Standard AS 1055:2018 *Acoustics: description and measurement of environmental noise*).
 - L_{AFmax} – the maximum sound pressure level of an event measured with a sound level meter satisfying Australian Standard AS IEC 61672.1-2013 *Electroacoustics - Sound level meters - Part 1: Specifications* set to ‘A’ frequency weighting and fast time weighting.

Operating Conditions

- OX.1** All plant and equipment installed at the premises or used in connection with the licensed activity:
- (a) must be maintained in a proper and efficient condition; and
 - (b) must be operated in a proper and efficient manner
- OX.2** The premises must be maintained in a condition which minimises or prevents the emission of air pollution from the premises.
- OX.3** All operations and activities occurring at the premises must be carried out in a manner that will prevent or minimise the emissions of air pollution from the premises.
- OX.4** Prior to operation of the facility, the Licensee must prepare and implement a detailed carbon breakthrough monitoring and management strategy to ensure the proper and efficient operation of all Odour Control Systems, including the carbon filters.

Odour Conditions

- OY.1** The proponent must not cause or permit the emission of offensive odour beyond the boundary of the premises.

Note: Section 129 of the *Protection of the Environment Operations Act 1997* provides that the licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

- OY.2** No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the *Protection of the Environment Operations Act 1997*.

Special Conditions

- E.1** Within six months of commissioning, the Licensee must engage a suitably qualified air quality consultant to undertake a site-specific odour audit.

In undertaking the odour audit, the Licensee should also have regard to the following documents:

- a) SLR Consulting Australia Pty Ltd, *Air Quality Impact Assessment, Jalco Group Pty Ltd, Horsley Logistics Park, Lot 201 - Warehouse 1*, (26 May 2022), SLR Ref: 610.19360-R04 Version No: -v4.0 (SLR, May 2022)
- b) NSW EPA, 2022, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW
- c) NSW EPA, 2006, Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW.
- d) NSW EPA, 2006, Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW.

- E.2** The odour audit must;
- identify all significant sources of odour at the Jalco Manufacturing Facility premises, including, but not limited to;

- The mixing tanks and bulk tanks carbon filter outlet
 - The filling lines and dispensary carbon filter outlet
 - The Wastewater Treatment Plant outlets (including the DAF, sludge storage tank and balance tank)
- a) determine the odour concentration and emission rate for all significant odour sources that have been identified under E2.a), through site specific sampling of significant odour sources. All sampling and analysis must be undertaken in accordance with the methodologies set out in the EPA's Approved Methods for the Sampling and Analysis of Air Pollutants in NSW, (2021).
 - b) compare the results of site-specific sampling obtained from E.2b) with the emission concentrations and rates adopted in the AQIA (SLR, May 2022)
 - c) include an evaluation of the performance of odour mitigation and management measuring implemented at the premises, including carbon filter(s)
 - d) include details and analysis of any odour complaints received, and any actions taken to address verified complaints.
 - e) where analysis, information, or data under E.2(b), E.2(c), E.2(d), and/or E.2(e) indicates the potential for adverse odour beyond the site boundary investigation into additional reasonable and feasible mitigation measures must be conducted
 - f) include the nomination of a time frame to implement any additional measures identified in E.2(f)

E.3 By <date TBD> the Licensee must submit the odour audit to the EPA Manager – Regulatory Operation Metro West.

Other Limit Conditions

LY.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the *Protection of the Environment Operations Act 1997*

LY.2 The licensee must store all chemicals, fuels and oils used on site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards