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15 August 2024

Christopher Eldred  
Senior Planning Officer  
Department of Planning, Housing and Infrastructure  
Via: *Major Projects Planning Portal*

**Huntlee New Town Stage 2 (SSD-70748466) – Huntlee Pty Ltd**  
**EPA Comments on Concept Development Application**

Dear Mr Eldred,

I refer to your invitation to the NSW Environment Protection Authority (EPA) to provide comment on the Environmental Impact Statement (EIS) for the above proposal located at Lots 3 and 4 DP 813163, Lots 11, 12 and 13 DP 1137569, Lot 240 DP 1105591 and Lots 695 and 696 DP 1263808, as well as part of Lot 14 DP 1137569.

The EPA understands that the proposal is a concept Development Application for the future development of 541.71 hectares of land comprising:

- Overall Stage 2 development footprint, including:
  - Village 2 North, Central and South,
  - Village 3 North and South,
  - Town Centre North,
  - Town Centre West and East, and
  - A large lot residential area located to the south of the site on Old North Road.
- Proposed land use and development yield, including the provision for subdivision of approximately 4,000-5,000 lots.
- Associated new road network and required upgrades to existing network.
- Site-wide open space and riparian areas.

Before any development commences, the proponent should consider whether any aspects of the proposal fall within Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act), which would require an Environment Protection Licence. Specifically, the proponent should consider if the proposed contaminated soil works falls within the scheduled activity definition of “Contaminated Soil Treatment”, outlined as follows.

**15 Contaminated soil treatment**

- (1) *This clause applies to **contaminated soil treatment**, meaning the on-site or off-site treatment of contaminated soil (including, in either case, incineration or storage of contaminated soil but excluding excavation for treatment at another site).*
- (2) *The activity to which this clause applies is declared to be a scheduled activity if—*
  - (a) *in any case, it has the capacity to treat more than 1,000 cubic metres per year of contaminated soil received from off site, or*
  - (b) *where it treats contaminated soil originating exclusively on site, it has a capacity—*
    - (i) *to incinerate more than 1,000 cubic metres per year of contaminated soil, or*
    - (ii) *to treat (otherwise than by incineration) and store more than 30,000 cubic metres of contaminated soil, or*
    - (iii) *to disturb more than an aggregate area of 3 hectares of contaminated soil.*

Phone 131 555

TTY 133 677

Locked Bag 5022

6-8 Parramatta Square

[info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

Phone +61 2 9995 5555

ABN 43 692 285 758

Parramatta

10 Darcy St, Parramatta

[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

(from outside NSW)

NSW 2124 Australia

NSW 2150 Australia

The EPA has included recommended conditions in **Attachment A** and requests the Department of Planning, Housing and Infrastructure consider this advice in the assessment of this proposal.

Please contact Afnan Fazli on 02 8275 1455 or email [environmentprotection.planning@epa.nsw.gov.au](mailto:environmentprotection.planning@epa.nsw.gov.au) if you wish to discuss this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jackson', written in a cursive style.

**CHRISTIE JACKSON**  
**Unit Head - Environment Protection Planning**  
**NSW Environment Protection Authority**

## ATTACHMENT A - EPA RECOMMENDED CONDITIONS OF CONSENT

**Construction Noise** – All construction noise impacts must in accordance with the *Draft Construction Noise Guidelines* (NSW EPA 2020).

**Water Quality** – The proponent must ensure erosion and sediment controls are designed, documented, constructed, operated, and maintained consistent with the principle and practices of industry best practice, including:

- a) *Managing Urban Stormwater: Soils and Construction, Volume 1, 4th Edition* (Landcom, 2004)
- b) *Best Practice Erosion and Sediment Control* (IECA 2008)

**Waste** – All aspects of waste generation, management and disposal associated with the proposed development must be documented and comply with all regulatory requirements of the *Protection of the Environment Operations Act* (1997) and associated waste regulations.

All wastes imported onto the site or generated at the site must be identified, characterised and classified in accordance with the *Waste Classification Guidelines Part 1: Classifying Waste* (EPA 2014).

**Contaminated Land Management** – An assessment of site contamination in accordance with the *Consultants Reporting on Contaminated Land: Contaminated Land Guidelines* (EPA 2020).

<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/contaminatedland/20p2233-consultants-reporting-on-contaminated-land-guidelines.pdf>.

The EPA notes that a Detailed Site Investigation (DSI) is being undertaken by the proponent. The DSI must consider the following:

- Consideration should be given to the use of site auditor accredited under the Contaminated Land Management (CLM) Act 1997. The site auditor could be engaged to provide a site audit statement (SAS) and accompanying site audit report (SAR) certifying suitability of the land for the proposed land use.
- The following guidance, as relevant, should be considered, when assessing contamination at the site:
  - NSW EPA Sampling Design Guidelines:  
<https://yoursay.epa.nsw.gov.au/sampling-design-guidelines>
  - Guidelines for the NSW Site Auditor Scheme (3rd edition) 2017  
<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/contaminatedland/17p0269-guidelines-for-the-nsw-site-auditor-scheme-third-edition.pdf>
  - The National Environment Protection (Assessment of Contamination) Measures 2013 as amended.
- The processes outlined in State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land be followed and documented, to assess the suitability of the land and any remediation required in relation to the proposed use.
- The risk of disturbing acid sulfate soils must be assessed in accordance with the *Acid Sulfate Soil Manual* (NSW Acid Sulfate Soil Management Advisory Committee 1998).
- The EPA should be notified under Section 60 of the CLM Act for any contamination identified which meets the triggers in the Guidelines for the Duty to Report Contamination  
<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/150164-report-landcontamination-guidelines.pdf>

**Air Quality** – All activities during construction must be carried out in a manner that will minimise the generation and emission of air pollution from the site as much to the greatest extent practicable. All controls that will be used to manage dust emissions during construction must be documented.