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Shaun Williams
Planning and Assessment Division
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124
Email: shaun.williams@planning.nsw.gov.au

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EPA Advice on Submissions Report – Proposed Snack Brands Facility – SSD – 18204994

Dear Shaun

Thank you for the request for advice from Public Authority Consultation (PAE-28034040), requesting the review by the NSW Environment Protection Authority (EPA) of the Response to Submissions Report for the proposed Snack Brands Australia Industrial Food Manufacturing Facility (Application SSD-18204994) at 2 and 14 Distribution Drive, Orchard Hill.

The EPA has reviewed the following documents:

- Response to Submissions: Proposed Industrial Food Manufacturing Facility (Version No. 1) - Willowtree Planning - 3 February 2022
- Noise Emission Assessment of Warehouse Expansion (TL950-01D02 SSDA Acoustic Assessment (r4)) – Renzo Tonin & Associates – 16 December 2021.

As discussed, the EPA is still reviewing the:

- Air Quality & Odour Impact Assessment (21.1083.FR2V2) – Northstar Air Quality – 23 August 2021
- Existing Operations Complaints, including Snack Brands Odour Assessment, 2128298 – GHD – November 2019
- Snack Brands Australia – Environmental and Sustainability Policy – Document ID: ESN-001P – 7 February 2020

The EPA understands the proposal is for the:

- construction of a manufacturing facility, including conversion of part of the existing distribution warehouse facility to manufacturing, that will operate 24 hours a day to produce potato and corn chip products
- construction of a wastewater treatment plant
- storage of bulk oil and dangerous goods.

Based on the information provided, the proposal will require an environment protection licence under Clause 2 of Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) for agricultural processing. Under Sch 1, Clause 2 of the POEO Act, an activity requires a licence if there is a capacity to produce more than 30,000 tonnes of agricultural produce per year.

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

The EPA has reviewed the Response to Submissions Report and the Noise Emission Assessment of Warehouse Expansion and notes that it has not addressed the EPA's submission on this project from 26 October 2021. The EPA is therefore not in a position to recommend conditions.

The EPA has the following additional comments and recommendations:

1. Matters to be addressed prior to determination

a. Noise and vibration

The EPA has reviewed the Response to Submissions: Proposed Industrial Food Manufacturing Facility (Version No. 1) - Willowtree Planning - 3 February 2022 (RtS Report) and Noise Emission Assessment of Warehouse Expansion (TL950-01D02 SSDA Acoustic Assessment (r4)) – Renzo Tonin & Associates – 16 December 2021 (NIA).

The EPA's review of the NIA has identified a number of issues that will need to be addressed. In particular:

- Uncertainties regarding the assessment and noise impact of filling corn silos
- The lack of analysis and recommendation of feasible and reasonable mitigation for noise levels associated with filling corn silos.

Further details are provided in *Attachment A. Comments on Noise Emission Assessment of Warehouse Expansion (TL950-01D02 SSDA Acoustic Assessment (r4)) – Renzo Tonin & Associates – 16 December 2021 (NIA)*.

Without clarifying what the expected performance of the silos will be under various operating and meteorological conditions, the EPA is not in a position to recommend noise conditions for this SSD.

2. Matters to be addressed with conditions

a. Water

The EPA has no further comments regarding water and makes no changes to the recommended conditions made in its submission to the EIS.

3. Outstanding Comments from the EPA

a. Air quality and odour

The EPA is still reviewing the updated air and odour assessment.

As agreed with DPE, EPA will provide comments on the above listed assessment by no later than 9 March 2022.

If you have any questions about this request, please contact Joanne Bell on 9274 6285 or via email at joanne.bell1@epa.nsw.gov.au.

Yours sincerely



Jacqueline Ingham
Unit Head
REGULATORY OPERATIONS

Attachment A. Comments on Noise Emission Assessment of Warehouse Expansion (TL950-01D02 SSDA Acoustic Assessment (r4)) – Renzo Tonin & Associates – dated 16 December 2021 (NIA)

Uncertainties regarding the assessment and noise impact of filling corn silos

It is not clear if the NIA's assessed scenarios represent a reasonable worst-case scenario, nor if they appropriately consider noise levels for corn delivery and whether the predicted levels in Table 4.6 include filling corn silos or not.

There appears to be confusing statements in the NIA regarding filling corn silos. For example, page 16 of the NIA states: *"the silos are proposed to be housed in internal areas, and provided this is the case, noise from their loading will not contribute to the external noise emission. This is reflected in the recommendations in section 4.4"*. However, there are no recommendations regarding the corn silos placement or building envelope in NIA Chapter 4.4.

Furthermore, in NIA Chapter 4.3.2, it states that there is a predicted exceedance of 5 dB at one receiver from corn filling silos during the day under noise-enhancing conditions. There is no table of predicted noise levels and no statement on the impact at any other receiver. Therefore it's not clear how the corn silo filling has been assessed in the NIA and what the noise level at all receivers will be, or if corn silos will be within a building and if they will cause the exceedances predicted in NIA Chapter 4.3.2.

The lack of analysis and recommendation of feasible and reasonable mitigation for noise levels associated with filling corn silos

There does not appear to be any analysis and recommendation of feasible and reasonable mitigation for these noise levels. Instead, the NIA attempts to justify the noise levels as reasonable, using the arguments put forward in Chapter 4.3 for corn silo filling during the day. However, these justifications do not appear reasonable for the following reasons:

- Use of the duration correction in this case is not appropriate. NPfI Fact Sheet C states that the duration adjustment *"...is designed to account for unusual and one-off events, and does not apply to regular and/or routine high-noise level events."* Since corn silo filling is a routine activity, the duration adjustment cannot be applied to it
- The analysis of noise-enhancing meteorology does not appear to consider that previous assessments for the Snack Brands facility and the industrial sub-division in SSD 9429 and SSD 7173, which have informed project approval noise limits, used noise-enhancing conditions. Furthermore, the analysis of the significance of wind is incomplete as it has only considered receivers at one orientation from the premises. Fact Sheet D states that *"noise limit conditions will include the wind speed (scalar quantity without direction) under which noise limits will apply."* Therefore, if feature winds are identified for any other receivers at any other orientation, then noise-enhancing meteorology for feature winds apply to all receivers. This means that the meteorological analysis must consider all surrounding receivers, not simply one receiver at one orientation
- It appears that the applicant has compared previous background noise measurements to noise generated by the premises, in an attempt to minimise potential impacts. This is not relevant and should not be considered further. The NIA has already set out the proposed noise limits, based on existing project approvals and cumulative noise considerations in NIA Chapter 3 and so comparison to background noise levels appears irrelevant and/or contradictory to the statements made in NIA Chapter 3.