E T H O S U R B A N

6 June 2022

2210861

Chris Ritchie Director – Industry Assessments 4 Parramatta Square 12 Darcy Street Parramatta NSW 2150

Dear Chris

RE: Main Response Report - Kings Park Metal Recovery and Recycling Facility Expansion (SSD-10396)

The purpose of this submission is to respond to the Department of Planning and Environment's (DPE) request for additional information (letter dated 1 February 2022) for the Kings Park Recovery and Recycling Facility Expansion (the Proposal) (SSD - 10396) located at 23-43 and 45 Tattersall Road, Kings Park (the Proposal Site). This response has been prepared to provide further information and clarification on the comments raised to facilitate determination of the Proposal.

This response has been prepared by Ethos Urban, on behalf of Sell & Parker and considers all the previously submitted information provided to the DPE as part of this SSD Application. This response includes a response table below prepared by Ethos Urban with supporting information (both within the table and attached) from technical specialists.

A response has been provided for the following government agencies:

- Department of Planning and Environment (letter dated 20 January 2022)
- Environmental Protection Authority (letters dated 3 February 2022 and undated provided by DPIE on 2 March 2022)
- Environment, Energy and Science Group (letter dated 28 January 2022)
- Blacktown City Council (letter dated 20 January 2022).

Sell & Parker (and Ethos Urban) have commissioned design and environmental specialists to undertake additional studies to respond to the above comments. This response is supported by technical specialist inputs (within this document) and reporting (attached) including:

- Noise Impact Assessment Additional Addendum prepared by Renzo Tonin (Attachment A)
- Noise Management Plan prepared by Ethos Urban and Renzo Tonin (Attachment B)
- Swept Path Plan prepared by Transport Planning Partnership (TTPP) (Attachment C)
- Employee Travel Plan prepared by JMT Consulting (Attachment D)
- Site Plan and Acoustic Fence Layout prepared by Algorry Zappia & Associates (Attachment E)
- Visual Impact Assessment prepared by Envisage (Attachment F)
- Air Quality Impact Assessment Additional Addendum prepared by Northstar (Attachment G)
- Air Quality Management Plan prepared by Ethos Urban and Northstar (Attachment H)
- Mitigation Measures (Attachment I)
- Key non-combustible metals list (Attachment J)
- Acoustic Fence Tattersall Road frontage comparison (Attachment K).

A meeting was undertaken with DPE and the Environmental Protection Authority (EPA) on 12 May 2022 to discuss Sell & Parker's response to the comments raised (i.e. the subject of this submission). The key outcomes of this meeting have been integrated into this response. Comments raised in this meeting, which are in addition to this response have been provided in Table 1.

Table 1	DPE/EPA	Meeting	(12/5/2022)	comments
---------	---------	---------	-------------	----------

Question/request	Response	Reference within document
General		
Provide list of non- combustible material received/stored on-site	A detailed (however not completely exhaustive) list of non- combustible metals stored on-site has been provided.	Attachment J of this response.
Potential use of CCTV as part of the live monitoring	CCTV is currently being utilised for on-site management. This would be further considered when finalising the Live Noise Monitoring Feedback Tool (noise) and Trigger Action Response Plan (air quality).	Attachment B of this response (Section 7.4). Attachment H of this response (Sections 3, 6.2 and
		10).
Noise		
Why was the noise validation exercise undertaken during the day?	When planning the noise validation exercise, three receiver locations were identified and approximately 2 hours per location was estimated in order to obtain sufficient measurement. Due to the influence of traffic noise from Sunnyholt Road and to a lesser degree Vardys Road at the receiver locations the measurements were conducted outside of peak traffic periods to minimise traffic noise influences. The most suitable time to undertake the measurements was found to be during the day between the morning and afternoon peak traffic periods. Measurements during the morning shoulder period (6am to 7am) was considered however as the site ramps up to full capacity in the first half hour and the traffic along Sunnyholt Road starts building up to the	Attachment A of this response.
	peak levels as 7am approaches, there would be insufficient time during the morning shoulder period to complete the necessary measurements. Measurements being undertaken during the evening period was considered however without daylight visibility this would make the monitoring extremely difficult to undertake accurately.	
	Furthermore, the majority of days in March and early April 2022 were rainy and not suitable for noise testing. The noise validation exercise focussed on one day where the weather over the entire day was suitable for measurements and the site operations were at full capacity.	
Is evidence available for that the noise validation exercise was undertaken in a 'worst	Yes, operations on the day were at full capacity and measurements were conducted over several hours and observed all Lmax events typically occurring on site.	Attachment A of this response.
case' scenario?	Overall, Lmax Sound Power Levels determined from the noise validation exercise were consistent with previous testing and the values used in the EIS and addendum acoustic assessment	

All comments raised by agencies within their responses to DPE have been considered. In particular, several measures have been added to the design and operation of the Proposal to improve the overall environmental performance. The key aspects of this mitigation include (but are not limited to) the following:

- <u>Air</u> a commitment to several additional mitigation measures to reduce air quality impacts during operations have included within the Proposal. When modelled, the additional mitigation measures showed a reduction in air quality impacts from that previously identified for the Proposal. In addition, a 'Trigger Action Response Plan' is to be implemented to respond in real time to potential air quality exceedances and allow for corrective measures to be undertaken.
- <u>Noise</u> a noise validation exercise has been undertaken to confirm the previously provided noise impact assessment results. It was concluded that the noise validation exercise showed 'good agreement' between the predicted and measured noise levels for the nominated residents. Also, the design of the acoustic fence has been clarified with a commitment that this will be implemented prior to operations to reduce noise impacts. Further, a 'Live Noise Monitoring Feedback Tool' is to implemented to respond in real time prior to noise exceedances being achieved and allow for corrective measures to be undertaken.
- <u>Visual</u> there has been a reduction in the extent of the acoustic fence, to align with Building B (previously extended to the street frontage) to reduce the bulk and scale when viewed from the Tattersall Road frontage. This fence continues to shield key noise generating activities. It no longer extends to the frontage, i.e. the northern car park located adjacent to Tattersall Road which is not considered a high noise generating location. The reduction of this fence is considered to contribute a visual positive impact on the Tattersall Road frontage without impacting on the acoustic functionality of the fence, nor contributing to noise impacts upon the residential area to the east of the Proposal site.
- <u>Traffic and access</u> a clear commitment has been included, as a mitigation measure, to ensure that access and
 egress routes (inc. swept paths) and stacking spaces would be maintained clear of any materials, plant or
 equipment at all times during operations and at the end of daily operations. This ensures defined clear
 pathways for all operational and emergency (as required) vehicles during operations. Also, an Employee
 Transport Plan has been prepared and submitted to provide further detail on the operational commitments to
 employee transport for the Proposal.

The additional environmental performance safeguards identified above, along with others have been reflected within the mitigation measures and relevant supporting documentation. A consolidated list of mitigation measures has been provided at *Attachment I*. Overall, the inclusion of these additional mitigation measures would result in an improved environmental performance for the Proposal.

We thank DPE of the opportunity to submit this response and welcome further discussion. Do not hesitate to contact the undersigned should you have any questions.

Regards,

mes

Westley Owers Director – Environment & Planning 0451 105 610 wowers@ethosurban.com

CC: Luke Parker (Sell & Parker), Morgan Parker (Sell & Parker), Anthea Gilmore (Sell & Parker), Jordan Rodgers (Sell & Parker), Matthew Short (Ethos Urban)

1.0 Department of Planning and Environment

A formal submission comprising a letter (dated 20 January 2022) was received from the Department of Planning and Environment (DPE). Comments (transcribed in full) with responses have been provided in the table below.

Aspect	Issue	Response	Reference
Noise	Measurement undertaken by Renzo Tonin and reporting of environmental noise appear to be only partially consistent with AS 1055:2018 . Duration of measurement, number of maximum noise events and contemporaneous notes recorded during the attended survey identifying how the variety of observed sounds contributed to LAeq(t) are missing in the Addendum NIA.	The noise reporting to date has been prepared in accordance with the Secretary's Environmental Assessment Requirements (SEARs) for the Proposal which referenced the NPfl and other "relevant Environmental Protection Authority guidelines", which are considered best practice for noise impact assessment. The Addendum Noise Impact Assessment (December, 2021) (Addendum NIA) (Appendix B of the Response to Submissions – Additional RFI (RtS – Additional RFI)) and other previously prepared noise technical reporting has been prepared in accordance with the SEARs, NPfl and as noted by DPE is partly consistent with AS 1055:2018. Durations of measurements as well as summarised contemporaneous notes are provided in Table 7.4 of the Addendum NIA. The observed number of maximum noise events at each residential location listed in Table 7.4 were heavily influenced by Sunnyholt Road and the local noise environment (i.e. birds, barking dogs, local traffic, etc) and not attributed to the Sell & Parker site. The suitability of the approach undertaken for these measurements is further supported by the noise validation exercise undertaken (with the Noise Impact Assessment Additional Addendum (NIAA Addendum) at <i>Attachment A</i> of this response).	Addendum NIA (Appendix B of the Additional RFI) NIAA Addendum (Attachment A of this response)
	There is insufficient information provided in Appendix C of the Addendum NIA to confirm the modelled emission inputs are representative of the worst-case emission scenario . Timing of short-term on-site sound power level surveys should be correlated to longer-term noise monitoring data collected in close proximity to the site and at some key residential locations (including 2 Eggleton Street, 11 Anthony Street and 13 Anthony Street in Blacktown). The Department notes that the operational condition of the noise source and its variability should be monitored as per Section 7 of the Noise Policy for Industry and Section 7 of the AS 1055:2018.	The Addendum NIA did not include direct measurements of noise from the Proposal Site at the noted key residential locations due to the traffic noise of Sunnyholt Road and the local noise environment characteristics Notwithstanding this, as per DPE and EPA's request (refer to Section 2, below) a noise validation exercise has been undertaken using L _{Amax} noise levels at the residential receivers to the east of the Proposal site (including, but not limited to, 11/13 Anthony Street and 2 Eggleton Street, Blacktown). Measurements were undertaken over a longer-term of 5-6 hours and occurs on a day where the site was operating at full capacity which would represent a worst case emission scenario. Where applicable and appropriate the measurement and reporting advice from Section 7 of the NPfI and Section 7 of the AS1055:2018 have been considered. The outcomes of this noise validation exercise are included with the NIAA Addendum (<i>Attachment A</i> of this response).	Addendum NIA (Appendix B of the Additional RFI) NIAA Addendum (Attachment A of this response)

Aspect	Issue	Response	Reference
	Renzo Tonin has adopted a different noise calculation algorithm (CONCAWE) in the Response to RFI compared to the EIS and Response to RTS (ISO 9613-2). Sound propagation settings which affect the calculation of noise levels at the most affected residential area have also changed (specifically, the newly selected ground cover combination is likely to have resulted in lower predicted noise levels farther away). As requested on 1 September 2021, the Department requires the use of any calculation procedure and settings be justified according to the circumstances of this particular locality and evidence of validation be provided. Please address model validation by comparing calculated and measured maximum (LAmax) noise levels in close proximity to the site and at some key residential locations (including 2 Eggleton Street, 11 Anthony Street and 13 Anthony Street in Blacktown).	 Renzo Tonin confirms that the algorithm was changed to future proof and provide more scrutiny to the assessment identified within the Addendum NIA. The Addendum NIA, as part of the noise model validation, included intermediate measurement locations within the Proposal site (refer to Appendix B of the Additional RFI). The Addendum NIA determined that no alternative location was considered to be suitable along Tattersall Road (refer to Section 7.2). Notwithstanding this, as per DPE and EPA's request (refer to Section 2, below) a noise validation exercise has been undertaken using L_{Amax} noise levels at the residential receivers to the east of the Proposal site (including, but not limited to, 11/13 Anthony Street and 2 Eggleton Street, Blacktown). The outcomes of this noise validation exercise are included with the NIAA Addendum (<i>Attachment A</i> of this response). Overall, it was concluded that the noise validation exercise showed 'good agreement' between the predicted and measured noise levels for the nominated residents (to the east of the Proposal site). Therefore, the modelling provided within the Addendum NIA is considered to be suitable and reflective of potential noise impacts. 	NIAA Addendum (Attachment A of this response)

Aspect	Issue	Response	Reference
	The Addendum NIA provided a qualitative assessment to justify the exclusion of intrusive noise characteristics. As requested on 1 September 2021, noise monitoring records and an evaluation of impulsive noise using the method outlined in AS 1055:2018 should be provided to establish the effectiveness of existing and proposed noise mitigation measures at reducing the impact of impulsive noise.	 The Addendum NIA (Appendix B of Additional RFI) and other previously prepared noise technical reporting has been prepared in accordance with the NPfI which provides guidance for annoying/intrusive noise characteristics. The Addendum NIA has not been prepared in accordance with AS 1055:2018. This type of assessment was not requested as part of the SEARs The NPfI does not include an assessment requirement for impulsive noise with the only relevant guidance relating to consideration of mitigation as identified within Section 3.4.5. This mitigation measure is as follows: <i>"Noise mitigation measures for milling and metal works include:</i> <i>using efficient enclosures, where needed, to reduce the impact of impulsive noise from metal stamping</i>" As previously reported, the potential use of enclosures as a mitigation measure has been considered within the Addendum NIA (refer to Section 7.6). The Addendum NIA concluded, that enclosing of operational areas) is not considered feasible or reasonable as a result of the height and operational requirements of this machinery. Furthermore, based on the attended noise measurements at the receiver locations from the latest LAmax calibration exercise, the observed quantities, magnitudes and frequency of events that were correlated to the site, were not significant enough to warrant an analysis as per Appendix E of AS 1055:2018. It is noted that Appendix E is an 'informative' appendix and is only for information and guidance. On this basis further evaluation of impulsive noise using Appendix E is not considered relevant or suitable for the assessment of this Proposal. 	Addendum NIA (Appendix B of the Additional RFI)

Aspect	Issue	Response	Reference
Plans	The Department notes the Stockpile Plan (Final Stockpile Plan Approved by LEC Proceeding 2020/00365487) has been described as an 'end of day' plan. Please provide a worst-case working stockpile plan (rather than an end of day plan) which shows drop off and loading points and demonstrates that heavy vehicles can access the active site, stockpiles and relevant buildings.	The Stockpile Plan (Final Stockpile Plan Approved by LEC Proceeding 2020/00365487 – submitted as Appendix E of the RtS – Additional RFI) is considered an 'end of day plan'. As discussed within the previous submission, the Stockpile Plan includes areas for combustible and non-combustible material. The movement of material is dynamic throughout the day based upon the operational requirements (types of materials received, processed and departing the site). The Proposal site does not generally maintain 'stockpiles' during the day. Instead, working piles are created in the available space between vehicle routes. Working piles would not intrude upon the identified access routes (denoted in green on the Swept Plan - Supplementary Traffic Information (Appendix F of the RtS – Additional RFI)) at any time throughout the daily operations. It is understood that a key concerns from DPE is that suitable vehicle access (for both operational and emergency vehicles) is available throughout the day. Rather than provide several stockpile or access plans, Sell & Parker proposes to implement a mitigation measure which would ensure access routes are maintained throughout the day and that material is not stored within these areas. This would ensure that internal site vehicle routes are maintained at all times. The proposed mitigation measure is as follows: Access and egress routes/swept paths and truck stacking areas identified on the Swept Path Plans (dated 17 November 2021 prepared by TTPP) would be maintained clear of any materials, plant or equipment at all times during operations and at the end of daily operations.	Stockpile Plan (Appendix E of the RtS – Additional RFI) Mitigation Measures (Attachment I of this response)

It is unclear from the swept paths shown on the Stockpile Plan if the access routes to the west of the combustible stockpiles, to the north of building B and between Building C and the existing shear are intended for use by the largest vehicle accessing the site. Please update the plan to demonstrate which vehicles can access the shown paths. His understood that DPE are referring to the swept paths, shown on the Stockpiles, to the north of use by the largest vehicle accessing the site. Please update the plan to demonstrate which vehicles can access the shown paths. His understood that DPE are referring to the swept paths, shown on the Stockpiles, to the north of the shown below. Supplementary Traffic Information (Appendix F of the RtS – Additional RFI). Swept Path Plans (Attachment C of the response)
As identified within the Supplementary Traffic Information, the largest vehicle (19m semi-trailers) would only travel along routes identified by the swept paths with the red wheel path outline. The locations identified by DPE are additional vacant access routes which could be used by emergency vehicle routes if required (in addition to the circulating routes throughout the Proposal Site (i.e. along the 19m semi-trailer path)). Further, along the north of Building B (non-ferrous building), vehicles delivering non-ferrous material would use this route only. This includes 8.8m Medium rigid vehicles or smaller vehicles. No semi-trailers will use such route (and therefore this route is not denoted with a red wheel path outline (refer to Sections 3.2.1 and 5.1.1 Supplementary Traffic Information).

Aspect	Issue	Response	Reference
	Show, on the site plan, where the bins, large spare parts and cranes would be stored if the 'storage area' to the south of Building C is used for queueing trucks.	It is noted that the Swept Path Plans identifies an access and stacking areas of heavy vehicles to the south of Building C (refer to <i>Attachment C</i> of this response).	Swept Path Plans (Attachment C of this response)
		This area is currently utilised for the storage of disused plant and equipment. The plant and equipment are currently stored at this location for convenience only and not utilised in Sell & Parker's day to day operations on the Proposal site. All vehicles, equipment and containers currently stored within the area identified for access and stacking would be stored off-site at another Sell & Parker facility or another location.	Mitigation Measures (Attachment I of this response)
		As discussed above, a mitigation measure (provided within <i>Attachment I</i> of this response) is to be implemented to ensure that these vehicle access routes and stacking areas remain clear and available for operations. This plant and equipment would be relocated off-site prior to operations to comply with this mitigation measure.	
	Provide plans (including elevations and sections) of the proposed 16 m high noise wall along the south-eastern boundary of the site and ensure all site plans include the proposed noise wall.	A Site Plan and Acoustic Fence Layout, which includes this detail, has been provided at <i>Attachment E</i> of this response.	Site Plan and Acoustic Fence Layout (Attachment E of this response)
Visual Impact Assessment	Provide a detailed visual impact assessment (including photomontages and perspectives) of the proposed noise wall, including height and scale, materials and finishes and colours. Please ensure the assessment responds to Council's comments dated 20 January 2022 and also addresses potential impacts to adjacent industrial facilities.	A detailed Visual Impact Assessment (VIA) (including photomontages and perspectives) has been provided in <i>Attachment F</i> of this response. This VIA responds to Council's comments (refer to Section 3 of this response). The Site Plan and Acoustic Fence Layout, also includes further detail (refer to <i>Attachment E</i> of this response).	VIA (Attachment C of this response) Site Plan and Acoustic Fence Layout (Attachment B of this response)
Fire NSW Access	Noting the Stockpile Plan has been described as an 'end of day' plan, please liaise with FRNSW regarding fire vehicle access and manoeuvrability during active operational hours.	Sell & Parker have further contacted FRNSW to discuss the Stockpile Plan, both directly (24 February 2022) and via the planning portal (15 March 2022). No response has been received to date. It is noted that the Stockpile Plan provided to FRNSW is the plan which has been approved by LEC Proceeding 2020/00365487 which has previously been reviewed and approved by FRNSW.	N/A
Plant Operations	The Department notes the information provided in Appendix D regarding operation of the facility. However, to ensure sufficient information is provided for this new SSD application, please provide a process description which includes details of how the plant operates.	An additional process description has been provided under separate cover.	Process description (under separate cover)

Aspect	Issue	Response	Reference
Waste Storage	For each stockpile, please provide the proposed maximum waste storage in tonnes.	The maximum scrap metal storage for each combustible stockpile is provided on the Stockpile Plan (Final Stockpile Plan Approved by LEC Proceeding 2020/00365487 – submitted as Appendix E of the RtS – Additional RFI) (refer to the right-hand panel). As discussed in the DPE/EPA meeting with DPE (dated 12/5/22), the maximum storage for non-combustible material is unable to be provided. This is as a result of the considerable diversity and therefore weight in the amount of metal recyclables which are stored on site at any one time. For example there is a considerable differentiation in weight between stockpiles of lead and copper wire and the extent at which each is received (and other metals) each day is dependent upon market factors (i.e. deliveries received for that day). Therefore, nominating a specific amount of tonnage to be stored on site each day for non-combustible material is unable to be undertaken, without providing estimates which may not be realistic in practice.	Stockpile Plan (Appendix E of the RtS – Additional RFI)
		It was agreed, in the DPE/EPA meeting that rather than provide a maximum storage for non-combustible material a list of the types of material stored would be submitted. <i>Attachment J</i> provides a list of non-combustible material currently received on-site and to be received for the Proposal. Further, as discussed above, a mitigation measure (provided within <i>Attachment I</i> of this response) is to be implemented to ensure that material storage does no inhibit vehicle access routes and stacking areas. Overall, the storage of material (combustible or otherwise) would not impact on access, movement or operations.	

2.0 Environmental Protection Authority

A formal submission (noise only) comprising a letter (dated 3 February 2022) was received from the Environmental Protection Authority (EPA). A subsequent submission was received (air quality) from the EPA in a letter (undated – provided by DPIE on 2 March 2022). Comments (transcribed in full) with responses have been provided in the tables below.

Noise a. Model validation using LAmax events As per DPE and EPA's request a noise validation exercise has bee using L _{Amax} noise levels at the residential receivers to the east of the (including, but not limited to, 11/13 Anthony Street and 2 Ecoleton S	een undertaken NIAA the Proposal site Adder Street, (Attac cluded with the of this	AA Idendum .ttachment A
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 moring shoulder period on Friday 28/1/2022. The DPE officer recorded LAmax levels correlated with audible events purportedly from the Premises in the range for 57-60B. 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.	respon respon respon respon respon respon respon respon respon respon retaken on a the potential that neasurements (i.e. g observed (and nin's engineers it is noted that the reas (which may metres. reto record 76dB(A) sal site would have does not take into ric absorption, ildings), he L _{max} event s in the range of	tnis sponse)

Aspect	Issue	Response	Reference
	 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. 	The Addendum NIA concludes that measurements at undertaken on site were analysed for tonal and/or low frequency characteristics in accordance with the NPfI. These measurements were found not to exhibit any tonal or low frequency. As requested, the data used for this assessment and the respective outcomes has been provided within the NIAA Addendum (<i>Attachment A</i> (Section 2) of this response).	Addendum NIA (Appendix B of the Additional RFI) NIAA Addendum (Attachment A of this response)
	 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 noiseplan 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. 	The existing Noise Management Plan has been updated to include both physical (acoustic fence) and operational (dropping of materials) control measures to be consistent with the mitigation measures (<i>Attachment I</i> of this response). In addition to this, a 'Live Noise Monitoring Feedback Tool' is proposed to be investigated and implemented on-site (where effective for the Proposal). This system will likely incorporate live noise monitors, establish intermediate noise goals, provide a feedback system to operators (with early warning signals) and appropriate procedures to be implemented where immediate noise goals are approached or exceeded. The Noise Management Plan has been updated to incorporate these mitigation measures, along with others and is provided at <i>Attachment B</i> of this response. These mitigation measures represent best-practice and would collectively ensure noise is appropriately mitigated and managed throughout the operations of the Proposal.	Mitigation Measures (Attachment I of this response) Noise Management Plan (Attachment B of this response)

spect	Issue	Response	Reference
	 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). 	As requested, the updated details for the sound power level for the Proposal sites activities (as presented in Table 7-2 of the Addendum NIA) have been provided within the NIAA Addendum (<i>Attachment A</i> (Section 3) of this response).	NIAA Addendum (Attachment A of this response)
	 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. 	 As requested, the update to the morning shoulder period predictions to include night-time temperature inversion and associated wind conditions (as presented in Table 7-7 and 7-8 of the Addendum NIA) have been provided within the NIAA Addendum (<i>Attachment A</i> (Section 4) of this response). Further, Renzo Tonin notes the following: The modelling undertaken did not calculate source to receiver winds, (i.e. where the wind for every single noise source in the model is pointed from source to receiver) however modelled wind in a prevailing wind direction as determined through a NEWA wind analysis. For scenarios considering temperature inversion, inclusion of wind would result in some sources experiencing enhancement and some sources and receiver and it's interaction with the prevailing wind direction. Therefore, as the temperature inversions with wind enhancement are modelled as temperature inversions with a prevailing wind and not temperature inversions are equal to or higher than predictions for why results for temperature inversions are equal to or higher than the predicted level at 11 Anthony Street (Receiver R1E). However, Receiver R1E was selected to represent this catchment based on the predicted level when considering worst case adverse meteorological enhancement. Therefore, Receiver R1E is the receiver with the highest predicted noise level when considering all modelled meteorological conditions and is considered to be most representative of NCA 1E. 	NIAA Addendum (Attachment A of this response)

Aspect	Issue	Response	Reference
Air	1. Impacts on industrial receptors need to be assessed On 31 August 2021 the EPA recommended that the AQIA include industrial receptors in the complete assessment of air quality impacts. The EPA also recommended that any predicted exceedances of the impact assessment criteria (IAC) be addressed, and all existing and any proposed mitigation measures be benchmarked against industry best practice. The revised AQIA does not predict any additional exceedances of the IAC at the residential receptors considered in the assessment. However, impacts at receptors R10-R19 identified as industrial are presented in Appendix D. Exceedances at receptors identified as industrial are predicted for annual PM10 and deposited dust. Incremental 24-hour average PM10 concentrations indicate that additional exceedances are likely. The revised AQIA presents a <i>Best Management Practice Dust Control</i> assessment which identifies a range of additional controls to help mitigate those impacts. This includes a thorough review of the application of the onsite air quality monitoring stations for reactive and proactive dust control, to be implemented through the <i>Air Quality Management Plan</i> . The revised AQIA argues that the industrial receptors (R10-R19) are not representative of locations where there is potential for longer-term exposure, as individuals are at these locations for only 8 hours a day. The EPA does not consider this approach to be appropriate, as the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> identifies a sensitive receptor as a location where people are likely to work or reside. In the absence of appropriately assessed particulate impacts, the EPA does not have sufficient information to evaluate the potential impacts and recommend conditions. The revised AQIA includes summary results tables that indicates multiple receptors are predicted to exceed annual PM10 criteria and are likely to exceed, based on significant incremental copport. The EPA recommend	 As requested, incremental and cumulative impacts for all air pollutants at all receptor locations, including those at R10-R19, have been provided within the Air Quality Impact Assessment Additional Addendum (AQIMA Addendum) (<i>Attachment D</i> of this response). In particular, Northstar notes the following: It is maintained that the selection of receptor locations needs to account for the likely exposure at those locations, and the respective averaging period of air pollutants is a key factor in that determination. It is agreed that short-term criteria (e.g. 1-hour averages) would apply at workplaces (i.e. R10-R19) as equally as residential for the reasons expressed in the Air Quality Impact Assessment Addendum (Appendix B of the RtS – Additional RFI). The AQIMA Addendum assessment has been updated to include the additional control measures identified as part of the Best Management Practice (BMP) Dust Control assessment (within the Revised Air Quality Impact Assessment (Appendix A of the RtS – Additional RFI)). The Air Quality Management Plan has also been updated to reflect these control measures and also the implementation of a Trigger Action Response Plan to further manage potential air quality impacts on the Proposal site. The Air Quality Management Plan is provided at <i>Attachment H</i> of this response. Incremental contour plots for predicted 24-hour and annual PM₁₀ impacts have been included within the AQIMA Addendum as requested. It is noted that cumulative PM₁₀ contour plots have not been included as the cumulative impacts are assessed as the maximum increments plus the contemporaneous background, which may be different periods for each receptor location. 	AQIMA Addendum (Attachment G of this response) Air Quality Management Plan (Attachment H of this response)

2. Impacts of all control and mitigation measures need to be modelled On 31 August 2021 the EPA recommended that the proponent clarify existing and proposed controls for the site, including time frames for implementation of those proposed controls. The EPA recommended that the proponent consider additional control and mitigation measures aimed at ensuring	The Revised Air Quality Impact Assessment (Appendix A of the RtS – Additional RFI), Section 5.2 and Appendix C provides a comprehensive summary of the emission estimation process adopted for the previous assessment. In particular, pages 67-68 and 118 of that assessment documents the controls assumed, and the corresponding control factors applied.	AQIMA Addendum (Attachment G of this response)
particulate impacts do not exceed the EPA's air quality criteria at receptors. The EPA recommended that the AQIA assess the impacts from each activity to determine where additional controls may be most effective and consider those controls which may be implemented.	The Revised Air Quality Impact Assessment also included a BMP Dust Control assessment, which is presented in Appendix E (of (Appendix A of the RtS – Additional RFI). The BMP assessment was performed in accordance with NSW OEH (2011) <i>Coal mine particulate matter control best practice – site specific determination quideline</i> (the 'Dust Stop' program). This guideline does not require the modelling of	Air Quality Management Plan (Attachment H of this
The revised AQIA presents the mitigation measures and clarifies a tabulated summary of how these measures have been implemented. Appendix E of the revised AQIA presents a detailed <i>Best Management Practice Dust Control</i> for	the identified control measures as it focusses on control of dust emissions at point of generation (i.e. at source), and as a result that modelling was not undertaken.	response) Mitigation
the activities and concludes with recommendations for the adoption of additional control measures (Table 72). These additional control measures include sweeping of haulage routes (HR1), enclosure of conveying transfer points (C1), water sprays on appropriate handling and transfer points (HT1) and minimisation of drop height (HT2).	 The BMP assessment identified a number of additional controls that could be reasonably employed on site, accounting for regulatory requirements, environmental impacts, safety implications and compatibility with current processes and future plans, namely: RH1: sweeping of on-site sealed road haulage routes 	Measures (Attachment I of this response)
The revised AQIA has evaluated the semi-encapsulation of the oxy-cutter and states the site has limited capacity to locate a suitably sized structure for semi-encapsulation. The revised AQIA also provides a summary of the daily air quality management and provides details of the current air quality	 C1: enclosure of transfer points on the conveyors (with the exception of inspection locations) HT1: water sprays on handling and transfer points HT2: minimisation of material drop height on handling and transfer points. 	
monitoring station and pro-active and reactive use of those measurement data through the <i>Air Quality Management Plan</i> .	Those additional controls have been incorporated within a further emission estimation and remodelled using a consistent approach to that previously performed. The results have been provided within the AQIMA Addendum (<i>Attachment G</i> of this	
The revised AQIA has recommended additional controls to be implemented onsite and calculated the resulting reduced emissions (Table 68). However, it does not appear that the additional controls have been included in the model to evaluate the reduced impacts and whether the additional controls will achieve compliance with the criteria. The <i>Approved Methods for the</i>	response). As a result of the implementation of these controls, the predicted air quality impact results are significantly below those presented within the Revised Air Quality Impact Assessment (i.e. resulting in a reduction in air quality impacts from the Proposal).	
Modelling and Assessment of Air Pollutants in NSW states that if impact assessment criteria are exceeded the dispersion modelling must be revised to include pollution control strategies until compliance is achieved. As the EPA consider industrial and commercial receptors to be appropriate receptors to be considered (see issue 1), the assessment should model all proposed control measures and assess compliance with the impact	In addition to these controls, proactive and reactive controls are to be implemented for the Proposal. A Trigger Action Response Plan which would be implemented as identified within the Air Quality Management Plan (<i>Attachment H</i> of this response). The Air Quality Management Plan also identified that the controls (RH1, C1, HT1 and HT2) identified within the BMP would be implemented on the Proposal site.	
assessment criteria. <u>The EPA recommends that the proponent provide confirmation that all</u> <u>recommended control measures will be installed and implemented and the</u> <u>timeframes by which they will be installed/implemented.</u>	Sell & Parker are committed to the implementation of these air quality management controls. The Mitigation Measures (<i>Attachment G</i> of this response) include these measures and note that they would be implemented prior to and during operations of the Proposal.	

spect	Issue	Response	Reference
	The EPA recommends that if additional control measures are required to minimise impacts, the proponent include these in the modelling to allow for evaluation of their effectiveness.		
	The EPA recommends that if proactive and reactive mitigation measures are required to manage offsite impacts, the proponent must:		
	a) provide more specific information on the proposed triggers, actions and responses.		
	b) provide information and data from the existing real time monitoring program that demonstrates its effectiveness in managing off site particulate impacts,		
	<u>c) describe how, if any, the proactive and reactive mitigation measures for the proposal are different from the existing program, and</u>		
	<u>d) using the information in a) $-$ c) estimate the effectiveness of the proposed</u> proactive and reactive mitigation measures.		
	3. Modelled meteorology needs validation On 31 August 2021 the EPA recommended the proponent undertake quality assurance of the collected onsite meteorological data to evaluate the suitability of assimilating the onsite meteorological data in the model. The	 The Revised Air Quality Impact Assessment (Appendix A of the RtS – Additional RFI) reviewed the metrological data measured on site for potential inclusion in the dispersion modelling assessment. As previously discussed, the on site meteorological data is considered problematic for use due to the highly variable contributions of: Background contributions to the measured concentration values 	Revised Air Quality Impact Assessment (Appendix A of the RtS – Additional RFI)
	EPA recommended that should the onsite data be suitable, it be incorporated into TAPM/CALMET to generate the meteorological data or alternatively used to validate the model generated data. Alternately, the EPA recommended	 The variability of short-term (i.e. minutes) on-site dust-generating events to potentially affect longer-term (24-hour) concentration measurements; and The influence option from the Autoropyclere Phylit d, and other provime to 	AQIMA Addendum
	extracting CALMET data at Prospect to evaluate the validity of the model generated data.	sources to the measured concentrations.	(Attachment G of this
	This recommendation has not been addressed in the revised AQIA. The EPA recommends the proponent use the onsite meteorological data to validate the modelled meteorology.	As requested by the EPA, the CALMET modelling data has been extracted and validated against BoM data measured at (i) Prospect and (ii) Horsley Park and a detailed statistical evaluation of that performance has been included within the AQIMA Addendum (<i>Attachment D</i> of this response).	response)

3.0 Blacktown City Council

A formal submission comprising a letter (dated 1 February 2022) was received from Council. Comments (transcribed in full) with responses have been provided in the table below.

Aspect	Issue	Response	Reference
Planning Issues	 a. Both the: submitted document - which aims to address neighbouring concerns Addendum Noise Impact Assessment prepared by Renzo Tonin & Associates and dated 20 December 2021, outline the need for and the applicant's intention to increase the acoustic barrier from 8 to 16m along the eastern boundary. However, the specific details of the proposed acoustic barrier have not been clearly shown on the site and elevation plans. 	A Site Plan and Acoustic Fence Layout, which includes this detail, has been provided at <i>Attachment E</i> of this response.	Site Plan and Acoustic Fence Layout (Attachment E of this response)
	 b. Additional information is required to illustrate clearly the proposed location, length, construction materials and potential impacts of the proposed acoustic barrier. The potential impacts for the site and surrounding properties, have not been adequately considered in the applicant's response, in particular: neighbourhood amenity, the bulk, scale and shadow impacts of the barrier the potential streetscape impacts specifically if the proposed 16m acoustic barrier is orientated towards the nearby residential area. Insufficient streetscape views and treatment details have been provided. 	A detailed VIA (including photomontages and perspectives) has been provided in <i>Attachment C</i> of this response to respond to Council's comments. The Site Plan and Acoustic Fence Layout, also includes further detail (refer to <i>Attachment B</i> of this response). Shadow diagrams have not been provided and are not considered necessary as the acoustic fence is not anticipated to result in unreasonable over shadowing impacts to sensitive receivers (i.e. restricted to the surrounding industrial context). In particular, shadows are anticipated to be confined to the Proposal site and the channel to the east of the Proposal site.	VIA (Attachment F of this response) Site Plan and Acoustic Fence Layout (Attachment E of this response)

Aspect	lss	sue	Response	Reference
Noise	a.	Council is concerned that the noise levels from current operations may already be exceeding noise limits, as Council continues to receive noise complaints alleging excessive noise coming from the site. Council would like a more rigorous and in depth acoustic assessment carried out particularly in regard to the site's current compliance. This will need to be done in accordance with the requirements of the NSW Environment Protection Authority's Noise Policy for Industry (2017).	Sell & Parker currently undertake noise monitoring as required under their EPL (No. 11555 – Condition P1.3). No noise complaints have been received by Sell & Parker (from Council or residents), for their current operations, since 18 August 2021. The previous and attached (<i>Attachment A</i> of this response) noise impact assessment has been undertaken in accordance with the NPfl. Overall, the Proposal is considered to improve the environmental performance of the site operations with the inclusion of both physical (acoustic fence) and operational (dropping of materials, Trigger Action Response Plan) noise control measures (refer to both <i>Attachment G</i> and <i>Attachment E</i> of this response).	NIAA Addendum (Attachment A of this response) Mitigation Measures (Attachment I of this response) Noise Management Plan (Attachment B of this response)
	b.	Given the ongoing noise impacts of the current operation, insufficient information has been provided as to how the noise from this proposal – involving the processing of almost double the volume of material, is going to be contained without further impacting on the neighbours. This includes noise from associated truck traffic.	Overall, the Proposal is considered to improve the environmental performance of the site operations with the inclusion of both physical (acoustic fence) and operational (dropping of materials, Trigger Action Response Plan) noise control measures (refer to both <i>Attachment G</i> and <i>Attachment E</i> of this response).	Mitigation Measures (Attachment I of this response) Noise Management Plan (Attachment B of this response)

4.0 Environment, Energy and Science Group

A formal submission comprising a letter (dated 28 January 2022) was received from the Department's Environment, Energy and Science Group (EES). This submission has been included for completeness. As shown in the below table, that submission states that the EES is satisfied that their previous comments, dated 18 August 2021, have been addressed.

Aspect	Submission	Response	Reference
N/A	Thank you for your email received 23 December 2021 requesting comments on the response to submissions for the subject proposal. The Environment, Energy and Science Group (EES) has undertaken a review of the additional information provided by the proponent and is satisfied that EES's previous comments, dated 18 August 2021 (DOC21/691387), have been addressed. EES raises no further comments or concerns in relation to the proposed development	Noted.	N/A