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Attention: Sally Munk

**EPA Advice on Submissions Report – Waste Management Facility, 2-4 Hale Street Botany
NSW – SSD-62855708**

Dear Sally

I am writing in response to your request for the NSW Environment Protection Authority (EPA) to review the Submissions Report for the proposed Waste Management Facility Botany (Application SSD- 62855708) at 2-3 Hale Street, Botany NSW.

The EPA has reviewed the following documents:

- *Waste Management Facility, Botany Submissions Report*- Coombes Property Group- 23 April 2025 (the Submissions Report)
- 2-4 Hale Street, Botany, Building Waste Transfer Facility. Noise and Vibration Impact Assessment Project No. P00945. Revision 7. E-Lab Consulting- 11 February 2025 (the NVIM)

The EPA understands the proposal is for a construction and demolition (C&D) waste management facility that would receive up to 300,000 tonnes per annum of C&D waste. The facility would operate as a waste transfer station undertaking receipt and basic sorting with aggregation of material for bulk transport to resource recovery facilities within the KLF Group, where more advanced sorting and recycling would be undertaken.

Based on the information provided, the proposal will require an environment protection licence (EPL) under sections under sections 43 and 47 of *the Protection of the Environment Operations Act 1997* (POEO Act), likely for Clause 34 (Resource Recovery), Clause 41 (Waste processing (non-thermal treatment)) and Clause 42 (Waste storage) of Schedule 1 of the POEO. The applicant must make a separate application to the EPA for an EPL if development consent is granted by the Department of Planning, Housing and Infrastructure (DPHI).

NSW Environment Protection Authority

As the environmental steward and regulator of our State we are committed to a sustainable future. Join us on our mission to protect tomorrow together.

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The EPA considered the details of the proposal in the Environmental Impact Statement (EIS) and provided comments and recommendations as documented in the correspondence of 9 September 2024 (EPA reference DOC24/720639).

The EPA has reviewed the Submissions Report and revised Noise and Vibration Impact Assessment and notes that they have not addressed all of the EPA's earlier comments on this project.

The EPA has the following further comments and recommendations:

1. Matters to be addressed prior to determination

a. Noise and Vibration Impact Assessment (NVIA)

The EPA has reviewed the revised NVIA and the Submissions Report which includes responses to the EPA's comments outlined in EPA reference DOC24/720639. The EPA has still identified areas that warrant further clarification or addressing in the NVIA as outlined below.

Noise Monitoring Equipment

- Instrumentation used to quantify existing noise levels in the area does not meet the performance and location specifications (i.e. AS IEC 61672 and height above ground) required by the Noise Policy for Industry (NPfI – EPA, 2017). Additional information is required before a definitive determination can be made regarding accepting the results of the ambient noise monitoring presented in the assessment.
- The EPA notes the proponent has provided NATA certification against superseded standard AS IEC 60651. It is recommended that the proponent provide advice from the certifying body that outlines the possible variation of the certified MEMS Type 1 meter (i.e. Convergence NSRT_mk3 Type 1) against a Class 2 meter certified to AS IEC 61672.1. The dynamic range (including reliable noise floor) of the Convergence NSRT_mk3 Type 1 should be stated.

3 Luland Street Botany

The residential building situated at 3 Luland Street Botany can be considered a relatively modern sensitive development in an industrial zoning. The EPA does not support the noise assessment goals for this development because:

- i. NPfI Intrusiveness noise levels have not been considered;
- ii. NPfI amenity noise levels have been derived on the basis of high prevailing industrial noise levels, however these levels have not been well described or justified and have not been derived in accordance with the NPfI. When intrusiveness noise levels are considered the predicted levels from the proposal will significantly exceed the NPfI assessment objectives. Additionally, given that a planning decision was made to allow a sensitive development in an industrial zone, it would seem prudent that the land use authority that allowed the development should be consulted on acceptable noise levels for the development.
- iii. the NPfI PNTLs (noise criteria) used for assessment purposes in the NIA for RC1 are inconsistent with the NPfI. The NPfI indicates that the lower of the project intrusiveness level and project amenity level should inform the PNTL.

For receiver RC1 the nighttime intrusiveness level is LAeq,15minutes 47 dBA, however the adopted PNTL is LAeq,15min 56 dBA. Nighttime noise predictions at RC1 do not satisfy the correct PNTLs and in fact exceed PNTLs by some 5dB for the nighttime period. Where PNTL's are exceeded, the NPfI requires consideration of all feasible and reasonable noise mitigation measures. It should also be noted that background noise levels reported for RC1 in the original NIA were in fact lower than those reported in the current NIA. The reason that the lower levels were not adopted should be justified.

NOTE: The NPfl notes that Intrusiveness noise levels and amenity noise levels are not used directly as regulatory limits (NPfl, Section 2.3 and 2.4). That is not to say that the PNTL is not used for impact assessment purposes. The PNTL should be adopted in all cases to assess the impact of a development.

Additional comments on NVIA

- The EPA continues to recommend that a comprehensive land use survey be conducted to accurately determine the location of sensitive receptors, such as residential properties, schools, and hospitals, in relation to the proposed development. Land use zoning does not preclude the chance of a legacy residential land use in a non-conforming zone. This can only be determined through a physical or street view survey.
- It should be noted that Table 15 in the NVIA may not accurately represent the residential location designated as RC6. We recommend that this be clarified to ensure consistency and accuracy
- The sound power levels for L_{Amax} presented in Table 30 of the NVIA should account for all relevant operational noise sources, including skip movement, chains impacting the skip, and associated truck activity. These levels should be clearly justified and verified to ensure the accuracy of the assessment.
- Table 31 of the NVIA should clearly outline how truck dwell times have been incorporated into the noise modelling. A detailed justification is required, particularly as these parameters may be referenced or mandated in performance requirements under statutory conditions.
- Table 33 of the NVIA includes the following note: *'Note 1: Noise levels have been conservatively assessed to residential receivers with windows open, assuming a 10dB loss from outside to inside'*. This suggests that the predicted levels could in fact be assessed inside a dwelling which is not in accordance with the NPfl which requires level to be assessed outside for residential receivers.
- Appendix D of the NVIA which presents Operational Noise Contours: The contours do not suggest that internal activities within the warehouse have been modelled as no break out noise across facades is evident. The method to model and predict noise from internal warehouse activities need to be described and justified, including L_{Amax}, dBA emissions.

Given the discrepancies and concerns noted above, the EPA recommends that the DPHI requires an independent review of the NVIA be undertaken. This review should include a review of the modelling used to predict noise impacts, and should be undertaken by a competent person within the meaning of the *'Approved methods for the measurement and analysis of environmental noise in NSW'* (NSW EPA, 2022).

2. Matters to be addressed with conditions

Based on this review, the EPA advises that our previous correspondence *EPA Advice on Environmental Impact Statement – SSD-62855708, 2 - 4 Hale St Botany NSW* (EPA reference: DOC24/720639), including the EPA's recommended conditions of approval and standard mandatory conditions, remains applicable and continues to reflect our requirements.

If you have any questions about this request, please contact Amanda McDonald on (02) 9995 5157 or via email at Amanda.mcdonald@epa.nsw.gov.au

Yours sincerely



19 May 2025

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