



Ms Belinda Barnett
Urban Concepts
(On behalf of Murray Goulburn Cooperative Limited)
4 Glen Street
MILSONS POINT NSW 1565

Dear Ms Barnett

**State Significant Development - Director-General's Requirements
Devondale Milk Processing Facility, Erskine Park (SSD-6026)**

I have attached a copy of the Director-General's environmental assessment requirements (DGRs) for the preparation of an Environmental Impact Statement for the proposed Milk Processing Facility at Erskine Park in the Penrith Local Government Area.

These requirements are based on the information you have provided to date and have been prepared in consultation with the relevant government agencies and Penrith City Council. Their comments, which you should address appropriately when preparing the EIS, are also attached (see Attachment 2). Please note that the Department may alter these requirements at any time, and that you must consult further with the Department if you do not lodge a development application and EIS for the development within two years of the date of issue of these DGRs. The Department will review the EIS for the development carefully before putting it on public exhibition, and will require you to submit an amended EIS if it does not adequately address the DGRs.

I wish to emphasise the importance of effective and genuine community consultation and the need for proposals to proactively respond to the community's concerns. Accordingly a comprehensive, detailed and genuine community consultation and engagement process must be undertaken during preparation of the EIS. This process must ensure that the community is both informed of the proposal and is actively engaged in issues of concern to them. Sufficient information must be provided to the community so that it has a good understanding of what is being proposed and of the potential impacts.

Your proposal may require a separate approval under Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). If an EPBC Act approval is required, I would appreciate it if you would advise the Department accordingly, as the Commonwealth approval process may be integrated into the NSW approval process, and supplementary DGR's may need to be issued.

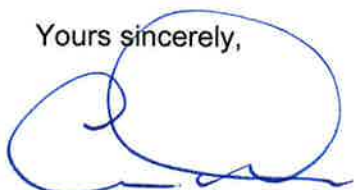
I would appreciate it if you would contact the Department at least two weeks before you propose to submit the development application and EIS for your development. This will enable the Department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and

- determine the number of copies (hard-copy and CD-ROM) of the EIS required for review.

If you have any enquiries about these requirements, please contact Christine Chapman on the details above.

Yours sincerely,



22.7.13

Chris Wilson
Executive Director
Development Assessment Systems & Approvals
As the Director-General's nominee

Director-General's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act*

State Significant Development

Application Number	SSD-6026
Development	<p>The proposal involves the construction and operation of a milk processing and distribution facility including:</p> <ul style="list-style-type: none">• a main factory building containing the cool rooms, processing area, dry storage, administration offices and staff amenities;• four 19 metre high stainless steel refrigeration silos;• energy centre;• wastewater treatment plant; and• car parking.
Location	111-113 Quarry Road, Erskine, NSW (Lot 1022 DP 1175670)
Applicant	Murray Goulburn Cooperative Limited (MGC)
Date of Issue	July 2013
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in Clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include a:</p> <ul style="list-style-type: none">• detailed description of the development, including:<ul style="list-style-type: none">– need for the proposed development;– justification for the proposed development;– likely staging of the development;– likely interactions between the development and existing, approved and proposed operations in the vicinity of the site;– plans of any proposed building works;• consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments;• risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment;• detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes:<ul style="list-style-type: none">– a description of the existing environment, <u>using sufficient baseline data</u>;– an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; and– a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage any significant risks to the environment; and• consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.

	<p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the capital investment value (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; • a close estimate of the jobs that will be created by the development during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation.
<p>Key Issues</p>	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> • Strategic Context – including: <ul style="list-style-type: none"> – demonstration that the proposal is generally consistent with the aims and objectives of all relevant environmental planning instruments including, but not limited to, <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009</i>, and relevant Development Control Plans (DCPs); and – detailed justification for the proposal and suitability of the site to be developed. • Traffic and Transport – including: <ul style="list-style-type: none"> – details of key transport routes and traffic types and volumes likely to be generated during construction and operation; – assessment of predicted impacts on road safety and the capacity of the surrounding road network including current traffic counts, details of truck routes and modelling of key intersections such as James Erskine Drive and Quarry Road/Sarah Andrews Close, James Erskine Drive and Mamre Road, Erskine Park Road and Mamre Road; – assessment of where off site infrastructure works are required as a result of traffic impacts including detailed plans of any proposed road upgrades; – access arrangements; and – provision of parking in accordance with the relevant guidelines. • Air Quality and Odour – including: <ul style="list-style-type: none"> – a quantitative assessment of the potential air quality impacts (particularly odour and dust) of the development on surrounding receivers, including impacts from construction, operation and transport; and – details of the proposed mitigation, management and monitoring measures. • Noise – including: <ul style="list-style-type: none"> - a quantitative assessment of potential construction, operational and transport noise impacts, including potential impacts on nearby sensitive receivers; and - details of the proposed noise management and monitoring measures. • Soil and Water – including: <ul style="list-style-type: none"> – a site water balance and an outline of the proposed water requirements, including sources of water, usage and efficiency measures; – detailed assessment of potential soil, surface, flooding and

	<ul style="list-style-type: none"> – groundwater impacts; – potential soil contamination (including acid sulphate soils) and any proposed management measures; – details of proposed erosion and sedimentation controls (during construction); – details of proposed stormwater management measures (during construction and operation); and – wastewater management, spill containment and bunding. • Waste Management – including: <ul style="list-style-type: none"> – details of the quantities and classification of solid and liquid waste to be generated on site; – details on waste storage, handling, treatment and disposal; and – details of the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2007</i>. • Food Safety – in relation to product handling and processing and how the NSW Food Authority standards and requirements will be met. • Biodiversity – including identification of species on site, and potential direct and indirect impacts on critical habitats, threatened species and populations, ecological communities, vegetation reserves and wetlands. • Greenhouse Gas – including: <ul style="list-style-type: none"> – a quantitative assessment of the potential scope 1 & 2 greenhouse gas emissions of the development, and a qualitative assessment of the potential impacts of these emissions on the environment; and – a detailed description of the measures that would be implemented on site to ensure that the development is energy efficient. • Hazards and Risks – including a preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33</i> (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the proposal. Should preliminary screening indicate that the proposal is "potentially hazardous," a Preliminary Hazard Analysis (PHA) must be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis</i> (DoP, 2011) and <i>Multi-Level Risk Assessment</i> (DoP, 2011). • Visual – including; <ul style="list-style-type: none"> – an assessment of the potential visual impacts of the development on the amenity of the surrounding area; and – a detailed description of the measures (e.g. landscaping) that would be implemented to minimise the visual impacts of the development. • Cumulative Impacts – particularly in relation to air, noise and traffic associated with other nearby industrial or commercial operations.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i> . These documents should be included as part of the EIS rather than as separate documents.
Consultation	During the preparation of the EIS, you must consult with the relevant

	<p>local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • Penrith City Council; • Environment Protection Authority; • Roads and Maritime Services; • Department of Primary Industries; • Sydney Water Corporation; and • NSW Food Authority. <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
<p>Further consultation after 2 years</p>	<p>If you do not lodge an EIS for the development within 2 years of the issue date of these DGRs, you must consult with the Director-General in relation to the requirements for lodgement.</p>
<p>References</p>	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, Attachment 1 contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.</p>

ATTACHMENT 1

Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Impact Statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.bookshop.nsw.gov.au>

<http://www.publications.gov.au>

Policies, Guidelines & Plans

Aspect	Policy /Methodology
Risk Assessment	<ul style="list-style-type: none"> AS/NZS 4360:2004 Risk Management (Standards Australia) HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
Transport	<ul style="list-style-type: none"> Guide to Traffic Generating Development (RTA) Road Design Guide (RTA)
Air Quality	<ul style="list-style-type: none"> Protection of the Environment Operations (Clean Air) Regulation 2002 Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC) Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
Odour	<ul style="list-style-type: none"> Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (DEC) Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
Noise	<ul style="list-style-type: none"> NSW Industrial Noise Policy (DECC) NSW Road Noise Policy (EPA) Environmental Noise Control Manual (DECC)
Soil and Water	<ul style="list-style-type: none"> Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC) National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)
<i>Soil</i>	<ul style="list-style-type: none"> Draft Guidelines for the Assessment & Management of Groundwater Contamination (DECC) State Environmental Planning Policy No. 55 – Remediation of Land Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
<i>Surface Water</i>	<ul style="list-style-type: none"> National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ) National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ) National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)

	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
	State Water Management Outcomes Plan
	NSW Government Water Quality and River Flow Environmental Objectives (DECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Managing Urban Stormwater: Treatment Techniques (DECC)
	Managing Urban Stormwater: Source Control (DECC)
	Technical Guidelines: Bunding & Spill Management (DECC)
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft
	Guidelines for the Assessment and Management of Groundwater Contamination (DECC)
Waste Management	
	Waste Classification Guidelines (DECC)
	NSW Waste Avoidance and Resource Recovery Strategy 2007 (EPA)
Biodiversity	
	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC)
	DECCW's Threatened Species Assessment Guidelines – Assessment of Significance (2007).
	Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries)
	The NSW State Groundwater Dependent Ecosystem Policy (DLWC)
Greenhouse Gas	
	AGO Factors and Methods Workbook (AGO)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
Hazards	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning for Bushfire Protection 2006 (NSW RFS)
Heritage	
<i>Aboriginal</i>	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC)
	NSW Heritage Manual (NSW Heritage Office & DUAP)
<i>Non- Aboriginal</i>	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)

ATTACHMENT 2
Agency EIS Requirements



Department of
Primary Industries

OUT13/18765

19 JUL 2013

Ms Christine Chapman
Major Projects Assessment
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Ms Chapman,

**Milk Processing Facility, Erskine Park (SSD-6026)
Request for input into Director General Requirements**

I refer to your email dated 28 June 2013 to the NSW Office of Water, a division within the Department of Primary Industries (DPI) in respect to the above matter.

Comment by the NSW Office of Water

The NSW Office of Water provides the advice at Attachment A. For further information please contact Janne Grose, Water Regulation Officer (Penrith office) on 4729 8262, or at: Janne.Grose@water.nsw.gov.au.

Comment by Fisheries NSW

Fisheries NSW do not have any requirements. For further information please contact Carla Ganassin, Conservation Manager (Wollongong office) on 4254 5527, or at: carla.ganassin@dpi.nsw.gov.au.

Comment by NSW Food Authority

It is noted that the NSW Food Authority has responded direct to your Department by letter dated 1 July 2013. For further information please contact Mark Mackie, A/Manager Audit & Compliance (Newington office) on 9741 4710, or at: Mark.Mackie@dpi.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Phil Anquetil', written over a horizontal line.

Phil Anquetil
Executive Director Business Services

Attachment A

Erskine Park Milk Processing Facility (SSD-6026) Request for Input into Director General Requirements

Comment by the NSW Office of Water

1. Relevant Legislation

The Environmental Impact Statement (EIS) should take into account the objects and regulatory requirements of the *Water Act 1912* and *Water Management Act 2000* (WMA 2000), as applicable. Proposals and management plans should be consistent with the Objects (s.3) and Water Management Principles (s.5) of the WMA.

2. Water Sharing Plans (WSPs)

The proposal is located within the area covered by the *Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources* and the *Water Sharing Plan for the Greater Metropolitan Region Groundwater sources*. The EIS is required to:

- Demonstrate how the proposal is consistent with the relevant rules of the WSP including rules for access licences, distance restrictions for water supply works and rules for the management of local impacts in respect of surface water and groundwater sources, ecosystem protection, water quality and surface-groundwater connectivity.
- Provide a description of any site water use (amount of water from each water source) and management including all sediment dams, clear water diversion structures with detail on the location, design specifications and storage capacities for all the existing and proposed water management structures.
- Provide an analysis of the proposed water supply arrangements against the rules for access licences and other applicable requirements of any relevant WSP.

3. Relevant Policies

The EIS should take into account the following policies (as applicable):

- NSW State Rivers and Estuary Policy (1993);
- NSW Wetlands Management Policy (1996);
- NSW State Groundwater Policy Framework Document (1997);
- NSW State Groundwater Quality Protection Policy (1998);
- NSW State Groundwater Dependent Ecosystems Policy (2002);
- Aquifer Interference Policy (2012).

Refer:

<http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/default.aspx>

The EIS needs to demonstrate the proposal is consistent with the spirit and principles of these policy documents.

4. Licensing Considerations

The EIS is required to provide:

- Details of the water supply source(s) for the proposal including any proposed surface water and groundwater extraction and all water supply works to take water.
- Information on the purpose, location, construction and expected annual extraction volumes including details on all existing and proposed water supply works which take surface water, (pumps, dams, diversions, etc).
- Details on all bores and excavations for the purpose of investigation, extraction, dewatering, testing and monitoring and an approval obtained from the Office of Water

prior to their installation. All predicted groundwater take must be accounted for through adequate licensing.

Water allocation account management rules, total daily extraction limits and rules governing environmental protection and access licence dealings also need to be considered.

5. Surface Water and Groundwater Assessment

It is noted stormwater will be captured on site in underground retention tanks and reused where appropriate (page 23, Scoping Document). The EIS needs to provide adequate details to assess the potential impacts of the project on surface water resources and surrounding waterbodies. If the proposal includes water management structures/dams, the EIS needs to provide details on:

- any existing structure/s (date of construction, location, purpose, size and capacity, the legal status/approval for existing structure/s).
- any proposal to change the purpose of existing structure/s.
- any remedial work required to maintain the integrity of the existing structure/s.
- the purpose, location and design specifications for any proposed structure/s.
- the size and storage capacity of the structure/s.
- calculation of the Maximum Harvestable Right Dam Capacity (MHRDC).
- whether the structure/s is affected by flood flows.
- any proposal for shared use, rights and entitlement of the structure/s.
- whether the proposed development has the potential to bisect the structure/s.

Section 5.12.2 in the Scoping Project report notes potential impact to groundwater is expected to be limited due to the relatively shallow depth of intrusion beneath ground level (page 52). The EIS needs to provide adequate details to assess the potential impacts of the project on all groundwater resources including:

- the predicted highest groundwater table at the site.
- any works likely to intercept, connect with or infiltrate the groundwater sources.
- any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes.
- a description of the flow directions and rates and physical and chemical characteristics of the groundwater source.
- the predicted impacts of any final landform on the groundwater regime.
- the existing groundwater users within the area (including the environment), any potential impacts on these users and safeguard measures to mitigate impacts.
- an assessment of the quality of the groundwater for the local groundwater catchment
- an assessment of groundwater contamination (considering both the impacts of the proposal on groundwater contamination and the impacts of contamination on the proposal).
- how the proposed development will not potentially diminish the current quality of groundwater, both in the short and long term.
- measures for preventing groundwater pollution so that remediation is not required.
- protective measures for any groundwater dependent ecosystems (GDEs).
- proposed methods of the disposal of waste water and approval from the relevant authority.
- the results of any models or predictive tools used.

Where potential impact/s are identified the assessment will need to identify limits to the level of impact and contingency measures that would remediate, reduce or manage potential impacts to the existing groundwater resource and any dependent groundwater environment or water users, including information on:

- any proposed monitoring programs, including water levels and quality data.
- reporting procedures for any monitoring program including mechanism for transfer of information.
- an assessment of any groundwater source/aquifer that may be sterilised from future use as a water supply as a consequence of the proposal.

- identification of any nominal thresholds as to the level of impact beyond which remedial measures or contingency plans would be initiated (this may entail water level triggers or a beneficial use category).
- description of the remedial measures or contingency plans proposed.
- any funding assurances covering the anticipated post development maintenance cost, for example on-going groundwater monitoring for the nominated period.

Licensing

If the proposal is likely to intercept or use groundwater, a licence may be required from the Office of Water under Part 5 of the *Water Act 1912* in relation to this development. The need for a water licence should be addressed in the EIS.

All proposed groundwater works, including bores for the purpose of investigation, extraction, dewatering, testing or monitoring must be identified in the proposal and an approval obtained from the Office of Water prior to their installation.

6. Watercourse and Riparian Land

Section 4.3.5 of the Scoping Report notes the site is located beside a Biodiversity Corridor which comprises a riparian corridor connecting to the local creek system. The EIS needs to provide details on the Biodiversity Corridor, Biodiversity Management Plan and the realigned creek/riparian corridor, including:

- scaled plans showing the location of:
 - top of bank
 - riparian corridor
 - existing riparian vegetation
 - the site boundary, the footprint of the proposal in relation to the Biodiversity Corridor, watercourses and riparian corridor.
- photographs of the watercourse looking in an upstream and downstream direction and a map showing the point from which the photos were taken.
- a detailed description of all potential impacts on the watercourse/riparian land including channel stability, sediment movement, hydraulic regime and riparian area.
- a description of the design features and measures to be incorporated into the proposal to mitigate potential impacts.

The EIS needs to address how the development proposes to protect the Biodiversity Corridor, the creek and riparian corridor.

It is noted in Section 3.11 of the Scoping Document that the intent is to provide landscaped areas consistent with the surrounding vegetation (page 24). As the site adjoins the Biodiversity Corridor/riparian corridor it is recommended that any landscaping on the site, particularly adjacent to the corridor is planted with local native trees, shrubs and groundcovers from the local vegetation community to further improve habitat diversity. The establishment of local native plant species on the site will also assist to reduce water maintenance requirements.

The EIS should provide details on any fencing requirements along the proposed southern boundary. There needs to be a clear demarcation between the boundary of the Biodiversity Corridor and any APZ requirements on the subject site. Bollards could be used to delineate corridor along the southern boundary of the site to ensure any APZ requirements on the site do not encroach into the corridor.

7. Groundwater Dependent Ecosystems (GDE's)

The EIS should provide details on the presence and distribution of Groundwater Dependent Ecosystems in the vicinity of the site and:

- demonstrate that the proposed development would maintain natural patterns of groundwater flow and not disrupt groundwater levels that are critical to GDEs.
- identify any potential impacts on GDEs as a result of the proposal including:

- the effect of the proposal on the recharge to groundwater systems;
- the potential to adversely affect the water quality of the underlying groundwater system and adjoining groundwater systems in hydraulic connections;
- the effect on the function of GDEs (habitat, groundwater levels, connectivity).
- provide safeguard measures for any GDEs.

GDEs are ecosystems which have their species composition and natural ecological processes wholly or partially determined by groundwater. GDEs represent a vital component of the natural environment and can vary in how they depend on groundwater, from having occasional or no apparent dependence through to being entirely dependent. GDEs occur across both the surface and subsurface landscapes ranging in area from a few metres to many kilometres. Surface and groundwaters are often interlinked and aquatic ecosystems may have a dependence on both.

End Attachment A



ENVIRONMENT PROTECTION AUTHORITY



PCU046431

Your reference: SSD-6026
Our reference: DOC13/31237
Our contact: Rebecca Whiteside, ph: 9995 6846

Ms Christine Chapman
Mining and Industry Projects
Development Assessment Systems & Approvals
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001



Dear Ms Chapman

**Key issues and environmental assessment requirements – State Significant Development
Devondale Milk Processing Facility, Erskine Park (SSD-6026)**

I refer to your request for the Environment Protection Authority (EPA)'s key issues and requirements for the environmental assessment (EA) in regard to the above proposal received by the EPA on 1 July 2013.

The EPA has considered the details of the project, as provided by the Department of Planning and Infrastructure, and has identified the information it requires to assess the project (see **Attachment 1**). The proponent should ensure that the EA to be prepared is sufficiently comprehensive to enable the EPA to determine the extent of the environmental impact(s) of the proposal.

- In summary, EPA's key information requirements for the proposal include an adequate assessment of:
1. impacts on air quality (including odour, dust and air emissions), noise amenity and water quality;
 2. management of waste (both liquid and non-liquid), chemicals and site contamination; and
 3. the actions that will be taken to avoid or mitigate identified environmental impacts.

In carrying out the assessment, the proponent should refer to any relevant guidelines as listed in **Attachment 2** and any relevant industry codes of practice and best practice management guidelines.

The EPA will undertake a detailed review of the EA during the exhibition period and make a submission including, where appropriate, recommended conditions of approval. The EPA cannot exclude the possibility that issues might be identified, in any detailed review, that are additional to the issues raised in these preliminary comments.

The EPA requests that an electronic copy of the EA be provided for review during the exhibition period. These documents should be lodged with the Environment Protection Authority, PO Box 668, Parramatta, NSW, 2124.

If you have any queries regarding this matter please contact Rebecca Whiteside on 9995 6846.

Yours sincerely

 10/7/13

GREG SHEEHY
Manager Sydney Industry
Environment Protection Authority

Attachment 1: EPA's recommended Environmental Assessment Requirements (EARs) - Proposed Devondale Milk Processing Facility, Erskine Park

Licensing requirements

1. On the basis of the information submitted to date, the proposed activity is a scheduled activity under the *Protection of the Environment Operations Act 1997* (POEO Act) and would therefore require an Environment Protection Licence (EPL) if approval is granted. The EA should address the requirements of Section 45 of the POEO Act in determining the extent of each impact and providing sufficient information to enable the EPA to determine appropriate limits and conditions for the EPL.
2. Should project approval be granted, the proponent will need to make a separate application to the EPA for an EPL for the proposed facility prior to undertaking any on site works. Additional information is available through the *EPA Guide to Licensing* document (www.epa.nsw.gov.au/licensing/licenceguide.htm).

Environmental impacts of the project

For all stages of this proposal, impacts related to the following environmental issues need to be assessed, quantified and reported on:

- Air Issues
 - air quality
- Noise and vibration
- Waste, chemicals, hazardous materials and radiation
 - General waste
 - Chemicals subject to Chemical Control Orders
 - Hazardous materials and radiation
- Water and soils
 - water quality
 - soil issues – including acid sulphate soils and salinity (if applicable)
 - contaminated sites

The environmental assessment (EA) should address the specific requirements outlined under each of the headings below and assess impacts in accordance with any relevant guidelines. A full list of guidelines is at **Attachment 2**.

SPECIFIC ISSUES

Air issues

Air quality

The EA should include a detailed air quality impact assessment (AQIA) for the proposal. The AQIA should:

1. Assess the risk associated with potential discharges of fugitive and point source air emissions for all stages of the proposal. Assessment of risk relates to environmental harm, risk to human health and amenity.
2. Justify the level of assessment undertaken on the basis of risk factors, including but not limited to:
 - a) proposal location;
 - b) characteristics of the receiving environment; and
 - c) type and quantity of pollutants emitted.

3. Describe the receiving environment in detail. The proposal must be contextualised within the receiving environment (local, regional and inter-regional as appropriate). The description must include but need not be limited to:
 - a) meteorology and climate;
 - b) topography;
 - c) surrounding land-uses;
 - d) receptors; and
 - e) ambient air quality.
4. Provide details of the proposal that are essential to predicting and assessing air quality impacts including:
 - a) identification and description of all potential sources and processes that could result in air emissions (including odour);

Note: sources of emissions can be classified as either: point (e.g. emissions from a stack or vent); or fugitive (e.g. emissions from excavation and construction works, wind erosion, leakages or spillages, loading or unloading activities, storage facilities, vehicle movements (road dust, exhausts, loss from load), land clearing, plant and yard operations etc).
 - b) Identification of all air pollutants emitted, providing sufficient detail of all emissions regarding the characteristics and estimated quantity (and size for particles), emission levels relative to relevant standards in regulations, source and discharge points;
 - c) an outline of procedures for management of solid, liquid and gaseous waste streams with potential for significant air impacts (including handling, production, storage, treatment activities);
 - d) for potentially odorous emissions, provide an assessment of odour in accordance with the *Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW* (DEC 2006) and associated *Technical Notes*. Use sampling and analysis techniques for individual or complex odours and for point or diffuse sources, as appropriate.
5. Account for cumulative impacts associated with existing emission sources as well as any currently approved developments linked to the receiving environment.
6. Include air dispersion modelling where there is a risk of adverse air quality impacts, or where there is sufficient uncertainty to warrant a rigorous numerical impact assessment. Air dispersion modelling must be conducted in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2005)
<http://www.epa.nsw.gov.au/resources/air/ammodelling05361.pdf>.
7. Demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the *Protection of the Environment Operations (POEO) Act (1997)* and the *POEO (Clean Air) Regulation (2010)*.
8. Provide an assessment of the project in terms of the priorities and targets adopted under the NSW Government's State Plan: *NSW 2021* and the ability to maintain or improve air quality to ensure that the National Environmental Protection Measure (NEPM) for Ambient Air Quality is not compromised.
9. Detail emission control techniques/practices that will be employed by the proposal.

Noise and vibration

In relation to noise, the following matters should be addressed as part of the EA.

General

1. Construction noise associated with the proposed development should be assessed using the *Interim Construction Noise Guideline* (EPA, 2009). <http://www.epa.nsw.gov.au/noise/constructnoise.htm>
2. Vibration from all activities (including construction and operation) to be undertaken on the premises should be assessed using the guidelines contained in the *Assessing Vibration: a technical guideline* (EPA, 2006). <http://www.epa.nsw.gov.au/noise/vibrationguide.htm>
3. If blasting is required for any reasons during the construction or operational stage of the proposed development, blast impacts should be demonstrated to be capable of complying with the guidelines contained in *Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration* (ANZEC, 1990). <http://www.epa.nsw.gov.au/noise/blasting.htm>

Industry

4. Operational noise from all industrial activities to be undertaken on the premises should be assessed using the guidelines contained in the *NSW Industrial Noise Policy* (EPA, 2000) and *Industrial Noise Policy Application Notes*. <http://www.epa.nsw.gov.au/noise/industrial.htm>

Road

5. Noise on public roads from increased road traffic generated by land use developments should be assessed using the guidelines contained in the *NSW Road Noise Policy* (EPA, 2011). <http://www.epa.nsw.gov.au/noise/traffic.htm>
6. Noise from new or upgraded public roads should be assessed using the *NSW Road Noise Policy* (EPA, 2011). <http://www.epa.nsw.gov.au/noise/traffic.htm>

Waste, chemicals and hazardous materials and radiation

General waste

The EA should:

1. Include a detailed plan for in-situ classification of waste material, including the sampling locations and sampling regime that will be employed to classify the waste, particularly with regards to the identification of contamination hotspots.
2. Identify, characterise and classify all waste that will be generated onsite through excavation, demolition or construction activities, including proposed quantities of the waste. **Note:** All waste must be classified in accordance with *EPA's Waste Classification Guidelines (2009)*. <http://www.epa.nsw.gov.au/waste/envguidlns/index.htm>
3. Identify, characterise and classify all waste (liquid and non-liquid) generated, handled, processed, treated, stored or disposed of at the premises, including the proposed quantities of the waste and disposal methods / locations. **Note:** All waste must be classified in accordance with *EPA's Waste Classification Guidelines*.
4. Identify, characterise and classify all waste that is proposed to be disposed of to an offsite location, including proposed quantities of the waste and the disposal locations for the waste. This

includes waste that is intended for re-use or recycling. **Note:** All waste must be classified in accordance with EPA's *Waste Classification Guidelines*.

5. Include a commitment to retaining all sampling and classification results for the life of the project to demonstrate compliance with EPA's *Waste Classification Guidelines*.
6. Provide details of waste (liquid and non-liquid) management at the facility, including:
 - a) the transportation, assessment and handling of waste arriving at or generated at the site;
 - b) any stockpiling of wastes or recovered materials at the site including details of stockpile location and management;
 - c) any waste processing related to the facility, including re-use, recycling, reprocessing or treatment both on- and off-site;
 - d) the method for disposing of all wastes or recovered materials at the facility;
 - e) the emissions arising from the handling, storage, processing, reprocessing or treatment of waste at the facility
 - f) the proposed controls for managing the environmental impacts of these activities
7. Provide details of spoil management with particular attention to:
 - a) the quantity of spoil material likely to be generated;
 - b) proposed strategies for the handling, stockpiling, re-use/recycling and disposal of spoil;
 - c) identification of the history of spoil material and where there is any likelihood of contaminated material, and if so, measures for the management of any contaminated material;
 - d) the proposed measures to be implemented to minimise erosion, leachate and sediment mobilisation at the site during works.
8. Provide details of procedures for the assessment, handling, storage, transport and disposal of all hazardous waste used, stored, processed or disposed of at the site, in addition to the requirements for liquid and non-liquid wastes.
9. Include details of all procedures and protocols to be implemented to ensure that any waste leaving the site is transported and disposed of lawfully and does not pose a risk to human health or the environment. If the waste possesses hazardous characteristics, the Proponent must provide details of how the waste will be treated or immobilised to render it suitable for transport and disposal.
10. Include a statement demonstrating that the Proponent is aware of EPA's requirements with respect to notification and tracking of waste.
11. Include a statement demonstrating that the Proponent is aware of the relevant legislative requirements for disposal of the waste, including any relevant Resource Recovery Exemptions, as gazetted by the EPA from time to time.
(<http://www.epa.nsw.gov.au/waste/RRRecoveryExemptions.htm>) or the *Waste Classification Guidelines 2008* (<http://www.epa.nsw.gov.au/waste/envguidlms/index.htm>).
12. Outline contingency plans for any event that affects operations at the site that may result in environmental harm, including: excessive stockpiling of waste, volume of leachate generated exceeds the storage capacity available on-site etc.

Chemicals – general

1. Details of the type and quantity of any chemical substances (including hydrocarbon (oils and fuels), etc.) to be used or stored and describe arrangements for their safe use and storage and ability to contain spillages/leaks.

Chemicals subject to Chemical Control Orders

1. The EIS must demonstrate how the Proponent will manage all materials and wastes containing scheduled chemical waste, dioxin and/or polychlorinated biphenyls (PCBs) in accordance with the applicable Chemical Control Order, National Management Plan or in accordance with a licence under the *Environmentally Hazardous Chemicals Act*.
2. Where a project involves any processing or treatment of scheduled chemicals, the proponent must provide the EPA with sufficient and appropriate documentation for a technology assessment to be undertaken by the EPA, in accordance with the following:
 - 'National Protocol - Approval/Licensing of Trials of Technologies for the Treatment/Disposal of Schedule X Wastes - July 1994'; and
 - 'National Protocol for Approval/Licensing of Commercial Scale Facilities for the Treatment/Disposal of Schedule X Wastes - July 1994'.

Water and soils

Water

The EA should provide details of the project that are essential for predicting and assessing impacts to waters from both construction and operations phases of the proposal. These include:

Describe Proposal

1. Identify all potential sources of water pollution in relation to the proposal, including any direct discharges of pollutants to local waterways (including stormwater) and location of discharge points, volumes, quality and frequency of all water discharges.
2. Demonstrate that all practical options to avoid water discharges have been implemented and environmental impact minimised where discharge is necessary and provide rationale for selection of option to discharge.
3. Where relevant include a water balance for the development including water requirements (quantity, quality and source(s)) and proposed storm and wastewater disposal, including type, volumes, proposed treatment and management methods and re-use options.

Background Conditions

4. Describe existing surface and groundwater quality. An assessment needs to be undertaken for any water resource likely to be affected by the proposal.
5. State the Water Quality Objectives for the receiving waters relevant to the proposal. These refer to the community's agreed environmental values and human uses endorsed by the NSW Government as goals for ambient waters (<http://www.environment.nsw.gov.au/ieo/index.htm>). Where groundwater may be impacted the assessment should identify appropriate groundwater environmental values.
6. State the indicators and associated trigger values or criteria for the identified environmental values. This information should be sourced from the ANZECC (2000) Guidelines for Fresh and Marine Water Quality. (<http://environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html>)
7. State any locally specific objectives, criteria or targets which have been endorsed by the NSW Government.

Impact Assessment

8. Describe the nature and degree of impact that any proposed discharges will have on the receiving environment.
9. Assess impacts against the relevant ambient water quality outcomes. Demonstrate how the proposal will be designed and operated to:
 - protect the Water Quality Objectives for receiving waters where they are currently being achieved; and
 - contribute towards achievement of the Water Quality Objectives over time where they are not currently being achieved.
10. Where a discharge is proposed that includes a mixing zone, the proposal should demonstrate how wastewater discharged to waterways will ensure the ANZECC (2000) water quality criteria for relevant chemical and non-chemical parameters are met at the edge of the initial mixing zone of the discharge, and that any impacts in the initial mixing zone are demonstrated to be reversible.
11. Assess impacts on groundwater and groundwater dependent ecosystems.
12. Outline stormwater management to control pollutants at the source and contain them within the site, both during and after construction. Also describe measures for maintaining and monitoring any stormwater controls.

Monitoring

13. Describe how predicted impacts will be monitored and assessed over time.
Water quality monitoring should be undertaken in accordance with the *Approved Methods for the Sampling and Analysis of Water Pollutant in NSW* (2004)
(<http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf>).

General soil issues

The EIS should include:

1. An assessment of potential impacts from the construction and operation stages of the proposal on soil and land resources should be undertaken, being guided by *Soil and Landscape Issues in Environmental Impact Assessment* (DLWC 2000). The nature and extent of any significant impacts should be identified. Particular attention should be given to:
 - a) disturbance of any existing contaminated soil (see below);
 - b) soil erosion and sediment transport - in accordance with *Managing urban stormwater: soils and construction*, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B Waste landfills; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (EPA 2008).
 - c) subsidence or mass movement (landslides) – in accordance with *Landslide risk management* guidelines presented in Australian Geomechanics Society (2007).
 - d) urban and regional salinity – guidance given in the Local Government Salinity Initiative booklets which includes *Site Investigations for Urban Salinity* (DLWC, 2002).
 - e) disturbance of acid sulfate or potential acid sulfate soils - in accordance with the relevant guidelines in the *Acid Sulfate Soils Manual* (Stone *et al.* 1998) and the *Acid Sulfate Soils Laboratory Methods Guidelines* (Ahern *et al.* 2004).
2. A description of the mitigation and management options that will be used to prevent, control, abate or minimise identified soil and land resource impacts associated with the project. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.

Contamination

The EA should:

1. The EIS should include an assessment of the contamination of the site that is conducted in accordance with the guidelines made or approved under section 105 of the *Contaminated Land Management Act 1997*, for example: *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 2000), *Guidelines for the NSW Site Auditor Scheme - 2nd edition* (EPA, 2006), *Sampling Design Guidelines* (EPA, 1995), *National Environment Protection (Assessment of Site Contamination) Measure 1999* (or update).
2. The EIS should provide the details on how the site contamination will be remediated and/or managed so that the site is, or can be, made suitable for the proposed use.
3. All reports should be prepared in accordance with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 2000).
4. The EIS should specify whether or not a site auditor, accredited under the *Contaminated Land Management Act 1997*, has been or will be engaged to issue a site audit statement to certify on the suitability of the current or proposed uses.
5. The EIS shall include an assessment of potential contamination in the sediments to be disturbed during the proposed development works and operation of the facility. The assessment is to consider potential impacts on water quality associated with the disturbance of sediments. The EIS will also outline measures to mitigate any such impacts that are identified through the assessment.

ATTACHMENT 2: Guidance Material

Title	Web address
<u>Relevant Legislation</u>	
<i>Contaminated Land Management Act 1997</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+140+1997+cd+0+N
<i>Environmentally Hazardous Chemicals Act 1985</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+14+1985+cd+0+N
<i>Environmental Planning and Assessment Act 1979</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N
<i>Protection of the Environment Operations Act 1997</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N
<i>Water Management Act 2000</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N
<u>Licensing</u>	
EPA Guide to Licensing	www.epa.nsw.gov.au/licensing/licenceguide.htm
<u>Air Issues</u>	
Air Quality	
Approved methods for modelling and assessment of air pollutants in NSW (2005)	http://www.epa.nsw.gov.au/resources/air/ammodelling05361.pdf
Approved methods for the sampling and analysis of air pollutants in NSW (2006)	http://www.environment.nsw.gov.au/resources/legislation/07001amsaap.pdf
Assessment and management of odour from stationary sources in NSW: technical framework (2006)	http://www.environment.nsw.gov.au/resources/air/20060440framework.pdf
Assessment and management of odour from stationary sources in NSW: technical notes (2006)	http://www.environment.nsw.gov.au/resources/air/20060441notes.pdf
POEO (Clean Air) Regulation 2010	http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+428+2010+cd+0+N
National Environment Protection (Ambient Air Quality) Measure	http://www.scew.gov.au/nepms/ambient-air-quality
<u>Noise and Vibration</u>	
Interim Construction Noise Guideline (EPA, 2009)	http://www.epa.nsw.gov.au/noise/constructnoise.htm
Assessing Vibration: a technical guideline (EPA, 2006)	http://www.epa.nsw.gov.au/noise/vibrationguide.htm
Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground	http://www.epa.nsw.gov.au/noise/blasting.htm

Title	Web address
vibration (ANZEC, 1990)	
Industrial Noise Policy (EPA, 2000) and Appendices	http://www.epa.nsw.gov.au/noise/industrial.htm
Industrial Noise Policy Application Notes	http://www.epa.nsw.gov.au/noise/applicnotesindustnoise.htm
NSW Road Noise Policy (EPA, 2011)	http://www.epa.nsw.gov.au/noise/traffic.htm
<u>Waste, Chemicals and Hazardous Materials and Radiation</u>	
Waste	
Environmental Guidelines: Solid Waste Landfills (EPA, 1996)	http://www.environment.nsw.gov.au/resources/waste/envguidlns/solidlandfill.pdf
Draft Environmental Guidelines - Industrial Waste Landfilling (April 1998)	http://www.environment.nsw.gov.au/resources/waste/envguidlns/industrialfill.pdf
Waste Classification Guidelines (EPA, 2008)	http://www.epa.nsw.gov.au/waste/envguidlns/index.htm
EPA Resource recovery exemption	http://www.epa.nsw.gov.au/waste/RRecoveryExemptions.htm
Chemicals subject to Chemical Control Orders	
Chemical Control Orders (regulated through the EHC Act)	http://www.epa.nsw.gov.au/pesticides/CCOs.htm
National Protocol - Approval/Licensing of Trials of Technologies for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries
National Protocol for Approval/Licensing of Commercial Scale Facilities for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries
<u>Water and Soils</u>	
Acid sulphate soils	
Acid Sulfate Soils Planning Maps	http://canri.nsw.gov.au/download/
Acid Sulfate Soils Manual (Stone et al. 1998)	Manual available for purchase from: http://www.landcom.com.au/whats-new/the-blue-book.aspx Chapters 1 and 2 are on DoLP's Guidelines Register at: Chapter 1 Acid Sulfate Soils Planning Guidelines: http://www.planning.nsw.gov.au/rdaguidelines/documents/NSW%20Acid%20Sulfate%20Soils%20Planning%20Guidelines.pdf Chapter 2 Acid Sulfate Soils Assessment Guidelines: http://www.planning.nsw.gov.au/rdaguidelines/documents/NSW%20Acid%20Sulfate%20Soils%20Assessment%20Guidelines.pdf
Acid Sulfate Soils Laboratory Methods Guidelines (Ahern et al. 2004)	http://www.derm.qld.gov.au/land/ass/pdfs/lmg.pdf This replaces Chapter 4 of the Acid Sulfate Soils Manual above.
Contaminated Sites Assessment and	

Title	Web address
Remediation	
Managing land contamination: Planning Guidelines – SEPP 55 Remediation of Land	http://www.planning.nsw.gov.au/DevelopmentAssessments/RegisterofDevelopmentAssessmentGuidelines/tabid/207/language/en-US/Default.aspx
Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2011)	http://www.environment.nsw.gov.au/resources/clm/20110650consultantsguidelines.pdf
Guidelines for the NSW Site Auditor Scheme - 2nd edition (EPA, 2006)	http://www.epa.nsw.gov.au/resources/clm/auditorguidelines06121.pdf
Sampling Design Guidelines (EPA, 1995)	Available by request from EPA's Environment Line
National Environment Protection (Assessment of Site Contamination) Measure 1999 (or update)	http://www.ephc.gov.au/taxonomy/term/44
Soils – general	
Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000)	http://www.dnr.nsw.gov.au/care/soil/soil_pubs/pdfs/tech_rep_34_new.pdf
Managing urban stormwater: soils and construction, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B Waste landfills; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (EPA 2008)	Vol 1 - http://www.environment.nsw.gov.au/stormwater/publications.htm Vol 2 - http://www.environment.nsw.gov.au/stormwater/publications.htm
Landslide risk management guidelines	http://www.australiangeomechanics.org/resources/downloads/
Site Investigations for Urban Salinity (DLWC, 2002)	http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf
Local Government Salinity Initiative Booklets	http://www.environment.nsw.gov.au/salinity/solutions/urban.htm
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	http://www.environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf



1 July 2013

Ms Christine Chapman
Planning & Infrastructure
Snr Planner, Major Projects Assessment
GPO Box 39
SYDNEY NSW 2001

Ms Chapman,

**Key Issues and Assessment Requirements – State Significant Development Devondale
Milk Processing Facility, Erskine Park (SSD-6026)**

The NSW Food Authority (the Authority) has assessed the application for the dairy processing facility as Erskine Park and has determined that this business will be required to apply for a licence as a dairy processing plant. I have outlined the key issues and assessment criteria below that the Authority will require in order to issue a licence to operate in NSW.

The Food Regulation 2010 determines that a:

'Dairy processing means the packaging, treating, cutting or manufacturing of dairy products, and the packing and storing of those products on the premises where they are packaged, treated, cut or manufactured, but does not include dairy primary production.'

(Food Regulation 2010 Clause 36)

Dairy processing facilities are also required to comply with the following sections of the Food Regulation 2010;

Processing of dairy products

(1) A person must not sell (including sell by retail) a dairy product for human consumption unless the dairy product has been processed in accordance with the processing requirements specified in clauses 15 and 16 of Standard 4.2.4 of the Food Standards Code.

(2) This clause does not apply:

(a) to a dairy primary production business in respect of the sale of milk or cream by the dairy primary production business to a dairy processing business, or

(b) to a dairy processing business in respect of the sale of a dairy product by the dairy processing business to another dairy processing business, or

(c) to goat's milk, but only if:

(i) the milk has been produced in compliance with a food safety program, and

(ii) in the case of milk that is unpasteurised—the milk bears a label that includes an advisory statement in accordance with clause 2 of Standard 1.2.3 of the Food Standards Code.

(Food Regulation 2010 Clause 45)

Milk for manufacture

Milk and milk components used for the manufacture of dairy products for human consumption must be processed as required by Standard 4.2.4 of the Food Standards Code.

(Food Regulation 2010 Clause 46)

Pasteuriser requirements

Equipment used for the pasteurisation of milk or milk components at the premises of a dairy processing business must comply with the requirements of the Guidelines for Food Safety: Validation and Verification of Heat Treatment Equipment and Processes as developed by the Australia New Zealand Dairy Authorities' Committee and as in force from time to time.

(Food Regulation 2010 Clause 47)

Milk to comply with certain requirements of Food Standards Code

The holder of a licence authorising the operation of a dairy processing business must ensure that milk is not processed for human consumption and is not used in the manufacture of dairy products unless it complies with the requirements of the following standards of the Food Standards Code with respect to metals, chemical residues, drug residues and contaminants:

- (a) Standard 1.4.1 (Contaminants and Natural Toxicants),*
- (b) Standard 1.4.2 (Maximum Residue Limits),*
- (c) Standard 2.5.1 (Milk).*

(Food Regulation 2010 Clause 48)

Information concerning the operation and license requirements for dairy processing plants is available on the NSW Food Authority website at:

<http://www.foodauthority.nsw.gov.au/industry/industry-sector-requirements/dairy/>

The requirements outlined above specify the operating standards that a dairy processing plant must comply with in order to hold a licence with the Authority. These standards also include the requirement to develop and operate to a HACCP plan which must identify and control all possible food safety risks associated with the food processing activities.

The Food Regulation 2010 does not require dairy processing premises to be inspected and approved prior to operations commencing. Compliance to structural and operating standards is assessed at the 'Licensing Audit' which is conducted by Authority officers as part of the licence approval process.

Information concerning the audit program is available on the NSW Food Authority website at:

<http://www.foodauthority.nsw.gov.au/industry/audits-inspections-compliance/audits-of-licensed-businesses/>

The Authority provides detailed information to new businesses and will liaise directly with this company when a licence application is submitted.



Food
Authority

Should you have any further inquiries regarding this matter, please contact me directly on (02) 9741 4710.

Regards,

Mark Mackie
A/g Manager Audit & Compliance

Christine Chapman - RE: Devondale Milk Processing Facility (SSD - 6026)

From: Susan Harrison <Susan.Harrison@environment.nsw.gov.au>
To: Christine Chapman <Christine.Chapman@planning.nsw.gov.au>
Date: 6/28/2013 4:22 PM
Subject: RE: Devondale Milk Processing Facility (SSD - 6026)

Dear Christine,

The office of Environment and Heritage has reviewed the attached document and has no requirements for the proposed SSD and no interest in being involved in any future stages of the assessment process.

Regards

Susan

Susan Harrison
Senior Team Leader Planning, Greater Sydney
Regional Operations Group
Office of Environment and Heritage
NSW Department of Premier and Cabinet
PO Box 668
Parramatta NSW 2124
T: 9995 6864
W: www.environment.nsw.gov.au

From: Christine Chapman [mailto:Christine.Chapman@planning.nsw.gov.au]
Sent: Friday, 28 June 2013 4:01 PM
To: Christine Chapman
Subject: Devondale Milk Processing Facility (SSD - 6026)

Devondale Milk Processing Facility, Erskine Park (SSD 6026)

Good morning,

As you are aware, the Murray Goulburn Co-operative have lodged a State significant development application with the Department for the construction and operation of the Devondale Milk Processing Facility at 111-113 Quarry Road, Erskine Park in the Penrith Local Government Area.

The Department has now receive request for Director-General's requirements and a supporting Preliminary Environmental Assessment (PEA) for the proposed development.

To assist with issuing the Director-General's requirements , I would appreciate it if you could send me your agency's requirements for the preparation of the Environmental Impact Statement. It would be appreciated if you could send these to me no later than close of business on **10 July 2013**.

If you have any enquiries about the proposal, please contact me on the above referenced details.

Please note, the attached document is the Project Scoping Document (not the PEA). An electronic copy of the PEA has been posted to you directly and is also available on the Department's website at the following link:

Kind regards

Christine Chapman

Snr Planner, Major Projects Assessment
NSW Department of Planning and Infrastructure
| GPO Box 39 Sydney NSW 2001
23-33 Bridge Street | Sydney NSW 2000 | T 02 9228 6537 | E christine.chapman@planning.nsw.gov.au



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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

Our Ref: PL13/0054
Contact: Peter Wood
Telephone: (02) 4732 7577

3 July 2013

Murray Goulburn Co Operative
C/- Urban Concepts
PO Box 495
MILSONS POINT NSW 1565

Attention: Belinda Barnett

Dear Belinda,

**Pre-lodgement Meeting - Proposed Milk Processing Facility
Lot 1022 DP 1175670 , 111-113 Quarry Road, Erskine Park**

We welcome your initiative to commence your project in the Penrith Local Government Area.

Thankyou for participating in Council's pre-lodgement meeting on 18 June 2013. We consider that the pre-lodgement process will assist in the preparation and determination of your proposal.

If you require any further assistance regarding the attached advice please contact me on (02) 4732 7577

Yours faithfully

Peter Wood
Development Assessment Co-ordinator

**** Important Note ****

The pre-lodgement panel will endeavour to provide information which will enable you to identify issues that must be addressed in any application. The onus remains on the applicant to ensure that all relevant controls and issues are considered prior to the submission of an application. Information given by the pre-lodgement panel does not constitute a formal assessment of your proposal and at no time should comments of the officers be taken as a guarantee of approval of your proposal.

It is noted that there is no Development Application before the Council within the meaning of the Environmental Planning and Assessment Act 1979. This response is provided on the basis that it does not fetter the Council's planning discretion and assessment of any Development Application if lodged. It is recommended that you obtain your own independent expert advice.

The response is based upon the information provided at the time of the meeting. (a note should be taken of that information and recorded)

PROPERTY AND PLANNING INFORMATION	
Attendees	<p>Rista Brisgovic – Engineering Manager MG Juris Drezins - Blomquist & Wark Architects Andrew Buckley (Pitt & Sherry) Project Engineers Brian Cullinane (KRAH Environmental) EIA Belinda Barnett – Urban Concepts Peter Verbyla (Space 2 Develop) Project Coordination Oscar Stanish - GMU Gabrielle Morrish - GMU</p> <p>Peter Wood (PCC) Dev Assessment Co-ordinator Fred Shockair (PCC) Senior Development Engineer Craig Squires (PCC) Building Approvals team Leader Chris Martyn (PCC) Planning Admin Officer</p>
Proposal	Milk Processing Facility
Address	Lot 1022 DP 1175670 , 111-113 Quarry Road ERSKINE PARK NSW 2759
Zoning and permissibility	<p>The land is zoned IN1 – General Industry under State Environmental Planning Policy (SEPP) – Western Sydney Employment Area (WSEA). The proposed industry represents a permissible use in the zone provided it does not represent an Offensive or Hazardous Industry under SEPP 33 which should be demonstrated through a Preliminary Hazard Analysis (PHA).</p> <p>Council will consider an “early works” DA for a component of the proposal which is understood at this stage to be structural work for the building foundation. This advice relates to the overall proposal for your information as to Council’s input to the Major Project Application before the Department.</p>
Site constraints	<ul style="list-style-type: none"> — Bushfire — Easements 88B Restrictions — Biodiversity Corridor (adjoining) — Watercourse (adjoining) — Irregular shape and narrow frontage.
Development Type	The early works component will be local development however you should consult with NSW Office of Water should any Integrated approvals be required under the Water Management Act 200 for works within 40m of a watercourse (top of bank).
KEY ISSUES AND OUTCOMES	
The proposal is to address the following issues:	

RELEVANT EPI's POLICIES AND GUIDELINES

Planning provisions applying to the site, including permissibility and the provisions of all plans and policies are contained in **Appendix A**.

PLANNING

Key Issues

SEPP - WSEA

Your attention is drawn to the following Development Standards under Part 5 of State Environmental Planning Policy (SEPP) – Western Sydney Employment Area (WSEA) for which consent is dependent on the consent authority being satisfied and Council's comment:

20 Ecologically sustainable development

It is recommended that consideration be given to the incorporation of energy efficient design measures and utility installation including, but not limited to rainwater harvesting/water re-use, solar power generation and/or heating measures, shade provision in built elements and canopy planting in parking areas. The initiative to connect to the nearby methane gas extraction facility for supply is encouraged.

21 Height of buildings

It is noted that the height of building features, namely the silos, will exceed that prescribed in Council's DCP (see later comment). Council raises no objection in relation to this clause as adverse impact is unlikely given the location is removed from residential areas and the site generally sits lower and is screened by adjoining properties.

22 Rainwater harvesting

You should confirm with the Department that there is no scheme been approved by the Director General. Notwithstanding this on-site harvesting is encouraged as per Clause 20 above.

25 Public utility infrastructure

This includes for the supply of water, electricity and natural gas.

29 Industrial Release Area—satisfactory arrangements for the provision of regional transport infrastructure and services

This clause applies to the site as the land is not currently used for industrial purposes however you should confirm with the Department if Director General Certification is required for the **early works** DA as in Council's opinion this could be considered to be of a minor nature as provided by 25(5)(b) such that certification is only required for the Major Project application.

31 Design principles

Council is satisfied that the scale and character of the development will be compatible with other development in the precinct. We note that you have engaged GMU to inform the design of the site and we encourage the suggestions raised at our prelodgement meeting.

The front elevation is critical however given potential adjoining visibility in particular within the biodiversity corridor to future pedestrians/cyclists etc, the southern elevation is also important. It is important to create visual interest which can be achieved through:

- An expression of the awning;
- Highlighting the silos as a symbolic feature through lighting or subduing the surrounding roof forms;
- Opportunities of bringing in changes in cladding, colour;
- Increasing landscaped buffer with neighbouring properties and giving an emphasis to the entry.

Landscaping should incorporate canopy trees to soften the car park layout and provide shade given the western location. The landscape quality towards the street frontage/entry is important to define desired entry paths for staff/visitor vehicles versus truck movements. There are opportunities to create screening and a point of arrival with landscaping.

SEPP33

Your Major Project application must address SEPP 33 to demonstrate through a Preliminary Hazard Analysis that it does not represent an Offensive or Hazardous Industry and remains permissible in the zone.

SEPP55

The application for **early works** is to address all relevant requirements under State Environmental Planning Policy 55 Remediation of Land (SEPP 55). Council cannot consent to any development unless these requirements have been satisfied. Should remediation be required this will require development consent. The application is to demonstrate that the land is suitable for the proposed purpose.

DCP 2006 applies and your attention is drawn to Part 6.10 Erskine Business Park.

CONSULTATION

Consultation is required with other agencies and/or government bodies prior to the lodgement of this application including energy provided, Sydney Water, Gas provider, RMS in particular regarding b-double routes, NSW Department of Conservation and Land Management regarding the adjoining corridor land to the south and permission for any disposal of stormwater required, easements for access and maintenance, fencing etc.

SECTION 94 CONTRIBUTIONS

There are no contributions outstanding for this site nor payable for this proposal however the need for State Infrastructure Contributions required in accordance with Clause 29 of SEPP WSEA over and above local contributions should be confirmed with the Department.

ENGINEERING

On site detention is required. The site is not affected by flooding. All parking and turning areas are to comply with AS2890. Water Quality treatment devices required for loading dock and car park areas.

BUILDING

Consideration should be given to making all toilets accessible. It is noted that the building will have hydrant protection, be fully fire sprinklered with perimeter access around building.

OTHER

- Black, open style fencing is preferred to all boundaries with a high quality at the street frontage setback behind landscaping.
- Exterior lighting should be directed away from the property boundaries in particular the biodiversity corridor so as not to create a nuisance.
- Consideration should be given to a staff amenity area/lunchroom with direct external access to a landscaped courtyard away from loading/unloading and access areas with solar access in winter.

Documents to be submitted with early works development application	— Site plan — Statement of environmental effects — Notification plan — Stormwater concept plan — Six printed and a CD copy of your development application
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Please ensure you contact me on 4732 7577 to make an appointment for lodgement of this application and determine relevant application fees.

Peter Wood
Development Assessment Co-ordinator



10 July 2013

Your Reference: SSD 6026
Our Reference: SYD13/00748 (A4787442)

The Director – Mining and Industry Projects
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam

**DEVONDALE MILK PROCESSING FACILITY, 111-113 QUARRY ROAD, ERSKINE PARK
STATE SIGNIFICANT DEVELOPMENT – DIRECTOR GENERAL'S REQUIREMENTS.
SSD_6026**

Dear Sir/Madam

I refer to your letter of 25 June 2013 requesting Roads and Maritime Services (RMS) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Director General's Environmental Assessment (EA) requirements.

RMS would like the following issues to be included in the transport and traffic impact assessment of the proposed development:

1. It is noted that the Metropolitan Strategy has designated Penrith as a Regional City and a major focal point for regional transport connections and jobs growth. It is important that the development of milk processing facility takes into consideration, and contributes to the achievement of, transport objectives contained in this and other high-level NSW Government strategies.

These strategies include the NSW State Plan and draft North West Subregional Strategy. These policies share the aims of increasing the use of walking, cycling and public transport; appropriately co-locating new urban development with existing and improved transport services; and improving the efficiency of the road network.

By addressing both the supply of transport services and measures to manage demand for car use, the EA report should demonstrate how users of the milk processing facility will be able to make travel choices that support the achievement of relevant State Plan targets.

2. Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections and the need/associated funding for upgrading or road improvement works (if required).

Roads & Maritime Services

The key intersections to be examined / modelled include:

- James Erskine Drive and Quarry Road/Sarah Andrews Close;
 - James Erskine Drive and Mamre Road;
 - Erskine Park Road and Mamre Road.
3. Details of the proposed accesses and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (ie: turn paths, sight distance requirements, aisle widths, etc).
 4. Proposed number of car parking spaces and compliance with the appropriate parking codes.
 5. Details of service vehicle movements (including vehicle type and likely arrival and departure times).
 6. RMS requires the EA report to assess the implications of the proposed development for non-car travel modes (including public transport use, walking and cycling); the potential for implementing a location-specific sustainable travel plan (eg 'Travelsmart' or other travel behaviour change initiative); and the provision of facilities to increase the non-car mode share for travel to and from the site. This will entail an assessment of the accessibility of the development site by public transport.
 7. RMS will require in due course the provision of a traffic management plan for all demolition/construction activities, detailing vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures.

Any inquiries can be directed to Dianne Rees by telephone on 8849 2237.

Yours sincerely



Pahee Sellathurai

A/Senior Land Use Planner
Transport Planning, Sydney Region

Christine Chapman - Devondale Milk Processing Facility, Erskine Park (SSD 6026)

From: "PRACEY, SEAN" <SEAN.PRACEY@sydneywater.com.au>
To: "christine.chapman@planning.nsw.gov.au" <christine.chapman@planning.nsw.gov.au>
Date: 7/10/2013 4:13 PM
Subject: Devondale Milk Processing Facility, Erskine Park (SSD 6026)
CC: "TRUMAN, MATTHEW" <MATTHEW.TRUMAN@sydneywater.com.au>, "OBEIRNE, PATRICK" <PATRICK.OBEIRNE@sydneywater.com.au>, "GUIRGUIS, FARID" <Farid.Guirguis@sydneywater.com.au>, "CASIMIR, SAMUEL" <SAMUEL.CASIMIR@sydneywater.com.au>

Hi Christine,

Thank you for requesting us to review the Scoping Document and provide our requirements with respect to the development. Sydney Water has reviewed the document, and our requirements are listed below:

1. A complete Connection Application will need to be submitted including expected trade wastewater stream characteristic and WWTP design criteria details as required under Industrial Customer Application.
2. Based on our experience with similar industries, primary removal of FOG would not be sufficient to remove BOD and Oil and Grease pollutants to levels accepted by SWC. Secondary or Tertiary treatment would be required to meet inland wastewater acceptance standards.
3. Milk spill "spill containment for one truck volume (28m³)" should be excluded and contained separately from WWTP and removed off site.
4. Chemical spills should be contained separately from WWTP and removed off site.
5. Containment (Backflow Prevention) requirements need to be outlined as per our Connection Policy.

This feedback is based only upon the Scoping Document provided. Sydney Water will review and provide detailed feedback to the business when a complete application is made.

Further information on our requirements and application forms can be found here:

<http://www.sydneywater.com.au/SW/your-business/managing-trade-wastewater/industrial-trade-wastewater/index.htm>

regards




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