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SSD 16\_7628 - MPE

26 October 2017

Karen Harragon  
Director – Social and Other Infrastructure Assessments  
NSW Department of Planning and Environment  
Level 29, 320 Pitt Street  
SYDNEY NSW 2001

Dear Ms Harragon

**EPA Review of the Response to Submissions  
Moorebank Intermodal Precinct East – Stage 2 - SSD 7628**

I refer to your request dated 22 September 2017 to the NSW Environment Protection Authority (EPA) seeking comment on the Response to Submissions (RTS) of Stage 2 (SSD 7628) for the Moorebank Intermodal Precinct East (MPE).

The EPA has reviewed the following documents for the proposed Stage 2 development of the MPE:

- RTS dated July 2017
- Table outlining response to additional information requests, Table B-1 Response to the Department of Planning and Environment's (DPE) request for additional information, prepared by Arcadis, (received via email from DPE on 9 October 2017); and
- Email correspondence prepared by Tactical Group and provided to the EPA by DPE dated 12<sup>th</sup> October 2017 providing additional information.

The EPA examined the key environmental concerns of air quality, noise and vibration. The EPA's comments and recommendations are attached for your consideration (Attachment A).

If you wish to discuss any of the issues raised in this letter, please contact Rashad Danoun on (02) 9995 6370 or [rashad.danoun@epa.nsw.gov.au](mailto:rashad.danoun@epa.nsw.gov.au).

Yours sincerely

A handwritten signature in blue ink that reads 'Sarah Thomson'.

**SARAH THOMSON**  
**Unit Head Metropolitan Infrastructure**  
**Environment Protection Authority**

Encl. Attachment A – The EPA's review of the RTS for the proposed Moorebank Intermodal Precinct East – Stage 2 - SSD 7628 dated July 2017 in relation to the key environmental issues of air quality, noise and vibration.

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## **Attachment A**

### **NSW Environment Protection Authority (EPA) review of the Response to Submissions (RTS) for the proposed development Moorebank Intermodal Precinct East – Stage 2 - SSD 7628 dated July 2017**

The EPA's comments focus on the key environmental issues of air quality, noise and vibration.

## **AIR QUALITY**

### **Assessment**

The EPA has reviewed the following information provided by the DPE:

Item 1: Table outlining response to additional information requests; and

Item 2: Email correspondence dated 12<sup>th</sup> October 2017 providing additional information.

The additional information provided, advises that:

- The Air Quality Impact Assessment (AQIA) submitted during public exhibition for the importation of fill was based on an annual average activity rate. Revised analysis has been conducted based on a peak daily importation rate of 22,000 tonnes (T) for all material handling activities. This importation rate corresponds to the maximum daily fill importation rate for the whole precinct (both MPW and MPE proposals). The revised analysis shows:
  - The maximum predicted cumulative ground level concentration of 24-hour average PM<sub>2.5</sub> is 24 µg/m<sup>3</sup>, which is below the impact assessment criteria of 25 µg/m<sup>3</sup>;
  - The maximum predicted cumulative ground level concentration of 24-hour PM<sub>10</sub> is 50.9 µg/m<sup>3</sup>, which is above the impact assessment criteria of 50 µg/m<sup>3</sup>; and
  - One additional exceedance of the 24 hour PM<sub>10</sub> impact assessment criteria at five locations is predicted. The additional predicted exceedance of PM<sub>10</sub> occurs on a day when referenced background concentration is 48 µg/m<sup>3</sup>.
- The consideration of boilers within the AQIA provided during public exhibition was a general assumption. The response clarifies that no gas boilers are proposed for heating or cooling of the proposed warehouses;
- The emission rates contained in Table 5-6 are incorrectly labelled as “tonnes/annum”, and that the emission rates are confirmed to be kg/annum as per the emission rates in Table 5-3 and Table 5-5 of the original air quality impact assessment.

The proponent has committed to:

- The development and implementation of a Construction and Operational Environmental Management Plan Incorporating Air Quality Management Plans for construction and operation; and
- Not to exceed a total importation of 22,000 m<sup>3</sup> of material per day.

### **Advice**

The EPA advises that the additional information addresses the issues raised by the EPA during public exhibition. The revised analysis provided predicts the potential for an additional exceedance of the PM<sub>10</sub> 24-hour impact assessment criteria on a cumulative basis. However, it is noted that:

- The background PM<sub>10</sub> concentrations dominate the predicted cumulative impact on the day the exceedance is predicted. Background accounts for ~ 94% of the predicted cumulative PM<sub>10</sub> ground level concentration;
- The assessment assumes maximum daily rate will occur for all days of the modelled scenario;
- The predicted exceedances are within the bounds of typical assessment uncertainty for fugitive dust;

- The construction activities will need to be managed through a robust Construction Environmental Management Plan, with the inclusion of proactive and reactive management strategies. The EPA understands that the proponent proposes to conduct ambient air monitoring during the construction phase of the project. Ambient air monitoring can be a useful tool in implementing reactive management strategies, however it should be supplemented with proactive management strategies to prevent and minimise dust emissions at all times.

## Recommendations

The EPA recommends that the following conditions be included as consent conditions:

1. Prior to construction and operation:  
The proponent must prepare and implement an Air Quality Management Plan (AQMP) for both construction and operation. The AQMP must include, but is not limited to, the following information:
  - Best practice reactive and proactive management measures;
  - For all emission sources at the site
    - i. Key performance indicator(s);
    - ii. Monitoring method(s);
    - iii. Location, frequency and duration of monitoring;
    - iv. Record keeping;
    - v. Response mechanisms; and
    - vi. Compliance reporting.
2. During construction and operation works - Potentially Offensive Odour
  - The works must not cause or emit an offensive odour beyond the boundary of the premises.
3. For the operation works - Dust:
  - The site must be maintained in a condition which prevents or minimises the emission of dust from the premises;
  - All operations and activities occurring in or on the premises must be carried out in a manner that will minimise the generation or emission of dust from the premises.
  - All trucks entering and exiting the site must have their loads covered.
  - A maximum of 22,000 tonnes of fill may be received at the premises per day.

## NOISE AND VIBRATION

### Assessment

#### Construction works should be restricted to standard hours

The proponent's response to the EPA's submission in Table 4-2 regarding out of hours construction works states that the out of hours works comply with the criteria in the Interim Construction Noise Guideline (ICNG). However, the EPA notes that the proponent's response to the EPA's submission states that LAeq,15minute construction noise levels for out of standard hours works comply with noise management levels at all residential noise catchments except Wattle Grove, where a 1dB exceedance is predicted. Those works do not comply with background + 5dBA at Wattle Grove.

The proponent's justification for out of hours works is that the works are '**required**' and '**necessary**' to reduce traffic impacts and to reduce congestion during the morning and afternoon peak periods. The proponent does not clarify why it is '**necessary**' or by whom it is '**required**'.

### Crushing and concrete batch plant on site not clearly justified

The EPA does not necessarily agree with the proponent's justification for an onsite crushing and concrete plant that it will 'reduce traffic impacts during construction'.

The proponent also states that predicted construction noise levels during standard hours are below the criteria therefore the batching plant is justified. However, the predicted construction noise levels from MPW, MPE Stage 1 and MPE Stage 2 combined indicate that the criteria will be exceeded by around 2dBA in Casula.

### Tonal movement alarms ("reversing beepers") may not be necessary

The EPA notes that the proponent has responded to the EPA's comment regarding detailed design to minimise the use of reversing alarms. The EPA believes that reversing alarms may be able to be replaced with other measures that do not have the same off-site impacts.

### Cumulative intrusive operational noise should be assessed

The EPA recommended that the proponent predict the cumulative intrusive noise impacts from operation of both the MPE and MPW sites. The proponent responded that the assessment for LAeq,period amenity criteria for multiple industrial sources has been based on the INP. The assessment acknowledged that noise sensitive receivers would see both Moorebank projects as one facility.

### Amendments to proposal justify reviewing feasible and reasonable noise mitigation measures

The RTS report includes amendments to the MPE Stage 2 Proposal. With regard to the assessment of Lmax noise levels for sleep disturbance impacts, the proponent states that none of the amendments are likely to result in Lmax levels that differ to those already modelled. The EPA does not agree, as the changes to the warehouse layout, described also on page 292, will influence the flow of trucks on the internal road networks, which in turn may change the Lmax noise levels resulting from the truck movements.

## **Recommendations**

The EPA recommends the following:

1. The proponent clarifies why it is '**necessary**' or by whom it is '**required**' to conduct out of hours construction works. At present the proponent has not provided adequate clear justification for out of hours works other than for convenience.
2. DPE to consider whether the proponent has justified to its satisfaction that an onsite crushing and concrete batch plant is desirable in this case.
3. Relevant WH&S legislation will need to be considered, but reversing alarms may be able to be replaced with other measures that do not have the same off-site impacts.
4. The proponent should predict the cumulative maximum LAeq,15minute operational noise levels from the entire precinct as the Moorebank Precinct could be considered one facility (not 'multiple industrial sources').
5. The proponent comprehensively assess the potential noise impacts from the amended proposal, including Lmax noise levels.
6. The proponent should consider whether the mitigation measures adequately cover the proposed increased duration of construction to ensure that impacts of construction noise are minimised.