

## Response to Agency Submissions

Issue	Response
<b>Environment, Energy and Science Group</b>	
<b>Biodiversity</b>  EES would like to reiterate that the Vegetation Management Plan should be conditioned on the approval for Stage 1 and needs to include the following: <ul style="list-style-type: none"> <li>the long-term management of all vegetation retained on site;</li> <li>the rehabilitation and management of vegetation along Shrimptons Creek;</li> <li>the use of local provenance species appropriate for the threatened ecological communities and plant community types present on the site; and</li> <li>the monitoring of vegetation to ensure its long-term viability.</li> </ul>	Noted.
<b>Flooding</b>  There are no outstanding flooding issues.	Noted.
<b>Environmental Protection Authority</b>	
<b>Noise and Vibration</b>  Many of the issues raised in the EPA's submission on the Environmental Impact Statement (EIS) regarding noise and vibration have <u>not</u> been satisfactorily addressed. The EPA makes the following comments regarding the Ivanhoe Estate, Macquarie Park Revised Masterplan DA, prepared by Acoustic Logic, (Rev 2, dated 01.10.19) (revised RtS noise report) and the Letter to Frasers Property Ivanhoe Pty Ltd, from Acoustic Logic, (dated 26.09.19) (Acoustic Logic letter):	

Issue	Response
<p><b>1. Background noise monitoring</b></p> <p>The Acoustic Logic letter responds to the EPA's previous comments relating to the background noise monitoring. In summary, the EPA's concerns were:</p> <ol style="list-style-type: none"> <li>1) The location of the noise monitoring was not at the nearest or most affected residential properties and no justification for use of alternative locations was provided;</li> <li>2) The duration of the noise monitoring was not sufficient to satisfy the requirements of the Noise Policy for Industry (EPA, 2017) (NPfI);</li> <li>3) The noise monitoring was not processed in accordance with the procedures in the NPfI, specifically regarding accounting for adverse weather conditions;</li> <li>4) Extraneous noise was considered to have potentially affected some of the measurements, and no explanation or justification was provided; and</li> <li>5) The report did not contain the information required to be reported according to the NPfI.</li> </ol> <p>The Acoustic Logic letter and revised RtS noise report did not respond satisfactorily to these concerns as detailed below:</p> <ul style="list-style-type: none"> <li>• Item 1) of the Acoustic Logic letter presents the same information already submitted and does not address the EPA's concerns regarding the suitability of the measurement locations to represent background noise levels at the nearest potentially affected receivers.</li> <li>• Table 2 of the Acoustic Logic letter provides a checklist of items to be considered when determining background noise levels. However, whilst the table states that it complies with the appropriate duration of monitoring required to satisfy the NPfI, the data in Table 1 of the Acoustic Logic letter indicates that one week of valid data was not obtained due to several days of inclement weather. In some cases, only three to four days of valid data were collected, with two of those days being weekends. This is not considered representative and the Acoustic Logic letter does not provide justification that the data is representative of long-term noise levels at the nearest sensitive receivers.</li> <li>• Further to this, some of the measurement data presented in Table 1 of the Acoustic Logic letter has been removed due to adverse weather. However, this has been done inconsistently. For example, measurements at Location 2 and Location 5 were carried out over the same time period in September 2017, but data from different periods have been removed. Inconsistencies are also apparent with Locations 4 and 6, undertaken over the same period in October 2017. There are six periods removed for Location 4 which were not removed for Location 6, without explanation. It appears that this was due to adverse weather data, and therefore it is not clear why this data was removed at one location and not the other. No explanation was provided in the information submitted.</li> <li>• Wind and rain data have been included on the monitoring graphs in Appendices 1 to 6 of the revised RtS noise report, however the location and source of the data has not been included.</li> <li>• The EPA's comment relating to extraneous noise has not been addressed in any of the responses provided by the proponent.</li> <li>• Due to the lack of justification for the monitoring locations, the report did not satisfy Section B3 of the NPfI for reporting requirements for noise monitoring.</li> </ul>	<p>A supplementary report has been prepared by Acoustic Logic and describes the additional noise monitoring that has been completed. Refer to <b>Attachment I</b>.</p>

Issue	Response
<p><b>2. Intent of the Noise Policy for Industry (NPfI)</b></p> <p>The revised Rts noise report repeats an incorrect claim that the NPfI is intended to limit audibility of noise emissions. The aim of the NPfI is to limit noise levels to an acceptable level, it does not address audibility. Developments approved under the NPfI that produce noise levels below the Project Noise Trigger Levels may still be audible at receivers.</p>	<p>A supplementary report has been prepared by Acoustic Logic, which addresses the intent of the Noise Policy for Industry. Refer to <b>Attachment I</b>.</p>
<p><b>3. Land Uses other than residential</b></p> <p>The proposed development has educational, child care, retail, and food and beverage premises land uses. The proponent has not developed enough detail to assess these land uses in detail yet. They should be assessed as part of the subsequent stage development approvals.</p>	<p>Future development applications will assess the detailed proposals for the respective land uses noting that an assessment cannot be carried out at this stage without a detailed understanding of the operational aspects of these uses. A condition of consent can be imposed to reflect this requirement.</p>
<p><b>4. Recommended conditions of consent</b></p> <p>The applicant has not satisfactorily addressed all of EPA's comments on the Concept proposal. However, conditions of consent have been recommended to mitigate the risk associated with the failure to address EPA's concerns. The EPA is recommending using the minimum noise limits available under the NPfI. It is noted that an assessment undertaken in accordance with the NPfI for the development may yield higher noise limits, however the applicant has failed to address EPA's comments relating to the application of the NPfI.</p>	<p>A supplementary report has been prepared by Acoustic Logic, which addresses the Noise Policy for Industry. Refer to <b>Attachment I</b>.</p>
<p><b>TRANSPORT FOR NSW</b></p>	
<p>Submission identical to RTS2 from RMS</p>	<p>Please refer to previous response submitted in November 2019.</p>