

Mr Chris Ritchie  
Manager - Industry  
Planning & Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

**EMAIL & STANDARD POST**

Dear Mr Ritchie

**Re: Moorebank Waste Recycling Project MP05\_0157**

I refer to your correspondence received on 27 February 2013 by the Environment Protection Authority ("EPA") requesting comments on the Moorebank Waste Recycling Project MP05\_0157.

I refer to the Nexus Environmental Planning Pty Ltd "*Environmental Assessment Materials Recycling Facility Lot 6, DP 1065574 Newbridge Road Moorebank*" dated 19 February 2013 and attached with your correspondence (the "EA").

The EPA has reviewed the EA for the proposed materials recycling facility at Lot 6 DP 1065574 at Newbridge Road, Moorebank, NSW ("the Proposal"). The proposed facility would receive building and construction waste including concrete, brick, asphalt, sandstone, and sand from the Sydney metropolitan area for crushing, stockpiling and resale. The proposed facility would have a maximum capacity of 500,000 tonnes per annum with a maximum daily processing rate of 1600 tonnes and proposed hours of operation are Monday to Saturday 7am to 6 pm, with crushing equipment operated from 7 am to 5:30 pm.

I also refer to the EMM "*Submission regarding Moorebank Waste Facility*" prepared for Investa Land Pty Limited 5 April 2013, received by EPA on 5 April 2013. Environ Australia Pty Ltd ("Environ") was appointed by EMM to conduct a peer review of the air quality impact assessment of the EA.

**Air Quality Assessment**

The EPA has reviewed the EA and submissions provided for the proposed Moorebank facility and in particular a peer review of the air quality impact assessment for the proposal conducted by Environ. The EPA notes that Environ have highlighted the following issues:

- That the use of a 2005 meteorological dataset may under represent worst case dispersion conditions for the proposal.
- Impacts have not been predicted at the nearest sensitive receptors given the increase residential development since the AQIA was compiled in 2010
- Concern as to whether impacts from the adjacent Benedict Sands facility were adequately included in the background data set used for the cumulative impact assessment
- Whether the emissions reductions used in the emissions inventory have been adequately accounted for.

The EPA acknowledges that these are areas where the assessment could be improved.

To ensure assessment robustness, additional information is requested from the proponent. The proponent should provide:

- Predicted impacts at the nearest sensitive receptors as of 2013 (ie account for new residential development),
- Demonstration that the meteorological data used in the assessment adequately describes the meteorological patterns at the site by correlating it against a longer duration site representative meteorological database of at least five years duration (preferably consecutive),
- Incorporation of Benedict Sands operations in the cumulative assessment, and
- Clear justification for all emissions calculations reductions in the emissions inventory and all proposed management measures.

The EPA would then need to assess this revised information prior to providing any recommended conditions of approval for the proposal.

If the proposal is approved the focus will need to be on conditions of approval that formalise the requirement for both proactive and reactive dust management strategies. As previously stated, no information was provided in the air quality impact assessment addressing dust management in detail, for example potential complaints management or planning day to day activities with consideration of meteorological conditions to minimise the risk of impacts. These issues should also be addressed in the revised air quality impact assessment.

### **Noise**

The EPA usually assesses noise impacts at existing noise-sensitive receivers, or locations where a development approval has been granted but building has not commenced, or where a development application has been lodged but not yet determined. Where residences do not currently exist but might conceivably in the future it would be unreasonable for EPA to assign conditions or limits on industry for something that may or may not occur and for which the timing cannot be specified. Exceptions to this approach may occur where for example an area has been identified in planning documents for future residential land release.

There do not appear to be residences to the immediate west of Brickmakers Drive in the area described as the "Boral" area or the Georges Fair residential development. However, the area is zoned R3 residential in the Liverpool LEP, some houses do already exist and housing construction appears to be progressing from the west of this area eastwards towards Brickmakers Drive. Assuming residential development across this entire site is already approved then there are limited options for adding noise mitigation measures, such as setbacks or roadside noise mounds or barriers. Therefore it does appear reasonable and appropriate to consider the entire area west of Brickmakers Drive as residential.

The area to the north of the proposed facility, described as "Tanlane" in the Noise Impact Assessment Appendix and elsewhere as the Benedict Sands site does not, however, have any residences existing or being constructed on it and appears currently to be still operating as an industrial activity. It too is zoned R3 Residential in the Liverpool LEP and the EPA understands that there is an eighteen month sunset clause on the existing industrial activity. However, if residential development is not yet approved for this site then it would be unreasonable for EPA to not support the proposed facility because approval for residential development is not guaranteed or may not occur for some time in the future. In addition, conceivably there are options such as setbacks, roadside barriers or building layout and design measures that are still available for noise mitigation measures that could be incorporated in any residential development approval.

EPA assesses noise from the proposed facility against the NSW Industrial Noise Policy (INP). The INP generally required that Project Specific Noise Levels ("PSNL") are set, based on existing background noise levels. The proponent, however, has set PSNL based on estimated future background noise levels for nearby residential areas. The EPA would only consider adopting these estimate future background noise levels and associated PSNL if more detail and justification about how these have

been set, can be provided and are to the EPA's satisfaction. Based on the current information provided to the EPA, the future background levels appear to be unjustifiably high.

Background noise levels appear from the assessment provided to be around 43 / 44 dBA daytime at nearby residences, giving Project Specific Noise Levels (PSNL) for this proposal of around 48 / 49dBA. Predicted noise levels are either less, or marginally more, than the PSNLs for the Boral area. There may be additional feasible and reasonable noise mitigation measures that the proponent could incorporate in the proposed facility to reduce predicted levels for the Boral area.

The predicted noise level for Tanlane is acceptable for the existing industrial use, but exceeds a level the EPA would usually licence to for a residential area. Truck movements on the access road to the proposed facility are the significant noise source and there are likely to be limited options for the proponent to reduce these levels, other than to limit truck speeds. However, noise mitigation options may be available to the residential developer of the Tanlane area.

Before providing recommended GTAs, the EPA requests:

- Planning provide advice from Liverpool Council, as the consent authority for any application for residential development of Tanlane, confirming that any such consent would include requirements for noise mitigation measures to be incorporated that provide for an acceptable noise amenity for residents; and
- The proponent provide more details on the feasible and reasonable noise mitigation measures that would be incorporated in the proposal with the objective of not exceeding the PSNLs for the Boral residential area.

EPA is aware that an application has been submitted for a marina development in the vicinity of this development. It has not been considered in preparing this advice; however, this proposal is not likely to be significant because the marina would be considered a commercial land use and not a noise-sensitive receiver.

If you have any further queries regarding this matter, please contact Alex Bourne on 9995 5595.

Yours sincerely

*Jacqui 21/5/13*  
**JACQUELINE INGHAM**  
**Unit Head Waste Operations**  
**Environment Protection Authority**

