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**25 November 2019**

Dear Olivia

Thank you for consulting the Environment Protection Authority (EPA) in regard to the SEARs for the proposed Prospect Logistics Estate (SSD-10399) located at Clunies Ross Street in Prospect and Pemulwuy.

The proposal is for construction of seven warehousing buildings, associated offices and hardstanding/car parking areas on a terraced landform. The warehouses are proposed to operate on a 24-hours a day, 7 days per week basis. Other works ancillary to the development include:

- Demolition of the existing buildings, vegetation clearing and removal of hardstand;
- Bulk earthworks including partial reclamation of a flood retention basin and importation of 22,000m<sup>3</sup> of clean fill;
- Installation of services and drainage infrastructure; and
- Site finishing works including landscaping.

Site uses of the warehouses are intended to cover a range of different storage uses, including food and beverage, general warehousing, third party logistics and pharmaceutical groups, amongst others.

#### **Current site use – Austral Masonry**

The EPA notes that the proposed development area includes Austral Masonry NSW Pty Ltd (Austral). Austral holds an Environment Protection Licence No 4664 (EPL) with the NSW EPA. The EPL is for the scheduled activity 'concrete works', as listed under Schedule 1 of the *Protection of the Environment Operations Act 1997* (The POEO Act). Austral will have to surrender the licence once this scheduled activity is no longer taking place (and prior to vacating the site).

The EPA is currently unaware of outstanding environmental liabilities associated with Austral. Once the licence surrender application has been received by the EPA, a detailed site inspection will be undertaken by EPA officers, which may identify environmental issues needing to be addressed.

Typically, the EPA will require the licence holder to remediate any environmental concerns prior to surrendering the licence (or as a condition of licence surrender). As part of the surrender process,

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the EPA also typically requests the licensee to demonstrate that there are no potential contamination risks (based on current land use permitted under the zoning) associated with the activities that it undertook on-site. Remediation may be required if potential unacceptable contamination risks are identified.

## **EPA Comments**

Based on the information provided, the proposal does not require an environment protection licence under the POEO Act. Furthermore, the proposal is not being undertaken by or on behalf of an NSW Public Authority nor are the activities other activities for which the EPA is the appropriate regulatory authority.

In view of these factors, the EPA has no further interest in the proposal and no further consultation is required. While the EPA does not wish to be consulted further, the EPA recommend that the following be included in SEARs:

- The requirements of State Environmental Planning Policy (SEPP) 55 will need to be satisfied and documented in the EIS. SEPP 55 states that as part of the development process, the following key considerations should be addressed:
  - Whether the land is contaminated;
  - If the land is contaminated whether it is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes to which the land will be used; and
  - If the land requires remediation; will be made suitable for any purpose for which the land will be used.
- The EIS should consider the likelihood of the basements encountering groundwater. If groundwater is likely to be intersected by a basement, the EIS should detail measures to collect and manage any seepage groundwater from the basement/underground car parking areas to prevent pollution of waters, particularly as the site is situated in an area of moderate to high salinity potential. Consideration should be given to waterproofing or "Tanking" and basement levels likely to interfere with an aquifer to prevent the need for treatment and discharge of moderate to high salinity potential.

The EPA has published guidelines available at <https://www.epa.nsw.gov.au> relating to the above issue to guide assessment on these matters.

Blacktown City Council and Cumberland City Council should be consulted as the appropriate regulatory authorities for the proposal.

If you have any questions about this advice, please contact James Boyle 9995 6128 or via email at [james.boyle@epa.nsw.gov.au](mailto:james.boyle@epa.nsw.gov.au).

Yours sincerely



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