



DOC21/361173-2

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EPA Advice on SEARS Request

Dear Shaun

Thank you for the request for advice from Public Authority Consultation (PAE-18721742), requesting the NSW Environment Protection Authority (EPA) to provide input into Secretary's Environmental Assessment Requirements (SEARs) for the proposed food manufacturing facility (SSD 18204994) at 14 and 2 Distribution Drive, Orchard Hills.

The EPA has reviewed the following documents:

- Scoping Report for Secretary's Environmental Assessment Requirements (Version 1) – Willowtree Planning Pty Ltd – 20/04/2021

The EPA understand the proposal is for:

- Bulk earthworks involving cut and fill works;
- Infrastructure comprising civil works and utilities servicing;
- Construction of an industrial manufacturing facility (20,225m²), comprising:
 - Warehouse area of 15,612m²
 - Second stage addition of 2,813m²
 - Ancillary office area of 1,800m²
 - 35 car parking spaces
 - Waste treatment plant
- Change of use of 3,500m² of existing warehouse to food manufacturing;
- Storage of dangerous goods, comprising:
 - Approximately 30kL of Class 8 – Packing Group II
 - Approximately 10kL of Class 2.2 (Nitrogen)

Based on the information provided, the proposal will require an environment protection licence under sections 43, 47 and 55 of the Protection of the Environment Operations Act 1997 (POEO Act) for Agricultural processing clause 2 of Schedule 1 of the POEO Act.

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The EPA requests that the EIS provide the following information and details

1. Standard Environmental Guidelines to be followed

a. Air Quality Impacts

The assessment should include a detailed Air Quality Impact Assessment (AQIA) for construction and operation of the project in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW.

The AQIA should:

- demonstrate how the development will comply with the relevant regulatory framework, specifically the POEO Act and the POEO (Clean Air) Regulation (2010); and
- include a cumulative local and regional air quality impact assessment, including odour.

Technical standards and guidelines

- [Approved Methods for the Modelling and Assessment of Air Pollutants in NSW](#) (EPA, 2016)
- [Approved Methods for the Sampling and Analysis of Air Pollutants in NSW](#) (DECC 2006)
- [Technical Framework – Assessment and Management of Odour from Stationary Sources in NSW](#) (DEC, 2006)
- [Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion into the 'Approved Methods for the Modelling and Assessments of Air Pollutants in NSW, Australia](#) (OEH, 2011)
- [Ground-level ozone impact assessment framework](#) (EPA, 2015)

b. Water Quality Impacts

The assessment should demonstrate that:

- all practical options to avoid discharge have been investigated and implemented, and
- measures have been taken to reduce the level of contaminants in the discharge, so that any impact is reduced where a discharge is necessary.

Applicants must:

- identify and estimate the quality and quantity of all pollutants that may be introduced into the water cycle by source and discharge point
- describe the nature and degree of impact that any discharge(s) will have on the receiving environment. This includes consideration of all pollutants that pose a risk of non-trivial harm to human health and the environment (this should also include intercepted saline groundwater or acidic runoff generated by acid sulphate soil where appropriate).
- demonstrate assessment against the ambient NSW Water Quality Objectives and environmental values for the receiving waters relevant to the infrastructure activity. This includes the indicators and associated trigger values or criteria for the identified environmental values (this information should be sourced from the ANZECC (2000) criteria)
- assess the significance of any identified impacts, including consideration of the relevant environmental values and ambient water quality outcomes. Assessment of discharges to surface waters should be guided by the ANZECC (2000) guidelines, using local Water Quality Objectives.

Technical Standards and requirements

- [Approved Methods for the Sampling and Analysis of Water Pollutants in NSW](#) (DECC 2008)
- [Australian and New Zealand Guidelines for Fresh and Marine Water Quality](#) (Australian and New Zealand Governments and Australian State and territory governments,).
- [NSW Water Quality and River Flow Objectives](#)
- [Using the ANZECC Guidelines and Water Quality Objectives in NSW](#) (DEC 2006)
- Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004) and Volume 2 (A. Installation of Services; B Waste Landfills; C. Unsealed Roads; D. Main Roads; E. Mines and Quarries) (DEC, 2008), [Stormwater Publications](#)
- [Environmental Guidelines for use of effluent by irrigation](#)
- [Storing and Handling Liquids: Environmental Protection](#) (EPA, 2007)

c. Noise Impacts

The impact of noise and vibration to protect the amenity and wellbeing of the community must be managed. Potential impacts should be minimised through the implementation of all feasible and reasonable mitigation measures.

Technical standards and guidelines

- [Noise Policy for Industry](#)
- [Interim Construction Noise Guideline](#)
- [ANZEC Guideline for Blasting](#)
- [Assessing Vibration: A Technical Guide](#)
- [Rail Noise Infrastructure Noise Guidelines](#) (EPA, 2013)
- [Road Noise Policy and Application Notes](#)

d. Waste Generation and Management

Different assessment requirements apply based on the type of facility (that is landfills, alternative waste treatment plants, liquid waste treatment plants, waste recovery facilities, building demolition waste processing yards, scrap metal yards, waste processing, waste fuel production, energy recovery facilities and in the context of Resource Recovery Orders and Exemptions). The waste transported, generated, or received as part of carrying out the activity should be minimised and managed in a way that protects all environmental values.

Technical standards and guidelines

- Waste guidelines and resources about legislation can be found at [Waste Avoidance and Resource Recovery Strategy and Waste regulations in NSW](#)
- [EPA's Waste Classification Guidelines](#) (EPA, 2014)
- [Environmental Guidelines: Solid Waste Landfills](#) (EPA, Second edition 2016)
- [Environmental Guidelines: Use and Disposal of Biosolids Products](#) (EPA, 1997)
- [Environmental Guidelines: Composting and Related Organics Processing Facilities](#) (EPA, 2004)
- [NSW Energy from Waste Policy Statement](#) (EPA, 2015)
- [Standards for managing construction waste in NSW](#) (EPA, 2018)

e. Contaminated Sites

An assessment should determine whether the land is likely to be contaminated and identify if remediation of the land is required. This assessment should have regard to the ecological and human health risks posed by the contamination in the context of past, existing and future land uses. Contaminated groundwater may also harm human health, the environment and the types of land uses that may safely be carried out on a contaminated site. Assessments should consider contamination in both land and groundwater.

Technical Standards and Guidelines

- The [Contaminated Land Management Compliance Statement](#) (NSW EPA 2018)
- [Guidelines for the NSW Site Auditor Scheme](#) (3rd edition) (NSW EPA, 2017).
- [Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997](#) (EPA, 2015)
- [Guidelines for Consultants Reporting on Contaminated Sites](#) (NSW OEH 2011).
- [Guidelines for the Assessment and Management of Groundwater Contamination](#) (NSW DEC 2007).
- [Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land](#) (DUAP and EPA, 1998) -
- [NSW EPA Sampling Design Guidelines](#) (NSW EPA, 1995).
- [The National Environment Protection \(Assessment of Contamination\) Measure 1999](#) (as amended 2013, NEPC 2013).
- [Australian and New Zealand Guidelines for Fresh and Marine Water Quality](#) (ANZG 2018)
- [Australian and New Zealand Guidelines for Fresh and Marine Water Quality - Water Quality for primary industries](#) (ANZECC 2000)

f. Dangerous goods, hazardous substances and chemical waste

The assessment should demonstrate:

- how materials and wastes containing scheduled chemical wastes and other waste subject to a chemical control order (CCO) will be managed in accordance with a CCO and relevant National Management Plans.
- how the requirements of the Radiation Control Act 1990 and the Radiation Control Regulation 2013 will be met.

Technical Standards and Guidelines

- [Chemical control order requirements](#)
- [Dangerous Goods](#) requirements
- [Pesticides](#) requirements

If you have any questions about this request, please contact Joanne Bell on 02 9274 6285 or via email at joanne.bell1@epa.nsw.gov.au.

Yours sincerely



18 May 2021

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