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By electronic mail
27 October 2021

Bianca Thornton
Environmental Assessment Officer
Planning and Assessment Division
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Bianca Thornton bianca.thornton@planning.nsw.gov.au

Dear Ms Thornton

**Environmental Impact Statement
Proposed Yiribana Logistics Estate - Application SSD-10272349 - 23 September 2021
754-770 & 784-786 Mamre Road, Kemps Creek.**

Thank you for the request on 23 September 2021 for advice from Public Authority Consultation (PAE-28678252), regarding an Environmental Impact Statement (EIS) for the proposed Yiribana Logistics Estate (Application SSD-10272349) at 754-770 and 784-786 Mamre Road, Kemps Creek.

The EPA has reviewed the following documents as provided by Department of Planning, Industry and Environment.

- *Yiribana Logistics Estate, Environmental Impact Statement, SSD-10272349* (Final version) – Urbis Pty Ltd – 30 August 2021
- *Groundwater Management Plan, Yiribana Logistics Estate (version V1)* - Arcadis Australia Pacific Pty Limited – 30 April 2021 (Appendix AA of EIS)
- *Remedial Action Plan, 754-770 & 784-786 Mamre Road, Kemps Creek, NSW (version 02 (Final))* – KPMG Property and Environmental Services Pty Limited - 29 April 2021 (Appendix CC of EIS)
- *Mitigation Measures and Environmental Risk Assessment (Final Version)* – Urbis Pty Ltd – 30 August 2021 (Appendix D of EIS)
- *Waste Management Plan Yiribana Logistics Estate (SSD-10272349) (Final version)* – Land & Groundwater Consulting Pty Ltd - 6 May 2021 (Appendix FF of EIS)
- *Noise & Vibration Impact Assessment (Final version)* - RWDI Australia Pty Ltd – 6 August 2021 (Appendix II of EIS)
- *Air Quality Impact Assessment (version 21.1040.FR1V1)* – Northstar Air Quality Pty Ltd – 27 April 2021 (Appendix JJ of EIS)

Phone 131 555
Phone +61 2 9995 5555
(from outside NSW)

TTY 133 677
ABN 43 692 285 758

Locked Bag 5022
Parramatta
NSW 2124 Australia

4 Parramatta Square
12 Darcy St, Parramatta
NSW 2150 Australia

info@epa.nsw.gov.au
www.epa.nsw.gov.au

The EPA understands the proposal is for:

- A concept masterplan comprising five industrial warehouses for the purposes of manufacturing industries and/or warehouse and distribution centres and ancillary offices which will operate 24 hours/day, seven days/week.
- Site preparation works including estate-wide clearing of all vegetation and dam-dewatering.
- Estate-wide bulk earthworks.
- Construction of retaining walls.
- Internal road network (including North-South Collector Road and Temporary Access Road to Mamre Road).
- Associated carparking.
- Landscaping to the site and adjacent E2 Zone (35 metre environmental corridor); and
- Provision of site servicing infrastructure to allow the operation of the warehouses.

On 29 October 2021, the EPA provided comments and recommendations on the Secretary's Environmental Assessment Requirements (SEARs, PAE-10315391) to the Department of Planning, Industry and Environment (DPIE). In its letter, the EPA stated that "*The proposal has not specified what the warehouse building or distribution centres will be used for and on the basis of this information the EPA is unsure if licencing of activities to be carried out would potentially be required under the Protection of the Environment Operations Act 1997.*"

Based on the information provided in the EIS, the EPA is unable to determine if the proposal will require an environment protection licence under the *Protection of the Environment Operations Act 1997* (the Act). The EPA has reviewed the EIS and is generally satisfied that it addresses the recommended SEARs for the proposal.

The EPA provides the following comments for consideration, noting that any proposed activity that may trigger an environment protection licence would require additional information in respect of that activity to support an application for an environment protection licence, including, but not limited to, relevant planning consent for that particular activity prior to an environment protection licence being granted.

- **Chemical/Dangerous goods storage**

The EPA notes from Table 3-3 of the hazard analysis report prepared by Riskcon Engineering Pty Ltd (Appendix EE of the EIS) that the maximum quantity of chemicals/dangerous goods that may be stored in Warehouse 2 (36,000 kilograms) may trigger Schedule 1 of the Act and thus would require an environment protection licence.

The EPA recommends DPIE consider requiring the applicant, or the legal occupiers of the warehouses to submit an application to the EPA for an environment protection licence should activities be undertaken which trigger the relevant thresholds under Schedule 1 of the Act.

- **Contaminated land**

The EPA notes that a Remediation Action Plan (Appendix CC) has been prepared for the premises, and that any potential risks that may arise from the contamination identified at the can be appropriately managed under relevant local planning provisions and implementation of *State Environmental Planning Policy 55 – Remediation of Land*.

The EPA recommends that DPIE consider requiring the applicant to formally notify the EPA in accordance with the Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act 1997* (CLM Act), if and where any contamination is identified during the development that is considered significant enough to warrant regulation under the CLM Act.

- **Air**

The Air Quality Impact Assessment (AQIA) included under Appendix JJ of the EIS provides a reasonable appraisal of air emissions likely to be generated during the construction phase (i.e. demolition of existing structures, bulk earthworks, and construction activities). The EPA also notes the potential for odour generation during the remediation of contaminated land, however this has not been discussed in the AQIA and should be considered in the overall Construction Environmental Management Plan (CEMP).

Air emissions likely to be generated during the operational phase have largely been modelled around vehicular emissions only. There is insufficient information available on the types of industrial activities that may occur within the warehouses once they are built. This would require additional modelling.

The EPA recommends DPIE consider requiring the applicant to:

- implement the site-specific management measures under Table 17 of the Air Quality Impact Assessment during the construction phase; and
- prepare a separate AQIA for any proposed activities which trigger the relevant thresholds under Schedule 1 of the Act.

- **Noise**

The potential noise sources associated with the development are modelled in the Noise and Vibration Impact Assessment report (NVIA) included under Appendix II of the EIS.

The EPA notes that some consideration is given to potential noise mitigation measures during the construction phase (section 7.5, NVIA). There are no specific mitigation measures for the operational phase, therefore the development should not be considered 'acoustically satisfactory' until confirmation is received of the types of industrial activities that will occur in each of the warehouses. Broad operational mitigation measures are presented under Appendix D of the EIS for managing noise from vehicles and fixed plant machinery, however the report also acknowledges the potential cumulative noise impact during the operational phase:

"Risk of disturbance from cumulative operational impact with multiple tenants operating logistics facilities that has the potential to cause impact to nearby sensitive receivers" (page 5 of Appendix D).

The EPA recommends that DPIE consider requiring the applicant to:

- implement the reasonable and feasible work practices provided in the NVIA and Appendix D of the EIS to minimise noise emissions during the construction and operational phase; and
- prepare a separate Noise Impact Assessment for any proposed activities which trigger the relevant thresholds under Schedule 1 of the Act.

- **Water**

The EPA notes that a Groundwater Management Plan (GMP) (Appendix AA) has been prepared for the premises, and that any potential groundwater that is intersected during redevelopment works at the premises can be appropriately managed under the plan as set out in:

- Table 7-1 - Management Measures for Intersected Groundwater During Construction
- Table 7-2 - Intersected Groundwater Re-Use Options

The EPA recommends DPIE consider requiring the applicant to:

- implement the reasonable and feasible work practices provided in the GMP to mitigate the development impacts to groundwater.

- **Waste**

The EPA notes that a Waste Management Plan (WMP) (Appendix AA) has been prepared for the premises, and that all waste generated during redevelopment works at the premises can be appropriately managed under the WMP as set out in:

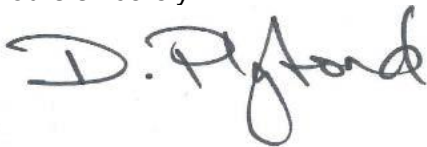
- The Demolition and Construction Waste Reduction Plan
- The Operational Waste Reduction Plan
- Waste Classification and Removal

The EPA recommends DPIE consider requiring the applicant to:

- implement the reasonable and feasible work practices provided in the WMP to manage the re-use and disposal of waste generated by the development.

If you have any questions about this request, please contact Rhys Inez on 995 6359 or via email at rhys.inez@epa.nsw.gov.au.

Yours sincerely



27 October 2021

Danielle Playford
Unit Head - Regulatory Operations
Environment Protection Authority