



Your ref: DOC22/1089216-3
Our ref: PP-2022-3978

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Department of Planning and Environment

13 December 2022

By email: lance.collison@planning.nsw.gov.au

Dear Mr Collison

EPA Response to draft Gilead Part Precinct Structure Plan

Thank you for the opportunity to comment on the draft Structure Plan for Gilead (Part) Precinct (Gilead Precinct).

The NSW Environment Protection Authority (EPA) understands that Lendlease (Proponent) has proposed a draft land rezoning plan for Gilead Precinct (Precinct). We have reviewed the following documents in relation to the proposal:

- GLN Planning Pty Ltd – *Gilead Planning Report* – September 2022 (Report)
- RWDI Australia Pty Ltd – *Gilead Stage 2 Rezoning, Noise Impact Assessment* – April 2022 (Noise Assessment)
- Urbis – *Land Zoning Map* – November 2022 (Precinct Area)
- Urbis – *Height of Building Map* – November 2022

Based on the information provided, the proposal is likely to interact with nearby premises that hold environment protection licences for scheduled activities under the *Protection of the Environment Operations Act 1997* (POEO Act). As such, the EPA has identified several matters to consider in the development of the precinct plan to deliver improved environmental outcomes and reduce possible land use conflicts. These include:

- potential noise and dust impacts from adjacent Rosalind Park Quarry to the north of the Precinct
- potential odour impacts from adjacent Menangle Sand and Soil to the west of the Precinct
- noise mitigation measures for future residents located in the north-western section of the Precinct.

Additional details on the interaction with the proposed development layout are contained within **Appendix A**.

If you have any further questions about this issue, please contact Kim Stuart, Senior Policy and Programs Officer, Strategic Planning Unit, on 02 6659 8292 or at environmentprotection.planning@epa.nsw.gov.au.

Kind regards

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Attachment A

1. Noise and dust impacts from adjacent Rosalind Park Quarry

Rosalind Park Quarry (Quarry) is a facility authorised under environment protection licence number 12577 (EPL 12577) to extract material via blasting and to recover waste. The Quarry is located approximately 200 metres to the south and west of the nearest point of the proposed boundary of the Precinct.

Based on our review of the Report and the Noise Assessment, we understand the following:

- building heights up to 9 metres are proposed to the south and west of the Quarry. A line-of-sight may be established between the Quarry and future residents located within buildings at higher heights. The Noise Assessment did not predict noise levels from different heights.
- potential air impacts in the form of dust from the Quarry were not considered in the Report.
- noise from the Quarry was considered but it did not assess noise during blasting. We understand that blasting at the Quarry may occur up to approximately 10 times a year.

It is important that noise and dust impacts from the existing quarry are identified and considered at the planning phase, in relation to the location and design of land uses and structures. The potential to address noise issues retrospectively following development can be challenging, expensive, lead to community complaint and will constrain the operation of the Quarry.

EPA Recommendations

The EPA is concerned that future residential receivers could be adversely impacted from dust and noise from the Quarry. The EPA recommends that the Noise Assessment considers noise during blasting and should also model noise levels from different heights. The updated Noise Assessment and any required mitigation strategies should be included in the final structure plan for the Precinct. Impacts from the quarry should be considered in relation to the location and design of land uses and structures.

2. Odour impacts from adjacent Menangle Sand and Soil

Menangle Sand and Soil (Menangle Sand) is a facility authorised under environment protection licence number 3991 (EPL 3991) to undertake scheduled activities of extraction, crushing, grinding or separating and the recovery of waste. The recovery of waste includes the mixing and blending of mature composted poultry manure, duck manure and mature compost with other materials within an open environment. The EPA understands that this facility the future may undertake the activity of composting. These types of activities may generate odour.

Menangle Sand is located approximately 400 metres to the west of the nearest point of the proposed boundary of the Precinct, representing a potential odour risk. Odour issues have not been an issue from this facility in the past however a very limited number of sensitive receivers are currently situated near Menangle Sand



It is important that potential odour impacts from Menangle Sand are considered when determining the location and design of the Precinct to ensure that industry and the Precinct can exist near one another, without adverse impacts on the community or the operation of the facility.

EPA Recommendations

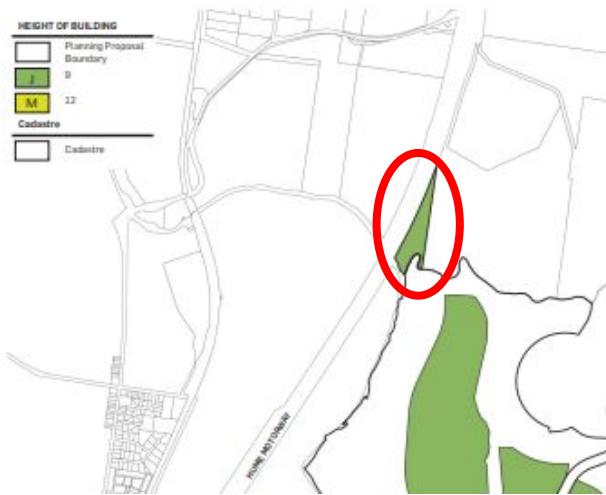
The EPA recommends that the Proponent, council, as well as DPE meet with Menangle Sand & Soil Pty Ltd; the licensee to discuss current and proposed activities for the site and the potential for odour generation. An air dispersion model could be used to determine likely odour risks from Menangle Sand on the proposed precinct and inform appropriate land use and design choices to minimise this odour risk.

3. Noise and air impacts from the Hume Highway

The Hume Highway has the potential to impact on sensitive receivers if a residential development is placed near to it. The Noise Assessment concluded that the amenity noise levels in the State Environmental Planning Policy (Transport and Infrastructure) 2021 did not apply, however, the draft Structure Plan applied an acoustic criterion of 35 dB(A) in any bedroom and 40 dB(A) anywhere else in the residential accommodation. The Noise Assessment and/or final structure plan for the Precinct would benefit from referencing the following documents that provide guidance on managing road noise during land use planning:

- Department of Environment, Climate Change and Water NSW 2011, *NSW Road Noise Policy*, Sydney South.
- NSW Department of Planning 2008, *Development Near Rail Corridors and Busy Roads—Interim Guideline*, Sydney South.

Based on our review of the Precinct Area, a triangular piece of land within the north-western section of the Precinct (outlined in the diagram below in red) with a proposed building height of 9 metres is located directly adjacent to the Hume Motorway. Attended noise monitoring was completed for this location but noise mitigation measures for these future residents were not considered in the Noise Assessment.



EPA Recommendations

The EPA recommends that noise mitigation measures for future residents located in the north-western section of the Precinct be included in the final structure plan for Gilead.