



Our reference: DOC16/490727

The Chief Executive Officer  
Liverpool City Council  
Locked Bag 7064  
LIVERPOOL BC NSW 1871

Attention: David Smith

**EMAIL & STANDARD POST**  
**11 October 2016**

Dear Mr Smith

**EPA comments - Development Application DA-266/2015**  
**Lot 1 DP 611519, 25 Martin Road, Badgerys Creek NSW 2555**

I refer to the email from Mr Marcus Jennejohn to the Environment Protection Authority (**EPA**) dated 7 September 2016 requesting comments in relation to the adequacy of a Vibration Assessment (**VA**) and a Hazardous Materials Protocol (**HMP**) in relation to the above mentioned development application (**the Proposal**) that is currently being assessed by Liverpool City Council (**the Council**) as an Integrated Development. The EPA understands that the Sydney West Joint Regional Planning Panel who are reviewing the Councils assessment of the proposal, requested this information from the proponent.

The EPA notes that it has previously sent General Terms of Approval (**GTA's**) to the Council in relation to the Proposal on 24 February 2016. These GTA's remain unchanged.

The EPA has reviewed the additional information provided to it by Council and provides the following observations in relation to the VA and HMP:

- The EPA reviewed the letter from Wilkinson Murray (**WM**) (Ref PP17082016\_Ltr\_TC dated 24 August 2016) regarding the response to JRPP Vibration Request for 25 Martin Road, Badgerys Creek. The EPA note that the Joint Regional Planning Panel (**JRPP**) requested confirmation that there would be no unacceptable amenity impacts upon local residential properties in the vicinity from vibration. The WM letter concludes that there are not expected to be any such unacceptable impacts, either from ground-borne vibration or from noise induced rattling of fitting, referencing relevant guidelines. The EPA considers the report and its conclusions to be an adequate response to the JRPP request and do not have any issues requiring further comment.
- The EPA would expect the Proponent to demonstrate it has a strategy for the appropriate offsite disposal of, as it describes, unacceptable materials (eg.asbestos waste), at the Premises before consent is issued.
- As described in the GTA's any waste should be stored on a suitable hardstand and not on "strong impermeable plastic" as suggested on page 15 of the HMP.
- The EPA's preference is for all activities at the Premises to be enclosed in a suitable building to assist the management of any environmental impacts including but not limited to noise, dust and water issues.

As previously stated the proponent should be aware that any statements or commitments made in the EIS and accompanying documents may be placed on a future environment protection licence.

The EPA notes that the proposal will require an environment protection licence (**EPL**) with the EPA to lawfully operate. The EPA notes that the proponent will be required to submit a separate EPL application with the EPA at a later date.

Please note that the EPA has not reviewed any matters relating to Aboriginal heritage or ecological impacts as these are the purview of the Office of Environment and Heritage. If you have any questions in relation to this matter, please contact Simon Matthews on (02) 9995 6158.

Yours sincerely

A handwritten signature in black ink, appearing to be 'CF' followed by a stylized flourish.

**Celeste Forestal**  
**Unit Head Waste Compliance**  
**Environment Protection Authority**