

DOC18/60388; EF13/2740

The General Manager
Newcastle City Council
By email: mail@ncc.nsw.gov.au

Attention: Melissa Thomas

02 February 2017

Dear Ms Thomas

EPA SUBMISSION – DA2017/01338 WICKHAM WOOLSTORE DEVELOPMENT APPLICATION

Reference is made to DA2017/01338 that relates to the concept proposal for converting the former Woolstore buildings into mostly residential apartments. The Environment Protection Authority (EPA) understands the proposal, if approved, could see approximately 300 dwellings located on industrially zoned land next to an active fuel depot.

The EPA has concerns with this proposal relating to potential land use conflict. The EPA has seen a number of situations where housing developments have been allowed to be located inappropriately close to industry, resulting in amenity issues for residents and ultimately adversely impacting upon that industry's viability.

The EPA notes the land associated with DA2017/01338 is zoned "IN2- Light Industrial" under the Newcastle Local Environmental Plan 2012. The zone has an objective to provide a wide range of light industrial, warehouse and related land uses. DA2017/01338 intends to gain approval to use this zoning for residential dwellings, in conflict with the IN2 zoning.

The Caltex Bulk Fuel Terminal is licensed by the EPA. The premises imports, stores and exports various fuel products including diesel, unleaded fuel and Jet A1 fuel. The storage and handling of fuels results in the volatilisation and release of volatile organic compounds into the surrounding air. These emissions can be highly odorous and offensive to many people. Mechanisms are in place to limit the release of such emissions, including a vapour recovery unit, pollutant load limits and emission limits set by the *Protection of the Environment Operations (Clean Air) Regulation 2010*. However, such mechanisms do not result in zero emission of pollutants. It is likely that emissions from the Caltex premises will at times be pushed by winds over to the proposed site and expose residents to some level of pollution and odour.

Thank you for sending me the concept plans and Statement of Environmental Effects for the proposal. The potential for odorous pollutants from the neighbouring Caltex facility to impact on the amenity or health of residents has not been adequately addressed. Nor has the impact of the proposal on the long-term viability of the Caltex operation been assessed.

The EPA requests that the development application should adequately address potential pollution and odour impacts on the development. The completion of appropriate air studies are necessary as a first

step to determine if this proposal should be considered. Appropriate air modelling is necessary for both pollutants of concern and offensive odours.

Regardless of any controls that might be proposed, should council be minded to approve such a proposal, the EPA would expect that a relevant notation be included on section 149 certificates warning that the property may be subject to odorous hydrocarbon emissions.

We would welcome the opportunity to provide a further submission during any phase of the application process for DA2017/01338.

If you require any further information regarding this matter, please contact me on 4908 6818 or by email to hunter.region@epa.nsw.gov.au.

Yours sincerely



P. Jamieson 2-2-18

PETER JAMIESON
Head Regional Operations Unit – Hunter
Environment Protection Authority