



DOC17/483489-01
SSD 16_7628 MOD2

26 October 2017

Karen Harragon
Director Social and Other Infrastructure Assessments
NSW Department of Planning and Environment
Level 29, 320 Pitt Street
SYDNEY NSW 2001

Dear Ms Harragon

**EPA Review of the Response to Submissions
Moorebank Intermodal Precinct East (MPE) - Concept Plan Modification - MOD2**

I refer to your request dated 22 September 2017 to the NSW Environment Protection Authority (EPA) seeking comment on the Response to Submissions (RTS) of the Concept Plan Modification (MOD2) for the Moorebank Intermodal Precinct East (MPE).

The EPA has reviewed the RTS for the proposed Concept Plan Modification (MOD2) of the Moorebank Precinct East (SSD 16 - 7628) dated August 2017 in relation to the key environmental issues of air quality, noise and vibration. The EPA's comments and recommendations are attached for your consideration (Attachment A).

If you wish to discuss any of the issues raised in this letter, please contact Rashad Danoun on (02) 9995 6370 or rashad.danoun@epa.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink that reads 'Sarah Thomson'.

SARAH THOMSON
Unit Head Metropolitan Infrastructure
Environment Protection Authority

Encl. Attachment A - The EPA's review of the RTS for the proposed Concept Plan Modification (MOD2) of the Moorebank Precinct East (SSD 16 - 7628) dated August 2017 in relation to the key environmental issues of air quality, noise and vibration.

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Attachment A

NSW Environment Protection Authority (EPA) review of the Response to Submissions (RTS) for the proposed Concept Plan Modification (MOD2) of the Moorebank Precinct East (SSD 16 - 7628) dated August 2017

The EPA's comments focus on the key environmental issues of air quality, noise and vibration.

AIR QUALITY

During public exhibition of the MPE Mod 2 Environmental Impact Statement (EIS), the EPA advised that the Air Quality Impact Assessment (AQIA) for subsequent project approval should include a detailed assessment with consideration of the maximum daily operational intensity (i.e. assessment of potential peak impacts). The request was based on the original AQIA assessing the construction phase based on annualised operational intensity.

Assessment

The RTS advises that revised modelling has been conducted based on a peak daily importation rate of 22,000 tonnes for all material handling activities. The rate corresponds to the maximum daily fill importation rate for the whole precinct. The RTS advises that:

- The maximum 24 hour incremental PM10 concentrations increase from 4.2 ug/m³ to 8.0 ug/m³
- The maximum 24 hour incremental PM2.5 concentrations increase from 1.3 to 1.9 ug/m³
- The maximum cumulative 24 hour PM10 concentrations increase from 48.9 ug/m³ to 50.9 ug/m³, resulting in one additional exceedance of the impact assessment criteria at five locations. The RTS advises that the additional exceedance occurs on a day when background concentrations are close to the impact assessment criteria (48 ug/m³);
- The maximum cumulative 24 hour PM2.5 increase from 23.6 ug/m³ to 24.0 ug/m³, with no additional exceedances of the 24 hour impact assessment criteria.

The assessment of peak daily construction dust has been revised and is considered adequate.

Recommendations

The EPA recommends the following:

- The existing conditions of Concept Approval requiring revised AQIA based on detailed design be retained.
- Revised assessments for subsequent project approvals must include a commitment to implement management measures to prevent exceedances of applicable Air Quality Assessment criteria.

NOISE AND VIBRATION

Assessment

The EPA notes that there are amendments to the Moorebank Precinct East site noted in the Concept Plan Mod 2 report which are covered within the MPE Stage 2 RTS report. The EPA recommends these comments to be read in conjunction with its review of the RTS – MPE Stage 2 – SSD 7628 (DOC17/483489-03).

Out of standard hours construction works not justified

The proponent has modified the Statement of Commitments for MPE Concept Plan Mod 2 to align with the MPW Concept Approval condition D7. The EPA notes that the condition states that one of the conditions where out of standard hours works can occur is “works as approved through the out-of-hours work protocol outlined in the Construction Environmental Management Plan (CEMP)”.

The EPA notes that the proponent’s response to EPA’s submission states that LAeq,15minute construction noise levels for out of standard hours works comply with noise management levels at all residential noise catchments except Wattle Grove, where a 1dB exceedance is predicted.

The proponent does not appear to include cumulative construction noise from any out of standard hours works from both the MPE and MPW sites, therefore it is not clear if there may be a cumulative impact out of hours.

The proponent also attempts to justify a 1dB exceedance as ‘minor’ and any out of standard hours works will be managed by the Construction Noise Vibration Management Plan (CNVMP). However, the EPA considers that an exceedance of background + 5dB means stop work for any approved out of standard hours works.

The EPA is not clear on the potential out of standard hours construction noise impacts from both the MPE and MPW sites and does not consider that the proponent has provided a clear justification for out of standard hours construction works, as noted in the EPA’s submission on the exhibited EIS and as stated in the Interim Construction Noise Guideline (ICNG).

For the various concerns outlined above, the EPA’s opinion is that construction works must be limited to standard hours as per the ICNG.

Operational Noise Assessment not clear

The EPA considers that the proponent’s response regarding the scaled modelling is not clear and does not adequately justify scaling down the modelled noise levels by 6dB. The proponent states ‘it was not considered necessary to remodel the MPE Concept Plan Proposal at 250,000 TEU/year’. The proponent appears to justify the scaling by indicating that the scaled down noise levels ‘were then compared to predicted LAeq,15minute noise levels for the combined operation of MPE Stage 1 Proposal and the MPE Stage 2 Proposal’ and they were said to comply with the criteria.

The response also states that ‘a more recent model’ was used than that used in the MPE Concept Approval. However, it isn’t clear to the EPA whether the more recent model included the MPW site as well. The EPA considers that any assessments undertaken for the MPE and MPW sites should include a cumulative assessment of both Concept Approvals in every instance, as noted in Table 2-1 (page 26) of the MPE Stage 2 RTS report.

The EPA is not clear what the proponent means by the following statement:

‘if the scaled noise levels for the MPE Concept Plan were to be increased by 5dBA, this would serve to increase (and likely overstate) the difference (i.e. reductions) between the noise levels for the MPE Concept Plan Proposal and the MPE Modification Proposal’.

Statement of Commitments (SoC) not clear

For SoC No 16, the EPA considers that it is not clear if the noise barrier along the western boundary of the SIMTA site is referring to a wall along the western boundary of the MPE site or the MPW site.

There is a wall proposed along the western side of the internal vehicle road on the MPW site, but the plans for the MPE site do not appear to include a wall along the western boundary of the MPE site.

For SoC No 20, it is not clear to the EPA what is meant by works may be undertaken outside standard hours 'subject to future development applications (including noise assessments)'.

Recommendations

The EPA recommends the following:

1. Construction works be limited to standard hours as per the ICNG.
2. The assessments undertaken for the MPE and MPW sites include a cumulative assessment of both Concept Approvals in every instance.
3. The proponent should clarify whether the noise barrier along the western boundary of the SIMTA site is referring to a wall along the western boundary of the MPE site or the MPW site.
4. The proponent should clarify what is meant by works may be undertaken outside standard hours 'subject to future development applications (including noise assessments)'.