

Our ref: SSD-46983729

Ms Grace Macdonald
NSW Planning Manager
ESR Developments (Australia) Pty Ltd
Level 24, 88 Phillip Street
SYDNEY NSW 2000

30 April 2024

Subject: Air Quality Assessment – Westlink Industrial Estate Stage 2

Dear Ms Macdonald

During the Department's assessment of the State Significant development application (SSD-46983729) for the Westlink Industrial Estate Stage 2, further issues have been identified with the Air Quality Impact Assessment (AQIA) submitted as part of the EIS, in addition to those raised in the Department's letter dated 3 April 2024. These issues need to be fully addressed in order for the Department to complete a comprehensive assessment of the air quality impacts of the proposed development.

The Secretary's Environmental Assessment Requirements (SEARs) issued for this project requested that the EIS:

- *"Identify significant air emission sources at the proposed development (during construction and operation), assess their potential to cause adverse off-site impacts, and detail proposed management and mitigation measures that would be implemented" and*
- *"Provide an assessment of the cumulative impacts (including noise, air quality and traffic) of the project and other approved and proposed developments in accordance with the Cumulative Impact Assessment Guidelines for State Significant Projects (DPIE, July 2021)".*

These requirements reflect the need to consider the number of active development applications in close proximity to your site and the scale of earthworks proposed. The AQIA provided as part of the EIS is not considered sufficient to address the air quality impacts of the development, particularly the construction works.

The Department requests you provide an updated AQIA that clearly addresses the SEARs and the issues identified in **Attachment 1**. Please provide the updated AQIA as part of your Response to Submissions report.

Note that the time between the date of this letter and the date the Planning Secretary receives your response is not included in the assessment period under section 94(1) of the EP&A Regulation.

If you have any questions, please contact David Schwebel on 02 9274 6400 or via email at david.schwebel@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Blecher', enclosed within a thin black rectangular border.

Lindsey Blecher

Team Leader

Industry Assessments

as delegate for the Planning Secretary

Attachment 1

- The AQIA must confirm that a site inspection has been undertaken to verify the location of sensitive receivers, understand the terrain and contextualise the proposed earthworks. The project description must explain the volume of material moved during earthworks, the type and number of equipment used, and the duration of works.
- Review section 3.3 of the AQIA, which incorrectly states that the Badgerys Creek AWS is located east-southeast of the site.
- The AQIA must identify each sensitive receiver likely to be impacted. The receivers should be shown clearly on a map and distances stated. This should also be presented in the context of other current and proposed construction projects, as receivers are likely to be impacted by more than one project.
- The AQIA must consider other concurrent construction projects in the precinct (cumulative impacts) and identify receivers that may be impacted by multiple projects.
- The UK IAQM risk-based method used to consider construction impacts in the AQIA is not appropriate for the scale of earthworks proposed, the proximity to sensitive receivers and the cumulative construction works across the precinct. To be consistent with the SEARs a quantitative air quality assessment is needed that includes emissions estimates and dispersion modelling for particulates via a model, such as AERMOD, that includes both annual average and maximum 24-hour average predicted concentrations (PM₁₀ and PM_{2.5}) and comparison against air quality criteria. If exceedances of criteria are identified, further meteorological analysis should be undertaken and consideration should be given to staging the earthworks to minimise impacts on receivers.
- A Trigger Action Response Plan (TARP) should be developed and included in the AQIA. The TARP should be tailored to address the air quality impacts identified in the quantitative assessment. The AQIA included only generic mitigation measures listed in the IAQM and are not site-specific or tailored to the outcomes of the assessment.