

25 May 2018

Andrew Bishop
Senior Strategic Planner
Urban Futures – City Economy, Innovation and Liveability
450 Princess Highway
WERRIBEE VIC 3030

EPA Ref: 5008370, 5006890

Dear Mr Bishop,

RE: Amendment C219 – Wyndham Planning Scheme - Quandong

Thank you for the above planning scheme amendment notification on 12 April 2018.

EPA provided comments and recommendations during the preliminary consultation of C219 on 6 October 2016 and 25 September 2017.

The following were discussed:

1. Potentially Contaminated Land.
2. Quarry – Separation Distance and Potential Noise Impact Assessment.
3. Residential uses Near the Outer Ring and Arterial Roads.

Potentially contaminated Land

The Preliminary Site Investigation (Atma Environmental, 9 Dec 2014) identified a number of waste stockpiles comprising of construction materials and putrescible wastes, fill areas which include soil mixed with construction and demolition waste, above and underground fuel storage tanks and asbestos on the subject site. Machinery storage, oil drums and vehicular repairing activities were also identified on site.

These are associated uses and ancillary storage related to farming, riding school and a small-scale earth moving and fencing contractor.

Notwithstanding these, it is considered the site is potentially contaminated due to the nature of wastes, fill and fuel storage identified. These require the appropriate remediation of the land and waste disposal.

The Preliminary Site Investigation report prepared by Atma Environmental dated 9 Dec 2014) recommended further environmental site investigations and a removal management plan of the contamination to be put in place for Parcels 1, 2 and 3.

EPA recommends that:

1. A 53x environmental audit be undertaken on parcels 1 and 2 due to the following reasons:
 - a) An old underground storage tank (UST) was located on parcel 2. Old underground storage tanks are listed as high potential for contamination of land in the General Practice Note – Potentially



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Contaminated Land. Under Table 2.0 Assessment Matrix of this note, a sensitive use site with old UST is listed as high potential for contamination, requiring an s 53x environmental audit. It is noted that the land was not zoned or used for industrial but the presence of an old underground UST warrants a s53x environment audit.

The 'Explanatory Statement' of Ministerial Direction No. 1 notes the following:

In this Direction, potentially contaminated land is considered to be land used or known to have been used for:

- a) industry;*
- b) mining, or*
- c) the storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of the land).*

*The effect of the storage definition ((c) above) is to ensure that the storage of normal ancillary wastes, chemicals or fuel on, for example, a farm, a home or a school does not automatically define that land as potentially contaminated for the purpose of the direction. **It is nevertheless true that, in some cases, the ancillary storage of these matters could result in contamination and planning authorities should be aware of this.***

- b) 2 above ground storage tanks (AST) with stains on the ground were located on Parcel 1.
2. Parcel 3 can be assessed via an environmental site assessment of the land by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of 'Preliminary Site Investigation: Quandong Park PSP, Wyndham Vale, Vic' (Atma Environmental, 9 December 2014), as detailed in Clause 3 of the Urban Growth Zone – Schedule 16. .

As such, the following are recommended to be revised to address the above:

- a) The application requirement 'Use, development or subdivision of land for sensitive use – Environmental Site Assessment at Clause 3 of Urban Growth Zone – Schedule 16; and
- b) Condition – Environmental Site Assessment for use, development or subdivision of land for a sensitive use at Clause 4 of Urban Growth Zone – Schedule 16.

Quarry – Separation Distance and Potential Noise Impact Assessment.

EPA raised the following concern during the consultation of the draft planning scheme amendment:

"The site is located approximately 580m west of a quarry at the northern boundary of Lot 1 LP149606 Argoona Road, Manor Lakes. This distance is further than the 500m separation for quarrying with blasting activities as

recommended in EPA's Publication 1518 – Recommended Separation Distances for Industrial Residual Air Emissions.

However, noise is not considered in the separation guideline discussed above. As such, it is recommended that Planning Authority provide a noise assessment in accordance with the State Environment Protection Policy No. N-1 (Control of Noise from Commerce, Industry and Trade) with respect to the quarry and the proposed residential uses located to the west of the PSP'.

EPA understands that quarrying has not commenced on this quarry and that a Work Plan is required to be submitted to DEDTJR Earth Resources Regulations prior to commencement of quarrying activity.

This Work Plan will require the assessment of any amenity impact (including noise) to nearby sensitive uses.

Residential uses Near the Outer Ring and Arterial Road

This was addressed through the Recommendation 46 in the Quandong Precinct Structure Plan:

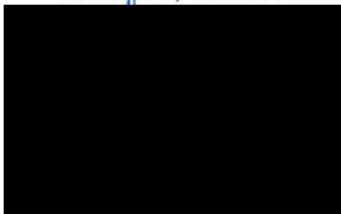
Upon completion of any portion of the Outer Metropolitan Ring E6 Transport Corridor (freeway or railway), any development in proximity to "the Transport Corridor" must respond to VicRoad's 'Requirements of Developers – Noise Sensitive Use Document, the Passenger Rail Infrastructure Noise Policy 9April 2013)', or any required freight rail noise mitigation, to the satisfaction of the relevant transport bodies and responsible authorities.

Recommendations

EPA generally supports Amendment C219 and recommends the following:

1. That land on Parcel 1 and 2 require an s53x Environmental Audit for sensitive uses.
2. The following Clauses are recommended to be revised to address the above:
 - a) The application requirement 'Use, development or subdivision of land for sensitive use – Environmental Site Assessment at Clause 3 of Urban Growth Zone – Schedule 16; and
 - b) Condition – Environmental Site Assessment for use, development or subdivision of land for a sensitive use at Clause 4 of Urban Growth Zone – Schedule 16.

Should you need any additional information or assistance, please contact Julia Ham, Senior Planning Assessment Officer on [REDACTED]



Daniel Hunt
Manager
EPA Metropolitan Region