



21 May 2015

Ms Joanna Bakopanos
Team Leader Industry Assessments
NSW Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Contact: Janine McCarthy
Our Ref: 8196 / AD2015/013258
Your Ref: DA-86-04-01-MOD 9 and LEC 10397
of 1995-MOD 7

Attn: Manager – Industry Assessments

Dear Ms Bakopanos

**Proposed Modification to Weston Aluminium Dross Recycling Facility
DA-86-04-01-MOD 9 and LEC 10397 of 1995-MOD 7, 129 Mitchell Avenue Kurri Kurri**

Thank you for the opportunity to comment on the above proposal.

Cessnock City Council Development Services and Environment Health staff have considered the material on exhibition and understands that the modification proposal consists of a trial processing of pharmaceutical and illicit drug wastes in conjunction with the aluminium recycling facility.

We understand that the trial processing is over a temporary period of up to two years from the date of approval, and enables the processing of up to 2,000 tonnes of waste with a maximum of 1,000 tonnes of pharmaceutical and 1,000 tonnes of illicit drug waste.

The existing plant and equipment currently used for the handling and processing of conventional inputs will be utilised for the trial. The hours of operation and the processing capacity of the original approval is not proposed to be altered.

On the basis of the information available, Cessnock City Council has some concerns about modification and a number of issues including:

1. Air emissions and potential impacts on human health

The trial will result in unknown emissions and the potential for the emissions to have adverse impacts on the health of the local community. Whilst it is understood that live and continuous testing is proposed, Council does not know if the testing is adequate and what will be monitored. It is noted that there is no results from testing in other facilities and for this reason it is recommended that testing be conducted in a simulated controlled environment before the trial is commenced. That the trial should be not entertained, without first obtaining clear scientific information about the health impacts resulting from the emissions of the development.

2. Quantity of materials to be processed

There is concern in respect to the justification of the development, in terms of the quantities of materials to be processed. The table on page 4 of the exhibition document states that the estimated annual generation of illicit drugs is 150 tonnes nationally and 50 tonnes in NSW. The quantities in the submitted table do not correlate with the proposed maximum of 1,000 tonnes for the trial (over a two year period).

3. Source of the illicit drug waste

The source of the waste is also a matter of concern. It is noted that the source of the waste has not been stated, this may present a conflict with Council's current Sydney Waste Policy, which states:

*Cessnock City Council Sydney Waste Policy W1.3
Council not accept any Sydney Waste in the Cessnock Local Government Area
and that such resolution become a policy of Council.*

4. Social impact and potential for crime

Finally, developments involving the handling of illicit and pharmaceutical drugs is likely to be source of community concern and any application should involve extensive community consultation. The handling, transportation and management of illicit drugs waste may general social impact and present opportunities for increased criminal behaviours in the locality. Crime prevention and social impact assessments are strongly recommended for consideration in the Departments assessment of this proposal.

Given the timing of the exhibition did not allow Council to fully consider the matter, an urgency motion was raised at its Ordinary meeting held 20 May 2015. Council resolved as follows:

- 1. That Council calls upon the Department of Planning and Environment to provide further opportunity for the elected Council to review and comment on the proposal.**
- 2. That Council clearly express its support for the submissions raised by the officers on the issues relating to the proposal.**
- 3. That a copy of this resolution be forwarded to the Hon. Rob Stokes MP, Minister for Planning and Environment.**

If you require any further information, please do not hesitate to contact Council's Development Services Manager, Ms Janine McCarthy on telephone 02 4993 4254 or via email janine.mccarthy@cessnock.nsw.gov.au.

Yours faithfully



Gareth Curtis
Director Planning and Environment

cc. Minister for Planning and Environment