

ANNEXURE 1.0

DEPARTMENT OF PLANNING REQUEST FOR ADDITIONAL INFORMATION



NSW GOVERNMENT
Department of Planning

Phone: 02 9228 6550
Fax: 02 9228 6466
Email: ann-maree.carruthers@planning.nsw.gov.au

Mr Bill Booth
Booth Associates
PO Box 1458
Griffith NSW 2680

Our ref: 9041080

RECEIVED

18 DEC 2006

Dear Mr Booth

Subject: Proposed Darlington Point / Coleambally Ethanol Plant and Intensive Dairy, "Tubbo" Station – Murrumbidgee Local Government Area

In accordance with clause 75H (5) of the *Environmental Planning and Assessment Act 1979* (the Act), please find enclosed copies of all submissions received during the public exhibition of the above proposed development.

In accordance with clause 75H (6) of the Act, the Director-General requires you to respond to the issues raised in the submissions. Your response should be provided to the Department by Monday 12 February 2007, however if you require additional time please contact me prior to this date. If the response requires changes to the project to minimise its environmental impact or affects the statement of commitments, the Director-General may require you to prepare a preferred project report and a revised statement of commitments.

Should the enclosed submissions raise any issues which you would like to discuss further or you have any other enquiries, please contact Ann-Maree Carruthers on 9228 6550 or via email ann-maree.carruthers@planning.nsw.gov.au.

Yours sincerely



11.12.06

Mike Young
A/Director
Major Development Assessments

ANNEXURE 2.0a

COPIES OF RESPONSES TO EA EXHIBITION

Received by fax
4/12/06

4.



ABN: 63 340 034 312

AGRICULTURAL CONSULTANTS &
AGRONOMISTS

P O Box 12
47 Carrington Street
DARLINGTON POINT NSW 2706

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The Department of Planning
GPO Box 39
SYDNEY NSW 2001

4 December 2006

Attention Ann-Maree Carruthers

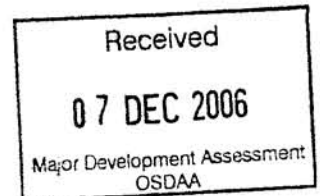
Dear M/s Carruthers

Re Four Wiseman Organic Produce Concerns - Arrows Ethanol Pty Ltd Proposal.

I enclose herewith a bound copy my report, prepared on behalf of Wiseman's Organic Produce, detailing their concerns with The Four Arrows Ethanol Development as outlined in the EIS prepared by Booth Associates, which was faxed to you today.

Yours sincerely

DNM (Nick) Hutchins
Consultant



NJ & RM Wiseman
23 Kingfisher Avenue
COLEAMBALLY NSW 2707

23 November 2006

The NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

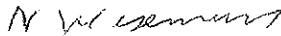
Attention Ann-Maree Carruthers

Dear Ms Carruthers

Re: Four Arrows Ethanol Pty Ltd Proposed Plant.

We have appointed Mr Nick Hutchins of Hutchins Agronomic Services to prepare a submission on our behalf to document our concerns with the proposed plant. In doing this we stress that we are not opposed to the proposed development, but we do have concerns, which we would like addressed.

Yours sincerely


NJ Wiseman


RM Wiseman



ABN: 63 340 034 312

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Concerns with the Proposed Four Arrows Ethanol Plant & Intensive Dairy at Coleambally

Prepared by

DNM Hutchins

For

Wiseman's Organic Produce

Of

**23 Kingfisher Avenue
COLEAMBALLY NSW 2707**

Report Date, 4 December 2006

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A	CV DNM Hutchins
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C	Map Showing the Relationship of The Proposed Development to the Wiseman Properties.
D	Aerial Photo Showing the Position of the Treatment Ponds and Runoff Wetland.
E	Aerial Photo Showing Odour Levels at The Wiseman Properties.

1. AUTHORISATION AND PURPOSE OF THE REPORT

This report has been commissioned by Mr Neill and Mrs Regina Wiseman of Keillna Pty Ltd T/A Wiseman's Organic Produce of 23 Kingfisher Avenue Coleambally NSW 2707

The purpose of the report is to express their concerns with the development and its possible effect on their business and issues they would like to see more fully addressed.

The Wisemans stress that they are not opposed to development per se, because they believe it will be good for the community. However they do believe that there are issues that need to be addressed in the operation and seek assurances that their concerns will be addressed in the operation of the enterprise.

2. SOURCES OF INFORMATION

The sources of information used in compiling this report are:

- ▶ The Environmental Assessment of the project prepared by Booth Associates Agribusiness and Environmental Consultants.
- ▶ Mr NJ and Mrs RM Wiseman
- ▶ An External inspection of the area undertaken on Friday 17 November 2006.

3. BACKGROUND

Messrs NJ & RM Wiseman own and operate a 403 ha property consisting of 252 ha on Farm 538 and 161 ha on Farm 665. They lease a further 117 ha on Farm 642 from Mr Wiseman's brother. They produce organic crops on these properties. Their whole property is certified with Biological Farmers of Australia for organic production. They command a premium price in the vicinity of 2.5 – 4 times the price received for conventional non-organic produce, for their organic produce.

This season of restricted irrigation allocation they are producing approximately:

- ▶ 120 ha of white hilum soybeans for human consumption.
- ▶ 10 ha of onions.
- ▶ 8 ha of pumpkins.
- ▶ 36 ha of linseed. And
- ▶ 20 ha of spelt wheat.

Mr & Mrs Wiseman have two sons working full time on the property, their youngest son Luke has just come home to develop the vegetable side of their business, they have

installed drip irrigation on some of their vegetable land to gain greater efficiency, and have the capacity to expand the area of drip irrigation.

Their eldest son Ryan works on the more broad area crops such as the Spelt wheat and soybeans. Mr & Mrs Wiseman intend to integrate their sons into the business.

4. SITUATION OF THE WISEMAN FARMS RELATIVE TO THE PROPOSED DEVELOPMENT.

Farm 642, which is the leased farm, owned by Neill Wiseman's brother Malcolm adjoins the subject property to the south and is separated from it by a Coleambally Irrigation (CI) drainage channel. See aerial image annexure B. Farm 642 shares an approximate 1.8 km boundary with the proposed development as the crow flies, it would be over two km taking into account the bends in the drainage channel, but the approximate 1.8 km is more relevant for this exercise.

Farm 665 adjoins the leased farm to the southeast and Farm 538 is southeast and north east of Farm 665.

At its nearest point, the northwest corner of Farm 665 is approximately one km distant from the southeast corner of the Four Arrows property. The centre of Farm 665 is approximately 2.5 km from the centre of the southern boundary of the Four Arrows property.

Farm 538 is approximately 5 km from the nearest point of the Four Arrows Property.

The CI drainage channel bisects Farm 538 in two and runs along the northern boundaries of Farms 665 and 642.

The features of relevance to the proximity of the Wiseman properties to the Four Arrows properties are:

- ▶ The aerobic ponds are situated on the south western boundary of the Four Arrows property, hence they are adjacent to the Wiseman leased property (Farm 642).
- ▶ The anaerobic ponds are adjacent to and north of the aerobic ponds and are estimated to be approximately 500 metres from the Farm 642 boundary
- ▶ The so-called "Run Off Wetlands" are approximately 250 metres from the CI Drainage channel and so are approximately 300 metres from the Farm 642 boundary.
- ▶ The storm surge ponds are no more than approximately 800 metres from the Farm 642 boundary.
- ▶ The sedimentation ponds are approximately 1 km from the Farm 642 boundary
- ▶ The cattle yards are approximately 2 km from the Farm 642 boundary.

The photo below is taken from the boundary of Farm 642 and shows the CI drainage channel (in shadow) and the area of the proposed development where the anaerobic ponds will be situated in the background, beyond the trees.



5. AREAS OF CONCERN

There are five basic areas of concern viz:

- ▶ Lack of consultation
- ▶ Odour
- ▶ Flies
- ▶ Dust and Q Fever
- ▶ Salinity

These will be dealt with in turn.

5.1. LACK OF CONSULTATION

Although The Wiseman leased property Farm 642 adjoins the Four Arrows property and their own property is approximately 1 km from the Four Arrows boundary at its nearest point they have never been contacted by anyone from the Environmental Assessment team. In section 2.6 in Table 2.1.4, NJ Wiseman of 23 Kingfisher Avenue Coleambally is listed for an appointment on Friday 7 April 2006. This is the first Neill

Wiseman has heard of the appointment and it was never kept. Neill Wiseman has had no contact whatever with the Environmental Assessment team.

Mr Malcolm Wiseman the owner of Farm 642 a neighbour of Four Arrows has had no contact with the Environmental Assessment team, other than he took a phone call on Mr Jack Wiseman's (his father) phone. Mr Jack Wiseman lives on Channel Nine Road, a considerable distance from the proposed venture. They had a general chat about the ethanol plant, but no mention was made of the intensive dairy. Mr Malcolm Wiseman asked his father if he wanted to talk to the team member, but he replied, with words to the effect, "No I am too far away to be affected."

Mr Jack Wiseman is listed in Table 2.1.5 as having had a general briefing and chat. It is not clear to whom the team member thought they were speaking. It is clear that they never spoke to Jack Wiseman, but may have been under a mistaken belief that they had done so, in which case they never officially contacted Mr Malcolm Wiseman, either way the consultation was inadequate.

The above is not exhaustive, but it appears to indicate a lack of consultation with those most affected by the development and a degree of misrepresentation in The EIS.

5.2. ODOUR

The Wiseman's are worried about odour from three aspects viz;

- ▶ The effect on their considerable casual workforce that is used to chip weeds and harvest onions, pumpkins and other vegetables, such as broccoli. It is feared that they will refuse to work during high odour events.
- ▶ The Wisemans have long term plans to build a house on Farm 538, and would not want to do so if odour was to be a problem.
- ▶ The Wiseman's fear that odour and other problems such as dust could devalue their property, which is highly improved through laser grading, improved irrigation layout, the installation of drip irrigation and considerably improved soil structure and general fertility.

5.2.1. Sources of Odour

The sources of odour are likely to be:

- ▶ The anaerobic ponds.
- ▶ The aerobic ponds to a lesser extent.
- ▶ The manure stockpile.
- ▶ The cattle sheds.
- ▶ The storm surge ponds. And
- ▶ Possibly the Run off Wetlands

It may be that the ethanol plant itself could produce some odour, but I would expect it to have dissipated by the time it reached the Wisemans.

5.2.2. The Anaerobic Ponds

Anaerobic treatment ponds can be a source of considerable offensive odours; this seems to depend on conditions and the degree of Biological Oxygen Demand (BOD). Anaerobic bacteria generally produce an offensive odour that can be smelt for a considerable distance. Normally a well-operated anaerobic pond will not produce too many offensive odours once it has developed an adequate crust on top, but occasionally the pond turns upside down and extremely offensive odours will occur. It is essential to ensure that the BOD never becomes overloaded; this is likely to occur as a result of runoff from a rainfall event.

5.2.3. Aerobic Ponds

These are designed as the final treatment of biological waste such as animal manure. Aerobic odour emissions are not generally as offensive as anaerobic emissions. They are likely to produce offensive odour when they become overloaded, usually after a rainfall event, when the anaerobic ponds overflow into the aerobic ponds

5.2.4. The Manure Stockpiles

It is my understanding that there will be no composting of the manure stockpiles, so that they are likely to be in an anaerobic state. It is intended to move them in the short term to wet pens on Tubbo Station. I have no idea what is meant by in the short term. However I would assume the intention is to remove the manure into the wet pens at Tubbo within a short period of time, say weekly. I assume that the roads at the ethanol site will be all weather, but it will be possible to access the manure stockpile on the ethanol site. However during a prolonged wet period this may not be possible to apply the manure to the Tubbo fields due to ground conditions. This aspect needs clarifying. There does not appear to be any plan for these conditions. The odour from un-composted manure stockpile can become very offensive due to their anaerobic state. If they are not removed very regularly odour emissions may become a real problem.

5.2.5. Cattle Sheds

These usually produce offensive odours when they become wet during warm humid conditions. It is my understanding that the cattle sheds will be roofed, but have open sides, so that the likelihood of the manure pad becoming wet is not great, but if the rain is driven by strong winds, it could happen in which case offensive odours are likely to be produced, there appears to be no plan for this event.

5.2.6. Sedimentation Basins and Storm Surge Ponds.

I presume these are designed to take the run off water from the cattle sheds and manure stockpiles. The sediment will settle out in this area, prior to the water going into

the anaerobic ponds. During rainfall events there could be considerable run off from the sheds and the manure stockpile, particularly during warm humid weather this could and probably would produce considerable odour. This does not appear to have been addressed.

5.2.7. Run Off Wetlands

As I understand it, these are designed to take any overflow from the aerobic ponds, presumably during a rainfall event. Runoff from an aerobic pond would not normally produce too much offensive odour, but any run off is likely to occur due to an overloading of the anaerobic ponds, in which case the runoff from the aerobic pond could have a relatively high BOD and hence could produce offensive odours.

5.2.8. Summary

Odours from the ethanol plant are dealt with in some detail, but there appears to be a dearth of analysis of the likely odour emissions from the more diffuse source such as the dairy, the wastewater treatment ponds manure stockpile etc. There appears to be a reliance of the emissions from a dairy at Gooloogong, which may or may not be applicable, but even then there appears to be a lack of data.

The analysis in Figure 20 of the Holmes Air Services report shows that compliance odour levels predicted 99th percentiles emission levels from the dairy will reach well beyond Farm 538 and the emissions from all sources figure 22 will also reach well beyond Farm 538.

Weather data suggests that winds from the north and northeast are likely to occur during winter spring and autumn winds from the northeast particularly are likely to bring odours over farms 538 and 161 while winds from the north and northeast will also bring odours over Farm 642.

My clients would like to see emergency plans put in place to prevent such events occurring and to control them when and if they do occur.

5.3. FLIES

The main problem with flies is likely to occur in the manure stockpile and the cattle sheds. Feedlots manage to control flies successfully. I may have missed it, because the report is voluminous and I have not had time to read it all, but I did not see any plan to control flies.

5.4. DUST & Q FEVER

Dust is likely to come from roads and truck movement, the manure pad, cattle sheds and yards. It is my understanding that dust from the roads caused by truck movements

will be controlled by use of a water cart and that there will be a misting device to help control the dust in the cattle pens and yards, it remains to be seen whether this will be adequate.

It is the dust from the manure pads and cattle sheds and yards that could cause a problem to the Wisemans. They are worried from two angles viz:

- The effect on their organic produce.
- The effect on the workforce.

If their produce was to become contaminated in any way they could lose markets, they are particularly worried about vegetables that would not normally be cooked such as lettuce, which they are looking at producing. Any contamination with *E. coli* bacteria or particles of faeces could prove fatal to their venture.

Q fever is a disease caused by the bacteria *Coxiella burnetii*; animals such as cattle, goats and sheep carry it. The bacteria are excreted in the urine, faeces and particularly in birthing fluids. It can live for long periods in dry dust. It is normally spread to humans through the air via the nasal passage, but can be spread by drinking contaminated milk. Symptoms include high fever, chills and sweating, and a general feeling of being unwell. Q fever can cause hepatitis, pneumonia, endocarditis etc.

The Wisemans are worried that their workers could be exposed to the disease through dust from the manure pile, cattle sheds and yards etc.

They realise that the cattle are to have regular veterinary supervision and that this will lessen the chance of Q fever contamination, but it is unlikely to eliminate it.

5.5. SALINITY

Salinity is a possible problem, which as far as I can see has not been addressed. I can find no reference to salinity in the Table of Contents or the Annexures; this is a surprising and serious omission.

Typically effluent from an aerobic pond in a feedlot will vary from approximately 100 – 200 mg/L of sodium. This means that there are between 100 and 200 kg of sodium in every ML of effluent water from the aerobic ponds. Put another way every five ML effluent water from the aerobic ponds will contain between one and two tonnes of sodium.

It is my understanding that any run off from the aerobic pond will go into the so-called runoff wetland, where it will be left to evaporate. This means that the run-off wetland will become a virtual evaporation basin and there will be a considerable build up of salt in this area.

The runoff wetland is situated adjacent to a CI drain and adjacent to a prior stream, there is a considerable risk that this may access the water table, through seepage the prior stream and/or the main drain in a high rainfall event. The main drain bisects Farm 538 in two.

The land on which the runoff wetland is situated is relatively steep by Riverine Plain standards; it would need a high bund around it to prevent water accessing the prior stream and the CI drain. The soil in this area is a transitional red brown earth, as far as I can ascertain from the EIS the sub soil varies in texture, but is generally of a semi friable nature, with some calcium carbonate below 40 cm, (Section 4-77 of the EIS) this would indicate to me that there would be the possibility some leakage into the lower horizon and to Shepparton groundwater layer. This could have serious consequences for The Wisemans through leakage into the main drain the Shepparton groundwater or the prior stream.

Greater attention needs to be paid to this aspect.

The photo below shows the area where the runoff wetland will be situated, the steepness of the land can be judged by the closeness of the contour banks.



The photo overleaf is taken from the same spot looking south and shows the trees which indicate the prior stream and show the proximity of the runoff wetland to the prior stream The CI drain is just beyond the trees.



6. CONCLUSION.

The EIS needs to pay greater attention to the areas of:

- ▶ Consultation
- ▶ Odour
- ▶ Flies
- ▶ Dust and Q Fever.
- ▶ Salinity

DNM Hutchins RDA, MAIAST, MAAAC, JP
Consultant.

Director-General,
Department of Planning,
G.P.O.Box 39,
Sydney, N.S.W.

Fax: (02) 92286466.

Attn:

Ann-Maree Carruthers
Major Development Assessment.

Major Project Application
No. 06-0020.

Dear Ann-Maree,

Please find attached submission on proposed Integrated Ethanol & Dairy Development at Coleambally.

I object to the proposed integrated Ethanol and Dairy development, (Coleambally), as outlined in the Environmental assessment, prepared by Booth Associates, and its justifications for concluding Option A is the most appropriate.

Any assessment or document used for or as a basis of good planning/policy decision making needs to adhere to processes that are scientifically based, reproducible, transparent and consistent. This assessment fails in all aspects. It is highly subjective, based on dubious criteria and does not demonstrate clear environmental, social or economic outcomes justifying the choice of Option A as the most appropriate of locations. I am of the opinion that the data used is, in many cases, flawed, inconsistent with that published elsewhere, incomplete, missing, inappropriate in its contextual use, or 'cherry picked', producing an outcome that is consequently biased and consistently skewed towards supporting pre-determined, or preferred outcomes.

This assessment puts forward 3 options; it then seeks to justify option A as the most appropriate. It provides no data or results of investigations into options B or C and as such allows for no review or comparison of the merits or otherwise of these alternate sites. This information should be provided so as to enable an informed decision making process.

ENVIRONMENTAL ASSESSMENT

Background.

1.2.2.1 EBS is flawed. If all ratings are re-assessed and tallied, (appropriate data and conclusions), Option C would, in all likely-hood become the most suitable development site.

1.2.2.2 Option C. Closer to: - intensive animal industries. (to major commercial centres. (Griffith, Narrandera, Leeton & Wagga Wagga).
- Electricity, gas & water
Greater access to transport, freight services & major highways.
Sturt Hwy. A national Hwy. Kidman Way only secondary Hwy.

Local Planning Matters.

1.5.1.2 Option C. Better outcomes Objectives 1,3,5 & 6.

State Planning Matters.

1.5.2.1 SEPP 30 / 33 / 52 Aims as outlined not met by EA. PHA deficient

1.5.2.2 LMGS Objectives not given sufficient consideration through investigation & mitigation strategies.

1.5.2.3 PEOA. Objectives not given sufficient consideration through investigation & development of EA.

1.5.2.4 NVA. Objective (c) better met by Option C.

1.5.2.6 WMA. Objectives of Act not met by proposed development / EA.

1.5.2.11 EP & AA. EA is inadequate

1.5.2.12 TSCA. This development as assessed potentially negatively impacts or Contradicts the objectives of the Act.

Federal Planning Matters.

1.5.3.2 EP & BCA This development as assessed potentially negatively impacts on protected habitat & species.

Overview.

2.1 The statement that 'Similar meetings were conducted... auxiliary issues which were identified were then investigated.' Is false. The owners/residents of Farm 2016, (situated between that of R. Black & R Gray), have never been approached (nor contacted by either the stakeholder or their agents. They have not been given the opportunity to raise concerns, request further information nor have auxiliary issues investigated. Have others been omitted from the consultation process?
The first official notification of this project has been that of your Department, (lett dated 30/10/06). (See also 2.1.1.3. & Tables 2.1.4 & 2.1.5).

DoP The stakeholders have been lax in their interpretation & implementation of the D.G.'s consultation requirements with regard to affected residents, these have not been met. (See Annex 1.6.1 pg. 3)

DNR The stakeholders have not complied with the departments identified specific issues. (See 2.1.2 Water supply Issues, dot point 3).

Affected Environment.

3.2.2 Buffers

The Township of Coleambally is just outside of the existing 5 km. Buffer.
Current residential occupancy surrounding the site of option A is limited, however many of the surrounding farms have existing rural residential rights that need to be considered as part of the process.

Option C would negate any potential effect on the above.

3.2.3.2 Meteorology

The *synthetic* TAPM generated data is suspect. Figures 3.2.1 & 3.2.2 actuals differing significantly from TAPM. (Figure 3.2.3)
(I.e. Autumn – less than 4% winds from east in TAPM, 12% & above Griffith & Yanko. Summer – less than 4% from east in TAPM, greater than 8% Griffith & Yanko. Spring – more than 10% for each of NNE & NE in TAPM, 4 to 6% for each Griffith & Yanko.) TAPM generated data shows 61 hrs. (0.7%), calm compared to Yanko's 386 hrs (4.4%).

A Meteorological Station has been operational, on site, since 16/2/06. Comparison of its data, (wind, temp. humidity & rainfall), even though a small sample, with data from Griffith, Yanko, Leeton & TAPM is warranted, given the discrepancies, so as to check the validity of the model. This is important as the data is used in the dispersion model for predicting stability class, gas concentrations, compliance odor levels etc.

If the " high frequency of D class stabilities (30.2%) indicates that emissions will disperse quickly for a significant proportion of the time," the high frequency of E & F class stabilities (37.9%) indicates that emissions will disperse at a slower rate than class D, for a more significant proportion of the time.

3.3.2

Table 3.3.2

The footprint (m) are different to that found in 4.1.6b & 4.1.7b. They also differ from those used in Tables 4.2.6 & 4.2.7 for odor emissions.

Infrastructure.

3.3.4.1 Gas

The feasibility study relied upon is out of date. There are no references to more recent studies or indications that the supply of gas is viable in the present climate. If viable, it makes more sense from an economic point to supply an ethanol plant situated at Tubbo (option C). If the main supply trunks are tapped in the vicinity of Narrandera or Yanko/Leeton, the distance of new line and associated infrastructure is halved.

3.3.4.2 Electricity

High voltage lines already exist, running through and in proximity to Tubbo (option C).

Description of operations.

Pg 3-12

3.4.1

Milling

I can find no reference to dust or particulate matter studies, nor mitigative strategies for this process.

Denaturing

As far as I am aware 5% addition of gasoline is mandated. This equates to 15,000,000 LT/ A, (15ML).

This has not been included in EA calculations. - 15ML at 30,000 lt equates to an additional 500 truck movements per year onsite & 500 offsite, (denatured ethanol - Ethanol + 15ML gasoline.)
Additional total heavy truck movement of 2000 P/A.
(I assume few if any backloaded due to risk of contamination).

Additional movements & associated activities impact on traffic/transport, noise and other environmental aspects.

Additional movements & associated activities impact on hazard assessment.

Hazard assessment state 36 days of operation. Traffic assessment based on 365.

Was hazard modeling done on ethanol or denatured ethanol?

Pg. 3-13

Co-products

240,697 t - CO2 produced per year

Given current apprehensions about GHG at both a community and government level it is important that before approval the stakeholders commission feasibility study into the sale of this by-product, and have in place enforceable undertakings/ heads of agreement to ensure that CO2 is utilized in industry (as stated in EA), and not discharged into the environment. If the sale of this by-product is not feasible then a strategy/plan should be in place to offset this liability.

This should be a non-site specific requirement for this development.

Trucks transporting compressed CO2 would not be used for any other purpose i.e.backloaded.

Grain required 725,000 T grains required.

Query? On capacity of grain bunkers given BD grains, freeboard and x-sectional profiles, storage more likely min 1 additional bunker with assoc. increase in run-off etc.

Annexes differ in loading rates, and thus truck movements. 4.1.1 - 40t/ truck
4.4.8b - 38t/truck.

725,000t at 40t/truck = 18,125 truck movements in 19,079 at 38t
(Annex 4.4.8b). An increase in total heavy truck movements of 1908p/a.

However this also does not take into account bulk densities (BD) and the % of each type of grain needed.

If a truck holds 38t wheat (to the top of the boards). -
326250t wheat (BD .75) requires 8586 truck movements.
253750t barley. (BD .62) requires 8082 truck movements.
145000t maize (BD .7) requires 4088 truck movements.
20756 heavy truck movements in.
a further increase of 3354 P/A total heavy truck movements.

(See also truck loads summer/winter harvest).

Additional movements & associated activities impact on traffic/transport, hazard, noise and other environmental aspects.

Winter harvest 150,000 T grains delivered Nov/Dec.

Assuming harvest period of 61 days (likely to be much less), & hrs 7am-10pm (likely to be less due to harvest and farmer/labour limitations).

150,000t at 40 t/truck = 3750 truck movements in - Total heavy truck movements
p/a. 7500. = Total 123 heavy truck movements / day = 8.2/hr

150,000t at 38 t/truck = 3948 truck movements in - Total heavy truck movements
p/a.. 7896. = Total 130 heavy truck movements / day = 8.7/hr.

The majority of heavy trucks delivering from farm at harvest load at 22-25 t/truck
approx. 150,000t at 25t/truck = 6000 truck movements in - Total heavy truck
movements p/a 12,000. = total 197 heavy truck movements / day = 13.1/hr.

Few if any trucks would be backloaded as they are returning to farms.

All affected studies need to be redone using correct and consistent figures.

As shown there are peak heavy truck movements/periods, which cannot be averaged over a year.

Summer harvest 145,000 T com, (maize), delivered march/may-June.

See comments etc winter harvest.

4.1.2

Ethanol plant additives.

If the figures contained in 4.1.1 correct then max amount held on site of individual additives greater than 40t., reduced to 38t+ if 4.4.8b correct. (If incorrect then increase in transport/noise)

No hazard or environmental assessments on effects.
I.e. 40t+ spillage Sulphuric Acid. Or 40t+ Urea (46% N) combined with ethanol or petrol fires etc.

CIP Chemical not listed - ammonia????/ other toxic chemicals - assessments on 38-40t+ on hazard/environment??

4.1.3

" All impacts demonstrate the worst case scenario)."

AS THE FORMER & LATTER DEMONSTRATE, _ THIS IS NOT CORRECT. I CAN FIND NO REFERENCES TO THE CHEMICALS THAT MAY BE REQUIRED FOR CATTLE OR THEIR EFFECTS ON THE ENVIRONMENT. I.e. ORGANO-PHOSPHATES, to treat 18,000 cattle for lice. Diazanone for fly control etc. (Also no reference to fly control etc.)

Silage

See comments etc. winter harvest. Also Annex 4.1.3- (useful calculations – silage 20t/load), not 40 or 38t.

Few if any trucks would be backloaded as they are returning to farms.

All affected studies need to be redone using correct and consistent figures.

- 4.1.4 Manure Production Production of manure is related to feed/water. Annex 4.1.4 gives body weight, (BW), estimates & calculates manure at 5.5%, &. Annex 4.1.3 gives feed estimates.

QLD DPI&F- Feedlot Waste Management – Manure Production Data – File No. 110043 – updated 8/03 calculates manure at 5-6% BW +/- 25%. I.e. worst case manure production 7.5% BW. Feed calculations also less than DPI & for BW.

Other publications put average moisture content at 50%. (Australian Institute Agricultural Science).

Additional truck movements required & associated activities impact on traffic/transport, hazard, noise and other environmental aspects.

- 4.1.5 Anaerobic Ponds Minimum sizes.

Question validity of rainfall Decile predictions. – January 16 2006- 75mm rain in 15 minute period 18.45 – 1900est. additional 30mm 1900-2100est. (Measurements farm 2016 & ricemill)

If minimum V req is 262ML, one pond undergoing maintenance then only capacity of 175 ml available.

Calculations of run-off could not be verified as bound copy provided to Murrumbidgee council does not contain annex 4.5.7a (it does contain 2 of 4.5.7b.)

See also different size - table 3.3.2.

What happens to water drawn from aerobic Ponds & used to wash cattle areas as salt concentrations increase (see DPI VIC – Dairy Effluent – salts in dairy shed effluent AGO 419 - 7/1999), and concentrations effect operation of anaerobic ponds. (See DPI VIC – Dairy Effluent- crusting of ponds. AGO423 - 10/2002).

- 4.1.9 Salts are removed off-site in sludge from storage's. (See previous.)

See also 4.5.2.1 excess water directed offsite in DC 400.

- 4.2.3.1 Criteria Pollutant Emissions estimated emission rates derived from estimated emission rates for Dalby derived from proposed ethanol facility preliminary odor mitigation plan. (McGinley)

4.2.3.2

NOT A VERY SCIENTIFIC APPROACH

Odor emissions

See 4.2.3.1 above.

Gooloogong assumptions

Wet weather pond equivalent to cat 2 water storage
I.e. Water of relatively sound quality.
Recycling pond equivalent to aerobic pond
I.e. water reused it wash stalls etc.
Effluent sump equivalent to anaerobic pond
I.e. high excreta and BOD loading

Gooloogong also >250 km north east of Coleambally. Different climate etc.
(See comments 3.2.3.2).

Moirra assumptions

average odor emission rate 2.0 ou.

" U.S. study indicated odor strength over dry feedlot pad 2 – 7 ou. This increased to 170 ou when interface disturbed. (DPI & F QLD. - Feedlot Waste Management – The Feedlot Pad – File No. il0044 – 9/2003).

Odor estimates from dry pens

Figures used for Coleambally incorrect.

Average weight – 295.7 kg not 310. Annex 4.1.4

Stocking density – 18.4 sq.m. not 21.3. Annex 4.1.4 & Table. 3.3.2

Value of - 16.1 kg/m. sq.

See 3.3.2 above.

All affected studies need to be redone using correct and consistent figures.

Worse case not modeled.

4.2.4

Table 4.2.8 / Figures 4.2.1a / b / g / h / i / j & k

Do not show all residential receptors. Additional 2 receptors known of in area of receptor 22

Also no data re Hydrogen Sulfide & ammonia from dairy/manure & ponds.

General.

I can find no studies on the effect the project will have on particulate matter & the environment with regard to the additional traffic generated on unformed and dirt roads in the area. (See winter/summer harvest & silage above). (Eulo Rd is the only Bitumen rd between Jimmy Cull Rd & Sturt Hwy.)

4.3.3.1

See comments already made re. truck numbers.

Willbriggie rail-line closed. Massive funding needed to upgrade to level required.

4.3.6

Exceedances under temperature inversion conditions. See 4.3.1 – temperature inversions.

Cattle noise – the assumption that 15% of cattle vocal for 30 sec. In 15 min. cannot be sustained. As stated cattle vocal at feeding. Cattle also vocal if disturbed i.e. cleaning pens, when scared by noise, i.e. industrial or truck, when scared by environment, i.e. storms, high winds, lightening, thunder. Not 15% but a greater %.

- 4.4.4 As demonstrated annex 4.4.8a (used for noise) is incorrect, as is 4.4.8b (used for traffic. Movements, load tonnage, backload numbers and car pooling numbers are wrong.
See also pg. 4-42, Eulo Rd Bridge load rating and effect on load tonnage & Numbers for manure transport etc in 4.4.8b.
Also no provision truck movements for transport dead cattle. (5.6% herd [annex 4.1.2] 609 head or 3 cattle every second day). Not backloaded.
No provision for visitors vehicle movements.
- Pg. 4-45 4.5.2.1 General security water access – 60 % considered normal not 70%. (CICL AGM 2006)
Excess water directed to drainage channel 400. 2100 ml dx year. All water not contained on-site as previous stated.
- 4.5.2.5 Annex 4.5.3 – 4.5.6 contain minor inconsistencies and a number of omissions, these effect annex 4.5.8.
- Pg. 4-53 Boxed comments Ethanol input/outputs assume worse case only 8% moisture recovery not 50% recycled.
- 4.5.3.3 pg4-57 Note comments re impact on groundwater quality in general
Groundwater quality for bore irrigators
Groundwater extracted for domestic or specialised usages.
- 4.5.3.4.1 Summarized data annex 4.5.11 & annex 4.5.13. – consistent decline as more efficient Practices implemented. Annex 4.5.15 “ the watertable is apparently depressed after 8 years of drought and has been higher” (R. Wrigley).
- 4.5.3.4.2 In-field testing. See 4.5.15 half of samples too small to be representative of conditions.
4.5.15 written after annex 4.7.1. (July 06 as against April 06)
Associate Professor Roger Wrigley states – “site 2 –Ground water contamination is a potential risk. ... Site 3 – groundwater contamination a potential risk... Site 5 – potential Groundwater contamination risk. No knowledge of groundwater harvesting on surrounding properties has been found nor is there accurate information on the extent and transmissivity of aquifers underlying or adjoining the property... To confirm the viability of the site more detailed investigations are warranted.”

“Sites to be avoided include those where there are existing shallow or rising water tables, where there are shallow perched water tables, where useable underground water resources are already partially degraded or where there are major faults that might provide a short circuit for pollutants to the groundwater source.”
DPI & F QLD – Beef Cattle Feedlots. – Site selection. – protection of ground water quality. - File No. il0053, 9/2003.
- Figure 4.5.2 **THERE ARE 2 DOMESTIC BORES WITHIN 4km OF THE SITE, WHICH ARE NOT SHOWN.**

Potential pollutants do not necessarily move in the direction of groundwater flow, they can move along a gradient, from high concentrations to lower concentrations until equilibrium is reached.

Time and resources limit what can be included. Much more should have been.

Despite the above, I am not against the development of an Ethanol and associated Dairy within the Municipality.

I am against the location. proposed for its construction.

I do not believe the examination of the issues have been comprehensive nor thorough. Assumptions, missing, incomplete or factually incorrect data have resulted in an Environmental Assessment that is flawed, open to interpretation and confusing because of its inconsistencies.

In an area in which many people rely on Ground water supplies for domestic use it is imperative that any development proposal is scrutinized as to its potential impacts on that supply, and is subjected to the most rigorous of assessments.

Accessions to this supply, and the possible contamination by chemical, biological or Pathogenic agents, no matter how remote cannot be contemplated. The consequences of such an event would be far reaching as both farms and the township of Coleambally rely on bores for the supply of domestic water. It is too late when monitoring procedures indicate a problem as the damage is done.

"ONCE THE BELL HAS BEEN RUNG IT CANNOT BE UNRUNG".

Yours,

B.Flanagan
Farm 2016
COLEAMBALLY 2707

P.O. Box 1
Coleambally. 2707.

300DA008
06/1297
Ash Tamhane



The Manager – Manufacturing and Rural Industries
Major Development Assessment
Department of Planning
23-33 Bridge Street, Sydney, NSW 2001
Attention: Ann-Maree Carruther

PROPOSED COLEAMBALLY ETHANOL PLANT AND INTENSIVE "TUBBO STATION" AT LOT 78, 79, 80 AND 112 DP 750896, COLEAMBALLY

Dear Sir,

I refer to your letter of 30 October 2006 (Your Ref: 9041080) regarding the subject development application, which was referred to the Roads and Traffic Authority (RTA) for comment.

The RTA has reviewed the development application and Environmental Assessment (EA) and would not object to the proposed development application subject to the following comments being included in the Department of Planning's conditions of development consent:

- The current policy of the RTA is to minimise the number of conflict points along Classified Roads to promote road safety and efficiency on the main road network. Therefore, the number of vehicular accesses onto Kidman Way is to be minimised by using shared driveways and local streets frontages. In this case vehicular access for management and staff is to be consolidated thus reducing the number of access points off Kidman Way to two from three as proposed in the traffic report.
- Proposed access locations on Kidman Way are to have a Safe Intersection Sight distance (SISD) sight distance in either direction in accordance with the RTA's Road Design Guide for the prevailing speed limit (i.e. 255m in both directions for 100km/hr speed zone).
- Proposed driveways off Kidman Way are to be constructed with a minimum entry width of 6 metres and exit width of 4-6m in accordance with AS 2890.1-2004 for a class 1 parking facility and category 3 access driveway. The access driveways are to be constructed to accommodate largest size vehicles like to service the site.
- An Auxiliary Right Turn (AUR) and Auxiliary Left Turn (AUL) treatment is to be constructed at the proposed access location off Kidman Way. In addition, separate acceleration lane for both north and southbound vehicles is to be constructed at the subject junction of the proposed access driveways and Kidman way in accordance with the RTA's Road Design Guide for the prevailing speed limit and as indicated in the annexure 4.4.11 of annexure volume 2.

Detail design plans of Auxiliary Right Turn (AUR), Auxiliary Left Turn (AUL) and acceleration lane treatment are to be submitted to the RTA for approval prior to the commencement of any works.

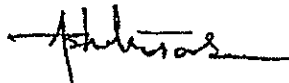


- The swept path of the largest vehicle entering /exiting the subject site and manoeuvrability through the site is to be in accordance with current Australian Standards and to Council's satisfaction.
- It is noted that the intersection of Willbriggie Rail siding and Kidman way will have substantial increase in heavy vehicle movements due to the likely use of site for pick up of the majority of grain and raw material for ethanol production and transportation of the product. A further assessment is to be undertaken in regards to the potential upgrade the subject intersection in accordance with the RTA's Road design guide. Detail design plans of proposed intersection treatment are to be submitted to the RTA for approval prior to the commencement of any works.
- In accordance with the Roads Act 1993 the RTA has responsibility in relation to roadwork, traffic control facilities and other works/structures on the classified road network. Kidman Way is a State road. The RTA and council have certain responsibilities under the requirements of the act. RTA's consent is required for all road works under section 61 of the Act. Council is the roads authority for Kidman Way. As the proposed development requires construction on or adjoining road network, the developer will be required to sign a **Works Authorisation Deed (WAD)** with the RTA before undertaking any design or construction work. The applicant need to contact the RTA within 10 days once the Notice of Determination (Conditions of consent if approved) is issued by the Minister of Planning for the subject development. In addition, construction on the State road requires pre-qualified contractor to be engaged for works associated with the development.
- "No Stopping" restriction is to be implemented along the Kidman Way frontage of the subject site prior to commencement of any works.
- Layout of the car park including internal roadway width, aisle widths, parking bay dimensions and loading dock is to be in accordance with AS 2890.1-2004, and AS 2890.2-2002.
- Number of on-site car parking spaces associated with the development is to be in accordance with the Council requirement and meet the parking requirement applicable for the development.
- Appropriate directional signage and line marking throughout the car park and site is to be installed to assist in directing vehicles around and through the facility.
- The applicant to provide facilities for pedestrians within the car park to facilitate safe pedestrian movements throughout the car park.
- Consideration is to be given to implement traffic calming measures within the car park to control speeding vehicles and to reduce vehicular/pedestrian conflict.
- Suitable provision should be made on site for all construction vehicles to alleviate any need to park on Kidman Way.
- Suitable provision is to be made to retard any increased storm water run off directly from the subject site on to Kidman Way.
- All works associated with the development shall be at no cost to the RTA.

Please refer all the enquiries regarding this development application to RTA's Development Assessment Officer, Ash Tamhane on Phone: (02) 6938 1148.

To comply with legislative requirement, please forward to the undersigned a copy of the determination of this development application at the same time as advising the applicant.

Yours faithfully



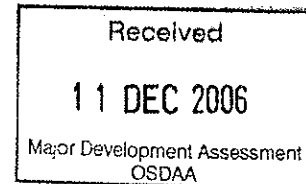
S B Warrell
Regional Manager
South West region

04 DEC 2006

received by email 7/12/06

7.

Our reference : 235602A1/GFF5713
Contact : Ryan Petrov 02 6969 0700



The Manager - Manufacturing and Rural Industries
Major Development Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Ann-Maree Carruthers

Dear Mr Ritchie

Re Proposed Darlington Point / Coleambally ethanol plant and intensive dairy

We refer to your letter dated 30 October 2006 requesting the recommended conditions of consent from the Department of Environment and Conservation (DEC) for the above proposal.

As outlined in our letter to you dated 20 October 2006 and discussed during the meeting on 24 November 2006 with Department of Planning, Department of Natural Resources, Booth Associates and ourselves, we are not able to make an adequate determination of this project until additional information is provided by the proponent. Specifically this information relates to groundwater, soil chemical and physical properties, air quality and greenhouse gas assessment (as detailed in Attachment 'A').

Based on discussions at this meeting, we understand that this information is currently being prepared and will be submitted in early 2007. As soon as this information becomes available we will be able to undertake our detailed assessment of the proposal and provide your Department with our recommended conditions of consent. In the interim, we would appreciate if you could provide to us copies of any submissions received following the exhibition of the Environmental Assessment.

If you have any further enquiries about this matter please contact Ryan Petrov by telephoning 02 6969 0700.

Yours sincerely

 7.12.2006

Craig Bretherton
Head, Griffith Unit
Environment Protection and Regulation

PO BOX 397, Griffith NSW 2680
Suite 7, 130-140 Banna Avenue, Griffith NSW
Tel: (02) 6969 0700 Fax: (02) 6969 0710
ABN 30 841 387 271
www.environment.nsw.gov.au

Department of **Environment and Conservation** NSW

ATTACHMENT 'A'

Groundwater

The revised draft environmental assessment (EA) still provides limited information regarding the quality of groundwater at the site. We recommend that a detailed hydro-geological assessment be undertaken to better quantify groundwater levels, the direction of groundwater flow, and existing groundwater quality at the site.

It is noted that Figure 4.5.2 of the draft EA does indicate the location of surrounding groundwater users and identifies those considered as high risk based on the predicted direction of groundwater flow. However, from the limited data provided in the EA is not clear how this direction of groundwater flow was determined and the DEC considers that the closest stock and domestic groundwater users located within 500 metres to the north east and within 1 km to the south east of the site should also be considered as 'high risk' as they may also be impacted by the proposed development.

Until a detailed hydro-geological assessment is undertaken to determine existing groundwater quality and the movement of groundwater on the site, a complete assessment of the potential impacts on groundwaters and groundwater users can not be made. Likewise it is not possible to determine whether the proposed mitigation measures will be adequate to prevent groundwater contamination.

Geotechnical and soil investigations

The revised draft EA states that "no soil chemistry analysis or soil geophysical assessments have been undertaken at this stage" and "that these additional tests will take place at the detailed design investigation stage, following approval of this EA" (page 4-73). Similarly, the report states that detailed design level geotechnical investigations will be conducted prior to design of water storages and cattle dry lot pens.

Without these studies being undertaken prior to the assessment stage we have concerns that the limited data currently available will be insufficient to allow a clear determination if the proposed water storage, dry lot pen, and waste disposal areas are suitable. As such, we recommend that these proposed studies are undertaken concurrently with the exhibition period so that the results can be provided to the relevant agencies for consideration prior to the determination stage.

The key areas that need to be addressed through these investigations include whether sufficient suitable in-situ clays are available on site for the construction of the water storages, dry lot pens, and carcase disposal pits, or if material will need to be sourced off-site. The investigations should also quantify the existing soil chemical and physical properties of the proposed waste utilisation areas and provide commentary as to whether the anticipated nutrient and organic loadings can be managed in a sustainable manner. These waste utilisation areas include the "Tubbo" property and any proposed waste management areas associated with the staff amenities and truck wash.

Air quality

The revised draft EA does not provide a clear and unambiguous picture of the proposal as a whole. This limits the DEC's evaluation of the proposed management of potential air quality impacts. The EA should include sufficient information of the design of the ethanol plant facility (such as a detailed process diagram) to satisfy DEC that all odour sources have been identified and included in the assessment, and that odour will be managed appropriately.

A key concern is the management of the wet distiller's grain (WDG) generated from the ethanol production process. It is noted that the original draft EA indicated that there would be a dryer and

associated stack for distiller's grain. The revised proposal indicates that WDG will be used directly on the site as part of the feed mix for the dairy with excess WDG being temporarily stored on a covered storage pad prior to transport offsite. This removes the requirement for the dryer, which from experience at other facilities can be a significant source of odour for nearby receptors. However, the DEC is aware that WDG can spoil within a short timeframe (typically 1 to 3 days), after which it becomes both odorous and unsuitable for off-site uses. We require that more detailed management procedures are provided to demonstrate that the handling and removal of this product will ensure that it does not create a significant source of odour.

To address the concerns relating to air quality the following information should be provided:

1. A detailed process diagram of the plant and all associated equipment (including confirmation as to whether the proposed plant will include dryers). This diagram should highlight all processes that have the potential to generate odour and the EA should ensure that all the potential odour emissions are quantified.
2. If the final plant design is not to include dryers, information should be provided that demonstrates the production of WDG will not exceed on and offsite demand. This must include consideration of the estimated storage and transport periods, and the potential effect on demand for WDG that may arise from the establishment of similar projects currently proposed in NSW.

The air quality assessment should benchmark the proposal against established international best practice for the design and operation of a grain based ethanol and intensive agriculture operation and must be conducted strictly in accordance with all requirements of the DEC document 'Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales' (2005).

Greenhouse Gas Assessment

The Director General's requirements for the proposal required a full assessment of the impact of greenhouse gases from the proposal. The DEC considers the information provided in the draft EA to be limited and needs to be addressed in more detail due to the large amounts of CO₂ that will be generated from the proposed operations. It is noted that the draft EA indicates that CO₂ is to be captured and sold for other uses, but provides limited detail on the practicality of this proposal or assessment in terms of commercial viability.

To fulfil this Director General's requirement, we require the proponent provide an accurate account of full life-cycle greenhouse gas emissions and demonstration of how greenhouse gas emissions will be minimised over the life-cycle. The life-cycle must include all emissions generated in -

1. growing grains used to produce ethanol (ie. on the farm);
2. all activity and processing on site (including the activities indirectly associated with ethanol such as the intensive agriculture operation); and,
3. transporting all materials to and from the site (e.g.. from the farm to the plant and from the plant to the ethanol distributor and to other receivers of product).

This assessment must also include, but is not limited to, details of:

- (a) The capture efficiency of the proposed CO₂ scrubber (ie. manufacturer's performance specifications);
- (b) Number and size of CO₂ storage tanks;
- (c) Identification of end users/consumers of CO₂ and expected volume of consumption;
- (d) Any other proposed measures to offset greenhouse emissions from the facility (eg. plantation planting).

Contact: John Searson
Phone: (02) 6932 3231
Fax: (02) 6932 3269
e-mail: john.searson@cma.nsw.gov.au

Mr Chris Ritchie
Manager- Manufacturing and Rural Industries
Department of Planning
GPO Box 39
SYDNEY NSW 2001

4 December 2006

Our Ref: 3419-06

Dear Chris,

**RE: Proposed Darlington Point/Coleambally Ethanol Plant and Intensive Dairy, 'Tubbo'-
Murrumbidgee Irrigation Area**

Thank you for your correspondence of 1 November 2006 requesting comment from the Murrumbidgee Catchment Management Authority (Murrumbidgee CMA) on the above proposal.

With regard to this proposed development, the Murrumbidgee CMA provides advice specifically to issues raised in the draft Murrumbidgee Catchment Action Plan (2006) (MCAP), and matters associated with the Native Vegetation Act (2003).

Draft Murrumbidgee Catchment Action Plan (2006)

In partnership with the community, the Murrumbidgee CMA has developed the draft MCAP as a strategic planning instrument to guide natural resource management across the Murrumbidgee catchment. The key considerations of the MCAP in relation to the proposed development include:

- Water management supported chiefly by the development of Integrated Water Cycle Management Plans.
- Protection of Threatened Species, Populations and Ecological Communities by targeted and strategic management of remnant vegetation
- Sustainable use of land, vegetation and water resources.

The MCMA does not have a role in determining the entitlement of license holders to water, nor does it have a role in any aspect of license compliance or the determination or operation of annual allocations. Matters of licensing remain solely with the Department of Natural Resources, and at no time does the Murrumbidgee CMA 'finalise' entitlements.

However in accordance with the sustainable use of water resources in terms of the MCAP, the Murrumbidgee CMA would query whether the vendor has overstated the reliability of a water supply. The expected level of certainty of 95% for high security is not a safeguard. This is evident in the current allocation of 85% for high security and 10% for general security extraction licenses in the Murrumbidgee Regulated River Water Source. Both limits are well below the estimates provided in the Environmental Assessment.

The proponent cites the water resource of the broader group of companies as a basis for water surety. The proposal should be considering the access of this water in the context of the historical use of that water to grow significant areas of irrigated crops.

Thus the water security of the proposal may have underestimated. The decile 1 year is a modelled average that does not include a year like 2006-7, and the operation of the proposal should be modelled in the context of the worst scenario, or current conditions.

The Murrumbidgee CMA would suggest an integrated water management plan be developed, and be inclusive of storm water, drainage and all waste water treatments in consultation with Coleambally Irrigation Limited.

Native Vegetation Act (2003)

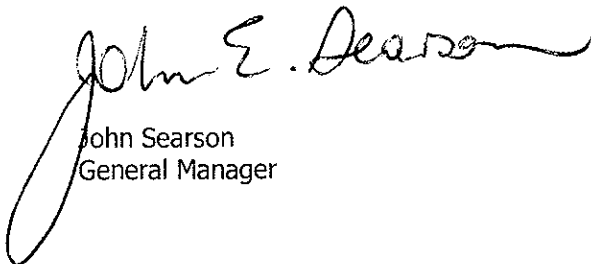
The Murrumbidgee CMA understands that the application does not include any clearing, and does not conflict with the objectives of the Native Vegetation Act (2003).

While the proposed development at Coleambally provides adequate protection for the significant remnants of native vegetation, the Murrumbidgee CMA would prefer that the corridor be enhanced in species richness to provide a valuable biodiversity outcome. The Murrumbidgee CMA is willing to assist the proponent achieve this goal through negotiation of biodiversity incentives through the Property Vegetation Planning process.

An overall vegetation plan is suggested by the vendor. The MCMA would commend this action, and would desire to provide input to the design of property scale plans and ongoing monitoring schemes of habitat enhancement. This plan should also include indigenous heritage.

Thank you for the opportunity to comment on the proposal.

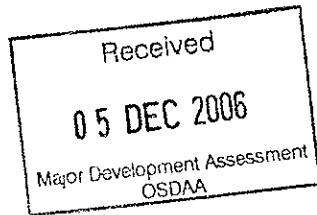
Yours sincerely,



John Searson
General Manager

received by email 11/12/06

1.



NSW Government

DEPARTMENT OF NATURAL RESOURCES

Contact: Darren Wallett
Phone: (02) 69329119
Mobile: 0427274283
Fax: (02) 69329110
Email: darren.wallett@dnr.nsw.gov.au

Chris Ritchie
Manager-Manufacturing and Rural Industries
Major Development Assessment
NSW Department of Planning
GPO Box 3927
SYDNEY NSW 2001

Our ref: R157
Your ref: 9041080

1 December 2006

Dear Mr Ritchie,

**Subject: Proposed Darlington Point/Coleambally Ethanol Plant and Intensive Dairy,
"Tubbo" Station-Murrumbidgee Local Government Area**

I refer to the Environmental Assessment (EA) placed on exhibition for the proposed Darlington Point/Coleambally Ethanol Plant and Intensive Dairy, "Tubbo" Station-Murrumbidgee Local Government Area.

As detailed in the meeting with Booth and Associates in Griffith on the 24th November 2006, the Department of Natural Resources (DNR) currently objects to the approval of the proposed Ethanol Plant and Intensive Dairy on the basis that the EA has placed significant reliance on future detailed geotechnical investigations and the preparation of appropriate waste management infrastructure designs to alleviate the potential for groundwater contamination.

Preliminary investigations have been conducted at the site of the Ethanol Plant and Intensive Dairy that indicated the site is underlain by highly permeable sand and gravel soil substrates, and concluded that further detailed geotechnical investigations were required to determine the viability of the site for the development of the required waste management infrastructure. As these preliminary investigations have demonstrated the current proposal poses a "high risk" for groundwater contamination of an aquifer used for household domestic water supplies, this information is vital to determine the suitability of the site for the proposed development.

The Department can not support the approval of the proposed development unless these required geotechnical investigations are undertaken and waste management infrastructure designs are completed and certified as "appropriate" by an independent, suitably qualified and experienced geotechnical expert. These investigations should also highlight any requirement for the importation of suitable clay "liner" material. Should imported clay material be required the volume and source should be detailed.

The Department also believes that off-site waste disposal areas should be nominated and incorporated into this Major Project application. Preliminary soil and groundwater investigations can then be undertaken to validate suitability of these areas for sustainable waste utilisation, particularly given the large volumes of solid waste projected to be produced.

Further Information

Should you require further information or clarification of the points raised above, please don't hesitate to contact Darren Wallett, Environmental Review Coordinator, on phone (02) 6932 9119 or 0427 274 283.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Wallett', with a large, stylized loop at the end.

Darren Wallett

Environmental Review Coordinator

For Geoff Fishburn

Executive Director-Landscapes, Regions and CMA Support

Department of Natural Resources