

APPENDIX D.

GRIFFITH CITY COUNCIL CORRESPONDENCE



Griffith City Council
progress with pride

436 PH:AI

13 February 2002

Regional Director, Murrumbidgee
Land and Water Conservation
P.O Box 156
Leeton NSW 2705

Dear Sir

THARBOGANG QUARRY AND LANDFILL - YOUR REF: 000 6424

I refer to your letter of 14 January 2002, marked attention to Council's Mr. Martin Ruggeri and forwarded to me as the applicant. As the applicant, I wish to comment as follows and seek consideration of trade-offs to achieve the best outcome for the community. I am hoping that such agreements can be reached prior to forwarding final comments to the Department of Urban Affairs and Planning.

Context

The current application by Council's Waste Management Section needs to be put into both physical and historical context.

The physical context is that the development is proposed to take place at the extremity of the McPherson Range with only a portion of an adjacent lot to the being zoned 7 (v) for conservation before a large expanse of active agricultural land ends the McPherson Range topography. The site has shallow soils over most of the area and has been extensively disturbed by small bulldozer operations seeking ridge gravels for road making. The site has few large trees, which survived only because of the size of the dozers operating at the time. The broad brushed studies quoted in your letter have little relevance to the site, which consists mainly of regrowth.

Council agrees and understands that landfilling and quarrying are not ecologically sustainable developments. However, neither is the diversion of major rivers for irrigation etc, which has created the need for a large service town or city such as Griffith. Griffith needs road building materials and secure place for waste disposal.

Council has not interfered with or given close direction to consultants, particularly those undertaking the assessment of landscape and aesthetic values. Their assessments are therefore based on the site and little background information. To repeat the concept that, "the vegetated ridge provides a significant landscape feature that is integral to the Walter Burley Griffin's design vision for the city", is difficult to comprehend. The site is well removed from the Griffith designed by Walter Burley Griffin.

Not only this but in the past the good citizens of Griffith with the concurrence of State Government Departments have had several landfills which have been in the McPherson Range and much closer to the city. Areas such as Jack Higgins Reserve, Ted Scobie Oval and areas of Scenic Hill (part of McPherson Range) behind McNabb Crescent have all been used as landfill sites, without major long term effects on Walter Burley Griffin's design vision.

The historical context includes the fact that there were very length negotiations with the State including negotiations to have the Crown Land reserved for Local Government purposes that is as quarry and landfill. The investigations into the site for landfill purposes dates back to the 1970's.

The land was gazetted for Local Government purposes on 16 March 1984. Council sought and received approval from the State (Department of Health) for the site as a Sanitary Depot for Garbage. The application was approved on 30 October 1984 under the terms of Section 283 (4) Local Government Act, 1919.

Under Acts administered by the Minister of Health, Minister for Natural Resources, Minister for Local Government and Minister for Water Resources the landfill has legally operated since 1984. It appears that during negotiations for the site and various approvals, the Environmental Planning and Assessment Act 1979 was made law. It further appears that Council failed to obtain a formal planning approval for the sites used as a landfill. However, it is not clear that the planning instruments required planning approval then and that therefore there may be existing use rights for the landfill.

Council in 1991 prepared an EIS for a hard rock quarry for part of the site. Later the EPA took over administration of landfills from the Department of Health. Council in reviewing its license for a new EPA license found that there has been no formal planning approval for the landfill.

Therefore the context of this current EIS and Development application is that Griffith City Council has operated this site as a landfill and quarry since 1984. The current application is to formalise an existing use which has previously been accepted by various State Departments including, Department of Health, EPA and Land and Water Conservation who reserved the land from sale for Local Government Purposes, knowing its proposed use. Later the land was sold to Council in fee simple for a landfill site.

Notwithstanding the context, the need for a landfill for a city the size of Griffith goes without question, especially when one considers the production of food and produce that comes from the area.

The amended layout does not significantly increase the overall footprint of the landfill, but removes a blind buffer, which follows both sides of the existing road into the area of stage 1. This buffer creates a low area between landfill mounds, which requires concentrated drainage over filled areas.

It causes inefficiencies in the drainage and landfill which will shorten the life of the landfill. The extension of the life of this landfill will reduce the need for another site. This sites life can be extended by fully utilising it and by the introduction of recycling and better waste avoidance measures under taken by the community. These activities cannot be undertaken when there is uncertainty regarding the foundation of the Waste Management Strategy, which is the landfill.

With regard to the specific points raised in your letter of 14 January 2002 please note the following comments.

1. Native Vegetation Conservation

The EIS Vegetation Study by Ettamogah Research Consultants indicates two areas which are proposed to be reserve areas. (See appendix 6 of the Ettamogah Report).

These areas can be protected and incorporated into the SMEC modified design. The broad brush studies quoted do not reflect the disturbed nature of this site.

2. Landscape Aesthetic Values

While it is accepted that quarries and landfills do not look nice, this site is not a backdrop to Walter Burley Griffiths design vision for Griffith. Much of the scenery from or to the landfill includes irrigated land with non-native ugly bright yellow flowers (canola), brown fields in fallow etc, which also were not the back drop envisaged by Walter Burley Griffith, who would have seen the natural beauty of the native Australian landscape as the backdrop. Frankly the Australian native landscape is compromised in this area by irrigation and primary industry, but the area has visual appearance and pride that needs to be protected by having an affordable and accessible landfill to avoid illegal waste dumping, a true eyesore around the city.

I quote below from Council's web site to illustrate that aesthetic values are changeable and beauty lies in the eye of the beholder.

"Described by explorer John Oxley in 1817 as *"being uninhabitable and useless to civilised man"* the City of Griffith is now a thriving regional centre with modern shops, cafes and restaurants specialising in inter-national cuisine, and extensive recreational and leisure facilities. Griffith, proclaimed as a town in 1916, was designed by Walter Burley Griffin just after he won the competition to design Australia's capital, Canberra. The miracle of irrigation has allowed Griffith to become Australia's *"oasis in the desert"* providing much of the country's horticultural and agricultural produce."

3. Threatened Species Habitat

The variations are not significant and can be modified to further reduce their impact and completely preserve the proposed reserve areas.

Each area disturbed by the quarry and then later filled by the landfill will be rehabilitated as the life of the site progresses. At no time will more than about one fifth of the site be exposed at once. At the time of closing of the landfill the first areas to be filled and rehabilitated will be 30 to 40 years old.

4. Land Clearing

The development will not have significant impact on nationally endangered species.

5. Conclusion

The proposed reserve areas will be protected under the modified plan. Staging will occur and areas will be revegetated progressively as the landfill and quarry proceed.

I would be pleased to discuss trade-offs and come to an agreeable solution in order to proceed with the landfill operation. The revised footprint previously faxed to you, has been forwarded to the Consultant for the preparation of a new plan which will be forwarded in the near future when received by Council.

For further information concerning the above matter please call me on 02-6962 8197.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. Higgins', with a long horizontal flourish extending to the right.

PETER HIGGINS
CIVIL INFRASTRUCTURE AND WASTE MANAGER



4th May, 1982

JBM:DM

The Secretary,
State Pollution Control
Commission,
Post Office Box 544,
ALBURY. N.S.W. 2640

Dear Sir.

re: Portion 202, Waste Disposal Site

Council has selected Portion 202, Parish of Ballingall as its next waste disposal site. This site was first investigated in the early seventies and the Water Resources Commission was approached in 1977 for approval to use the area.

Preliminary inspections of the site were carried out by Officers from the Health Commission and State Pollution Control Commission in 1977.

The Water Resources Commission has approved that Portion 202 becomes a reserve for the public purpose of "Local Government Purposes" and Council will be appointed Trustees. This reserve should be gazetted in the near future.

This site will be used to receive the following wastes:-

1. Putrescible Solid Waste;
2. Non-putrescible Solid Waste;
3. Building and Demolition Solid Waste;
4. Household Non-putrescible waste;
5. Tyres.

It is anticipated that this site will be needed for the receipt of wastes in February, 1983.

Your formal approval to this site being used for the purpose of waste disposal is requested.

Yours faithfully,

SHIRE CLERK.

Water Resources Commission

Box 492YY, P.O.,
Griffith, N.S.W. 2680



Shire Clerk,
Griffith Shire Council,
P.O. Box 485,
GRIFFITH. 2680

SHIRE OF GRIFFITH
RECEIVED

17 JAN 1983

File No. 357/116

Contact Name Mr. B. Devery

Our reference 77/C6919

Telephone 62 1133

14 JAN 1983

Dear Sir,

* re: Portion 202, Parish of Ballingall -
Proposed use for Garbage Disposal

I refer to a recent conversation between Council's Deputy Health Surveyor, Mr. B. Mecham, and the Commission's Acting Lands Officer, Griffith and confirm that reservation of the subject Portion, together with a section of the Commission's drainage reserve, for Local Government Purposes will be effected upon the surrender of an area of 1447 square metres from Irrigation Farm Purchase 1589, Mirrool, held by R.J. and Mrs. A.P. Fawcett.

The area of 1447 square metres, now surveyed as Lot 280 in Deposited Plan 44532, is also to be included in the abovementioned Reserve.

It has been verbally ascertained from the Commission's Head Office today that it is anticipated the Deed of Surrender should be available for execution by Mr. and Mrs. Fawcett within the next two (2) weeks.

Yours faithfully,

M. Smyth
Manager, Murrumbidgee Division.
Per: BW

Copy SHS 171

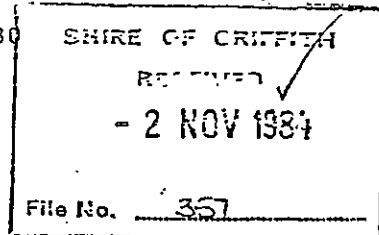
* Indicates knowledge of "Local Government Purposes" is Garbage Disposal.

Reply to: Regional Director of Health
P.O. Box 59, Wagga Wagga, N.S.W. 2650
Phone: 23 0601 S.T.D. 069
Telex: 69784

Our reference: NS:CM SW 6235

Your reference:

The Shire Clerk
Griffith Shire Council
PO Box 485
GRIFFITH NSW 2680

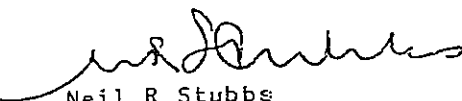


30 October 1984

SANITARY DEPOT FOR GARBAGE AT GRIFFITH APPROVAL IN TERMS OF SECTION 283(4) LOCAL GOVERNMENT ACT, 1919

1. I refer to the lengthy negotiations regarding the approval of an area of land at Griffith as a depot for the disposal of garbage. Attached for your information is a copy of the formal approval by the Secretary of the Department of Health.
2. Your attention is drawn to the list of preparatory and operating conditions which were agreed to by Council and noted in your letter of 29 May 1984.

Yours faithfully,


Neil R Stubbs
for K R Brown
Regional Director of Health

enc 1

Indicates lengthy negotiations and approval as a depot for the disposal of garbage. Copy CHS 2-11-84



RC

10 JUL 1984

[Published in Government Gazette No. 42 of 16th March, 1984.]

(4172)

Sydney, 16th March, 1984.

RESERVE FROM SALE

IT is hereby notified in pursuance of section 28 of the Crown Lands Consolidation Act, 1913, that the Crown lands hereunder described shall be reserved from sale for the public purpose hereinafter specified and they are hereby reserved accordingly.

PAUL WHELAN, Minister for Water Resources.

FOR LOCAL GOVERNMENT PURPOSES

Central Division

Mirrool No. 1 Irrigation Area: Land District of Mirrool;
Shire of Griffith

Reserve No. 97172 from Sale. All those pieces or parcels of land situated in the Parish of Ballingall, County of Sturt and State of New South Wales, being portion 202 and lot 280, containing an area of 122 hectares or thereabouts. Plan No. 51186-1918, D.P. 44532.

(W.R.C. 78-30; 77-C6919)



10 JUL 1984

[Published in Government Gazette No. 42 of 16th
March, 1984.]

(4174)

Sydney, 16th March, 1984.

NOTIFICATION OF APPOINTMENT OF TRUSTEE

IT is hereby notified for public information that in accordance with the provisions of section 37P of the Crown Lands Consolidation Act, 1913, The Council of the Shire of Griffith is hereby appointed as Trustee of Reserve No. 97172 for Local Government Purposes, notified on 16th March, 1984.

(W.R.C. 78-30; 77-C6919)

PAUL WHELAN, Minister for Water Resources.

D. West, Government Printer, New South Wales—1984



[Published in Government Gazette No. 42 of 16th
March, 1984.]

(4173) Sydney, 16th March, 1984.
**DECLARATION UNDER SECTION 25A OF THE CROWN
LANDS CONSOLIDATION ACT, 1913**

IN pursuance of the provisions of section 25A of the Crown
Lands Consolidation Act, 1913, it is hereby declared that the
land particularized hereunder may be dealt with as Crown
lands within the meaning of the said Act.

PAUL WHELAN, Minister for Water Resources.

MIRROOL No. 1 IRRIGATION AREA
Land District—Mirrool; Shire—Griffith

All that piece or parcel of land situated in the Parish of
Ballingall, County of Sturt and State of New South Wales,
being lot 280, Deposited Plan 44532, and containing an area
of 1 477 square metres or thereabouts.

(W.R.C. 78-30; L.O. 77-C6919)



[Published in Government Gazette No. 161 of 16th November, 1984.]

(9320) Sydney, 16th November, 1984.

ADDITION TO RESERVE FROM SALE

IT is hereby notified, that in pursuance of the provisions of section 28 of the Crown Lands Consolidation Act, 1913, the Crown land described hereunder shall be added to the existing reserve and is hereby added accordingly.

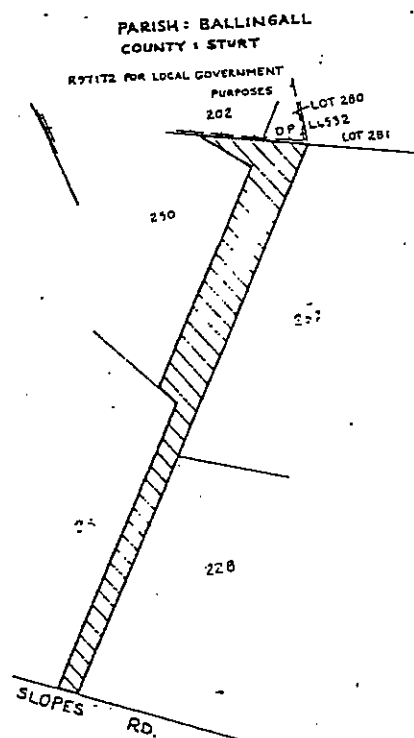
IANICE CROSIO, Minister for Natural Resources.

FOR LOCAL GOVERNMENT PURPOSES CENTRAL DIVISION

*Mirrool No. 1 Irrigation Area; Land District of Mirrool;
Shire of Griffith*

All that piece or parcel of land situated in the Parish of Ballingall, County of Sturt and State of New South Wales containing in all an area of about 1.778 hectares as shown by hatching on diagram hereunder. (Added to Reserve No. 97172 from Sale, notified 16th March, 1984.)

DIAGRAM



(W.R.C. 78/30; M.I.A. 77/C6919.)

Tharbogang - Quarry and Landfill Master Plan

Summary Statement.

INTRODUCTION

Griffith City Council purchased Lot 202 DP756035 in 1984 from the Crown for quarry and landfill purposes. Council sought and was granted a permit or licence for a landfill from the Department of Health, which administered landfills at the time. The approval was restricted to a footprint covering an existing valley, although further extension was envisaged at the time.

In 1991 Council, after investigation of alternative sites, concluded that the site would be developed as a quarry, providing Council's major source of road building materials. An EIS and Development Application for Stage 1 of the Quarry was lodged and approved.

Council now wishes to obtain an overall approval for extension of the quarry and the landfill to meet Council's needs for the next 40 to 50 years. Council currently requires 50,000 to 80,000 tonnes of gravel per year and needs approximately 30,000m³ for landfill space.

MASTER PLAN

This application seeks overall approval for development of the site as a quarry and landfill, with the landfill component being also a method of restoration of the quarry site.

Landfill will fill the quarry and allow restoration of the landform, and ultimately regrowth of vegetation.

The site is broken up into the following areas:

- | | |
|---------|--|
| Area 1. | Existing Landfill Footprint. 9 ha. |
| Area 2. | Area for Stormwater and Sedimentation Basins (includes some possible landfill). 2.8 ha |
| Area 3. | Existing Approved Quarry. 6.9 ha |
| Area 4. | Past Landfill for Putrescible Waste (may be reworked). 7.5 ha |
| Area 5. | Landfill (includes existing speedway). 28.5 ha. |
| Area 6. | Quarry and Landfill. 15.1 ha. |
| Area 7. | Quarry and Landfill. 20.4 ha. |
| Area 8. | Recycling Depot and Access Corridor. 4.5 ha. |
| Area 9. | Buffer and Reserve Areas. 27.8 ha. |

The development sequence may change over time, as each new section will be considered as a separate application under Part 5 of the EP&A Act 1979.

The proposed sequence of activities is:

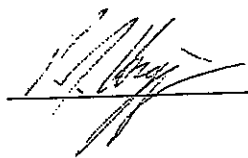
1. Complete Landfill Area 1 to final design levels. Maintain security fence and service track around whole property. Design and complete sedimentation and stormwater basins, including landscape vegetation of Part Area 2 in 50 metre wide corridor. Continue quarrying in Area 3.
2. Extend a vegetation corridor 30 metres wide from the northeastern boundary fence across the bottom of Area 4. Commence rehabilitation of Area 1. Develop Recycling facilities Area 8.
3. Rework remainder of Area 4 as a landfill.
4. Complete quarry in Area 3 and commence quarry operations in Area 6.
5. Commence lining and landfill operations in Area 3. Rehabilitate Area 4.
6. Commence quarry operations in Area 7. Commence rehabilitation of Area 3.

7. Landfill Area 6.
8. Landfill Area 7. Rehabilitate Area 6.
9. Rehabilitate Area 7. Landfill Area 5.
10. Rehabilitate Area 5 and restore, remove or reuse recycling facilities in Area 8. Clean up of whole site.
11. Monitor site.

STAGING OF ACTIVITIES.

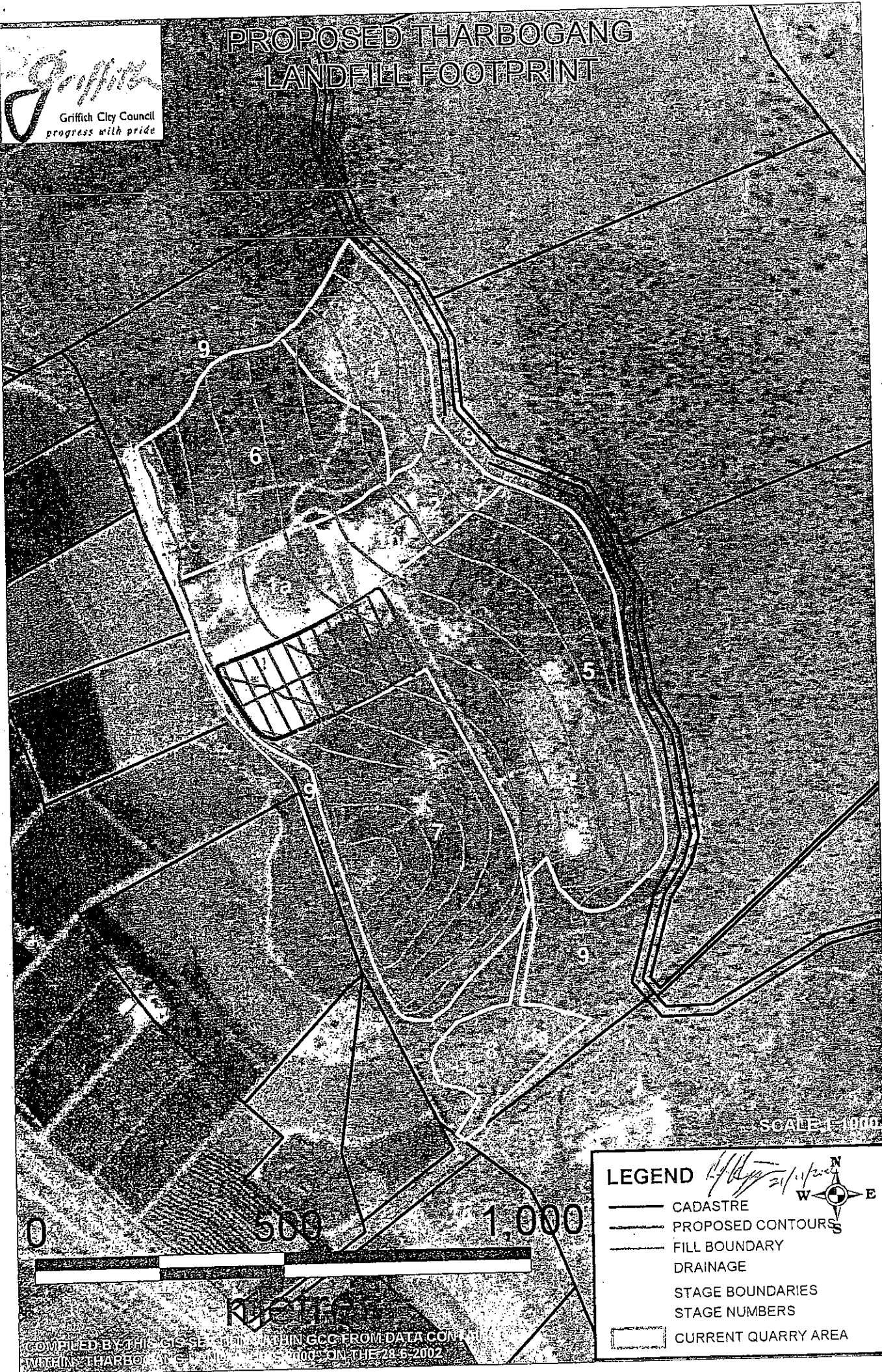
- Stage 1. Activities 1 to 5 will commence upon approval and take place over approximately 7 to 10 years depending on yield of suitable gravel and waste reduction and recycling methods. 2003 to 2010.
- Stage 2. Activities 6 and 7 will take approximately another 10 years. 2010 to 2020.
- Stage 3. Activities 8 to 10 will take 15 to 20 years to complete. 2020 to 2040.
- Stage 4. Restoration of the Site and Monitoring of the completed landfill will continue for approximately 20 years. 2040 to 2060.

Applicant: _____

 21/11/2002

Peter Higgins
Civil Infrastructure and Waste Manager (Aerodrome Manager)
Griffith City Council, PO Box 485, Griffith NSW 2680
Fax. 02 6964 4369. Phone 02 6962 8197
Mobile 0418 266 815 email: Peter.Higgins@griffith.nsw.gov.au

PROPOSED THARBOGANG LANDFILL FOOTPRINT



SCALE 1:1000

0 500 1,000

LEGEND

- CADASTRE
- PROPOSED CONTOURS
- FILL BOUNDARY
- DRAINAGE
- STAGE BOUNDARIES
- STAGE NUMBERS
- CURRENT QUARRY AREA