

12 February 2020

Bianca Thornton

Planning Officer
Resource Assessments - Planning Services
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Bianca

RE: Greenspot Nutrient Recycling Facility (SSD9418)

I refer to your request via the Planning Portal to Singleton Council dated 20 November 2019 requesting advice from Council on the Greenspot Nutrient Recycling Facility. This letter forms Council's feedback in relation to that request.

Council notes that the original due date for submissions was 31st January 2020, with exhibition running over the Christmas period. Prior to exhibition, Council made representation to the Department to delay exhibition to allow adequate time for review. At the same time that this application was on exhibition, a second State Significant Development application for a mining project was also exhibited, for the same timeframe. Council would like to strongly highlight the inadequacy of the timing of exhibition for this Project. The resources required to adequately assess an application of this scale and significance have not been considered by either the Applicant or the Department when determining the timing and duration of the exhibition period.

The ability of council let alone the community, to review and assess the impacts and consequences of a State Significant Development Project in such a short timeframe over the Christmas period, is not only limited, it creates unnecessary stress for communities already stressed through drought and, now, bushfires.

On the basis that council's request was not met, this submission can, at best, be preliminary in nature. The submission focusses on those issues, concerns and questions that are, on first review, considered by council to be of concern to the future of our community. The extent of our submission is directly impacted by the time available to complete a fulsome assessment.

The Project

The development proposal seeks to increase the operations of the existing nutrient recycling facility on Lot 10 on DP 1204457 located at 74 Lemington Road, Ravensworth. The proposal seeks to increase the processing capacity from 76,000 tonnes to 200,000 tonnes, and will consist of products ranging from garden organics,

food organics, biosolids and other wastes from which compost could be produced. The proposal also includes the installation of a aerated composting system, new weigh bridge, washdown bay and the upgrading/expansion of existing infrastructure.

The development for the establishment of the facility was originally approved in November 2016 by Singleton Council (DA140/2016) for the input of 50,000 tonnes of waste with the composted materials to be utilised for the rehabilitation of AGL Macquarie other mine sites. The original development approval has been modified to receive up to 76,000 tonnes per annum, with a second modification to allow truck movements to other sites to facilitate the onselling of product to other third parties.

The site is zoned RU1 – Primary Production, and the development is defined as a *waste or resource management facility*. Under the current *Singleton Local Environment Plan 2013*, the development type is prohibited. Council acknowledges that, under State Environmental Planning Policy (Infrastructure) 2007, the development is permitted with consent. Despite this, consideration should be given to the LEP objectives of the zone, which include:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base;
- To encourage diversity in primary industry enterprises and systems appropriate for the area; and
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

Despite the permissibility conflict between the LEP and SEPP, the proposed development is not inconsistent with these objectives.

Existing Approvals

The EIS acknowledges the current approval for the development, DA140/2016. However, the EIS does not identify how the existing approval will interact with a new SSD approval, or whether the surrender of the existing approval will be required. The EIS is proposing *the continued operation of the existing facility in accordance with DA140/2016*. It is not clear how this would practically take place. Further to this, the EIS and accompanying reports state that the proposed development will be managed in accordance with the existing approval and associated management plans. It would be appropriate to surrender the previous consent and consolidate management plans and controls within a new contemporary approval.

Council requires further clarification on the interaction between the existing and future approval requirements, including the management plans and controls that will be required. This includes the controls that would be implemented to mitigate and manage the impacts of the proposed development.

Land Use Conflict

The EIS does not include consideration of the impact of the existing and proposed development on surrounding land uses, including any future land use that may occur. Having regard to the zone objectives in the Singleton LEP, council requires further

clarification on the measures that have been put in place to evaluate and minimise potential land use conflicts.

Council supports the proposed hours of operation, as limited by the EIS, to 6am to 6pm Monday to Saturday, with no operations to occur on Sunday or Public Holidays.

Protection of the Environment

The application is supported by a comprehensive and detailed EIS and supporting assessments. Council has reviewed these, within the time constraint available and seeks the following clarifications:

- The surface and groundwater management plan included in and referenced by the EIS appears to be the plan developed for the existing facility and submitted for previous DA140/2016, with the last amendment to the plan in August 2016. This plan should be updated to support the proposed development.
- The EIS states, in section 3.5.3 that the installation of additional water management works, expanded stormwater and leachate management systems will be undertaken in accordance with the existing development approval. Clarification is required as to how the current management controls will be adequate to cater for the increased generation of leachate proposed by the development.
- The EIS state in section 9.7.1 that *due to the remoteness of the facility and the nature and extent of proposed composting activities, no issues were identified in relation to emissions of greenhouse gases, odour or dust*. Whilst this may be the case, the proposed development will increase throughput at the facility by 130,000 tonnes. As such, it is not clear how the current mitigation measure (for the 2016 approved development) will be sufficient to ensure compliance.
- Further information is required demonstrating the prevention measures that will be implemented to prevent material /matter being tracked by vehicles from the site.
- Further information is required demonstrating the prevention measures that will be implemented to prevent material entering the waterways and groundwater system, especially during the construction stage of the development.
- Additional information is required regarding the use and management of the vehicle wash-down bay, including how the bay will be monitored to ensure all vehicles utilising it are minimising the risk of material being transported off site.
- Additional information is required on the measures that will be implemented during construction to minimise impacts to the environment, including sediment and erosion controls.

- Additional information is required on the measures that will be implemented to prevent soil contamination, particularly from fuel and chemical storage areas, materials brought into the facility and construction activities.
- The EIS identifies that the expansion works were assessed for leachate and groundwater impacts. However, the EIS does not provide an adequate assessment of the effectiveness of the controls that were implemented, and what, if any, additional control measures are required as a result of the proposed development. This includes limited information on the structural integrity of leachate and surface water containments, seepages and leakage.
- As with other management plans, the water management plans being relied upon for the proposed development are those that were prepared for the original approval. It is not clear whether the controls identified are adequate to mitigate the impacts of the proposed development, particularly where the EIS acknowledges that there will be a greater risk of leachate seepage.
- The EIS states in section 9.1.4.3 that cumulative impacts of odour have not been explicitly modelled, as they are expected to be minimal, and relies on a management plan developed for the original development, that does not take into account the additional tonnage or material types to be processed on site. The proposed odour impacts from a different array of material sources should be assessed and where required additional controls implemented. Section 9.1.5.1.4 assesses dust based on a peak traffic movements of 108, not 146, which requires clarification.
- The existing composting management plan does not include the inclusion of the new waste types; Food and Garden Organics (FOGO) nor does it reference or provide information regarding the proposed forced aeration method. As identified, existing management plans and controls should be updated.
- Further information is required on the management of residual wastes generated at the site, including expected contamination rates and management.
- The life of the facility has not been quantified, nor the duration sought for the approval. As such, there is limited information on the decommissioning and rehabilitation of the site once operations cease. Council and the community should be consulted during these phases of operational life.
- The existing facility is located within a Phylloxera Exclusion Zone, and council notes that material imported into the facility can come from area that are Phylloxera infested, including the Sydney Basin. Council requires clarification on the current and future proposed controls for ensuring that the facility and its products will be Phylloxera free and will not pose any risk to the internationally recognised viticultural region of the Hunter Valley, including pathogen

management and any adaptive management responses should Phylloxera be detected at the site.

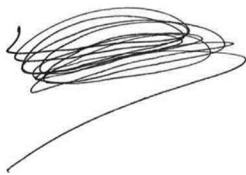
Potential Impacts to the Local Road Network

The original development approved 16 heavy vehicles per day, and a subsequent modification increased this to 40 heavy vehicles per day. This proposed development is seeking approval for up to 146 heavy vehicle movements per day, and the EIS concludes that this increased traffic will not adversely impact the existing road network. The traffic assessment includes assessment of impacts to the New England Highway and Lemington Road. However, there are other local roads that will be used to transport material from the site. These roads have not been assessed for impact.

The EIS states that the key dust source on site is the haulage route, which is unsealed, and concludes that no additional controls are required, as the development is remote. However, the assessment does not take into consideration the cumulative impacts, particularly considering the surrounding sources. Nor does the EIS consider the adequacy or effectiveness of the current controls, and the ability of these controls to manage and mitigate the increased impacts expected from the proposed development.

I would like to thank the Department for the opportunity to provide comment on the Greenspot Nutrient Recycling Facility. Should you have any questions or comments, please contact Mary-Anne Crawford, Manager Development and Environmental Services on 02 6578 7290.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mary-Anne Crawford', with a long, sweeping underline.

Mary-Anne Crawford
Manager Development and Environmental Services