

Dear Kerry

Council has reviewed the subject Application to Modify Development consent in regard to the Allied Mills Consent DA-318-12-2014 and would provide the following general comments:

- The application does not appear to be legally executed on behalf of the company as required under the Corporations Act 2001 (Commonwealth) in that the application is not signed by two (2) directors of the company or a director and a company secretary. The application is only signed by a company secretary.

With regard to the request to amend the waste water and sewage treatment facility on the site and the use of the effluent for irrigations Council's Health Officer provides comments as follows:

It is Council's understanding that this modification relates to findings of higher levels of nitrogen and phosphorus than the levels nominated in the EIS. The system installed at the site, an Econocycle Maxi, is designed for an average flow of 8000 litres per day, the flow entering the system currently is only 2000 litres per day. If a flow rate is too low in aerated treatment systems, they do not work to their full capacity, which appears to be the case with the results indicated in the report.

It should be noted the levels provided in the EIS have been sourced from guidelines for wastewater reuse, however this site is disposing of the wastewater into a large effluent disposal area used solely for this purpose and not for any recycling system.

The DEC Environmental Guidelines - Use of Effluent by Irrigation (2004), the same document the levels are sourced from, specifies *"Nitrogen, phosphorus and sulphur need not be removed from effluent where it can be demonstrated that the land management system effectively uses these nutrients both in the short and long term"*. With the location and size of the effluent disposal area there is little chance of high nutrient levels or pollution entering the groundwater at 50 metres or the closest overland drainage depression at over 100 metres. Therefore it can be assumed that all nitrogen and phosphorus would be absorbed into the soil in the vicinity of the effluent disposal area.

As such, Council does not have concerns with the modification of the conditions. It is recommended that Condition 12.1.1, 5 & 6 in the report provided to Council be adopted, as follows-

1. The aerated sewage treatment plant is to be serviced on a quarterly basis. Before commencing each service, measurements are to be taken to demonstrate that the following target requirements have been met:

- 1. Faecal coliforms, or E.coli (Thermotolerant coliforms) meets the requirement of < 10 colony forming units per 100 mL in the irrigation chamber.*
- 2. Dissolved oxygen in the irrigation chamber is more than 5 mg O₂/L at 20 degrees Celsius.*
- 3. Free available chlorine in the irrigation chamber is 0.5 to 2.0 mg/L.*

The service report, together with records of those measurements are to be submitted to the Department on a quarterly basis

5. A diversion bank of no higher than 200 mm is to be maintained between the road above the irrigation and the irrigation area to divert runoff away from the irrigation area. The diversion bank is to ensure that runoff is diverted into the tree row.

6. Any depressions capable of ponding water (such as natural depressions or wheel tracks) in the irrigation area are to be levelled with top soil from outside the irrigation area as soon as practicable.

It is Council's opinion that conditions 2, 3 & 4 can also be included, however after visiting the site and assessing the risk factors, these conditions are excessive.

If the concern is the potential for nutrient runoff, it is Council's recommendation that sub-surface irrigation be installed. Should subsurface irrigation be installed on the site, Section 68 Approval must be provided by Council prior.

Regards

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