



Mr David Hojem
Waste Services Manager

Shoalhaven City Council

42 Bridge Road

Nowra NSW 2541

08/08/2019

Dear Mr Hojem

West Nowra Landfill Expansion (SSD-7187)
Response to Submissions

The exhibition of the development application, including the Environmental Impact Statement (EIS), for the above proposal ended on 29 July 2019. All submissions received by the Department during the exhibition of the proposal are available on the Department's website at www.planningportal.nsw.gov.au/major-projects/projects/10891

The Department requires that you provide a response to the issues raised in those submissions in a Response to Submissions (RTS) report, in accordance with clause 85A(2) of the Environmental Planning and Assessment Regulation 2000. Please provide a response to the issues raised in these submissions within two months of the date of this letter. The Department has also provided comments that you are required to address in your RTS report (see Attachment 1).

Note that under clause 113(7) of the Environmental Planning and Assessment Regulation 2000, the days occurring between the date of this letter and the date on which your RTS report is received by the Planning Secretary are not included in the deemed refusal period.

If you have any questions, please contact Sheelagh Laguna on 02 9274 6574/ at sheelagh.laguna@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Ritchie'.

Chris Ritchie
Director
Industry Assessments

as delegate for the Secretary

Attached: Comments from Department of Planning, Industry and Environment

Attachment 1- Department of Planning, Industry and Environment Comments

General Comment

1. It is noted the EIS often relies on the Appendices for information without providing a summary in the EIS and/or repeats the text in the Appendices. An EIS must include all relevant information required for assessment of the application, function as a stand-alone document and provide a succinct summary of all issues.
2. As a list of the Applicant's mitigation measures will be included in the conditions of consent, the EIS should include a list of all proposed mitigation measures, including those noted in the LEMP. Please provide a comprehensive list of management and mitigation measures that the Applicant commits to. This should include any additional measures resulting from commitments in the RTS.
3. Existing infrastructure – it is noted the development includes the continued use of the existing leachate dam and appears (from page 32 of Appendix N) to include continuing use of the existing surface water management infrastructure. Neither of these are included in Table 5.1 of the EIS. Please update this table and/or provide a clear explanation of the connection between the proposed and existing surface water management infrastructure.

Suitability of the site

4. Please include results of an independent audit of the operation of the existing facility against the conditions of all development consents and all Environmental Protection Licences in force in respect of the existing facility to ascertain the baseline for the proposed landfill expansion.

Air Quality and Odour

5. It is noted there are predicted odour exceedances at one residential and two commercial premises, however mitigation measures are proposed. Please update odour modelling to include implementation of the mitigation measures.

Noise and Vibration

6. It is noted there are some exceedances, therefore please quantify the noise reduction that would result from the implementation of the mitigation measures.

Heritage

7. The EIS should explain that the adjacent land is owned by the Nowra Local Aboriginal Land Council.

Fire and Incident Management

8. Section 8.10 does not contain all the requirements of the SEARs, including the proposed fire management and spill clean-up equipment.

Traffic

9. Section 8.6.3 of the EIS discusses traffic generated by the development, with Tables 8.36 and 8.37 providing vehicle numbers. Further information is required about how the vehicle numbers have been calculated, given the amount of waste entering the development each year is expected to rise significantly from 65,000 tpa in the opening year to 160,000 tpa in the closing year. The traffic numbers do not appear to accurately reflect this increase. It should be noted that all traffic modelling should reflect the expected traffic volume based on the amount of waste entering the development over time.
10. In addition, the 'daily' columns in Table 8.36 appear to be incorrect as they do not include traffic entering the development at other times apart from the morning and afternoon 'peak' hours. Also, it is not clear what the difference is between the information provided in Table 8.36 and Table 8.37. The numbers are inconsistent and further information is required to clarify this.

Hazards and Risk

11. It is noted that hazardous materials would be managed in accordance with 2008 LEMP, however this document and information appears not to be provided.