

To: Planning Services, NSW Department of Planning and Environment,  
GPO Box 39, SYDNEY NSW, 2001

**Attn: Director - Industry Assessments**

**IN RELATION TO:** Application No: SSD 8660

**Location:** 90 Gindurra Rd, Somersby (Lot 4 DP 227279)

**Applicant:** Davis Earthmoving & Quarrying Pty Ltd

**Council Area:** Central Coast

**Consent Authority:** Minister for Planning or Independent Planning Commission

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I object to the proposed development located at 90 Gindurra Rd, Somersby (Lot 4 DP 227279).

It should NOT be approved.

My reasons are as follows:

- The proposed use of 90 Gindurra Road Somersby is essentially a Tip Facility, bringing with it varying levels of air, soil, water and noise contamination, along with traffic congestion.
- The facility is not an existing resource recovery facility as suggested in the application; the site has had limited use in the past, and the applicant is (cleverly) relying on this past use to justify the new application.
- The site adjoins rural property and will have an extreme impact on the peaceful enjoyment on those rural neighbours.
- The Somersby rural areas are irreplaceable. It's a rare and beautiful rural area.
- The proposed facility is a "dirty" use of industrial land, and is not in keeping with other industrial facilities within the Somersby Industrial Zone.
- Surrounding industrial uses comprise mainly enclosed factories used for less offensive uses, which have a lesser impact on air, soil, water and noise quality etc.
- The application seeks permission to process 200,000 tonnes PA; who will monitor the amount of material entering the site, and if the amount exceeds 200,000 tonnes, what recourse is available to neighbours to lodge complaints and have the facility fined or closed as a result? None, I would assume. So the intention is to stop the application now to alleviate the (future) cost and hardship of "fighting" the applicant on the likely breaches of their application conditions.
- The reports submitted with the application assess the risks and "potential" effects of the project during operation, so all impacts on air, soil, water, noise etc. are assumed.
- No guarantee can be given as to the introduction to the site of hazardous and non-confirming waste (such as asbestos, radioactive material etc) during its proposed operation.
- All mitigation measures recommended in each of the reports cannot be guaranteed as it relies on the user "doing the right thing" and working within the theoretical guidelines. Self-monitoring/reporting does not work.

- The reports, for obvious reasons, are written in a way to favour the applicant. The application relies on experts reports and is biased in favour of the development.
- As neighbours of the site, we have access to the applicant's experts reports that for the layperson are complex and confusing. We hope the reports are challenged by the Approving Authority, and not simply relied on because "the process "requires the reports to be obtained by the applicant.
- **A precedent has already been set in Somersby – A previous application has been refused**

This application should be refused within the Somersby Industrial Zone on the same or similar terms as the Refusal of Davis' previous application for a Resource Recovery Facility at 168 Somersby Falls Road Somersby DA Number 40918/2011

Refer: Joint Regional Planning Panel No2012HCC014 refer copy attached or download Link

[file:///C:/Users/User/Downloads/Assessment Report 2012HCC014.pdf](file:///C:/Users/User/Downloads/Assessment%20Report%202012HCC014.pdf)

- The new proposed development is inconsistent with the aims and objectives of the Somersby Business Park
- Usage permissions must take into consideration adjacent uses such as Rural land found immediately neighbouring the applicant's site.

**I further object to the following:**

- Having a 200,000 tonne per annum waste management and crushing facility bordering rural properties and within 50m of family homes. Totally out of character for the rural living nature of the local natural environment.
- Having reduced air quality due to silica dust, causing future cancer risks. This is against the local council's Future Vision Document\* (*L1 - "Promote healthy living" and advocating Getting "Out and about in the fresh air"*)
- 200+ trucks per day travelling through the local roads past local front doors causing increased traffic congestion, also causing noise & vibration to the local residence.
- Reduction in land value caused due to this Resource Recovery Waste Facility in the area.
- Destruction of 1.5 Hectares of the endangered Pygmy-Possum's habitat. This contradicts Local Councils future vision\* (*I3 - Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management*)
- Offensive smell caused by stockpiling of industrial waste.
- Having this facility within 50 meters from family homes, 100 meters from Riding for the Disabled, 300 meters from the Juvenile Justice Centre, 600-900 metres from Mt Penang Gardens, Event Park and Parklands and Kariong High School and 1200m from Kariong Township, due to the possible Air quality risk and increased truck traffic.

- Bringing a bad name to Somersby as being a crushing/waste dumping area, when it is seen currently as a tourist attraction for Somersby Falls and the Somersby Reptile Park.
- The Height, scale, visual bulk. As it would be a visual eyesore and out of character with the surrounding forest landscape and rural residential blocks.
- The risk of asbestos becoming airborne with earthworks on the property (It has been noted in their own report that asbestos has already been located on site.)

Please take the above objections, and the objection of others who have submitted objections into serious consideration when determining this application.

Yours Faithfully,

*Frank Tripolone*

Frank Tripolone – Signed Electronically  
12 Acacia Road Somersby 2250

Dated: 18 March 2019