

APPLICATION NUMBER : SSD-9409987

LOCATION : 74-76 Beaconsfield Road, Moss Vale (Lots 10 & 11 DP 1084421 and Lot 1 DP26490)

APPLICANT : Plasrefine Recycling Pty Ltd

COUNCIL AREA : Wingecarribee Shire

CONSENT AUTHORITY : Minister for Planning or Independent Planning Commission

SUBMISSION AUTHOR : [REDACTED] : 'Sensitive Receptor'

POSITION ON PROPOSAL : OPPOSE.

This submission will comment on elements of the EIS in Volume 1.

SUMMARY

SITE SELECTION

The site has been poorly chosen, is too small, too close to residential, rural and environmentally sensitive areas and institutes (Garvan). **It is not fit for purpose.** There is no acceptable road access and the road miles being used to deliver the mixed plastic waste undermine any environmental gains in downcycling this plastic. As will be discussed further in this response, important objectives of the WLEP 2010 have been ignored and just because IN1 allows certain industries, this does not mean they are permissible when the nature, bulk and scale are considered in relation to the surrounding land use.

LACK OF DESIGN DETAIL

Reference is made on p(ii) under **Construction** to an *"indicative construction strategy"* which has been developed and that *"detailed construction planning, including programming, work methodologies and work sequencing, **would be undertaken subject to approval, and once construction contractor(s) have been engaged.**"*

How can this facility be assessed with such scant detail? This is a pervasive factor throughout this EIS with many elements to be determined POST consent. This EIS is more of a concept plan. There is no information as to what the *"State of the Art Technology"* is, no proof of testing or use of the *"disinfectant solution patented in Australia by the operator"* (page 7-7), there are no detailed plans for road construction.

JOBS

Reference is made on p(iv) to the benefits of the proposal, one of which is **jobs**. However it references *"up to 140 new long-term jobs in the resource recovery **sector**"*. Implying that they will not be just at this facility. Later in the EIS Chapter 7 p24 terms such as *"up to"* and *"approximately"* are applied to the jobs provided and that it will be *"quite a number of years before these staff numbers are achieved"*.

GHD is promoting this proposal in the community promising jobs that will not be a) in the numbers they suggest, b) available for *"quite a number of years"* and c) technical, rather physically sorting of mixed plastics on a conveyor belt. It has been stated that technical staff will provided by the proponent.

FLOOD

"Flood modelling indicates that the existing 1 in 100 year average exceedance probability (AEP) peak flood would encroach into the plastics recycling and reprocessing site" p(vi)

"Due to its proximity to local drainage lines there is potential for short duration overland flow inundation". p(2-9)

Council, as primary manager of flood risk and responsible for flood risk in land use planning, is currently updating the Wingecarribee River Flood Study which applies to this land and as such, will be considering this in their response to the EIS in which no reference is made to Climate Change - critical in light of recent events. The current flood study may be redundant. The western end of the site is Cat 2 Riparian Land which flows into the Sydney Water Catchment. In recent rain events the author of this submission has stood on the south-west corner of the site and taken photos and videos of the high volume, rapid water flow onto the site. Any building on or near to this land will impact this fragile environment. The site sits at the bottom of surrounding terrain on the south and west side, water runs over and underground from these sites after rain events.

WATER

There is reliance on Council's plans to complete several major water projects to increase water supply to the Moss Vale Area. The facility will be using 46,000L of potable water per day while its three storage tanks can hold only 150,000L or just above three days supply. When questioned about times of drought in an engagement session, GHD mentioned trucking water in but the EIS states that : *"during dry periods the potable water supply would need to provide fully for site demands."* p(10-13). Yet another inconsistency in information provided by GHD.

"The expected waste water flows from the proposal are equivalent to flows from 20 houses." p(vi) This seems to contradict later figures in the EIS. *"About 5.8 kilolitres per day of sewage for dispersal to sewer via a new sewer connection."* p(7-2) This contaminated wastewater will be dispersed into an already overloaded sewage system. With a stated additional 10 kilolitres per year of process wastewater also for disposal to the sewer system.

TRAFFIC

“Construction traffic would access the plastics recycling and reprocessing facility site via Berrima Road, Lytton Road and Beaconsfield Road while the new access (Braddon and Braddon Road east extension) is under construction.” p(vi)

The construction period of one month quoted in GHD’s slide presentation for this road is unrealistic. A lay person can view the topography of the land involved and see the amount of work that will be required. The danger to and disturbance for the residents of these narrow residential roads is unconscionable as is the cost to the ratepayers of the repair of these roads due to damage caused by construction vehicles. It is understandable that Wingecarribee Council does not agree with these roads being used, however the GHD has repeatedly said that this is their legal access. The EIS states that : *“If construction of the new access road is delayed because of land acquisition issues, the proponent would need to use Beaconsfield Road for construction access until the new road is available.”* p(7-10) This refers to the construction of the facility which has been variously stated as taking 11-15months. The risk to the community of this occurring is untenable.

The EIS has been submitted without access roads determined or requisite land being acquired. Regarding the routes taken by trucks during construction and operation, who will check compliance as to the routes taken and the hours of delivery to the site? It has been stated by GHD that a CCC (Community Consultative Committee) could do this and report violations. Note that on p(2-8) Oldbury Street is still mentioned as a possible route.

NOISE AND VIBRATION

During Construction *“there are predicted exceedances of the noise management level at the closest receivers to the proposed site (exceedances up to 19 dBA.)”* p(vii)

“During operation, noise levels are predicted to comply with the noise criteria at all sensitive receiver locations. In addition, no sleep disturbances are predicted.” P(vii) At the last online engagement session GHD said that noise *“would be only noticeable during the day.”*

The EIS does not take account of the six truck movements per hour, 100 per day that will occur at the site. These trucks will be queueing at the site, diesel engines running, reversing at times and emitting noisy reversing signals. GHD have said that the trucks will have to turn their engines off while queueing, this we know will not happen as it is detrimental to diesel engines and drivers will not want to sit in trucks in winter or summer without air-con. Once again, lack of compliance here will not be monitored. Sensitive receivers can attest to the fact that this site and surrounding area is tranquil and the predominant sounds are those of the local bird population.

The 24 hours per day, 7 days per week operating hours of this facility will mean that workers’ cars will be arriving and departing, forklifts will be operating and emitting reversing signals, equipment will be operating and creating noise and vibration. No weekend relief.

The loss of amenity will be compounded by the light pollution this facility will create. There is no reference to this in the EIS, despite it being a requirement of the SEARs. 18 metre high buildings with interior lights, lighting of car parks and surrounding grounds will forever change the environment and have a negative impact on residents and nocturnal animals in the area.

AIR QUALITY AND ODOUR

*“During operation there would be potential for low levels of particulates and volatile organic compound emissions from granulation and injection and extrusion moulding units. Products such as doors and chairs produced in Building 2 would require milling to size or profiling. **These activities have the potential to lead to the emission of particulate matter.**” p(vii)*

This particulate will be by the very nature of its source, micro plastics containing toxic chemicals or Persistent Organic Pollutants (POPs). The Stockholm Convention of 2001 to which Australia is a signatory, “is a global, legally-binding treaty to protect human health and the environment from POPs.” (p 1. Briefing Paper July 18, 2017 European Environmental Bureau). This paper goes on to say that *“Recycling materials containing toxic chemicals contaminates the resulting products and continues the legacy of hazardous emissions and exposures. Toxic recycling is especially damaging to a true circular economy and a special problem with POPs due to their persistence, toxicity, and ability to contaminate food chains and travel long distances.”* p(5)

The proponent plans to mitigate emissions by the use of fast-acting roller doors. With trucks queued up outside the facility, these doors will be frequently opened, if not left open for long periods of time. The westerly winds will blow right into the facility and stir up both air and loose materials from the bales and stockpiles. With regard to the receipt of contaminated plastic within the bales, experience has shown that this will occur and once it is on a truck entering the factory, signage at the front gate will not prevent this being received by the facility, thus contributing to the danger and odour.

*“The wastewater treatment plant.....would not generate significant odour.....distance to nearest sensitive receptors is significant and **meteorological conditions** that make dispersion of ventilation air from the facility in the direction of the nearest sensitive receptors unlikely.”* p(vii)

The meteorological conditions referenced here do not reflect the experience of nearby residents. There are often winds which come from the north. (This was evidenced recently with an inundation of thistle seeds brought on the wind to properties to the south of the proponent’s unmanaged holdings which are covered in weeds and blackberries.)

The following quote, directly from the Technical Report 3 - Air Quality and Odour - does nothing to instil confidence in the rigour undertaken by GHD, nor in its sense of responsibility towards the community in the preparation of the EIS.

*“GHD has prepared this report on the basis of **information provided by Plasrefine Recycling Pty Ltd** and others who provided information to GHD (including Government authorities), which **GHD has not independently verified or checked** beyond the agreed scope of work. **GHD does not accept liability in connection with such unverified information**, including errors and omissions in the report which were caused by errors or omissions in that information.”*

HAZARDS AND FIRE RISK

*“The **preliminary** risk screening in accordance with Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines confirmed that the proposal would not be potentially hazardous industry.”p(viii)*

The Agency Advice from Inspector Brendan Hurley, Fire and Rescue NSW dated 30 September, 2020, responding to the SEARs request for this facility states :

- *“FRNSW note that screening will be carried out under SEPP 33 to determine if the site is deemed **potentially hazardous or offensive**.” Note : This ‘preliminary risk screening’ was done internally by GHD – engaged by the proponent. A ‘**preliminary**’ risk screening is inadequate when so much is at stake and such a determination as to the hazardous and offensive nature of the facility must be seen to be **independent**.*
- *“...waste recycling facilities pose unique challenges to firefighters.....have reviewed the documentation that was provided in support of the development and will not be providing comment at this time as **there is currently insufficient information available** regarding the fire safety and emergency response management aspects of the project.”*
- *“...We (FRNSW) request that we will be given the opportunity to review and provide comment **once approvals have been granted**.....and there is more relevant, detailed information available.”*

The risk of fire in plastic waste facilities is well documented in cases both in Australia and around the world and have resulted in air and water contamination and evacuation of nearby residents. With stockpiles of mixed plastic waste and *“heating the plastic to its melting point, less than 280°C”* p(7-19) during deep processing, the risk of fire is ever present. The capacity of our local fire services is limited as was evidenced recently when there was a large fire in the town of Bowral and tenders had to be bought from Campbelltown. A fire on the proposed site would be catastrophic and the risk to the environment (including Sydney Water Catchment) and to nearby residents and businesses, including the Bio-Medical Research Facility - Garvan - the closest neighbour, would be extreme. Waiting until approvals have been granted to review these risks is too late. The EIS admits there will be *‘combustible waste stockpiles’* in Building 1. P(viii)

The Garvan Biomedical Research Institute is world renowned and is the only source of mice bred in climate and hermetically controlled conditions in Australia which are used for critical research and study of rare cancers and genetic diseases. Damage to this unique facility would be catastrophic. The relevant considerations/requirements for the SEPP 33, the consent authority must consider “*any feasible alternatives*” and “*any likely future use of land surrounding the development.*” The present use of Garvan on adjoining land should be a red flag. Note : Garvan illustrates the type of clean industry which should be encouraged to establish in the SHIP. Plasrefine, if approved would be a deterrent to any similar high technology companies providing excellent employment opportunities for the Highlands.

URBAN DESIGN AND VISUAL

*“the study area is predominantly a rural landscape at present, with gently undulating grassland pastures and long range views north to the Southern Highlands.....the scale and nature of buildings would result in a **discernible change** to the visual characteristics, features and values of the proposal site and immediate area.”* p(viii)

The EIS goes on to say on p(ix) that “*the proposal would **likely** be in keeping with the planned future character of the General Industrial – IN1 zone*”.

These statements completely ignore stated objectives for the IN1 zone under the Wingecarribee LEP of 2010 namely :

- To minimise any adverse effect of industry on other land uses
- To ensure that new development of land uses incorporate measures that take account of their **spatial context** and mitigate any potential impacts on neighbourhood **amenity, character** or their efficient operation of the local or regional **road system**.

As demonstrated in the EIS the site is in a predominantly rural landscape (ref to Figure 16.7 Landscape Character Zones) and the spatial context takes NO account of the neighbourhood amenity and character with buildings which will cover 6 of the 7.7 hectare site and be 18 metres high. The impact on the efficient operation of the **road system** is incalculable. Reference is made to the MVEC which is now the SHIP (Southern Highlands Innovation Precinct) and which is currently under review by Wingecarribee Shire Council. This proposal, by Council’s own definition, is out of sequence with their plans for the area with consideration of the availability of adequate services, water usage and flood limitations to the west, north and east of the site.

It must be noted that in 2019 a DA was refused for this site: “*Refusal was based on the absence of a connection to the sewer and stormwater systems. The council noted the site is flood prone, traversed by watercourses, and degraded. The DA also contemplated the use of Braddon Road as the point of vehicular access and was refused on the grounds that it would generate, by reason of future vehicle movements, a significant adverse impact on the residential amenity and safety of Moss Vale residents living to the south of the site.*” p(2-10)

Nothing has changed since 2019 so how would this huge facility be permissible now? 6

BIODIVERSITY

The proponent intends to use credits or make a payment to the Biodiversity Conservation Trust to compensate for the impacts on plant and animal communities impacted by the Plasrefine development. The Riparian land is a fragile environmental zone. On Conservation zoned land, also owned by the proponent and on another neighbouring property, exists a nationally recognised Threatened Ecological Community (TEC) of Shale Woodland which is threatened with extinction. The author of this submission is actively undertaking rehabilitation of this land to encourage more birds and other wildlife into the area.

It must be noted that the C4 land adjacent to the Plasrefine site and on the same title, has a stated aim as per a document published by the NSW Department of Planning and Environment when the name was changed from E4 to C4 : direct quote from p5 of frequently asked questions :

“Why is the department making this change?”

*The name ‘environment protection zone’ is too broad and is open to multiple interpretations which can cause confusion about the purpose, intent, and objectives of the zone. ‘Conservation’ clearly signals that this zone is about **conserving the environmental values and natural qualities in areas where it applies.**”*

How is this proposal consistent with these aims when it is on the same title and is on a legacy IN1 parcel of land which is too small to provide a significant buffer between it and the neighbouring C4 land?

GREENHOUSE GAS :

The Greenhouse Gas Assessment - Technical Report 9

The NSW Government’s Climate Change Policy Framework sets clear objectives to halve greenhouse gas emissions by 2030 and achieve net-zero emissions by 2050. The Plasrefine Technical Report 9: Greenhouse Gas Assessment fails to acknowledge the State Government policy context on climate change and therefore fails to assess the project’s alignment with NSW Government targets and objectives for reducing greenhouse gas emissions.

It is not appropriate for the greenhouse gas assessment to exclude Scope 3 emissions, particularly from the following emissions-intensive sources:

- The embodied energy of construction materials, particularly concrete, steel and asphalt/bitumen, which are high in embodied carbon
- The transport of construction materials and waste to/from site, which is likely to be significant

While it is acknowledged that specific quantity estimates for construction materials and their source location are difficult to obtain during a project's planning process, there are various methods available to estimate such quantities and calculate the associated emissions (for example, the publicly available resource used by NSW Roads and Maritime Services: Greenhouse Gas Workbook for Road Projects (Transport Authorities Greenhouse Group, 2013) <https://roads-waterways.transport.nsw.gov.au/documents/about/environment/greenhouse-gas-assessment-workbook-road-projects.pdf>).

The exclusion of such sources of emissions is likely to grossly underestimate the emissions attributable to the project's construction and it is therefore not appropriate for GHD to state that construction emissions would be negligible on this basis. Exclusion of these sources from the GHG assessment also means **GHD fails to identify specific and targeted mitigation measures to reduce GHG emissions** during the project's construction. There is no commitment in the EIS to the ongoing monitoring and management of GHG emissions during construction.

“Operational emissions are higher than the facility reporting threshold of 25,000 tCO₂-e per annum under the National Greenhouse and Energy Reporting (NGER) scheme. Therefore, the plastics recycling and reprocessing facility would be required to monitor fuel and electricity use and report energy use and emissions annually under the NGER scheme.” P(x)

It is recognised that there is a need to reduce and recycle plastic to protect the environment. Plasrefine is using technology which is untested in Australia and will soon be superseded (note the new facility at Parkes). The cost to the environment of trucking in this plastic waste to Moss Vale from the stated sources of Sydney, Canberra, Wollongong and Melbourne (and possibly overseas), is counterintuitive. Diesel emissions, use of electricity and potable water all make this environmentally and possibly economically unviable.

The fact that the end product being produced at this facility will only have that one more use and then go to landfill, is not true circular recycling.

SOCIO ECONOMIC

*“During operation there is also potential for actual or perceived amenity impacts associated with increased vehicle movements on the local road network, noise, **air emissions** and changes to landscape character and views to the proposal site.”p(x)*

“The proposal also has a number of significant benefits which must also be considered when determining if the proposal is in the public and community's interest overall.”

This proposal is unable to demonstrate anything other than detrimental impacts on the social and economic status of the community, both as individuals and commercial enterprises. There have been reports of real estate agents being asked not to show prospective buyers houses that *'are near that plastic factory'*, so the value of nearby properties has already been negatively impacted. People who run tourism operations, wineries and the like will lose business if Moss Vale was to host this waste facility.

The 'state of the art technology' is an unknown, the proponent has not done this process previously and certainly not in Australia.

There is a lack of local infrastructure to support the facility.

The safety of the community, long and short term is compromised.

There has already been a negative impact on residents' health and wellbeing since notified of this proposal over 15 months ago.

ENVIRONMENTAL MITIGATION AND MANAGEMENT

*"The detailed design for the proposal would be developed with the objective of minimising potential impacts on the local and regional environment and the local community. The design and construction methodology would continue to be developed, taking into account the input of stakeholders."*p(x)

'Minimise, mitigate, reduce, avoid where possible' are frequently applied by the proponent to the management of negative impacts on the community. These are all qualifiers and have no way of being tested for compliance or control. The community is being asked to accept a level of risk with no commensurate positive outcomes from the proposal.

CONCLUSION

GHD engagement...diagram on p(6-1) *Public Participation Goal : "To place final decision making in the hands of the public."* *Promise to the public : "We will implement what you decide."* **This has not happened.**

*P(6-2)"Ensure a **broad range of the local community and stakeholders** are informed and given the opportunity to provide feedback."* **This did not happen.**

*"**build confidence** in Plasrefine recycling"*

The information provided by GHD has been **consistently** inconsistent as to :

- The size of the buildings
- The heating temperature of the plastics
- The number and size of the trucks
- The routes these trucks will take and the company that will run them
- The sources of the mixed plastics
- The direct employment figures
- The lack of credible information in both the Scope and the EIS – concept only – details only to be provided once approved – this is TOO LATE.
- The position of the Wingecarribee Shire Council
- The notification of impacted residents, this was not as wide as stated, in fact, residents in nearby and very impacted streets have only recently become aware of the proposal through community organised activities.

The proponent did not present in person to the community until two weeks before the Exhibition Period was to close. This does **not** *“build confidence in Plasrefine recycling”*

The risk to the health and safety of the Southern Highlands Community, its air and water quality, road users both vehicular and pedestrian and the lack of rigour and accountability in this EIS along with the absence of critical detail which will not be provided until post consent make this facility completely unsuitable and unwelcome on its current site.

