

5 July 2015

David Hojem  
Manager Waste Services  
Shoalhaven City Council  
42 Bridge Road  
Nowra NSW 2541

Our ref: 15251/02  
Your ref:

Dear David

**Site Set Out Options for Landfill Extension – West Nowra Recycling and Waste Facility**

Further to our meeting with you, Giordano Bianco and Tony Fraser on Monday 1 June, we have below provided an outline of considerations in respect of the identification of preferred siting for the proposed landfill extension at the West Nowra Recycling and Waste Facility.

As discussed at the meeting there are a number of issues that encumber or restrict the potential use of the land. These primarily include:

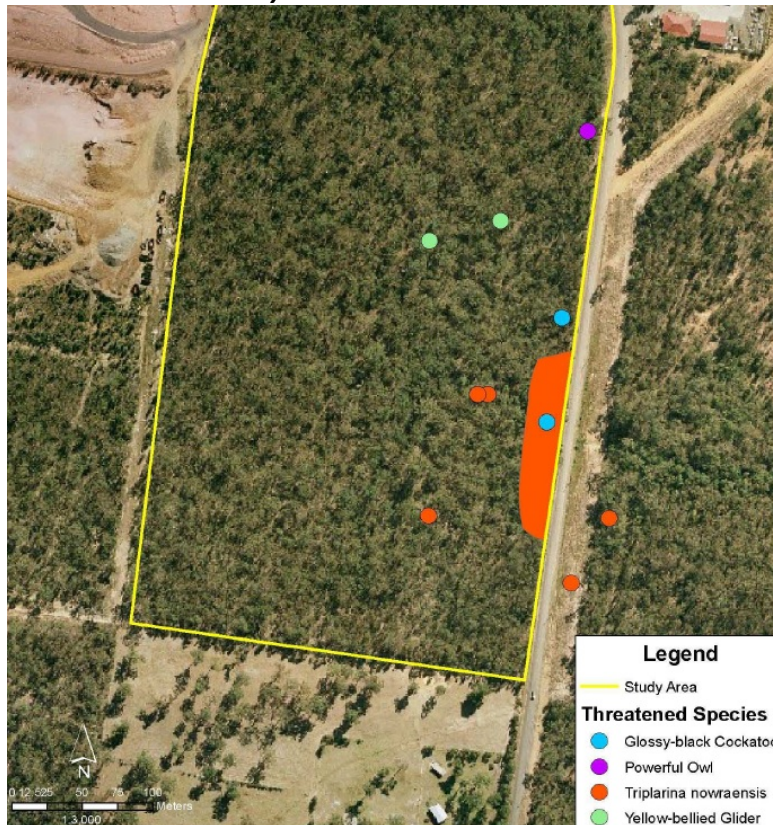
- The presence of environmentally sensitive areas around the drainage line on the south-eastern boundary;
- The adjoining rural-residential dwellings and residentially zoned land to the south and south-east; and
- The potential need for offset credits and the benefits of integrating some environmental improvements on or adjoining the subject site.

Each of these issues are outlined and discussed below.

**Environmentally Sensitive Areas**

Following discussion with Council Environmental Planning staff and review of the Shoalhaven LEP 2014 (**SLEP**), it is considered to be prudent to ensure that the more “sensitive” areas of the site are avoided. This includes the drainage line (being a mapped watercourse in the SLEP) located midway along the eastern boundary of the site and where the listed threatened plant *Triplarina nowraensis* (Nowra Heath-Myrtle) is located. The LEP and State requirements under the *Water Management Act 2000* typically requires setback from the drainage lines, setbacks which in this case can also incorporate the location of the Heath-Myrtle as mapped in previous studies. Whilst this area could theoretically be included in the landfill space, current legislation and protections would suggest that use of this area would be difficult to justify and may otherwise require significant offsetting. Avoidance of this area is therefore suggested, but could be re-visited at a later time should environmental legislation or requirements change (for example if the Heath-Myrtle was to be removed from threatened species lists). Plan A showing the location of the Heath-Myrtle is provided below (from Hyder *Threatened Biodiversity Survey and Assessment - West Nowra* report 2007).

**Plan A: Nowra Heath Myrtle Location**



**Buffer to Residential Dwellings / Zones**

Provision of a buffer between the site / landfill location and “sensitive receivers” is important for a number of reasons including odour, noise and visual impact. The extent of separation is informed by the *Draft Environmental Guidelines: Solid Waste Landfills* which is currently on exhibition until 30 June 2015. While the guidelines state that they “do not contain express buffer distances or locational requirements”, they go on to suggest:

*In the case of large putrescible waste landfills (more than 50 000 tonnes of putrescible waste per year), buffers of at least 1000 m should be provided where practicable to residential zones, schools and hospitals to protect the amenity of these land uses from odour, noise and other impacts.*

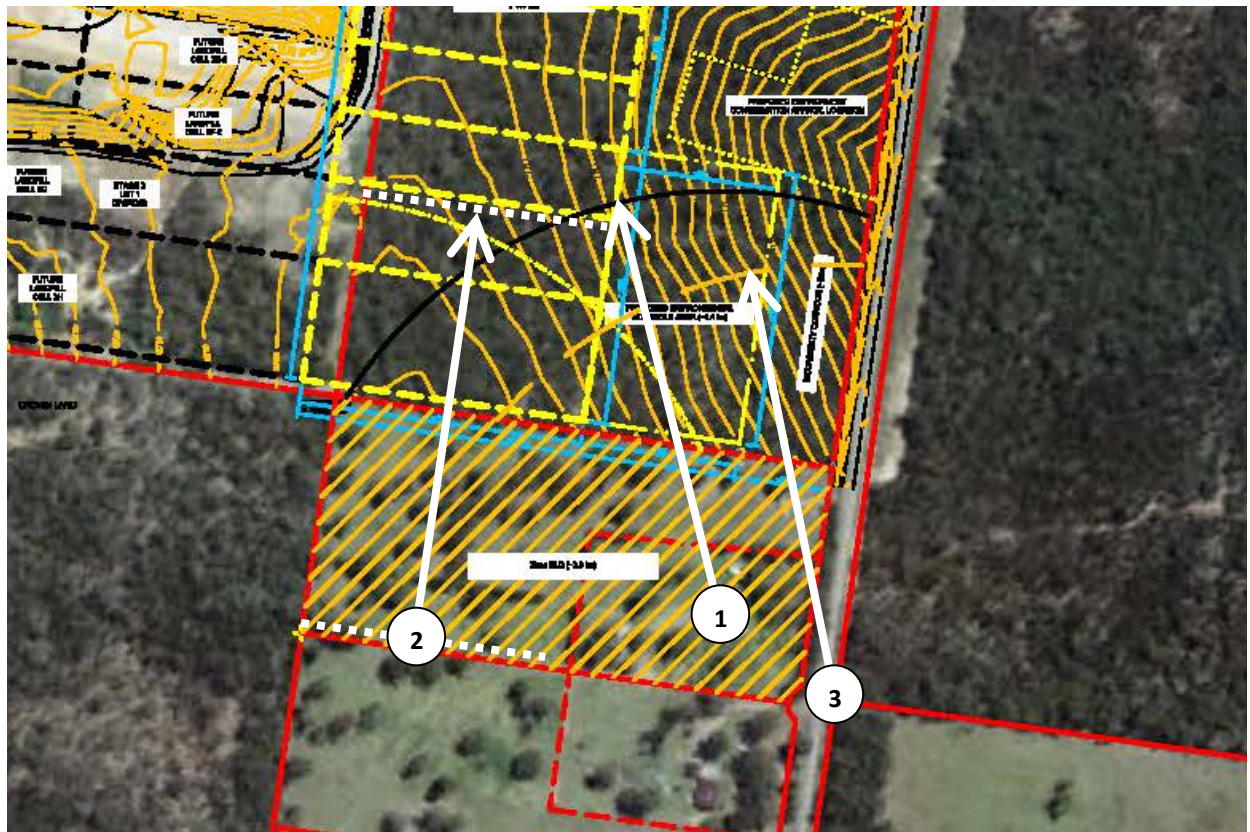
The Guidelines also refer back to the 1996 NSW Department of Planning & Environment’s *EIS Practice Guideline: Landfilling* which suggest that landfilling sites should not be located “within 250 m of a residential zone or dwelling, school or hospital not associated with the facility”.

Our view is that the 1,000m requirement is not practical for the current existing facility (as it may be to a new facility for example), but that it is reasonable to assume that the 250m buffer would apply to an extension. As you are aware an assessment of this buffer distance was made from three locations:

- An existing dwelling located to the south of the proposed site on Flatrock Road (the nearest residential dwelling); and
- The two areas of nearest residential zoned land, both located to the south and south-east of the site beyond the existing residential dwelling.

The buffer lines from these three areas are shown on Plan B below.

**Plan B: Buffers from residential land and dwelling**



The question was raised whether purchasing the nearest dwelling (1 above) and/or the nearest residential zoned land (2 above) would assist in expanding the landfill capacity. The answer is yes, but only by a very small amount in terms of purchasing the nearest dwelling (perhaps a few hundred square metres), and whilst an additional 1.6ha or 280,000m<sup>3</sup> (which equates to approximately 3 years of capacity) may be achievable from the purchase of the nearest residential zoned land, it is also noted that acquisition by Council would not alter the zone and a rezoning process would still be required. As discussed previously, and having contacted the Department of Environment and Planning to confirm this, Locale remains doubtful that such a rezoning would be successful given that this residential land has only recently been rezoned for urban expansion purposes in SLEP 2014.

With an estimated acquisition cost of \$1.2m and an outcome that remains in doubt, it would be recommended that no property purchase occur unless other circumstances arise that may provide evidence to support it (e.g. biodiversity offset reasons, noise/odour modelling issues etc.). It is therefore suggested that any application for landfill extension in the short-term be based on an assumption of a 250m buffer from residential dwelling / land and should ownership or circumstances change, that it be dealt with on an as needs basis.

### Environmental Offsets

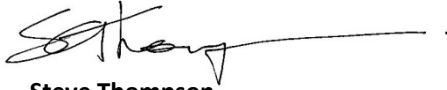
Advice was sought from Council's Environmental Planning staff regarding the need for biodiversity offsets and how these may be achieved. It was noted that Council has offset areas that are likely be suitable (at the Huskisson Waste Facility and other locations), however there was always a desire to reduce the requirement and that retaining areas of particular environmental significance (see *Environmentally Sensitive Areas* above), and including environmental buffers when needed for other reasons (for example visual buffer along the entry road and offset buffers from sensitive receivers) would provide an opportunity to achieve this.

As such, it is recommended that Council utilise and formalise the identified buffer areas as environmental links and thereby reduce the biodiversity offset burden of the project. It was also noted that purchase of land to the

south could also be used for biodiversity offset purposes, though this would involve ongoing rehabilitation and improvements to the land at additional cost and was not considered to be necessary by Council's Environmental Planning staff.

Please do not hesitate to contact me if you require any further clarification.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Thompson', followed by a long horizontal line.

**Steve Thompson**  
Director – Planning & Strategy  
Locale Consulting Pty Ltd