

PLANNING ASSESSMENT REPORT – APPENDIX C

RESPONSE TO SUBMISSIONS PREPARED BY SLR CONSULTING

CONTENTS

1	INTRODUCTION	4
2	COMMUNITY SUBMISSION	5
3	RESPONSE TO OBJECTIONS	8
4	REFERENCES	16

TABLES

Table 1 Community Submission Received for Development Application No.

2019/0172.....	6
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APPENDICES

Appendix A Community Submission

Appendix B Qualifications of SLR Personnel (Note: This is not attached as part of Appendix C)

1 Introduction

In mid-November 2019 Allspec & Partners (Allspec), on behalf of Bellettes Landfill Pty Ltd (the Proponent), submitted an application (Development Application No. 2019/0172) to the Snowy Valleys Council (Council) in relation to Bellettes Landfill. The application proposed an increased landfill input rate of 40,000 tonnes per annum (tpa) of general (non-putrescible) waste. This proposed increase in waste would be accommodated through the development of a new Cell; Cell 10 and the construction of a leachate pond and other ancillary infrastructure (the Development). The application was accompanied with an Environmental Assessment; Bellettes Landfill Expansion Environmental Impact Statement (EIS) (SLR, 2019a).

Upon receipt of the application Council made it available for public review. During this review period one community submission was received by Council. This document provides a response to this submission.

2 Community Submission

Table 1 provides a summary of each objection received in the one community submission. A copy of the community submission in its entirety is attached to this Report (refer to **Appendix A**). In total, 14 objections were received by the one community member.

Table 1 Community Submission Received for Development Application No. 2019/0172

Objection No.	Objection Reference	Summary of Objection
1	BELL01	The subject site should be excluded from further consideration as it is fundamentally unsuitable for consideration as it is located in an area overlying an aquifer which contains drinking and stock quality groundwater which is
2	BELL02	The Environmental Impact Statement and supporting assessments have not been prepared in accordance with the Environmental Guidelines Solid Water Guidelines Second Edition 2016. There is no indication of the identify of the person preparing the drawing an/or their relevant experience or whether they are professionally qualified or have the experience as specified in the Guidelines.
3	BELL03	The Traffic Impact Assessment does not comply with the requirements of Roads & Maritime Services and contains a number of errors which would raise concern as to its accuracy and integrity.
4	BELL04	The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline and has failed to establish a “need” for the facility. In fact, there is no “need” for the
5	BELL05	Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline and has failed to consider all feasible alternatives and has not considered the “do
6	BELL06	The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that the location is fundamentally unsuitable for the development/expansion of a landfill.
7	BELL07	The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not established a legitimate demand for the landfill and has failed to provide a reasonable and consistent analysis of the quantities and sources of the waste stream and the potential contaminants in those streams.
8	BELL08	The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an analysis of existing waste management facilities in the region and has not presented an analysis as to whether those facilities are facing quantity limitations or other issues.
9	BELL09	The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an analysis of alternative options.
10	BELL10	The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an adequate and consistent analysis of the potential waste streams to be accepted.

11	BELL11	The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an adequate and consistent review of the catchment and performance of existing landfills in terms of quality and quantity of waste received or any shortcomings of landfills in meeting the community's needs.
12	BELL12	The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided adequate considerations/details of procedures for inspecting, testing or sorting of wastes.
13	BELL13	The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided adequate description of protocols for handling of waste not permitted at the facility if discovered.
14	BELL14	The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it would appear to be superficial and subjective.

3 Response to Objections

This section of the report provides a response to each objection from the community member. All objections have been addressed except for "BELL 03", as it is in relation to the Traffic Impact Assessment (TIA) and will be addressed in a separate response by Park Transit.

Objection: BELL01

The subject site should be excluded from further consideration as it is fundamentally unsuitable for consideration as it is located in an area overlying an aquifer which contains drinking and stock quality groundwater which is vulnerable to pollution.

The site hydrogeological setting and the conceptual hydrogeological model are described in detail in the Groundwater Assessment Report (SLR, 2019b).

The objection does not disagree with the interpretation and the discussion of the hydrogeology presented in the Groundwater Assessment Report. The understanding of the hydrogeological setting has informed the landfill design to minimise risk of impact.

The objection refers to the Environmental Guidelines Solid Waste Landfills, second edition 2016, noting that the risk of leachate contamination increases under certain conditions. The objection highlights aspects of the hydrogeological setting, however under the landfill guidelines these aspects do not preclude the site for use as a landfill.

To minimise the risk of impact on groundwater from landfill leachate, the landfill has been designed in accordance with the NSW landfill guidelines (EPA, 2016). The design incorporates measures which include lining of the cell and extraction of leachate from the cell. The risk of

impact to groundwater quality from the proposed landfill cell and leachate dam is considered to be very low and acceptable (Section 5.3 of the Groundwater Assessment Report (SLR, 2019b)), for a number of listed reasons.

With regard to the listed *inappropriate areas for landfilling*, the new cell will be no closer than 40 metres from the nearest permanent or intermittent water body, and also the site is outside of a mapped area of “Groundwater Vulnerability” (Section 3.5.2 of the Groundwater Assessment Report).

The objection also refers to a decision from the NSW Land and Environment Court (LEC) regarding an application to expand an existing landfill. That case M.H. Earthmoving vs Cootamundra-Gundagai Regional Council (No 3).

The objection refers to LEC finding that *the proposal is plainly on land which the EIS guideline describes as a site which should be avoided, and which should have been excluded from consideration at the outset.*

The EIS guideline (Table 1; p.16) lists environmentally sensitive areas to be avoided, including sites located ... *in an area overlying an aquifer which contains drinking water quality groundwater which is vulnerable to pollution (consult DLWC for criteria to determine the vulnerability of groundwater).*

The Groundwater Assessment Report (Section 3.5.2) presents the mapped area of “Groundwater Vulnerability” sourced from the Tumut Local Environmental Plan (LEP)(2012). This shows the site is outside the mapped area of groundwater vulnerability. This is consistent with the main water-bearing zone in the bedrock aquifer at the site being confined beneath lower permeability material, and the significant depth to groundwater below the site.

Accordingly, it is considered that the site is not an *environmentally sensitive area to be avoided* as listed in the EIS guideline.


The Groundwater Assessment report (Section 5 (SLR, 2019b)) discusses the risk of groundwater impact at the site from the proposed cell, factors that minimise the risk, and also the proposed enhanced groundwater monitoring network at the site.

Objection: BELL02

The Environmental Impact Statement and supporting assessments have not been prepared in accordance with the Environmental Guidelines Solid Water Guidelines Second Edition 2016. There is no indication of the identity of the person preparing the drawing an/or their relevant experience or whether they are professionally qualified or have the experience as specified in the Guidelines.

The fact that the drawings are not final design drawings and are “For Review” is a fundamentally unacceptable in lodging an application of this nature.

SLR has prepared the landfill design in accordance with the Environmental Guidelines: Solid Waste Landfills, Second edition (EPA, 2016). The experience of SLR personnel preparing the design is described below exceeding the experience required by the landfill guidelines.

Name	Qualifications	Experience & Qualifications
Sam Butler Associate Consultant – Waste and Resources Management 	BEng(Env) Chartered Professional Engineer (Civil, Environmental) RPEQ (Civil, Environmental) NER WMRR Member	<p>Sam Butler is a Chartered Engineer and Associate Consultant for team with over 12 years' experience as a professional consultant on landfill design projects across New South Wales, Capital Territory, Victoria, Queensland, Western Australia, Guinea and New Zealand.</p> <p>Sam has predominantly worked within the W&RM field on a variety of landfill management projects including aspects relating to the and final capping systems, landfill closure, liner and leachate systems, fill plans, construction quality assurance supervision, construction specification and quality assurance plans, landfill gas, leachate and bill of quantity estimates.</p> <p>The knowledge Sam has gained through involvement with multiple landfill construction and design projects, in addition to his technical engineering skills, has enabled Sam to advise clients on a wide range of issues pertaining to waste and resource management.</p> <p>Sam has several years of landfill Construction Quality Assurance supervision, supervising the installation of over 100,000m² of geosynthetics. Sam also has technical experience in utilising an array of landfill modelling software for the simulation modelling of LFG, leachate (HELP modelling), water balance modelling, slope stability and landfill CAPEX financial analysis.</p>

The drawings presented are 'Concept Design' drawings, not (yet) 'for construction' detailed design drawings. After the Development is approved the detailed design drawings will be prepared.

Objection: BELL03

The Traffic Impact Assessment does not comply with the requirements of Roads & Maritime Services and contains a number of errors which would raise concern as to its accuracy and integrity.

This objection has been addressed in a separate response by Park Transit.

Objection: BELL04

The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline and has failed to establish a "need" for the facility. In fact, there is no "need" for the facility.

During the preparation of the EIS (SLR, 2019a) the Department of Urban Affairs and Planning *Landfilling: EIS Guideline* (1996) was reviewed to ensure that the EIS document met all the requirements of the Guideline. The Guideline is referenced in Section 10 of the EIS (SLR, 2019a).

The need for the facility is clearly outlined in Section 9.2.3 of the EIS (SLR, 2019a). In summary, the Development is "needed" for economic, socio-economic, health and environmental reasons.

Objection: BELL05

Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline and has failed to consider all feasible alternatives and has not considered the “do nothing” option.

Feasible alternatives are detailed in Section 9.2.2 of the EIS (SLR, 2019a). This section of the report considered the biophysical (environmental), economic and social costs and benefits of alternatives. Alternatives considered included relocating Cell 10 within the Development site, relocating the Development to an adjacent property and the “do nothing” alternative, by sending waste to Bald Hill, the nearest landfill.

The “do nothing” option was also considered in Section 9.2.3 of the EIS (SLR, 2019a). This section outlines several consequences if the “do nothing” option was undertaken. The objection stated that the “do nothing” option was “precursory” and “ingenuous”. The listed consequences outlined are based on factual evidence, including economic, socio-economic and environmental effects if the Development did not go ahead.

The objection also states that *no analysis of other potential sites more that might be more consistent with the principle of Ecologically Sustainable Development (ESD)*. Bald Hill Landfill has been analyzed as an alternative landfilling site in Section 9.2.2 of the EIS (SLR, 2019a), however this site is not more consistent with the principle of ESD. *The overall objectives of ESD are to use, conserve and enhance natural resources* (SLR, 2019a). Natural resources would not be conserved by using Bald Hill Landfill as an alternative as trucking waste 90 km away would require greater use of natural resources (diesel).

Objection: BELL06

The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that the location is fundamentally unsuitable for the development/expansion of a landfill.

The objection argues that the Development site is in an area *overlying an aquifer which contains drinking quality groundwater*, resulting in the site being *fundamentally suitable or unsuitable*. As outlined in the response to Bell01 (above) Section 3.5.2 of the Groundwater Assessment Report (SLR, 2019b) presents the mapped area of “Groundwater Vulnerability” sourced from the Tumut LEP (2012). This shows the site is outside the mapped area of groundwater vulnerability. This is consistent with the main water-bearing zone in the bedrock aquifer at the site being confined beneath lower permeability material, and the significant depth to groundwater below the site. Accordingly, it is considered that the site is suitable for the Development.

The objection further states that *the risk of leachate contamination increases where the site is in poor hydrogeological conditions, or near sensitive water bodies such as wetlands, near water sources used for drinking irrigation, industrial use or stock watering*. As outlined in the response to Bell 01, the new cell will be no closer than 40 metres from the nearest permanent or intermittent water body and to minimise the risk of impact on groundwater from landfill leachate, the landfill has been designed in accordance with the NSW Landfill Guidelines (EPA, 2016).

In addition, as outlined in Section 2.2 of the EIS (SLR, 2019a) there is an existing landfill at the Development site. This landfill has been in operation since 1998 and consists of nine (9) trench and cover cells excavated into clay soils (SLR, 2019a). These cells are unlined. Based on available data from groundwater monitoring at the Development site, there appears to be negligible impact of leachate from the existing cells (cells 1 – 9) on the groundwater in the regional aquifer at the site (SLR, 2019b). Cell 10 would be lined with a geosynthetic clay liner (GCL) and a 2 mm thick high density polyethylene (HDPE) geomembrane, which would minimise the risk of impact on groundwater from landfill leachate.

Objection: BELL07

The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not established a legitimate demand for the landfill and has failed to provide a reasonable and consistent analysis of the quantities and sources of the waste stream and the potential contaminants in those streams.

The landfill expansion will meet the demand of existing and future sources of waste in the local and broader region. Waste sources, waste types and waste classifications are outlined in Section 3.1 of the EIS (SLR, 2019a). Waste sources include Visy Mill, commercial contracts, regional business (e.g. farms) and waste from local sources. An analysis of Visy waste is provided in Section 2.2. of the EIS (SLR, 2019a) and states that this waste is classified as “inert waste”, comprised of lime dregs, grits and mud, boiler ash (sand) and boiler fly ash. While page 144 of the EIS (SLR, 2019a) states that:

Review of the operation of Visy indicates they experience a major increase in the waste they generate from January to May. This is due to contamination of the recyclable material collected. Therefore, the peak operation would occur during this period.

As outlined in Table 10 of Section 3.1 of the EIS (SLR, 2019a) all waste to be accepted at the Development will be classified general solid waste (non-putrescible). This includes waste from commercial contracts. A detailed analysis of all waste types classified as general solid waste (non-putrescible) is provided in Section 3.12.3.4.1 of the EIS (SLR, 2019a). General solid waste (non-putrescible) is currently accepted at the existing Bellettes landfill.

Potential contaminants in the waste stream are outlined in Section 3.12.3.5 of the EIS (SLR, 2019a). Procedures would be in place and implemented to identify and prevent the disposal of any waste not permitted to be disposed of at the Development (SLR, 2019a).

The quantities of each waste stream have not been stated in the EIS (SLR, 2019a) as these will differ, dependent on the time of year, the number of commercial contracts held at any time, and the number of local and regional construction projects the landfill services at any given time. However, as outlined in Section 7.4.2.2.1 of the EIS (SLR, 2019a) it is anticipated that approximately 20,000 tonnes¹ of the total 40,000 tpa will be transported from Visy.

Objection: BELL08

The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an analysis of existing waste management facilities in the region and has not presented an analysis as to whether those facilities are facing quantity limitations or other issues.

The existing waste management facilities in the region are outlined in Section 2.8 of the EIS (SLR, 2019a). As mentioned, the closest landfill to the proposed Development is the Burra Road Landfill, situated in Gundagai, however, this landfill no longer operates. The closest operating landfill is the Bald Hill Quarry Regional Landfill located in Jugiong, NSW, over 90 km away from the Development site. Under Environment Protection Licence (EPL) 2552 this landfill can only accept the following:

- Bushfire waste - Received between March and September 2020 must not exceed 55,000 tonnes;
- General solid waste (putrescible) – 40,000 tonnes per one reporting period;
- General solid waste (non-putrescible) – 40,000 tonnes per one reporting period;
- Asbestos waste – 40,000 tonnes per one reporting period; and
- Waste tyres - 40,000 tonne per one reporting period.

As specified by the EIS (SLR, 2019a) other landfills in the greater region include the Khancoban Landfill, Murrumbateman Landfill, Jindabyne Landfill and the Woodlawn Landfill. All these landfills would have limitations specified by EPL's and Development Approvals:

Issues experienced at these landfills would include:

- Air quality (odour);
- Control of vermin;
- Litter (from windblown waste);
- Groundwater contamination;
- Management of surface water; and
- Leachate management.

Objection: BELL09

The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an analysis of alternative options.

Alternatives to landfilling for all major waste classes has been considered in Section 3.12.4.4 of the EIS (SLR, 2019a), with waste materials considered of economic value to be separated from the waste stream in the waste sorting area and recycled. This would include recycling of metals, paper products, concrete and timber.

Such alternatives as waste to energy were not considered in the EIS (SLR, 2019a) as this was deemed not a viable alternative.

Objection: BELL10

The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an adequate and consistent analysis of the potential waste streams to be accepted.

Potential waste streams, the quantity and characteristics of waste are outlined under the response to BELL07 (above).

Objection: BELL11

The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an adequate and consistent review of the catchment and performance of existing landfills in terms of quality and quantity of waste received or any shortcomings of landfills in meeting the community's needs.

The response to BELL08 provides details to address this objection.

In addition, the intention of the Department of Urban Affairs and Planning *Landfilling: EIS Guideline* "Section 4. Review of any landfill on or near the site" is to consider *the catchment and performance of the existing landfill (i.e. Bellettes Landfill) in terms of quantity and quality of waste received; the shortcomings of the present landfill in terms of meeting community's existing or future needs, or environmental or health goals*. These matters have been addressed in the following sections of the EIS (SLR, 2019a):

- The catchment of the existing landfill (local and regional sources) – Section 2.2, Table 4;
- The performance of the existing landfill in terms of quantity and quality of waste received – Section 2.2. Environmental monitoring and reporting is undertaken at the landfill in accordance with the licence and also the site's LEMP (SLR, 2019a);
- The shortcomings of the present landfill in terms of meeting community's existing or future needs – Section 9.2.3. In particular, if the Development is not approved, Bellettes landfill would have to close after Cell 9 reaches capacity (expected mid-2020); and
- The shortcomings of the present landfill in terms of environmental or health goals – Section 2.2. The existing landfill currently comprises of nine trench-fill cells excavated into natural clay soils. Cell 10 would be lined with a geosynthetic clay liner (GCL) and a 2 mm thick high density polyethylene (HDPE) geomembrane, reducing environmental risks.

Objection: BELL12

The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided adequate considerations/details of procedures for inspecting, testing or sorting of wastes.

Procedures for inspecting, testing and sorting of wastes are included in the following sections of the EIS (SLR, 2019a):

- Section 3.12.4.2 - Waste Inspections;
- Section 3.12.3.2 - Waste Documentation, with details regarding assessing waste; and
- Section 3.12.4.4 - Recovery of Materials, with details in regards to sorting waste.

Further procedures for inspecting, testing and sorting of wastes would be included in the sites LEMP (Bellettes Landfill Pty Ltd, 2015), which will be updated once the Development is approved. These procedures would be in accordance with the site's EPL 20596.

Objection: BELL13

The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided adequate description of protocols for handling of waste not permitted at the facility if discovered.

Protocols for handling waste not permitted at the facility, if discovered, are provided in Section 3.12.4.3 of the EIS (SLR, 2019a).

Objection: BELL14

The Development Application has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it would appear to be superficial and subjective.

The EIS (SLR, 2019a) meets the requirements of the Project Secretary's Environmental Assessment Requirements (SEARS) (Section 1.8, Table 2) and provides detailed information and an assessment against relevant legislation (Section 4). During the preparation of the EIS (SLR, 2019a) the *Landfilling: EIS Guideline* (Department of Urban Affairs and Planning, 1996) was reviewed to ensure that the document met all the Guidelines requirements.

The EIS (SLR, 2019a) has been informed by specialist studies and plans, prepared by technical specialists. The technical assessments included:

- Surface Water and Soil Assessment;
- Groundwater Assessment;
- Biodiversity Assessment;
- Air Quality Impact Assessment (AQIA) (Odour and Dust Assessment), and Addendum;
- Landfill Gas Assessment;
- Noise and Vibration Impact Assessment;
- Rehabilitation Plan;
- Preliminary Risk Screening Assessment;
- Bush Fire Hazard Assessment;
- Landscape and Visual Impact Assessment;
- Aboriginal & Historic Archaeological Assessment; and
- Traffic Impact Assessment.

The design of the Development has been prepared by qualified personnel, and in accordance with the *Environmental Guidelines: Solid Waste Landfills, Second edition* (EPA, 2016) (refer to response to BELL02).

Information regarding sources, classifications and quantities of waste is provided in the response to objection BELL07.

4 References

Bellettes Landfill Pty Ltd (2015) Landfill Environmental Management Plan.

Department of Urban Affairs and Planning (1996) Landfilling: EIS Guideline.

EPA (2016) Environmental Guidelines Solid Waste Landfills, second edition.

SLR (2019a) Bellettes Landfill Expansion Environmental Impact Statement (EIS).

SLR (2019b) Bellettes Landfill Groundwater Assessment.

APPENDIX A

Community Submission

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,

Re: Development Application No. 2019/0172

Objection: BELL01

I wish to lodge my objection regarding the above development application on the basis that the site is fundamentally unsuitable for consideration as it is located in an area overlying an aquifer which contains drinking and stock quality groundwater which is vulnerable to pollution.

In the following comments, particular points are highlighted in bold text.

The Environmental Guidelines Solid waste landfills, second edition 2016 states:

"Location is an important factor in determining the environmental risk posed by a landfill. Judicious location of a landfill is the single most effective environmental management tool....The risk of leachate contamination increases where the site is in poor hydrogeological conditions, near sensitive water bodies such as wetlands, **or near water sources used for drinking, irrigation, industrial use or stock watering.**"

Additionally, the guidelines state:

"In summary, the list of **inappropriate areas for landfilling** includes sites located as follows:

- in or within 40 metres of a permanent or intermittent water body or in an area overlying an aquifer that contains drinking water quality groundwater that is vulnerable to pollution."

There are a number of statements made in the Groundwater Assessment prepared by SLR Consulting that are relevant to this objection:

On page 6 it is stated that the scope of works for the report includes to:

"Assess potential risk associated with proposed development to the aquifer beneath the site and the alluvial aquifer of the Gilmore Creek."

Thus, it is acknowledged that an aquifer lies beneath the site.

On page 10 it is stated:

"A small ephemeral creek (Killarney Creek) runs to the west at the southern side of the property, joining Gilmore Creek west of the Snowy Mountains Highway." Thus, it is acknowledged that there is an intermittent water body located within proximity of the site.

On page 16 it is stated:

"The WaterNSW online database shows nine registered groundwater bores within 2 km of the site... Of the nine bores, the registered uses are **three water supply, one commercial industrial....**"

A detailed review of the registered bores identified in the assessment provides the following information:

Bore GW057693 Authorised purpose: **DOMESTIC**
Bore GW055511 Authorised purpose: **STOCK, DOMESTIC**
Bore GW402690 Authorised purpose: **STOCK, DOMESTIC**
Bore GW038083 Authorised purpose: **DOMESTIC**

On page 18 it is stated:

"The Tumut 1:100,000 geological map (Based, 1990) **shows the site is located on** quartz rich shale / slate, siltstone and fine sandstone of the Bumbowlee Creek Formation of Silurian age. This is referred to here **as the Fractured Bedrock Aquifer (FBA)**. West of the site, Quaternary colluvium may occur on the lower slope areas and with Quaternary alluvial sand and gravel associated with Gilmore Creek — referred to here as the **Gilmore Alluvial Aquifer**."

On page 19, the assessment states: "**The principal aquifer at the site** is bedrock comprising fractured slate / shale. **This aquifer extends from upgradient of the site, beneath the site and to the west beneath Gilmore Creek.**"

On page 20, the assessment states:

"This shows the overall groundwater flow direction from east to west beneath the site, consistent with the ground surface slope and surface drainage flow to the west.

In periods of excess rainfall and when there is sufficient soil moisture for deep infiltration to occur, recharge from rainfall is likely upgradient of the site in elevated land where bedrock outcrops, and there may be localised recharge from ephemeral drainage lines.

Groundwater throughflow in the regional aquifer is to the west and the north. **Based on the groundwater elevation and land surface elevation, there is potential for groundwater to also discharge from the regional aquifer directly to Gilmore Creek located approximately 750m west of the site, or if present, into alluvial sediments adjacent Gilmore Creek.**"

Page 21 of the assessment states:

"The potential off-site receptors of groundwater in the regional aquifer moving from beneath the site are:

- **Users of groundwater extracted from groundwater bores down-gradient and near the site;**
- **Groundwater in alluvial sediments associated with Gilmore Creek;**
- **Gilmore Creek by direct discharge from the bedrock aquifer or from alluvial sediments: and**
- **Un-registered bores (if present) used for groundwater extraction."**

Based on the above acknowledgements of the Groundwater Assessment it is clear that the site is fundamentally unsuitable for the siting and / or expansion of a landfill.

Furthermore, attention is drawn to the relevantly recent decision of the NSW Land and Environment Court in the case entitled: M.H. Earthmoving Pty Ltd v Cootamundra-Gundagai Regional Council (No 3). This case involved an application to expand an existing landfill by introduction of a new cell and has some similarities to DA 2019/0172.

In that case it was stated: -

"Accordingly, there are 3 elements to be considered, in the context of the present case, in determining whether the subject site should have been excluded from further consideration at the outset as the proposed location of a new / expanded landfill, namely:

- a. Is the site overlying an aquifer?
- b. Does the aquifer contain drinking water quality groundwater?
- c. Is the aquifer vulnerable to pollution?"

The case further states in relation to the lining and protective systems for cells:

"the real prospect of faults in engineered systems means that although the likelihood of impact is 'low' it is not negligible. There is a real and appreciable risk (therefore a 'vulnerability') of impacts from leachate contamination to the groundwater system in the aquifer underlying" the proposed cell.

The Land and Environment Court also took into consideration the "precautionary principle and stated:

"There are 2 preconditions to trigger the application of the precautionary principle:

*A threat of serious or irreversible damage, and

* That there be "a lack of full scientific certainty."

One of the key subjects considered in relation to the precautionary principle related to the magnitude of possible impacts, on both natural and human systems. Particular points raised included:

1. "Groundwater is clearly vulnerable to pollution from leachate and the impact only need be described as 'possible'."
2. Concern was raised that there was lack of information in the EIS on the receiving environment and the fact that it remained unknown what contaminated materials may exist in the waste products to be deposited at the landfill site. It was stated that:

"one has to accept the reality that a range of materials will find their way into landfills and there is a long history in NSW of items getting into landfills which were not anticipated to be there. Mr Jewell said that the sorting process (such as at the Visy **Mill**) does not involve testing of chemical contaminants of waste received at the premises, or transported to the landfill site (as opposed to the attempted removal of physical contaminants which may become mixed with the waste i.e. non—recyclable material) and therefore there is a real possibility that toxic materials could find their way into the landfill, and further that **the sorting process at the Visy plant does not treat or remove chemical contaminants from the waste material which is sent to the landfill.**"

The final ruling of the Land and Environment court stated: "the proposal is plainly on land which the EIS guideline describes as a site which should be avoided, and which should have been excluded from consideration at the outset".

Based on all considerations, the Development Application DA 2019 / 0172 clearly does not meet the precautionary principle of Ecologically Sustainable Development and the site is fundamentally unsuitable for consideration as it is located in an area overlying an aquifer which contains drinking and stock quality groundwater which is vulnerable to pollution.

Whilst there may be consideration that the proposed development is merely an extension of the existing landfill, such consideration is not appropriate. My understanding is that the original landfill was established prior to the original EPA Guidelines Solid waste landfills, 1996 and the Department of Urban Affairs and Planning: Landfilling: EIS Guidelines 1996. If the current standards are applied to the original landfill site then the site would be deemed fundamentally unsuitable.

Also, the above referenced decision in the NSW Land and Environment Court, involved the expansion of an existing landfill. Regardless of the previous approval of that site, the expansion proposal was deemed to be located in a fundamentally unsuitable site and was rejected. There is a close analogy of the two proposals.

The subject site should be excluded from further consideration as it is fundamentally unsuitable for consideration as it is located in an area overlying an aquifer which contains drinking and stock quality groundwater which is vulnerable to pollution.

Yours Faithfully

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,

Re: Development Application No. 2019/0172

Objection: BELL02

I wish to lodge my objection regarding Development Application 2019 /0172 on the basis that the Environmental Impact Statement and supporting assessments have not been prepared in accordance with the Environmental Guidelines Solid Waste Guidelines Second edition 2016.

The guidelines state:

"Technical reports must be prepared and signed by appropriately qualified and experienced persons.

In the case of landfill design reports and Construction Quality Assurance documentation for major landfill works, this person should be an engineer such as civil or geotechnical engineer with professional qualifications acceptable to Engineers Australia, or equivalent, with at least 5 years experience in landfill design and construction, and currently practising competently in this field.

These requirements apply to design and construction associated with the leachate barrier, the leachate storage and disposal system, stormwater management works, water quality monitoring installations, landfill gas management and monitoring infrastructure and final capping."

In the EIS Appendix H Design Drawings all drawings are marked "For Review" And there is no confirmation of the source of the drawings other than the SLR logo and the wording:

"The content contained within this document may be based on third party data. SLR Consulting Australia Pty Ltd does not guarantee the accuracy of any such information."

The drawings included in this appendix are as follows:

Concept Design — Cell 10A + Cell 10B
Existing Site Layout and Features
General Arrangement Plan: Subgrade — Stage 1 and Access Arrangement
Typical Cross Sections: Subgrade — Stage 1
General Arrangement Plan: Subgrade — Stage 2 and Access Arrangement
Typical Cross Sections: Subgrade — Stage 2
Subgrade Cut & Fill Elevations: Stage 1 & 2
Cell 10 Leachate Collection Pipework Layout
Cell 10 Basal and Side Slope Lining System Typical Details
Cell 10 Leachate Collection & Extraction System Construction Details
Cell 10A Filling Plan and Sections (Stage 1)

Cell 10B Filling Plan and Sections (Stage 2)
Cell 10 Final Landform (CAP)
Cell 10 Final Landform Typical Details
Proposed Leachate Storage Pond
Leachate Storage Pond Typical Sections and Details
Proposed Surface Water Management Stage 1 & Typical Details
Proposed Surface Water Management Stage 2
Proposed Groundwater and Monitoring Locations
Landfill Gas Extraction System Layout
Landfill Gas Extraction System Detail

I wish to lodge my objection regarding Development Application 2019 /0172 on the basis that the Environmental Impact Statement and supporting assessments have not been prepared in accordance with the Environmental Guidelines Solid Waste Guidelines Second edition 2016. There is no indication of the identity of the person preparing the drawings and I or their relevant experience or whether they are professionally qualified or have the experience as specified in the guidelines.

The fact that the drawings are not final design drawings and are "For Review" is a fundamentally unacceptable in lodging an application of this nature.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,

Re: Development Application No. 2019/0172

Objection: BELL03

I wish to lodge my objection regarding Development Application 2019 /0172 on the basis that the Traffic Impact Assessment has not been prepared in accordance with the Secretary's Environmental Assessment Requirement as required by NSW Transport Roads & Maritime Services.

The requirements of Roads & Maritime Services include:

"In particular the TIA shall address the impacts of traffic generated upon the surrounding road network, particularly the access connection to the Snowy Mountains Highway, during the lifetime of the Project.

As a minimum the TIA is to address the existing and anticipated additional traffic generation on the surrounding road network, vehicle types and volumes, peak traffic volumes, travel routes for vehicles accessing the development site.

The TIA should therefore consider the **cumulative traffic generation** of all activities on the subject site."

The Traffic Impact Assessment is prepared by Park Tranit and statements include:

"As part of the proposal the existing landfill capacity of the site will be increased from 5,000 tonnes / annum (tpa) to 40,000 tpa."

"We also understand that the 20,000 tpa of the proposed facility will be used by "Visy Pulp and Paper" located at 1302 Snowy Mountains Hwy in Tumut."

"The site has a capacity to accept and landfill 5,000 tpa of general waste — resulting in 420 Vehicle trucks per annum (i.e. $5,000t / 20 = 420$ trucks). We understand the waste is transported throughout the year and therefore, a total of 35 trucks per month are likely to access the site."

Note: The above calculations are highly inaccurate and are cause for concern.
 $5,000 / 20 = 250$. Not 420.

The number of 35 trucks per month appears to be calculated as $420 / 12$. This is somewhat meaningless and inaccurate.

The TIA appears to assume that additional traffic will come from Visy Pulp and Paper and does not consider traffic volumes or travel routes from other sources. The TIA appears to only consider vehicles accessing the site by turning right into Killarney Road from the Snowy Mountains Highway and exiting the site by turning left from Killarney Road onto the Snowy Mountains Highway.

There is no consideration of vehicles potentially exiting right from Killarney Road to Snowy Mountains Highway.

The TIA also seems to focus on 28,000 tonnes per annum being sourced from Visy and utilising 30 tonne truck and dog combinations to conclude there will be 934 trucks accessing the site over a 21 week period. There is no analysis of the cumulative traffic impact relating to 40,000 tonnes per annum.

Additionally, the drawing entitled Site Layout utilising the SIDRA Intersection 7.0 programme is not accurate and represents Killarney Road as running east to west from the Snowy Mountains Highway rather than west to east.

In summary, the Traffic Impact Assessment does not comply with the requirements of Roads & Maritime Services and contains a number of errors which would raise concern as to its accuracy and integrity.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,
Re: Development Application No. 2019/0172

Objection: BELL04

Objection Ref: BELL04: Failure to Comply with Department of Urban Affairs and Planning: Landfilling EIS Guideline:

It would appear that the EIS has been prepared without reference to the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline. This legislation is not referenced in Section 4 of the EIS. Section 1.1 of this guideline states "this guideline should be read in conjunction with a companion document entitled Environmental Guidelines: Solid Waste Landfills (EPA,1996)". It is noted that the EPA referenced document was updated in 2016.

Similarly, the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 Part A (b) states:

"Most proposals for new or expanded landfills require development consent or approval under an Environmental Planning Instrument made under the Environmental Planning and Assessment Act 1979. This Act is administered by the Department of Planning and Environment and local councils. The Department has published a guideline EIS Practice: Landfilling (Department of Urban and Affairs and Planning, 1996)."

Therefore both documents are cross-referenced and are applicable regarding DA 2019 / 0172.

Particular requirements of the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline Include:

Section 2. Item 2.1. "The **need** (emphasis added) for the proposal should be clearly identified along with its relationship to broader strategic plans and goals."

Objection BELL04: In the EIS dated November 2019 no substantiated "need" for the proposal has been identified.

There does not appear to have been any detailed consideration given to establishing the "need" for the project. The proposal appears to acknowledge that there are a number of landfills in operation that are capable of servicing the area. These landfills include Bald Hill, Veolia / Woodlawn and Hi-Quality and each provides services to the Visy facility as well as the general public.

Additionally, there are at least two additional landfill development applications under assessment in neighbouring Council areas.

There does not appear to be a "need" for any further facilities.

Development Application No. 2019/0172 should be rejected on the basis that it has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline and has failed to establish a "need" for the facility. In fact, there is no "need" for the facility.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,

Re: Development Application No. 2019/0172

Objection: BELL05

Objection Ref: BELL05: Failure to Comply with Department of Urban Affairs and Planning: Landfilling EIS Guideline:

It would appear that the EIS has been prepared without reference to the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline. This legislation is not referenced in Section 4 of the EIS. Section 1.1 of this guideline states "this guideline should be read in conjunction with a companion document entitled Environmental Guidelines: Solid Waste Landfills (EPA,1996)". It is noted that the EPA referenced document was updated in 2016.

Similarly, the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 Part A (b) states:

"Most proposals for new or expanded landfills require development consent or approval under an Environmental Planning Instrument made under the Environmental Planning and Assessment Act 1979. This Act is administered by the Department of Planning and Environment and local councils. The Department has published a guideline EIS Practice: Landfilling (Department of Urban and Affairs and Planning, 1996)."

Therefore both documents are cross-referenced and are applicable regarding DA 2019 / 0172.

Particular requirements of the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline Include:

Section 2. Item 2.2. "**All feasible alternatives** that could satisfy the objectives of the proposal should be considered. When weighing up options, the biophysical, economic and social costs and benefits throughout the whole life cycle of the proposal should be considered. The "**do nothing**" (emphasis added) option should also be included in these considerations.

Objection BELL05: In the EIS dated November 2019 there is no detailed analysis of feasible alternatives or the "do nothing" approach."

Whilst Section 9.2 of the EIS is entitled "Analysis of Alternatives" there does not appear to be a genuine analysis of other options. There is no analysis of other potential sites that might be more consistent with the principle of Ecologically Sustainable Development.

Similarly the "do nothing" analysis appears to be precursory and ingenuous in its approach. Quite simply, the "do nothing" approach would mean that currently available facilities and services are utilised as they are currently being utilised and the Bellette's facility would not be required.

Development Application No. 2019/0172 should be rejected on the basis that it has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline and has failed to consider all feasible alternatives and has not considered the "do nothing" option.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir/ Madam,

Re: Development Application No. 2019/0172

Objection: BELL06

Objection Ref: BELL06: Failure to Comply with Department of Urban Affairs and Planning: Landfilling EIS Guideline:

It would appear that the EIS has been prepared without reference to the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline. This legislation is not referenced in Section 4 of the EIS. Section 1.1 of this guideline states "this guideline should be read in conjunction with a companion document entitled Environmental Guidelines: Solid Waste Landfills (EPA,1996)". It is noted that the EPA referenced document was updated in 2016.

Similarly, the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 Part A (b) states:

"Most proposals for new or expanded landfills require development consent or approval under an Environmental Planning Instrument made under the Environmental Planning and Assessment Act 1979. This Act is administered by the Department of Planning and Environment and local councils. The Department has published a guideline EIS Practice: Landfilling (Department of Urban and Affairs and Planning, 1996)."

Therefore both documents are cross-referenced and are applicable regarding DA 2019 / 0172.

Particular requirements of the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline Include:

Section 4.1 "Site selection is a critical issue for landfill proposals."

"Table 1: List of Environmentally Sensitive Areas to be Avoided" includes:

"Sites within an identified sensitive location within a drinking water

catchment. Sites located:

- **In an area overlying an aquifer which contains drinking quality groundwater** (emphasis added).

Results of the initial investigation should be assessed to determine if a site is **fundamentally suitable or unsuitable** (emphasis added) for proceeding with a development application."

Objection BELL06: The fact that the proponent acknowledges that the site lies above aquifers containing "stock and domestic water" would suggest the site is fundamentally unsuitable for the development. The position is reinforced in Part A of the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 which states:

"Siting restrictions. Location is an important factor in determining the environmental risk posed by a landfill. Judicious location of a landfill is the single most effective environmental management tool..... The risk of leachate contamination increases where the site is in poor hydrogeological conditions, **or near sensitive water bodies such as wetlands, or near water sources used for drinking irrigation, industrial use or stock watering**" (emphasis added).

Part A of the NSW EPA Guidelines Solid Waste Landfills Second Edition 2016 also states:
"However, there are a number of recognized environmentally sensitive and inappropriate areas for landfilling.... In summary, the list of inappropriate areas for landfilling includes sites located as follows:

In or within 40 metres of a permanent or intermittent water body **or in an area overlying an aquifer that contains drinking water quality groundwater that is vulnerable to pollution.** (emphasis added)."

Objection BELL06: The site is in a location that is fundamentally unsuitable for development / expansion of a landfill.

Development Application No. 2019/0172 should be rejected on the basis that it has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that the location is fundamentally unsuitable for development / expansion of a landfill.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,

Re: Development Application No. 2019/0172

Objection: BELL07

Objection Ref: BELL07: Failure to Comply with Department of Urban Affairs and Planning: Landfilling EIS Guideline:

It would appear that the EIS has been prepared without reference to the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline. This legislation is not referenced in Section 4 of the EIS. Section 1.1 of this guideline states "this guideline should be read in conjunction with a companion document entitled Environmental Guidelines: Solid Waste Landfills (EPA, 1996)". It is noted that the EPA referenced document was updated in 2016.

Similarly, the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 Part A (b) states:

"Most proposals for new or expanded landfills require development consent or approval under an Environmental Planning Instrument made under the Environmental Planning and Assessment Act 1979. This Act is administered by the Department of Planning and Environment and local councils. The Department has published a guideline EIS Practice: Landfilling (Department of Urban and Affairs and Planning, 1996)."

Therefore both documents are cross-referenced and are applicable regarding DA 2019 / 0172.

Particular requirements of the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline Include:

Section 6. "Specific requirements for an EIS" states:

"B.2. In reviewing existing and potential future waste practices, the following factors should be considered when establishing **a legitimate demand** (emphasis added) for the landfill proposal. Consider:

c). The quantity (In tonnes / annum) and waste stream classification of waste currently generated in the region or catchment..."

Objection BELL07: Whilst waste from the Visy Pulp and Paper mill at Tumut is referenced in several parts of the EIS there is no analysis, including waste generated and classification of this waste. There appear to be inconsistencies in the apparent intent to take waste from Visy. On page 42 and 59 of the EIS it is specified that waste from Visy will include:

- "Lime dregs, grits and muds,
- Boiler bottom ash (sand)
- Boiler fly ash."

On Page 144 of the EIS it is stated that:

"Review of the operation of Visy indicates they experience a major increase in the waste they generate from January to May. This is due to contamination of the recyclable material collected."

It is noted that the waste items specified on page 42 are generated in the wood pulping process and have no relationship to the recycling process.

There is also no analysis of other proposed waste from potentially "Contract" sources.

Other comments noted in subsequent objections would suggest there is possibly some disingenuous representation in the detail that has been presented in the EIS, in terms of quantities potentially being sourced from Visy.

Development Application No. 2019/0172 should be rejected on the basis that it has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not established a legitimate demand for the landfill and has failed to provide a reasonable and consistent analysis of the quantities and sources of the waste stream and the potential contaminants in those streams.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,

Re: Development Application No. 2019/0172

Objection: BELL08

Objection Ref: BELL08: Failure to Comply with Department of Urban Affairs and Planning: Landfilling EIS Guideline:

It would appear that the EIS has been prepared without reference to the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline. This legislation is not referenced in Section 4 of the ES. Section 1.1 of this guideline states "this guideline should be read in conjunction with a companion document entitled Environmental Guidelines: Solid Waste Landfills (EPA,1996)". It is noted that the EPA referenced document was updated in 2016.

Similarly, the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 Part A (b) states:

"Most proposals for new or expanded landfills require development consent or approval under an Environmental Planning Instrument made under the Environmental Planning and Assessment Act 1979. This Act is administered by the Department of Planning and Environment and local councils. The Department has published a guideline EIS Practice: Landfilling (Department of Urban and Affairs and Planning, 1996)."

Therefore both documents are cross-referenced and are applicable regarding DA 2019 / 0172.

Particular requirements of the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline Include:

Section 6. "Specific requirements for an EIS" states:

"...the following factors should be considered when establishing a legitimate demand for the landfill proposal.

d). Existing waste management facilities in the region"

Objection BELL08: There is no analysis of existing waste management facilities in the region. There is no analysis as to whether other facilities are facing quantity limitations, or other issues.

Development Application No. 2019/0172 should be rejected on the basis that it has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an analysis of existing waste management facilities in the region and has not presented an analysis as to whether those facilities are facing quantity limitations or other issues.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,

Re: Development Application No. 2019/0172

Objection: BELL09

Objection Ref: BELL09: Failure to Comply with Department of Urban Affairs and Planning: Landfilling EIS Guideline:

It would appear that the EIS has been prepared without reference to the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline. This legislation is not referenced in Section 4 of the EIS. Section 1.1 of this guideline states "this guideline should be read in conjunction with a companion document entitled Environmental Guidelines: Solid Waste Landfills (EPA,1996)". It is noted that the EPA referenced document was updated in 2016.

Similarly, the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 Part A (b) states:

"Most proposals for new or expanded landfills require development consent or approval under an Environmental Planning Instrument made under the Environmental Planning and Assessment Act 1979. This Act is administered by the Department of Planning and Environment and local councils. The Department has published a guideline EIS Practice: Landfilling (Department of Urban and Affairs and Planning, 1996)."

Therefore both documents are cross-referenced and are applicable regarding DA 2019 / 0172.

Particular requirements of the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline Include:

Section 6. Specific requirements for an EIS:

"...the following factors should be considered when establishing a legitimate demand for the landfill proposal.

"any waste management options as alternatives to landfilling for all major waste

classes...." **Objection BELL09:** There is no analysis of alternative options presented.

Development Application No. 2019/0172 should be rejected on the basis that it has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an analysis of alternative options.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,

Re: Development Application No. 2019/0172

Objection: BELLI 0

Objection Ref: BELL10: Failure to Comply with Department of Urban Affairs and Planning: Landfilling EIS Guideline:

It would appear that the BS has been prepared without reference to the New South Wales Department of Urban Affairs and Planning: Landfilling BS Guideline. This legislation is not referenced in Section 4 of the EIS. Section 1.1 of this guideline states "this guideline should be read in conjunction with a companion document entitled Environmental Guidelines: Solid Waste Landfills (EPA,1996)". It is noted that the EPA referenced document was updated in 2016.

Similarly, the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 Part A (b) states:

"Most proposals for new or expanded landfills require development consent or approval under an Environmental Planning Instrument made under the Environmental Planning and Assessment Act 1979. This Act is administered by the Department of Planning and Environment and local councils. The Department has published a guideline EIS Practice: Landfilling (Department of Urban and Affairs and Planning, 1996)."

Therefore both documents are cross-referenced and are applicable regarding DA 2019 / 0172.

Particular requirements of the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline Include:

Section 6. "6.3 Permitted wastes

"Outline wastes to be permitted at the landfill, including:

- a). the quantity (in tonnes / annum) and characteristics (such as waste stream classification, source) of wastes to be accepted."

Objection BELLI 0: There is no clear delineation of potential waste streams to be accepted. Whilst some information is provided regarding potential wastes derived from the Visy Pulp and Paper mill there is negligible data provided in relation to other potential waste sources.

Development Application No. 201910172 should be rejected on the basis that it has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an adequate and consistent analysis of the potential waste streams to be accepted.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,

Re: Development Application No. 2019/0172

Objection: BELL11

Objection Ref: BELL11: Failure to Comply with Department of Urban Affairs and Planning: Landfilling EIS Guideline:

It would appear that the EIS has been prepared without reference to the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline. This legislation is not referenced in Section 4 of the EIS. Section 1.1 of this guideline states "this guideline should be read in conjunction with a companion document entitled Environmental Guidelines: Solid Waste Landfills (EPA,1996)". It is noted that the EPA referenced document was updated in 2016.

Similarly, the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 Part A (b) states:

"Most proposals for new or expanded landfills require development consent or approval under an Environmental Planning Instrument made under the Environmental Planning and Assessment Act 1979. This Act is administered by the Department of Planning and Environment and local councils. The Department has published a guideline EIS Practice: Landfilling (Department of Urban and Affairs and Planning, 1996)."

Therefore both documents are cross-referenced and are applicable regarding DA 2019 / 0172.

Particular requirements of the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline Include:

Section 6. "6.4. Review of any landfill on or near the site.

"Issues to consider include:

- a) the catchment and performance of the existing landfill in terms of quantity and quality of waste received, the shortcomings of the present landfill in terms of meeting community's existing or future needs, or environmental or health goals."

Objection BELL11: No such review has been presented.

Development Application No. 2019/0172 should be rejected on the basis that it has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided an adequate and consistent review of the catchment and performance of existing landfills in terms of quantity and quality of waste received or any shortcomings of landfills in meeting the community's needs.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,

Re: Development Application No. 2019/0172

Objection: BELL12

Objection Ref: BELL12: Failure to Comply with Department of Urban Affairs and Planning: Landfilling EIS Guideline:

It would appear that the EIS has been prepared without reference to the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline. This legislation is not referenced in Section 4 of the EIS. Section 1.1 of this guideline states "this guideline should be read in conjunction with a companion document entitled Environmental Guidelines: Solid Waste Landfills (EPA,1996)". It is noted that the EPA referenced document was updated in 2016.

Similarly, the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 Part A (b) states:

"Most proposals for new or expanded landfills require development consent or approval under an Environmental Planning Instrument made under the Environmental Planning and Assessment Act 1979. This Act is administered by the Department of Planning and Environment and local councils. The Department has published a guideline EIS Practice: Landfilling (Department of Urban and Affairs and Planning, 1996)."

Therefore both documents are cross-referenced and are applicable regarding DA 2019 / 0172.

Particular requirements of the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline Include:

Section 6. " **6.5. Establishment and operation of the landfill**

"Issue to consider include

- a) procedures for inspecting, testing and sorting wastes, this may require assessment of particular waste streams..."

Objection BELL12: No details of procedure has been provided.

Development Application No. 2019/0172 should be rejected on the basis that it has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided adequate considerations details of procedures for inspecting, testing or sorting of wastes.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir/ Madam,

Re: Development Application No. 2019/0172

Objection: BELL13

Objection Ref: BELL13: Failure to Comply with Department of Urban Affairs and Planning: Landfilling EIS Guideline:

It would appear that the EIS has been prepared without reference to the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline. This legislation is not referenced in Section 4 of the EIS. Section 1.1 of this guideline states "this guideline should be read in conjunction with a companion document entitled Environmental Guidelines: Solid Waste Landfills (EPA,1996)". It is noted that the EPA referenced document was updated in 2016.

Similarly, the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 Part A (b) states:

"Most proposals for new or expanded landfills require development consent or approval under an Environmental Planning Instrument made under the Environmental Planning and Assessment Act 1979. This Act is administered by the Department of Planning and Environment and local councils. The Department has published a guideline EIS Practice: Landfilling (Department of Urban and Affairs and Planning, 1996)."

Therefore both documents are cross-referenced and are applicable regarding DA 2019 / 0172.

Particular requirements of the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline Include:

Section 6. " **6.5. Establishment and operation of the landfill**

- b) "protocols for handling waste not permitted at the facility if discovered."

Objection BELL13: No details of procedure has been provided. The information provided is somewhat superficial.

Development Application No. 2019/0172 should be rejected on the basis that it has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it has not provided adequate description of protocols for handling of waste not permitted at the facility if discovered.

Yours Faithfully,

The CEO
Snowy Valleys Council
76 Capper Street
Tumut NSW 2720

Dear Sir / Madam,

Re: Development Application No. 2019/0172

Objection: BELL14

Objection Ref: BELL14: Failure to Comply with Department of Urban Affairs and Planning: Landfilling EIS Guideline:

It would appear that the EIS has been prepared without reference to the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline. This legislation is not referenced in Section 4 of the EIS. Section 1.1 of this guideline states "this guideline should be read in conjunction with a companion document entitled Environmental Guidelines: Solid Waste Landfills (EPA,1996)". It is noted that the EPA referenced document was updated in 2016.

Similarly, the NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition 2016 Part A (b) states:

"Most proposals for new or expanded landfills require development consent or approval under an Environmental Planning Instrument made under the Environmental Planning and Assessment Act 1979. This Act is administered by the Department of Planning and Environment and local councils. The Department has published a guideline EIS Practice: Landfilling (Department of Urban and Affairs and Planning, 1996)."

Therefore both documents are cross-referenced and are applicable regarding DA 2019 / 0172.

Particular requirements of the New South Wales Department of Urban Affairs and Planning: Landfilling EIS Guideline Include:

Section 2.6 states:

"An ES would be unacceptable if it was superficial, subjective or non-informative."

Objection BELL14: The EIS would appear to be superficial and subjective. The EIS has not provided the detailed information required by relevant legislation. The EIS has been superficial in that it has failed to provide detailed information regarding the sources, classifications and quantities of waste.

Development Application No. 2019/0172 should be rejected on the basis that it has not complied with the requirements of the Department of Urban Affairs and Planning: Landfilling EIS Guideline in that it would appear to be superficial and subjective

Yours Faithfully