



DOC22/850547-12  
18 November 2022

The General Manager  
Hay Shire Council  
PO Box 141  
HAY NSW 2711

Via NSW Planning Portal

Attention: Jo-Ann Davies

### **Development Application No. 2022-10**

Dear Mr Webb

I refer to the request for comments from the NSW Environment Protection Authority (EPA) for Concurrence and Referral (CNR) No. CNR-45788 and Agency Reference No. A-54311 for the proposed UAG Bio Nutrients Facility at 32570 Sturt Highway, Hay (DA 2022-10).

The EPA has reviewed the development application, including the additional information provided by Hay Shire Council (council) on 7 November 2022, and notes that the proposal consists of:

- Construction and operation of a 'Bio Nutrient Facility' which will convert current biosolid waste streams of cow manure and other organic wastes sourced from the Ravensworth Ramps Ridge Feedlot into biogas and organic fertiliser products (BioH70).

The EPA has responsibilities for pollution control and environmental management under the *Protection of the Environment Operations Act 1997* (POEO Act). We have reviewed the information provided and determined that the proposal is not a scheduled activity under the POEO Act and does not require an environment protection licence.

We understand, however, that the location of the proposed development forms part of the Ravensworth Ramps Ridge Feedlot premises which is regulated by the EPA through Environment Protection Licence (EPL) No. 4109. Consequently, the EPA will be the appropriate regulatory authority for all matters relating to the POEO Act for this development.

Should council approve the development application, the proponent will be required to submit a licence variation application to the EPA to incorporate the proposed facility as an ancillary activity onto EPL 4109. The variation application must be submitted and approved by the EPA prior to the commencement of any construction works or activities associated with the approved development.

### **EPA Resource Recovery Order and Exemption Requirements**

The EPA notes that recovered waste materials utilised for fertiliser production from the proposed activity include 'waste-paper' and 'cow manure'. Currently, there are no EPA Resource Recovery Orders and Exemptions for general use applicable to a combination of manure & waste paper.

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To lawfully supply fertiliser products generated by the proposed facility for off-site re-use as a soil amendment material, the proponent will be required to apply to the EPA for a Resource Recovery Order and Exemption specific to their waste stream inputs.

On this basis, we recommend that the following condition be incorporated into the consent where development approval is granted by council.

- Within the first 6-months of operation, the proponent must apply to the EPA for a Specific Resource Recovery Order and Exemption for the soil amendment products generated by the development.

The EPA has no further comments to provide in relation to the proposal.

If you have any questions about this matter please contact Nick van Lijf on (02) 6969 0704 or via email at [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au).

Yours sincerely



**JASON PRICE**  
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