



**BRIEFING DETAILS**

<b>BRIEFING DATE / TIME</b>	Wednesday, 22 September 2021, 9:55am and 10:15am
<b>LOCATION</b>	Videoconference

**BRIEFING MATTER**

**PPSNTH-102 – Byron –10.2021.364.1** - 45 Wallum Place, Byron Bay - Bioenergy Facility to receive STP biosolids and other organic wastes to produce compost and biogas for electricity generation

**PANEL MEMBERS**

<b>IN ATTENDANCE</b>	Paul Mitchell (Chair), Stephen Gow, Penny Holloway, David Brown and Joe Vescio
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Basil Cameron

**OTHER ATTENDEES**

<b>COUNCIL ASSESSMENT STAFF</b>	Kellie Shapland (Consultant) and Chris Larkin
<b>DEPARTMENT STAFF</b>	Amanda Moylan and Lisa Foley

**KEY ISSUES DISCUSSED**

- Council are in the early assessment phase.
- Notification completed with 70 submissions received.
- Internal Council referrals not yet completed.
- Additional matters to be raised with the applicant as RFI (noting this request has not yet been formalised).
- EPA comments contain a number of issues that need to be addressed by the applicant
- Additional work and further request for information will be required about traffic, acid sulphate soils, stormwater, leachate management, traffic noise and construction noise
- Alternatives for internal vehicle movements away from the pond are to be considered.
- Potential impact of vehicle movements on the site and bird habitat in wetland area are to be considered. Noted that a number of submissions related to this issue.
- Traffic impacts on Bayshore Drive, in particular, traffic impacts on current and future residential development.
- The Panel requested that Council provide details about site selection as part of their assessment, including consideration of the location of the facility and consideration of the limits of the operation in terms of the future amenity and potential for growth within the locality, particularly in nearby areas where Council may want to encourage future growth.

- Impact on migratory birds and wetlands habitat to be addressed in detail including assessment against relevant clause in LEP.
- The Panel considered possible alternatives for access to minimise the impact on the ecology. The Panel consider access to be an important part of the proposal, and the currently proposed route needs to be justified.
- Consideration and assessment of the bird habitat and disturbance to wetland ponds through the movement of trucks is required given that the access and ecology are interconnected.
- Council advised that the southern and western edges of the cleared site are on the biodiversity map.
- Loss of habitat and offset credits, in particular along the boundary. Commonwealth assessment completed by the application done with that which has come back with an approval.
- Potential impacts around frog species noted
- Consideration is required around the options for the approach to odour and its mitigation. The option of taking a precautionary approach should be considered, alternatively, the approach may be to wait for future complaints, which would require the exploration of opportunities to do retrofitting of works to mitigate the problem. Consideration should be given as to what might be the triggers to enforce retrofitting works. Noted that the EIS does consider the cumulative impact of odour but need to also look at the impacts on future developments in the area. If the EPA raise odour as an issue, mitigation should be dealt with upfront.
- EPA has also requested information about air quality which is to include odour.
- Visual assessment has been provided with the application; however, Council has not reviewed. Council to ensure the visual assessment includes consideration from outside of the site to assess the impact that the height of the building might have on the general amenity of the area.
- Clarification around the treatment, recycling and/or disposal of wastewater from the end of the process.
- The Panel question the function and purpose of the flare. Council clarified the purpose of the flare is to manage methane in the case of an emergency, and it would allow for the release and burn off of methane.
- The Panel noted the high level of community interest and specifically requested that Council address each individual issue that has been raised through submissions.
- Council anticipate completion of assessment process in first half of 2022.

## **TO EARLY IN PROCESS TO TENTATIVELY SCHEDULE A DETERMINATION DATE**

### **Planning Panels Secretariat**