

6th March 2004

R.A.T.S.

Residents Against The Supertip
51 Spurwood Road
Warrimoo, NSW, 2774

The Committee Manager
Mr Kevin Greene MP
Standing Committee on Public Works
Parliament House, Macquarie Street
Sydney, NSW, 2000

Dear Kevin

I am writing in response to your "Call for Submissions" for the inquiry into Municipal Waste Management in NSW. Attached files detail the amount of research, effort, time, work, and dedication of the local community to stop the Blue Mountains City Council (BMCC) from expanding the land fill only option at Blaxland (NSW).

However, regrettably, the BMCC has forced thru the decision to the Tender stage.

All of the "Community Consultation" referred to by the BMCC was both a total disgrace and waste of time for both the council and indeed the local community. This decision was made well before the so called "Community Consultation" ever took place.

Even though BMCC admitted that indeed some of their calculations in the EIS were incorrect, and others very questionable, they are still pressing ahead with the proposal, with minimal or nil changes to the original plan.

The community was fighting strongly to establish either a waste transfer station to sort the waste and then send the actual waste to the Eastern Creek land fill or alternatively, send the waste directly to the Eastern Creek site for processing. Both solutions reduce landfill by approx 70 to 80%.

Instead the BMCC is doing what it did 60 years ago, indiscriminate bulk landfill. And once the proposal is passed, the land fill will be a 20 year plus long term bulk landfill with ***no option to close it*** when better technology comes to hand. Our council has effectively told us, it is OK to bulk landfill, because it is cheap. This proposal needs continual 20 years of bulk landfill to achieve its financial goals. This fact alone is an absolute disgrace, for the "City within a World Heritage National Park". The proposal negates any real recycling initiatives, as rubbish destined for the landfill which is diverted to recycling seriously affects the income generated by landfill to the BMCC.

In a nutshell, we have had the existing tip here for about 50 years and it was originally scheduled to be closed in 2005. The council's reply is that the tip upgrade and expansion is the cheapest option for waste disposal and is to be run by private subcontractors for the next 15 to 20 years. The upgrade also includes a one megawatt power plant to be built as the preferred option.

Waste should be a state or federal issue as it affects everybody, everywhere. As the Facility at Eastern Creek shows, the more technology can help us in waste disposal the less waste actually goes to landfill. BMCC are dedicating the next 20 years plus to bulk indiscriminate land filling regardless of current best practices and future technology improvements. The Blaxland landfill has been so poorly managed by the BMCC the EPA have issued it with a non conformance on leachate, and the landfill itself is so overfull they are currently digging up the landfill to allow more landfill space, and expanding the existing waste mound. After 20 years they will probably expand it yet again.

If this committee is truly interested in finding a better way for local councils to manage their waste issues, then the BMCC proposal should be put on hold immediately and alternatives properly investigated by responsible people with an open mind, and a view for the bigger picture.

As the then Premier, Mr Carr, opened the Eastern Creek facility, he said the facility itself was looking for the support of local councils to provide the facility with enough through put to make it financially viable. As the BMCC is classed as a "rural landfill" it does not have to comply with all of the "Sydney" regulations. Even the (then) \$21.00 per tonne tipping fee applied by the EPA does not apply to the Blaxland and Katoomba landfills. This is money that the state government is not benefiting from, and bellies the real cost of true land fill in the Blue Mountains.

The local community who fought hard to show BMCC there is a better way regarding land fill, have been left with a very bitter taste of dealing with local government. We have been betrayed, lied to and been treated with no respect regarding a very serious issue. Sorry to sound so bitter, but it is hard to smile when you have been kicked in the guts, laughed at and then spat on by the very people who should be looking after you. (personal view)

As I mentioned above, it is not too late to stop this decision, as there has been no tender let at this stage. If you are truly serious about your inquiry into waste management, an inquiry into the Blaxland disaster would be a good starting point.

Thank you for the opportunity to submit the work of the local community which took thousand of hours to compile. If you at least you read it, you will be doing more for us than our local council.

Thanks and best regards,

Laurie Halpin (spokesperson for R.A.T.S.)

I may be contacted by Phone:0247 536559 Mob:0425 328424 fax:0247 537999 or by E-mail lhalpin@tpg.com.au

**Submission Against Development
Proposal for Land Use Application.**

**Blaxland Waste Management Facility
Lot 303 DP751662, & Lot 376 DP823999
30-32 Attunga Road, Blaxland, NSW.**

Reference file number: X04/1497

Presented By:

R.A.T.S.



Residents Against The Supertip.

Submission dated: Monday 4th April 2005

Community Summary

RATS believe the EIS report presented by the BMCC has been prepared for the express purpose of approving the new landfill at the Blaxland WMF, rather than showing more realistic and unbiased results.

The information contained in the EIS, as noted in this RATS submission against the proposal and the RATS submission dated 15th Feb 2005, clearly states that figures, comments and statements have been misleading or incorrect to suit the approval of the Development Application lodged by the BMCC.

Of deep concern to the Blue Mountains communities is the costing of the proposal. As the Department of Conservation and Environment are to scrutinise the EIS to ensure the EIS and D.A. meet its relevant standards and codes, the DEC has no concern whether the proposal is financially viable, and therefore do not scrutinise the financial viability of the project. We believe the understated costs will lead to future mismanagement as already seen at Blaxland, Lawson and Blackheath landfills.

Based on the information provided by RATS in our two submissions we believe that this project, (like Springwood and Blackheath pools), will be over budget. In fact, this project is already \$5,000,000.00 over budget when compared to the original costing presented to Councillors in April 2003. It is the Blue Mountains ratepayers who will forfeit services and assets, and pay increase rates for this mismanagement. This fact is already visible with the proposed levy to rectify the mismanagement of the Lawson and Blackheath landfills.

RATS strongly urge all Councillors to question and verify the cost calculation of this project with BMCC, to ensure that they are not financially misdirected. The costs are not transparent to the general public or to the handful of Councillors who have already tried to verify the costs. RATS have been asking BMCC to verify these costs for over a year, and still BMCC have not provided detailed calculations to support a project of this scale. This project runs into tens of millions of dollars, and a 15 to 20 year commitment to landfill. Committing now to increasing Blaxland landfill will seriously jeopardise the development of future alternate waste strategies for the Blue Mountains.

Calculations by RATS in this submission show a minimum discrepancy of \$1,982,333.00 per annum. Over a 15 year period this is a staggering \$26,000,000.00 (adjusted for items not lasting 15 years) that someone will have to pay for. This will ultimately fall back onto the ratepayers. We ask our Councillors to direct BMCC to disclose and justify their calculations for public scrutiny. If BMCC truly believe that the figures they present are correct, there should be transparency for all to see.

As this landfill is classified as an “Environmentally Sensitive Landfill” and as noted in the attached letter from the Minister for the Environment, the Hon Mr Bob Debus, the DEC is to closely examine all aspects relating to the landfill. RATS believe that after this examination by the DEC and due to the loose facts provided by the BMCC in the EIS, this proposal should not be allowed to continue.

RATS believe that a better result for the community and the Environment would be achieved by transporting the waste to a facility, such as Eastern Creek, to be treated. After treatment of the waste only the true waste will be sent to landfill. This facility was recently opened by the Premier Mr Bob Carr as a state of the art facility in waste management, and as such we should utilise this technology as it is design to reduce landfill. The BMCC proposal does not look to the future, and is dedicated to landfill for the next 15 to 20 years.

Waste management is a State and National issue, as it affects our Nation’s environment. Due to the BMCC small rate base, comparatively low waste stream, (as compared to major cities) our confinement within the World Heritage National Park, and as already noted by the BMCC, we do not have the capacity or funds to operate a waste facility such as Easter Creek. 30,000 ratepayers cannot be expected to fund and operate a state of the art facility such as at Eastern Creek. We need co-operation and assistance from both State and Federal levels, as the Nation as a whole benefits from our World Heritage status.

The EIS prepared by GHD Pty Ltd on behalf of BMCC, has cost hundreds of thousands of ratepayers dollars, this is no excuse to proceed with this proposal. RATS have spent thousands of unpaid hours to present you with this important critique. We believe there is a better way forward. Please take the time to read this report and make BMCC responsible for their actions. There is a better solution. Waste management is to important an issue to be rushed thru so BMCC can tick it off their whiteboard as complete, and then leave the cleaning up of this poor proposal to future councillors and ratepayers.

RATS strongly urge BMCC Councillors to reject this proposal and pursue the Eastern Creek or similar facility option with co-operation and assistance from both State and Federal Government authorities.

Thank You.

Costing.

Costing point One.

EIS Volume 2, Appendix F, Landfill Design Technical Report Page 26 point 4.4.7 paragraph 3, states: Upgrading the existing leachate management system is not part of the proposed development, however, the leachate management system for the proposed extension area will be integrated with the updated system for the existing landfill.

Grounds for objection costing point one: Major upgrade to the leachate system is not costed into the new landfill extension. This deliberately distorts and underestimates the costing as noted in table 9-1 page 9-11 vol 1.

Costing point Two.

Page 9-8 point 9.2.2 option 1. There is no allowance for rehabilitation costs of the Blaxland Landfill site. As noted in the BMCC leaflet Protecting our Environment, "Environment Levy an Investment in Our Future" distributed March 2005. This leaflet states that a levy of around \$34 *per year per ratepayer* would be used in Asset management including the restoration of Lawson and Blackheath Landfills.

Grounds for objection costing point two: No costing allowance has been made for the rehabilitation of the Blaxland Landfill site either progressively or in 15 -30 years time. This deliberately distorts and underestimates the costing as noted in table 9-1 page 9-11 vol 1.

Grounds for Objection costing point two: As a levy has proposed for Lawson and Blackheath landfill restoration. This proves that clearly the gate fees do not cover the restoration work that has to be completed. The gate fees / ratepayers increase in the EIS should be made to reflect all costs associated with the landfill extension.

Costing point Three.

Page 8-8, figure 8-3 state that "Install leachate pump station max discharge capacity 5.0 l/s" and "Possible future leachate treatment plant"

Grounds for objection costing point three: Refer EIS Volume 2 – appendices. Appendix F, Landfill Design Technical Report Page 26 point 4.4.7 paragraph 5 points 3 & 4. The "**possible** future leachate treatment plant" is already staged for installation as the extension area is developed. This leads the reader to believe that it is only a possibility, however it will be installed during stage one of the landfill extension.

Grounds for objection costing point three: Refer EIS Volume 2 – appendices. Appendix F, Landfill Design Technical Report Page 26 point 4.4.7 paragraph 5 points 3 & 4. The "**possible** future leachate treatment plant" is already staged for installation as the extension area is developed. This leads the reader to believe that it is only a possibility, however it will be installed during stage one of the landfill extension, and these two items are not costed into the EIS.

Costing point Four.

Costing as stated from EIS Vol 1, page 9-8, point 9.2.2

Additional per annum costs

\$533,333	A: \$8 million div by 15 years.
\$1,000,000	B: Management fees.
\$378,000	C: \$14/tonne x 27,000 tonnes from Katoomba to Blaxland.
Not applicable	D1A: Green waste/light \$38.00/T x 3400T = \$1,292,000.00
Not applicable	D1B: Green waste/medium \$45/T x 500T = \$22,500.00
Not applicable	D1C: Green Waste/heavy \$59/T x 900T = \$53,100.00
Not applicable	D2: Recycling x 900T
Not applicable	D3: Clean Fill x 15500T
Not applicable	E: Increase gate fees of \$30.00/t refer income calculation below
\$340,000	F: Katoomba landfill rehab \$1.7mil div 5years = \$340,000
\$100,000	G: Ongoing Management fees and monitoring at Katoomba
\$864,000	H: Katoomba transfer station \$32.00/tonnes x 27,000 tonnes
\$3,215,333	Total cost per annum

Additional revenue	(from increase gate fees of \$30.00t. page 7-4, table 7-1.)
\$165,000	Domestic Waste deliv to site 5,500t x \$30.00t = \$165,000.00
\$150,000	Mix commercial/industrial waste 5000t x \$30.00t = 150,000.00
\$123,000	Mixed soil/organic 4100t x \$30.00t = \$123,000.00
\$75,000	Mixed build/demo l-fill portion 2500t x \$30.00t = \$75,000.00

\$513000 Total recoveries from the increased Gate fees

\$720,000 Proposed Rate increase \$24.00x30,000 ratepayers= \$720,000

\$1,233,000 Total increased income per annum
(Increase in revenues and cost do NOT take into account the increased volume to 65,000 tonnes per annum by 2021 (page 5-4, point 5.5, paragraph 2.)

Therefore:

\$3,215,333	Total extra cost per annum
	Less
\$1,233,000	Total increased income per annum

= \$1982333 in costs not recovered per annum

NB! A shortfall of \$1,982,333 divided by 30,000 rate payers is \$66.07 per rate payer that is NOT able to be recovered from a rate increase of \$24 as stated in the EIS. On these costs abovementioned, the rate increase would need to be \$90.07 per ratepayer.

Grounds for objection costing point four: Costing as stated in the EIS does not add up to the stated cost per ratepayer. Costs calculations have been grossly underestimated by \$1,982,333 per annum.

Grounds for objection costing point four: Ratepayers contribute 37.7% of the waste stream (page 7-4, table 7-1) but contribute 58.4% to the cost of the landfill expansion. As stated by BMCC *“Under the Local Government Act, only the cost of domestic waste services can be recovered from ratepayers.”*

Grounds for objection costing point four: As the project is grossly under costed. Future mismanagement due to insufficient funding is likely to occur.

Costing point Five.

Page 9-9, point 9.2.2 states that the cost is to be spread over 30,000 ratepayers. A BMCC leaflet for justifying an environmental levy and BMCC representative at the community meeting states that there are 35,000 ratepayers.

Grounds for objection costing point five: Costs per ratepayer have been miscalculated by 5000 ratepayers.

Grounds for objection costing point five: The EIS states a rate base of 30,000 people (page 9-9, point 9.2.2) The Environmental levy leaflet states a rate base of 35,000. Which rate base figure is to be believed? Why are there two different figures? How accurate is the EIS?

Justification.

Justification point one.

Page 29-4, paragraph 2, point 29.6 Overall Justification states: *“In summary, the proposed landfill extension provides a low cost option to solve an immediate problem, while still allowing flexibility in the future approach to waste management in the Blue Mountains. It gives the community ultimate control over its own destiny as it does not involve a long term waste contract with an external provider”.*

Grounds for objection Justification point one: Not all costs relating to this project have been incorporated into the net costing. Refer also to submission dated Feb 15th 2005-03-14

Grounds for objection Justification point one: As the proposal is based on a “low cost option” the DEC should verify all costs to ensure sufficient funds have been made available to effectively manage the landfill over its proposed 15-20 year life. This would ensure poor management practices do not lead to current leachate problems.

Justification point two:

EIS Volume 2 – appendices. Appendix F, Landfill Design Technical Report Page 29, point 4.7 states that “BMCC intends to engage a contractor to finance, design, construct and operate the proposed extension of the land filling operation.”

Ground for objection justification point two: With 63.7% of capital cost being incurred during stage one. A 15 – 20 year commitment with a BMCC appointed contractor eliminates the flexibility of future waste options.

State Environment Legislation

State Environment Legislation Point One.

Page 28-1, point 28.1, paragraph three, Approvals and Licences, states that a licence under the Water Act 1912 for realignment of Cripple Creek may be required from DIPNR. No works are planned that would require a licence under this legislation. (EIS Vol 2, appendix A, attachment 2 – Guidelines on Integrated Development and the Rivers and Foreshore Improvement Act 1948, table a point A3A page 1) state that a permit is not required. This falsely leads the reader to think that an investigation pending a license will provide some independent scrutiny of the proposal, when this is clearly not the case.

Ground for objection State Environment Legislation point One: As this site is classified as an “Environmentally Sensitive Area Landfilling” (EIS Vol 2, appendix D, page 7 of 28, point A3.1) a rigorous and detailed investigation by the DIPNR should be mandatory for this landfill.

Ground for objection State Environment Legislation point One: The statement in the EIS leads the reader to believe that a permit is required for this work, when in fact Vol 2 of the EIS states that no permit is required. **Misleading comments in the EIS.**

Ground for objection State Environment Legislation point One: (EIS Vol 2, appendix B, fax from Dept of Environment and Conservation (NSW) page 5, point 5 states that *“the EPA requires the EIS to address the diversion of Cripple Creek around the Landfill areas”* Further scrutiny by the DIPNR should be mandatory.

Ground for objection State Environment Legislation point One: Page 8-4, point 8.2 Re-diversion of Cripple Creek does not refer to any of the relevant Authorities being involved in the planning stage for this diversion. Due to the site being classified as an “Environmentally Sensitive Area Landfilling” (EIS Vol 2, appendix D, page 7 of 28, point A3.1) **a rigorous and detailed investigation by the DIPNR should be mandatory for this landfill.**

State Environment Legislation Point Two.

Page 3-3, section, 3.3, point 3.4 State Environmental Planning Policies – This section indicates that SEPP 58 is not relevant as the proposal does not lie within Sydney’s drinking water catchment. While it is agreed that SEPP 58 does not extend to this area (as below Warragamba Dam), this statement does not detail that Cripple Creek discharges into the Nepean River above where the Hawkesbury community takes its drinking water (North Richmond), and also above where many irrigators extract for agricultural purposes including food production.

Ground for objection State Environment Legislation point Two: RATS respectfully request that the EIS be formally provided to Hawkesbury City Council,

Sydney Water, the Hawkesbury Nepean Catchment Management Authority and to the relevant Water User Associations representing irrigators for comment prior to any determination being made by the DEC on the EIS and Development Application.

Leachate Non-Compliance Order by EPA

Leachate Non-compliance point One.

Page 28.1, point 28.1, Approvals and licences (paras 5 and 6) – Notes that only minor amendments may be required to current EPA licence as “the existing environmental monitoring program has not detected any significant offsite impacts.” RATS reject this misleading statement for a number of reasons including:

On December 2001 a non-compliance order was served on the BMCC by the EPA for leachate in Cripple Creek. This situation was have to been rectified by August 2003, this date has now blown out to June 2005, which once again shows the BMCC lack of management on this issue.

Ground for objection Leachate Non-Compliance Order point one: The water quality monitoring program as presented in the EIS is a cyclical (ambient) program, with monitoring for various parameters being carried out either quarterly, six monthly, or annually. It is understood that the EPA licence requires that event based monitoring (wet weather discharges) be carried out. This does not appear to be occurring at present? The EIS is therefore misleading in claiming that “significant impacts” have not been detected, when insufficient monitoring has been done to detect them.

Ground for objection Leachate Non-Compliance Order point one: EIS Vol 2, appendix B, fax from Dept of Environment and Conservation (NSW) page 2, states that “*The EPA considers that the leachate management issues for previously filled areas at the premises are significant*” BMCC does not have to invest in a huge new landfill to rectify the leachate non-compliance Order.

Ground for objection Leachate Non-Compliance Order point one: EIS Vol 2, appendix B, fax from Dept of Environment and Conservation (NSW) page 2, states that “*The EPA considers that the leachate management issues for previously filled areas at the premises are significant*”. As the current monitoring was gathered during extreme drought conditions, the leachate problem could be more extreme than previously assessed. A more detailed and unbiased monitoring should be assessed, allowing for non drought conditions.

Leachate Non-compliance point Two.

EIS Vol 2, appendix F, Landfill design technical report, page 14, point 2.9, table 2-5, details the Leachate has only one monitoring point which is monitored either Quarterly, Six monthly, or annually according to license requirements.

Ground for objection Leachate Non-Compliance Order point Two: EIS Vol 1 page 12-2, point 12.1.2 states that two sample points are used S1 & S2. Once again the EIS contradict itself. Which statement is correct?

Leachate Non-compliance point Three.

Page 12-3, point 12.1.3 states that the period from Dec 2002 to March 2004 was used to carry out samples of water analysis. It also states that due to lack of water flow at S2 no reading was able to be taken for analysis.

Ground for objection Leachate Non-Compliance Order point Three: As these water samples were taken during a period of extreme drought, further analysis should be mandatory to ascertain the true leachate problem.

Ground for objection Leachate Non-Compliance Order point Three: As these water samples were taken during a period of extreme drought, further analysis should be mandatory to ascertain if the proposed leachate system can handle the volume and concentration of the leachate in a wet weather environment.

Ground for objection Leachate Non-Compliance Order point Three: Does monitoring of underground water containing leachate currently exist?

Ground for objection Leachate Non-Compliance Order point Three: Page 12-3, table 12-1 lists the surface water and leachate findings. How do these findings relate to the EPA standards for leachate versus the actual findings?

Hydrogeology and Groundwater Quality.

Hydrogeology and Groundwater Quality point One:

Page 13-1, figure 13.4 of the EIS The water quality monitoring program as presented in the EIS is a cyclical (ambient) program, with monitoring for various parameters being carried out either quarterly, six monthly, or annually. It is understood that the DEC licence requires that event based monitoring (wet weather discharges) be carried out. This does not appear to be occurring at present? The EIS is therefore misleading in claiming that “significant impacts” have not been detected, when insufficient monitoring has been done (or presented) to detect them.

Ground for objection Hydrogeology and Groundwater Quality point One:

A completely independent and unbiased assessment of the groundwater quality should be carried out by the DEC for this Environmentally Sensitive Landfill.

Hydrogeology and Groundwater Quality point Two:

Nitrates/nitrites, potassium and sulphate are quite high (in leachate) but the focus of the report is pH and ammonia, which are within acceptable limits. A professional and independent analysis of results and the adequacy of the existing program is required, before an informed decision can be made on future impacts of the proposed extension.

Ground for objection Hydrogeology and Groundwater Quality point Two:

A completely independent and unbiased assessment of the groundwater quality should be carried out by the DEC for this Environmentally Sensitive Landfill.

Hydrogeology and Groundwater Quality point Three:

The focus of section 13 Hydrogeology and groundwater quality is groundwater flow, however there is significant deterioration in groundwater quality. PH, iron and manganese exceed the EPA concentration limits for most bores, however the report does not discuss this. Further information must be provided on this issue prior to any determination of the proposal. This should include assessment of the proposal by a suitably qualified and independent hydrogeologist.

Ground for objection Hydrogeology and Groundwater Quality point Three:

A completely independent and unbiased assessment of the groundwater quality should be carried out by the DEC for this Environmentally Sensitive Landfill.

Hydrogeology and Groundwater Quality point Four:

Page 13-4, point 13.1.3, paragraph one states: *“While groundwater depths have been regularly measured since 1997 as part of the groundwater monitoring programme, this information is not readily available”*

Ground for objection Hydrogeology and Groundwater Quality point Four:

As the EIS is supposed to be complete as in providing information for assessment. The results from 1997 to March 2004 should be made available.

Ground for objection Hydrogeology and Groundwater Quality point Four:

As the site is classified “Environmentally sensitive Landfill” all information should be provided to ensure decisions are based on facts.

Ground for objection Hydrogeology and Groundwater Quality point Four:

The fact that this information has been omitted from the EIS shows that the EIS is not a complete document, and once again shows the mismanagement of BMCC in landfill procedures.

Hydrogeology and Groundwater Quality point Five:

Page 13-7, point 13.1.4, paragraph 5, Groundwater quality concedes that “Most of the parameters tested for in the current program are indicators of general water quality, such as ions and cations, rather than groundwater contaminants.” Again the current program does not appear to adequately assess impacts so that an informed decision on tip extension can be made.

Ground for objection Hydrogeology and Groundwater Quality point Five:

A completely independent and unbiased assessment of the groundwater quality should be carried out by the DEC or independent third party for this Environmentally Sensitive Landfill.

Hydrogeology and Groundwater Quality point Six:

It is understood that the current EPA licence uses ANZECC 1992 water quality guidelines. (page 13-6, table 13-3 point Two) The EPA licence conditions should be reviewed and the tip extension proposal assessed against the new water quality guidelines ie ANZECC & ARMCANZ 2000. Any subsequent licence should be thoroughly reviewed and updated against these current guidelines.

Ground for objection Hydrogeology and Groundwater Quality point Six:

As this is an “Environmentally Sensitive landfill” which is proposed to last 15 – 20 active filling years, then the new guidelines ANZECC & ARMCANZ 2000 should be mandatory for compliance.

Bushfire.

Bushfire point one:

Page 24-8, point 24.4.5, The EIS suggests that AS3959 does not relevant to the construction standards.

Ground for objection Bushfire point One: A proposed 1 million cubic metre + existing 125 million cubic metre landfill will be harder to extinguish than any building. As this Environmentally Sensitive Landfill is in a very high bushfire prone area the proposal should be denied on this ground alone.

For all correspondence regarding this submission please contact:

R.A.T.S. spokesperson. Mr Laurie Halpin 0425 328424.



MINISTER FOR THE ENVIRONMENT

Please quote: MOF11638, 11757, 11983

Mr L Halpin
51 Spurwood Road
WARRIMOO NSW 2774

Dear Mr Halpin

Thank you for your letters regarding the proposed expansion of the Blaxland Waste Management Facility by the Blue Mountains City Council.


I understand that the upgrade of the Blaxland facility is part of a strategy to consolidate landfilling activities and better manage any potential environmental impacts. I am also informed that Council is developing strategies to better manage and reduce the overall amount of waste disposed to landfill in the region.

Although the Blue Mountains City Council is the consent authority for the proposal, my Department, the Department of Environment and Conservation (DEC) has the role of deciding whether or not to grant a variation to the existing environment protection licence for the expansion of the facility and of informing Council of the conditions that would be attached to the licence. This variation will be required in order for the facility to operate. The DEC will closely examine all documentation for the proposal, including the environmental impact statement (EIS) and public submissions received by Blue Mountains City Council, to ensure that important issues including water quality and odour management are properly addressed.

Licence conditions for such facilities are stringent and are designed to control and mitigate pollution from the site and ensure that appropriate compliance monitoring is undertaken. These conditions would be detailed in the DEC's General Terms of Approval and provided to Council before it determines the proposal. If Council grants consent, the environment protection licence conditions must be incorporated into the Council's consent conditions.

I can assure you that the NSW Government is committed to protecting the World Heritage values of the Blue Mountains and that the DEC will comprehensively assess the EIS for any potential environmental impacts of the proposal.

Yours sincerely



Bob Debus

**Submission against Development
Proposal for Land Use Application.**

**Blaxland Waste Management Facility
Lot 303, DP751662, Pt R 75379
30 Attunga Road, Blaxland, NSW.**

Reference file number: X04/1497

Presented By:

R.A.T.S.



Residents Against The Supertip.

Submission dated: Tuesday, 15 February 2005

Summary.

This whole Development Application proposal is based on the assumption that *“the cost of undertaking external transfer of waste from the Blue Mountains was deemed to be prohibited”* (EIS exe summary page II) However it is clearly evident from the facts that we have presented in this report that not all of the relevant costs have been incorporated into the cost justification to validate this EIS.

The overall plan presented by Blue Mountains City Council (BMCC) in document C06080 01/04/2003 was for a total waste management strategy for our city, however this EIS does not take this strategy as a whole into account within the proposal. While this could be argued by BMCC that this EIS refers to the Development Application being submitted, future planned works that will affect the environmental aspects of this proposal have not been considered within the scope of this EIS. Such as the closing of Katoomba WMF and transporting all waste to Blaxland WMF.

The EIS make assumptions regarding future Waste Transfer Facilities at Blaxland WMF, improved recycling facilities and Alternate Waste Technologies to justify the EIS proposal, however these facilities currently do not exist and are not costed into the table 9-1. Giving an unrealistic cost justification which is biased towards the consent authority and the outcomes that they would like to see, rather than have the EIS justify that outcome.

The community has been very disappointed with the BMCC over the lack of quality detailed information provided on this project. We believe that the EIS has serious flaws in relation to Environmental impacts from the Katoomba WMF waste being received at Blaxland. These issues are not properly addressed within this EIS.

Whilst we fully appreciated the waste management issues that residents and BMCC are faced with, we believe that direct land filling is not the answer and would prefer to see a more comprehensive policy and strategy towards recycling and treating of our waste which will reduce the overall problem we are faced with now.

Please accept this report by the local community in the spirit by which it is offered and that is we need to look further ahead than just bulk direct landfill.

Costing.

Costing Point One.

Page 9-11, table 9.1 states option 1, "Extend Blaxland and accept all Katoomba's waste" Gate fee rise of \$30.00/tonne and domestic waste charge rise of \$24/household/year.

Document C06080 dated 01/04/2003 "Cost of waste management options" 1B refers to option 1 of the EIS table 9-1 on page 9-11. However the capital cost of the landfill in the EIS is stated at \$8,000,000.00. In report C06080 the capital cost of the landfill is \$3,000,000.00 An increase of \$5,000,000.00 to \$8,000,000.00

Grounds for objection costing point one: "Gate fee rise" and "domestic waste charge rise" in the EIS table 9-1 on page 9-11 remain the same as in documents C06080 and C06567. However the capital cost of the landfill as stated in the EIS is \$8,000,000.00. (An increase of \$5,000,000.00 from C06080) HOW CAN THE EIS COST BASIS REMAIN THE SAME WITH A \$5,000,000.000 INCREASE IN CAPITAL COST?

Costing point two.

Grounds for objection: Page VII of the Executive Summary states "The potential for cumulative impacts to the environment have been considered".

Ground for objection costing point two: Table 9-1 on page 9-11 is costed to accept Katoomba's waste. The EIS clearly does not evaluate the environmental consequences regarding the extra activity generated by accepting this cost basis. Refer costing points three, four, five, six and seven.

Costing Point Three.

Page 16-16 point 16.3 Under the heading of Mitigation measures the EIS states "The only impact on existing roads from the proposal would be the construction period, since no changes in customer traffic would occur as a direct consequence of the proposed extension of the landfill"

Ground for objection costing point Three: Table 9-1 on page 9-11 is costed to accept Katoomba's waste. The EIS clearly does not evaluate the environmental consequences regarding the extra traffic generated by this cost basis.

Costing point Four.

Page 6-8, table 6-6 Initial investigations for land filling "Transport issues – The proposal does not involve any changes to quantities of waste received at the site. Therefore transport issues are minimal, and are restricted to temporary increases in heavy traffic during the initial construction period.

Ground for objection costing point four: Table 9-1 on page 9-11 is costed to accept Katoomba's waste. The EIS clearly does not evaluate the environmental

consequences regarding the extra waste generated from Katoomba to be land filled by this cost basis.

Costing point five.

Page 17-13 paragraph two, *“Prediction of potential noise impacts as a result of the proposed increase in the number of vehicles accessing the site via Attunga road during the concrete pouring phase of construction therefore indicates the proposal is unlikely to cause any significant traffic noise impacts to residents on Attunga road”*.

Ground for objection costing point five: Table 9-1 on page 9-11 is costed to accept Katoomba’s waste. The EIS clearly does not evaluate the environmental consequences regarding the extra noise generated by this cost basis.

Costing point six.

Page VII of the Executive Summary states, Paragraph One: *“Local residents located close to the existing Blaxland landfill would be most impacted by the proposal. However the expected operational impacts of extended Blaxland landfill would not be significantly different from those of the current landfill.”*

Ground for objection costing point six: Table 9-1 on page 9-11 is costed to accept Katoomba’s waste. The EIS clearly does not evaluate the environmental consequences regarding the increased (doubled) activity generated by this cost basis.

Costing point seven.

Page 8-2 point 8.1 last paragraph. “Access to the site would continue to be from Attunga Road via the existing site entrance, as the existing entrance and facilities are in operational condition. Since the proposal only involves transferring land filling operations from one part of the site to another, and no increases in waste volumes are expected as part of the proposal, these facilities would be continued to be used.”

Ground for objection costing point seven: Table 9-1 on page 9-11 is costed to accept Katoomba’s waste. The EIS clearly does not evaluate the environmental consequences regarding the increased activity generated by this cost basis.

Costing point eight.

No costing calculation has been made to fund the fire trail. Refer bushfire section.

Ground one for objection costing point eight: Not allowing for the capital and ongoing maintenance costs associated with the fire trail, impacts on the cost effectiveness of the proposal, and table 9-1 becomes inaccurate.

Ground two for objection costing point eight: No EIS study relates to the environmental impacts of building the fire trail.

Costing point nine.

No allocation of funds are calculated into the costing for site rehabilitation and ongoing maintenance during and after the landfill is closed. Under the heading Intergenerational equity Page 26-3, point 26-3-2, paragraph six. *“The Blaxland landfill would need to be rehabilitated and with no income from commercial waste operators costs of closing the landfill would be borne exclusively by Blue Mountains ratepayers.”*

Ground for objection costing point nine: Not allowing for the capital and ongoing maintenance costs associated with site rehabilitation, impacts on the cost effectiveness of the proposal, and table 9-1 becomes inaccurate.

Costing point ten.

Councillors and residents are lead to believe that landfill extension was the cheapest option, however it is clear that not all aspects of the landfill have been costed into results for table 9-1 on page 9-11. Such as: \$5,000,000.00 capital cost increase, site rehabilitation and ongoing maintenance, fire trail construction, waste transfer facility at Blaxland WMF, alternative waste technologies.

Ground for objection costing point ten: Not allowing for the capital and ongoing maintenance costs associated with non existent facilities that are referred to in the EIS to justify the landfill extension are not costed into the table 9-1. This misrepresents the true comparison between the three options.

Traffic.

Point One.

Page 16-16 point 16.3 Under the heading of **Mitigation measures** the EIS states *“The only impact on existing roads from the proposal would be the construction period, since no changes in customer traffic would occur as a direct consequence of the proposed extension of the landfill”*

Point Two.

Page 6-8, table 6-6 **Initial investigations for land filling** *“Transport issues – The proposal does not involve any changes to quantities of waste received at the site. Therefore transport issues are minimal, and are restricted to temporary increases in heavy traffic during the initial construction period”*

Point Three.

Page 6-8 table 6-6. *“Transport issues: The proposal does not involve any changes to quantities of waste received at the site. Therefore transport issues are minimal, and are restricted to temporary increases in heavy traffic during the initial construction period”.*

These statements are untrue and misleading. The EIS does not take into consideration that when the Katoomba WMF closes, all rubbish will be transferred to the Blaxland WMF site. BMCC states that because a separate Development Application for would be needed for Katoomba WMF, it is not part of this development. However, the overall plan that was adopted in C06080 incorporates waste from Katoomba being transported to Blaxland WMF. Based on Katoomba receiving as much waste as Blaxland, then it is anticipated that traffic levels would at least double.

Grounds for objection traffic points one, two and three: The castings in option 1, page 9-8, point 9.2.2 are included in the EIS to justify the costing proposal for the landfill expansion, however the overall effect on traffic generated by this cost justification are not included. The overall waste management plan is not taken into consideration within this EIS.

Point Four.

Page 16-12 point 16.1.6. **Heavy vehicle traffic** From the traffic count data, it is revealed there is a peak in heavy vehicle movements on Monday and Tuesday, and to a lesser extent on Wednesday. Based on information supplied by Blue Mountains City Council, this trend can be attributed to Council waste trucks, which access the Blaxland WMF site mainly on Monday, Tuesday and deliver waste to the Katoomba WMF during half day Wednesday, Thursday and Friday.

This statement contradicts all of the three EIS points mentioned above in the EIS. The traffic report result includes statements for traffic counts for vehicles that currently access the Katoomba WMF. It is a known fact that the Katoomba WMF will close in 3-4 years time however this EIS does not cover any of the issues relating to this fact and the affects that this will have on Blaxland WMF, as a result the traffic flow will increase into the Blaxland WMF.

Grounds for objection traffic point four: The castings in option 1, page 9-8, point 9.2.2 are included in the EIS to justify the costing proposal for the landfill expansion, however the overall effect on the environment, residents, traffic, and noise generated by this cost justification are not included. The overall waste management plan is not taken into consideration within this EIS. Therefore the overall impacts of this landfill are not taken into consideration within this EIS.

Noise.

Point One.

Page 17-13 paragraph two, *“Prediction of potential noise impacts as a result of the proposed increase in the number of vehicles accessing the site via Attunga road during the concrete pouring phase of construction therefore indicates the proposal is unlikely to cause any significant traffic noise impacts to residents on Attunga road”*.

This statement is untrue and misleading. The EIS does not take into consideration that when the Katoomba WMF closes, all rubbish will be transferred to the Blaxland WMF site. BMCC states that because a separate Development Application for would

be needed for Katoomba WMF, it is not part of this development. However, the overall plan that was adopted in C06080 option 1C incorporates waste from Katoomba being transported to Blaxland WMF. Based on Katoomba receiving as much waste as Blaxland, then it is anticipated that traffic levels would at least double and the noise level activity would at least double as well.

Grounds for objection noise point one: The castings in option 1, page 9-8, point 9.2.2 are included in the EIS to justify the costing proposal for the landfill expansion, however the overall effect on noise generated by the increase of traffic generated by this cost justification are not included. The overall waste management plan is not taken into consideration within this EIS.

Point Two.

Page 17-3, table 17-1 Monitoring locations.

“51 Spurwood Road, Blaxland. 730 m north west of the proposed extension area
Data used in establishing suitable noise design objectives. 28/04/2004 – 6/05/2004.Rural 35.”

The address should read Warrimoo NOT Blaxland. The distance of 730 Metres from the North West of the proposed extension is not correct. The actual distance from the proposed landfill to the monitoring point was 440 metres, and the nearest house on Spurwood road is only 380 metres from the proposed landfill.

Grounds for objection noise point two: Approximate distances used for the purposes of the EIS are incorrect and would be outside of any allowable tolerances for such a detailed report. Calibration of the devise (page 17-5, Noise data and model calibration) would be incorrect using the distances noted in the EIS.

Point Three.

Page V of the Executive Summary “Noise is currently generated by operational activities at the site. The primary operations undertaken at the site include the transport of waste to the tipping face, and unloading of waste for vehicle, compaction of waste and earthmoving activities.

Grounds for Objection noise point three: The overall waste management plan is not taken into consideration within this EIS. The increased activity from bringing Katoomba’s waste to Blaxland is not included in this study.

Cumulative Impact Assessment

Point one.

Page VII of the Executive Summary states “*The potential for cumulative impacts to the environment have been considered*”.

This statement is untrue and misleading. (Apart from some costing) The EIS does not take into account the impacts that will arise from the closure of Katoomba WMF and transporting the waste to Blaxland WMF. It is a known fact that Katoomba WMF will close and the waste will be transported to Blaxland WMF for land filing.

Grounds for objection Cumulative Impact Assessment point one: The overall Waste management plan is not taken into consideration within this EIS. Therefore the overall impacts of this landfill are not taken into consideration within this EIS. That is: accepting Katoomba's waste, waste transfer station at Blaxland, Alternative waste technologies.

Intergenerational Equity.

Point One.

Page VII of the Executive Summary states, Paragraph One: *“Local residents located close to the existing Blaxland landfill would be most impacted by the proposal. However the expected operational impacts of extended Blaxland landfill would not be significantly different from those of the current landfill.*

Paragraph Three: The proposal could also be considered to facilitate intragenerational equity on a broader scale as it allows for waste, which is generated within the Blue Mountains, to be disposed of within the Blue Mountains. Disposing of waste locally avoids the need to transport to waste to another region and avoids imposing impacts on communities that have not generated the waste.”

Grounds for objection Intergenerational Equity point one: Paragraph three confirms that Katoomba's waste will be sent to Blaxland when Katoomba is closed, but paragraph one states that: *expected operational impacts of extended Blaxland landfill would not be significantly different from those of the current landfill.*

Land Zoning.

Point One.

Page 30-1 under heading **Land zoning** *“The proposed landfill extension is wholly contained within the areas of the site zoned “Recreation – Garbage Disposal and Quarry” under the Blue Mountains City Council LEP 1991.*

The proposed landfill extension is permissible with consent in the land use according to the zonings provided in the Blue Mountains LEP 2002 and would not require any land to be rezoned. Land immediately surrounding the WMF is zoned for Environment Protection and Light Industry. Development approval is only being sought for activities directly associated with extending the existing landfill and operating the waste management centre. These are consistent with garbage disposal and quarrying type activities.

The proposal includes ancillary activities directly associated with operation of the landfill

extension, such as extraction and flaring of landfill gas, leachate management and re-diversion of Cripple Creek below the proposed landfill. It also includes establishing temporary small vehicle drop-off and recycling facilities within existing operational areas of the site, and changes to internal roads. This is all permissible with consent within the zoning "Recreation – Garbage Disposal and Quarry" under the Blue Mountains City Council LEP 1991"

This statement is contradicted by the EIS itself. Refer page 4-12 point 4.6.2 "Change to project scope. The initial project included a small vehicle drop-off facility located near the former incinerator on the western end of the site. Initial investigations showed that this would have required re-zoning of a small area of land on Attunga Rd adjacent to the fire station from Light Industrial to Recreation – Garbage Disposal. It was decided that a separate approval would be sought for this facility if required. Instead, a temporary small vehicle drop-off facility would be incorporated in the existing site, within the current operational area. The main purpose of this facility would be to avoid the need for small vehicles to drive onto the landfill extension area, thereby minimising dust emissions and potential OHS issues. More permanent drop-off facilities including improved recycling facilities would be sited at a later stage, with a separate approval process being undertaken if required."

Point Two.

7.4.3 Recyclables The following source separated recyclable materials are accepted free of charge at the site. These include:

White goods;
Scrap metal;
Glass containers;
PET and HDPE;
Paper and cardboard;
Aluminium;
Engine oil;
Car batteries; and
Gas bottles.

There are limited opportunities to store these materials with the current site layout.

Grounds for objection land zoning points one and two: The overall waste management plan is not taken into consideration within this EIS. Ancillary facilities are required for the landfill to operate. Such as the planned drop off station and recycling facilities would need to have land rezoned.

Proposal overview

Point One.

Page 8-2 point 8.1 last paragraph. "Access to the site would continue to be from Attunga Road via the existing site entrance, as the existing entrance and facilities are in operational condition. Since the proposal only involves transferring land filling operations from one part of the site to another, **and no increases in waste volumes are expected as part of the proposal**, these facilities would be continue to be used."

This statement is untrue and misleading.

Grounds for objection proposal overview point one: The costing in option 1, page 9-8, point 9.2.2 are included in the EIS to justify the costing proposal for the landfill expansion, however the overall effect on the environment, residents, traffic, and noise generated by this cost justification are not included. The overall waste management plan is not taken into consideration within this EIS. Therefore the overall impacts of this landfill are not taken into consideration within this EIS.

Bushfire.

Point One.

As the current rubbish mound is virtually “stand alone” the proposal to extend the landfill will allow a fire to travel along the existing landscape onto and into the tipping area.

Figure 8-9 on page 8-14 shows the proposed final landform. While point **4.6.1 Changes made to the Proposal Reduction in size of landfill extension states:** *“In response to resident concerns, the footprint of the landfill extension (which originally occupied the entire quarry, plus a 30 metre wide firebreak around the outside of the quarry) been reduced in size by about 0.7 hectares.*

The modified footprint allows some of the existing vegetation near the top of the quarry to be preserved. It also allows vegetation to be reconstructed in the north east of the quarry, and this vegetation to be reconnected to the larger areas of bushland outside the quarry.”

Grounds for objection bushfire point one: The connection of existing bushfire prone area to the proposed landfill (even if a 30 metre buffer were made) is considered unacceptable risk.

Point Two.

Page 24-6, point 24.3.4 Fire trail: An existing fire trail extends from Spurwood Road to the northwest of the existing quarry, where the proposed landfill extension would be constructed. A fire trail also extends from the east of the site, joining with other fire trails in the local area.

This is untrue and misleading. The existing “fire Trail” was an emergency response that was created to ensure access for back burning in the Jan 1991 fires. The access is via private property and does not conform to fire trail standards.

Ground for objection bushfire point two: Not a legitimate fire trail. A fire trail would have to be made to access the tip. The initial and ongoing costs of this fire trail have not been calculated into the current Costs of the landfill.

Site Rehabilitation.

Point One.

The existing rubbish mound at Blaxland landfill is not planned for progressive rehabilitation until refer page 8-24, point 8.8.1 “The proponent would prepare a closure plan and submit it to the D.E.C. within 3 months prior to the last load of waste being land filled at the site”.

Page 7-15, point 7.8.1 “Site Closure and Rehabilitation” shows that a site closure and rehabilitation plan has not yet been prepared for the Blaxland WMF site. “If the proposed landfill extension were approved, the overall site would continue to have an operating landfill for at least 20 years”

In these statements it is clear that the rehabilitation would not need to be considered until the extended landfill is completed. Apart from the proposed deferral of remediation at Blaxland for 20 years (leaving a large blight on the landscape meanwhile) it is to be noted that the costs of remediation are not part of the capital works being considered currently.

The more reasonable approach would be to make provision for the rehabilitation costs in the cost assessments currently used for comparison of the various waste management options mentioned in this EIS. The rehabilitation costs should be factored in NOW and paid for by the community not left until the site is unusable.

It is mentioned on page 9-15, point 9.1.5 that the (closed) Lawson landfill has only now been budgeted (for \$1.65M) to be rehabilitated. The Lawson landfill has been closed for many years but left as a major scar on the Mountains.

Page 19-8, point 19.3.1 Site plan and development it is stated that “*completed areas of the existing landfill and proposed landfill extension would be revegetated as soon as possible*”. Whilst there is some comfort provided that rehabilitation will proceed soon, this part of the EIS is contradictory and does not fit with points 7.8.1 or 8.8.1 previously mentioned.

It is noted that (19.3) contains only recommendations and that these recommendations do not need to be adopted until three months from site closure, 15-20 years away.

There are further references to the possible avoidance of rehabilitation of the existing Blaxland Mound to be seen in section 26 on page 26-3 point 26-3-2 “Intergenerational equity”. This considers a scenario where all waste would be exported – “*The Blaxland landfill would need to be rehabilitated and with no income from commercial waste operators costs of closing the landfill would be borne exclusively by Blue Mountains ratepayers.*”

It is clear that there is another contradiction here since there is the assumption that the current landfill will only be rehabilitated on closure. It also exposes the folly of current accounting and administrative practices of not setting funds aside from current users to rehabilitate the landfill on completion and thereby understates the true cost to the community of landfill generally as evidenced by the Lawson Landfill situation.

There is a recognition of the problem stated in the final paragraphs of section 26 on page 26-5 point 26.5 “*Fees charged for waste management in the mountains would be set at levels that would pay for the ongoing maintenance of the landfill throughout its lifecycle. This includes all post closure management monitoring and rehabilitation of the landfill areas*”. Presumably this statement again assumes that there will be no rehabilitation during the life of the landfill – just one more contradiction in this report that needs to be addressed.

Furthermore in Section 29 “ Economic considerations” there is reference to “the expected cost of rehabilitating the Blaxland and Katoomba landfills (approximately \$1.7m each based on the approved budget for Lawson Landfill.)” It is clear that there has been no fund accumulated from the past life of the landfill activity to pay for such work now that the landfills draw to a close. And again in this economic argument it becomes clear that there is no cost to be considered from expanding the Blaxland landfill i.e. that there is no plan to rehabilitate Blaxland progressively as is described above.

These contradictions and a lack of certainty in the EIS report is cause for serious concern.

Grounds for objection site rehabilitation: The costing in option 1, page 9-8, point 9.2.2 are included in the EIS to justify the costing proposal for the landfill expansion, however there is no allowance for site rehabilitation, ongoing revegetation and ongoing site management.

Grounds for objection site rehabilitation: Page 9-11, table 9-1 is incorrect as it does not include a domestic waste charge rise that includes site rehabilitation, ongoing revegetation and ongoing site management. It also shows the bias towards extending the Blaxland landfill without true comparison of all options.

Location and Site description

Point One.

Page 6-1, point 6.1 the inclusion of Lot 376, DP823999 as part of the site identification appears to have been added during the preparation of the EIS but has not been addressed appropriately or at all for its future use and therefore any environmental impact.

Page 6-2, point 6.2 states “The WMF site covers an area of approximately 31 hectares”. The same statement is early expressed in identical terms on page 1-3, point 1.3.2 “Study Area and Site Identification”.

Of concern is that the larger land area in this proposal is Lot 303, DP751662 which has been identified from maps as consisting of 301248 square metres i.e. 30 hectares, where as Lot 376 consists of 59367 square metres. In total the study area covers 36 hectares, not the 31 hectares stated in the report.

Of concern also is the lack of acknowledgement of the woodland in this southern area of the landfill site. Page 6-1, point 6.2 paragraph 3 states “The site is bounded by partially cleared open forest to west north and east. The facility entrance and weighbridge area is located along the southern boundary is part of Lot 376 and is forest.

Ground for objection: It is concluded that Lot 376 has not been considered appropriately in the EIS, and BMCC should detail their plans for this land.

Ground for objection: Page 6-1 point 6.1, "Site identification" Lot 376, DP823999 is identified in the EIS, but not publicly advertised as land for exhibit or investigation within the lodged land use application. (Refer Blue Mountains Gazette, Wednesday, 1 December 2004)

Point Two.

Point 6.4 page 6-2 paragraphs 3. *"The minimum distance from the edge of the proposed landfill extension to the nearest residential property (to the north west of the site) is about 450 m, while houses on Spurwood Road are about 500 m distant."*

This statement is untrue and misleading. The nearest residential property is only 200 metres (not 450 metres) from the proposed landfill, and the nearest house on Spurwood road is only 380 metres from the proposed landfill (not 500 metres).

Grounds for objection: the variation in calculated distances have a direct impact on issues raised in table 6-4 on page 6-5, and table 6-5 on page 6-7. It is also of great concern that information offered in this EIS are incorrect or manipulated to favour the consent authority.

Community Consultation.

Point One.

Page 4-1, point 4.1 Objectives of the consultation program included:

- Communicating with local residents about the project;
- Assisting the community in understanding the project and the environmental assessment work being undertaken;
- Involving the community in identifying mitigation measures to reduce local impacts;
- Building trust between the Proponent and local residents; and
- Establishing means for relevant stakeholders to provide comments on the project.

This objective by BMCC is a disgrace to Council and insult to local residents. It was the local residents who continually asked questions and requested meetings to find out what was happening about the landfill extension. Page 4-6, under the heading Community workshops, the top three issues when grouped together from the morning and afternoon sessions are as follows Traffic, Reduce waste/Recycle, Close tip. None of these issues have been responsibly addressed. Refer attachment A, Summary Report on Community Workshop.

Grounds for objection: Only to state that the members of RATS (Residents Against The Supertip) do not trust BMCC.

Point Two.

At the regular council meeting on August 31st 2004, Laurie Halpin addressed the council meeting with regard to the Blaxland landfill extension. After expressing the community concerns about this proposal, councillors were asked if there were any questions to be directed to Mr Halpin. A question was directed to Mr Halpin and he was refused the right to answer the question by the Mayor.

This refusal by the Mayor did not allow the issue to be discussed and vital information was withheld from the councillors. Refer attachment B, letter to General Manager BMCC.

Grounds for objection: Valuable information deliberately withheld from Councillors, under instruction by the Mayor of BMCC.

Alternative Waste Technology.

Point One.

Page 9-7, point 9.1.8 refers to Alternative Waste Technologies. With reference to BMCC document C06080 under the heading "Options for Resource recovery" paragraph two States: *"Expert advise indicates that currently it is unlikely that the throughput of our cities waste would make it cost effective to introduce the systems referred to immediately"*

Discussions with BMCC representative Mr Kent Gilman confirmed this fact.

Grounds for objection Alternative Waste Technology point one: Many references and assumptions are based on Alternative Waste Technologies being active in the Blue Mountains. As this facility does not exist and seems unlikely that it ever will (refer BMCC document C06080). All assumptions relating to it in the EIS should be made redundant and thus the relevant EIS information pertaining to this facility is invalid.

Grounds for objection Alternative Waste Technology point two: If the AWT facility is used to validate EIS finding then it should be costed into the equation at \$15,000,000.00 as noted in document C06080

Storm Water Runoff.

Point One.

Appendix F, Landfill Design Technical report, page 24, point 4.4.5. States that "Divert clean upstream stormwater runoff around the proposed land filling operation.

Grounds for objection: The EIS does not state exactly where the runoff will be diverted to.

Grounds for objection: The EIS does not quantify the effects on the environment of diverting the rainwater around the proposed landfill.

Drilling and Blasting.

Point One.

Appendix F, Landfill Design Technical report, page 27, point 4.4.8 paragraph two states "It is not expected that drilling and blasting will be required.

Ground for objections: If a "not expected situation" became evident, would blasting become an option?

For all correspondence regarding this submission please contact:

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