



# DA Submission

Reference No: 5f6a95ba613a8

## Your Submission

Development Application: 011.2020.00059244.001

Applicant: Skylife Properties Management Pty Ltd

Description: Warehouse & Distribution Facility, Associated Site/Earthworks, Hardstand & Carpark Area, Signage and Extension of Debenham Road South

Comments: I strongly oppose DA 59244/2020 submitted by Skylife Properties Management Pty Ltd, 83 Gindurra Rd, Somersby for reasons that it is non-compliant with the Environmental Planning & Assessment Act in that it does not identify itself as a Designated Development under Schedule 3 (EP&A Act 2000) as required for a development of this type and it is not supported by an Environmental Impact Statement. This is a serious omission and if this oversight is not addressed by the applicant, then Central Coast Council must refuse the application. It should be noted that the principals of the applicant Skylife Properties Management Pty Ltd are also principals of Bingo Industries Pty Ltd, a publicly listed company engaged in waste management nationally. Further, it should be noted that the proposed development at 83 Gindurra Rd, Somersby, is also the subject of an application to the NSW Department of Planning Major Projects for State Significant Development approval (SSD-9265). The applicant here is Bingo Recycling Pty Ltd. Schedule 3 Designated Development Section 32 Waste management facilities or works includes: ? (1) Waste management facilities or works that store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste and-- o (a) that dispose (by landfilling, incinerating, storing, placing or other means) of solid or liquid waste-- ? (i) that includes any substance classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or ? (ii) that comprises more than 100,000 tonnes of "clean fill" (such as soil, sand, gravel, bricks or other excavated or hard material) in a manner that, in the opinion of the consent authority, is likely to cause significant impacts on drainage or flooding, or ? (iii) that comprises more than 1,000 tonnes per year of sludge or effluent, or ? (iv) that comprises more than 200 tonnes per year of other waste material, or o (b) that sort, consolidate or temporarily store waste at transfer stations or materials recycling facilities for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse and-- ? (i) that handle substances classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or ? (ii) that have an intended handling capacity of more than 10,000 tonnes per year of waste containing food or livestock, agricultural or food processing industries waste or similar substances, or ? (iii) that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material, or o (c) that purify, recover, reprocess or process more than 5,000 tonnes per year of solid or liquid organic materials, or ? o (d) that are located-- ? (i) in or

within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area, or ? (ii) in an area of high water table, highly permeable soils, acid sulphate, sodic or saline soils, or ? (iii) within a drinking water catchment, or ? (iv) within a catchment of an estuary where the entrance to the sea is intermittently open, or ? (v) on a floodplain, or ? (vi) within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic. Aside from the storage and processing of waste at the site, the proposed activity also firmly includes Section 32 1 (d) (vi). The proposed development has a potentially high environmental impact and, as well as the reasons given above, this also necessitates that it should be assessed as a Designated Development. A comparable development also with Central Coast Council was for DA55862/2018, which was for a waste processing facility at Mangrove Mountain Landfill (MML). This was also submitted for assessment simply as an Integrated Development. This was subsequently re-categorised by Central Coast Council as a Designated and Integrated Development that would require a new Environmental Impact Statement (EIS). The applicant was notified of this decision, but chose to ignore the request, instead commencing proceedings against Central Coast Council on this matter. This is ongoing. It should be noted that the applicant for DA55862/2018, Verde Terra Pty Ltd is a company with 100 ordinary shares at \$1 each with no assets, whose sole purpose is to provide a corporate front for the activities at MML. It has been publicly admitted that the site is owned by the Tartak family, founders of Bingo Industries who currently occupy Board and CEO positions. As mentioned previously, they are the principals of the applicant company for DA29244/2020. It is apparent that there is an intent to avoid the stronger scrutiny that a Designated Development assessment would entail in DA 59244/2020, as was attempted in DA55862/2018, by the same company interests engaged in waste transfer and processing. In addition to the above, I also oppose this application for DA59244/2020 for the following reasons including some with a potentially high environmental impact. 1. Increased heavy truck traffic fears for road safety - the safety of the numerous workers in the Somersby Industrial Park (SIP) travelling to and from work and the many other locals (Somersby and Mountains people) who regularly use Gindurra Rd will be put at risk if this development is approved. The basis for this claim is made by comparison with the large fleet of heavy truck vehicles that service Hansons Quarry at Kulnura. All vehicles use a trailer (dog) with a prime mover (truck). These include B-Doubles and 3- and 4-axle dogs. The vast majority of these combinations are 3-axle dogs. So it is reasonable to assume the same for this proposed development. A truck and 3-axle dog will carry an average payload of 32 tonnes. Waste material of the types proposed in this development will vary in density, but a 32t payload is an acceptable weight on which to base a calculation. The maximum amount of waste of 500,000t proposed by the applicant to be trucked along Gindurra Rd annually, therefore represents 15,625 loads. Then there is the same amount again of either processed waste product or non-recyclable waste to come out of the site. So this site alone stands to transfer by truck and dog along Gindurra Rd up to 31,250 loads annually. Consider also the amount of dust from the trucks' loads and off their wheels that will be shed. Then more broadly, directly opposite 83 Gindurra Rd is 90 Gindurra Rd where Kariong Sand & Soil Supplies also has an SSD application currently out on public exhibition. This is seeking approval to process up to 200,000t of waste

annually. Combined, this amounts to 700,000t of waste trucked into and 700,000t of processed waste and non-recyclable waste trucked out of these two sites every year, should they be approved. This would amount to 43,750 truck and dog movements on Gindurra Rd every year. 2. Public health - There are a number of public schools in the immediate vicinity, there is the juvenile detention centre close by, there are a large number of workers in SIP, there are residents in the surrounding Somersby area and there is the Karing residential suburb that would be exposed to any dust particularly from the concrete crushing and green waste processing operations planned at this site. The health of all of the above groups of people is a major concern. I can speak from first hand experience. I live in relatively close proximity to one of the basalt rock crushing quarries. I have photographs of clouds of dust escaping from this site and drifting on the breeze through populated areas. I have been diagnosed with Idiopathic Pulmonary Fibrosis which is an incurable lung disease that shortens life expectancy to 2-5 years. While assurances are given in supporting documents about what will be conducted at the site and where, there are no engineering details that describe the actual processes that provide an absolute guarantee that dust will not escape these two operations. Concrete dust contains silica and green waste processing contains microbiological pathogens, both with serious human health implications. Drawings merely showing where various activities will take place is unacceptable. That is not the same as describing the engineering details for the processes involved and relating them to any available national or international standards to provide the necessary guarantees of total dust capture and disposal. 3. Environmental - this area has numerous gullies that flow into Piles Creek and its catchments. This is a further major concern requiring a rigorous EIS. While there is a requirement to assess every DA on merit and while this may be a permissible activity with consent, Central Coast Council has a responsibility to consider the broader picture of safety, public health and the environment. In this case this DA should be refused.

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