



Our reference: ECM: 7146319  
Contact: Gavin Cherry  
Telephone: 4732 8125

26 May 2016

Department of Planning & Environment  
**Attention:** [fiona.gibson@planning.nsw.gov.au](mailto:fiona.gibson@planning.nsw.gov.au)

Dear Ms Gibson

**Notification of Exhibition of modification to Mushroom Farm at 521 the Northern Road, Londonderry (MP 08\_0255 MOD 2)**

Thank you for the opportunity to provide comments in relation to the proposed modification to the approved Mushroom Farm at 521 The Northern Road Londonderry (Application Reference MP 08\_0255 MOD 2).

The application has been reviewed and the following concerns and comments are provided for consideration in the assessment of the application:-

**1. Environmental Management Considerations**

**i) Water Quality**

The proposed Stormwater Management Plan, prepared by Barker Ryan Stewart, dated April 2016, ref 20070166 provides details of the stormwater management on the site however the following requirements should be ensured:-

- Stormwater quality levels should be set as part of the modification with reference to the Section 6.4 Development Site Results with Controls of the Barker Ryan Stewart Report
- Water used within the cooling towers must be of an adequate water quality to maintain public health
- Sediment and erosion control details provided within the drawings ref 07166C115 07166C116 should be adopted as sediment and erosion controls for the development

**ii) Effluent Management**

The modification fails to provide sufficient information in relation the following matters regarding on site effluent management:

- The impacts on the existing sewerage management system for the dwelling which are currently located within the proposed building footprint of the proposed mushrooms sheds;
- The appropriateness of the setbacks of the proposed mushroom shed to earth mound;
- The ability of the site to accommodate an alternative disposal area in the event that the earth mound fails;

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- The ability of the site to accommodate the sewerage management system for the future childcare centre (for the staff of the mushroom farm);

A wastewater report should be prepared by a suitably qualified consultant that addresses the above key concerns and Council's On-Site Sewage Management and Greywater Reuse Policy.

In addition the following conditions are also recommended once the above information is submitted and suitably addresses the concerns raised:

- The applicant is to apply to Council for an operational approval as required by Section 68 of the Local Government Act to operate an On-Site Sewage Management System;
- A detailed monitoring and maintenance plan for the system is to be provided to Council for approval as part of the operational approval application

### **iii) Acoustic Management**

The application is supported by an acoustic report prepared by Atkins Acoustics & Assoc. Pty Ltd, dated 5/4/16 however the following deficiencies are raised which are considered to require further address:-

- The noise impacts assessment does not include an assessment of the predicted operational noise levels (both internal and external) from the proposed child care centre on site.
- The traffic generation in relation to the staff has not been modified from the previous report prepared by Perram & Partners, dated 17/6/10. Employee numbers have decreased from 165 to 113. However the expected noise impacts are based on 83 employees.
- The Noise Control Recommendations and Management should be adopted as part of this modification.

### **iv) Air Quality Management**

The application is supported by an air quality assessment report prepared by Pacific Environment, dated 12/4/16 Ref AQU-NW-002-20069B and the following is specifically identified:-

- The report includes modelling of possible odour emissions from various sources on the site. As this is modelling it is recommended that post-commissioning testing is completed to check actual levels.
- The predicted odour unit levels provided within the report should be set as emission levels as part of the modification. OU levels at the receptors should be set as per Table 7-1 predicted 99<sup>th</sup> percentile 1 hour average (revised assessment)







## **2. Built Form and Streetscape Considerations**

Council has concerns in relation to the overall increase in the building footprint and the capability of the site to adequately accommodate the ancillary structures required to support the operation of the Mushroom Farm.

The overall increase in the building footprint of the mushroom building is significant, increasing the site coverage from 47709m<sup>2</sup> to 88,178m<sup>2</sup>. The approved development included the provision of a landscaped earth mound parallel to The Northern Road to screen the approved building. While it is noted that the overall wall height and building height of the development has been reduced, the proposed includes a significant increase in the width of the building relative to the allotment width and reduction in the front setback. The alterations to the setbacks are not considered to be in keeping with the rural character of the area and does not provide appropriate setbacks to the adjoining properties. IN addition, the proposed building has not architectural merit with the provision of long expanses of blank walls, particularly to the street.

The alteration to the building design will also result in the removal of additional vegetation currently located within the front setback area, further eroding the landscape provided to screen the proposed development.

## **3. Setbacks and DCP Compliance**

The amended building footprint will require significant alterations to the existing dam on the site. The modification provides limited information in relation to the design of the dam and the appropriateness of its setbacks of the modified building to the dam.

In addition, the application has not provided an adequate assessment against Section C3 Water Management of Penrith Development Control Plan 2014.

The modification does not detail if consultation has been undertaken with the Office of Water.

## **4. Traffic Management**

The submitted Traffic Report prepared by Halcrow MWT, reference CTLCXr01-v06.doc, dated 17 June 2010. has not been updated since the original application, however the Environmental Assessment undertaken by Urban City Consulting, referenced 140565, dated 12 April 2016 states the modification to the development will not generate any additional traffic from the original proposal. No change in vehicle numbers is proposed from the original proposal of 160 vehicle movements per day with approximately 54 vehicle movements per hour during its busiest hour under full development. The traffic report nominates provision of a Type AU intersection for site access.

The traffic report however has not addressed the number of truck movements required to import fill into the property. The engineering plans nominate approximately 109,250m<sup>3</sup> of fill is required which equates to approximately 196,650 tonnes of fill (assuming 1.8 tonnes per m<sup>3</sup>). A truck and dog normally carries 22 tonnes per load equating to approximately 8,900 truck movements. These movements will be spread





over a considerable time frame. Based upon an estimate of 1 truck arriving every 2 minutes to the site equates to 30 truck movements per hour. Construction of the Type AU intersection will be required prior to the commencement of the fill operations and this has not been addressed.

A Construction Traffic Management Plan (CTMP) is to be prepared prior to the commencement of any works on the site. The CTMP shall address haulage routes and the number of truck movements required to import 109,250m<sup>3</sup> of fill to the site. Penrith City Council's local and rural road network shall not be utilised as haulage routes. All haulage routes are to be via the state road network.

Construction of the Type AU intersection for the site entry on The Northern Road will require a Section 138 Roads Act Approval to be issued by the Roads and Maritime Service. The intersection shall be designed to accommodate all turning movements for B-Double vehicles. All intersection works are to be completed prior to the issue of any Construction Certificate for the development.

### **5. Stormwater Management**

The development proposes to highly modify and increase the capacity of the existing on-site dam so as to detain and contain flows from the site for all storm events up to the 100 year event. Modifications to the outlet will ensure the dam operates as an on-site stormwater detention system. Developed flows will be reduced back to pre-developed flows. Water from the dam will be reused on site. No objections are raised to implementation of the Stormwater Management Plan and engineering plans by Barker Ryan Stewart, reference 07166C1, revision D, dated February 2016.

The application is not considered to provide sufficient information to adequately consider and address the above key environment and site design considerations outlined above. Additional information in relation to these matters should be pursued from the applicant and re-referred back to Council for further consideration and comment prior to the determination of the application. Council is also in receipt of a number of objections from nearby residents raising valid concerns (please find attached copies). Should you have any questions relating to the above information please give me a call on (02) 47327577.

Yours sincerely

Peter Wood  
**Development Assessment Coordinator**





## Trudy Sampson

---

**From:** Bruce Naylor <Bruce.Naylor@Penrith.city>  
**Sent:** Thursday, 26 May 2016 3:05 PM  
**To:** Svc\_T1ConnectP  
**Subject:** FW: FW: Elf Mushroom Farm Modification (MP 08\_0255 MOD2) - NSW Planning & Environment Letter  
**Attachments:** 2660\_001.pdf

#ECMBODY  
#QAP 280

Bruce Naylor  
Records Management Officer

**From:** Clr Kevin Crameri OAM  
**Sent:** Thursday, 26 May 2016 1:46 PM  
**To:** Councillor Records <councillorrecords@penrith.city>  
**Subject:** Fwd: FW: Elf Mushroom Farm Modification (MP 08\_0255 MOD2) - NSW Planning & Environment Letter

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**From:** Mark . <[markgiddings@hotmail.com](mailto:markgiddings@hotmail.com)>  
**Sent:** Wednesday, May 25, 2016 8:30 PM  
**Subject:** FW: Elf Mushroom Farm Modification (MP 08\_0255 MOD2) - NSW Planning & Environment Letter  
**To:** Clr Kevin Crameri OAM <[kevin.crameri@penrithcity.nsw.gov.au](mailto:kevin.crameri@penrithcity.nsw.gov.au)>  
**Cc:** Mark . <[markgiddings@hotmail.com](mailto:markgiddings@hotmail.com)>

To whom it may concern

I am writing to you to register serious concerns & objections regarding a Modification Request to the Concept Plan & Project Approval to increase the size of the proposed Elf Mushroom Farm building located at 521 The Northern Road, Londonderry. from a total of 47,709m<sup>2</sup> to 88,178m<sup>2</sup>.

This is a significant increase in size the proposed main building will be 460 metres long, 200 metres wide and 9.94 metres high located in a **rural residential zone**.

All of the neighbouring property owners unanimously object to this request, I have registered my disapproval to the proposed development via email to Fiona Gibson at Planning & Environment stating my concerns and objections (email attached) there are a number of neighbouring property owners registering the same.

Fiona Scotts (MP) Office was contacted and were advised by them to contact you in regard to our concern. The collective neighbouring property owners are seeking your advice to circumvent this application from Elfe Mushroom Farm progressing to approval.

Thank you and appreciate your anticipated engagement to assist the local residents resolve this matter.

Fiona Gibson at the planning department, has advised letters of submission to the proposal citing objections will be received until this Friday May, 27.

Regards

Denise Giddings

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From: [markgiddings@hotmail.com](mailto:markgiddings@hotmail.com)  
To: [fiona.gibson@planning.nsw.gov.au](mailto:fiona.gibson@planning.nsw.gov.au)  
CC: [markgiddings@hotmail.com](mailto:markgiddings@hotmail.com)  
Subject: ELF MUSHROOM FARM MODIFICATION (MP 08\_0255 MOD 2)  
Date: Wed, 25 May 2016 19:44:19 +1000

To whom it may concern

I am formally submitting my objection to the proposed increase in size of the Mushroom farm building at Londonderry from 47,709m<sup>2</sup> to 88,178m<sup>2</sup>.

I live at 503 The Northern Road (house A – there are 2 houses on the property) to the North of this proposed Mushroom Farm & setback from The Northern Road, see link below. Today I have a full and uninhibited view to the south along the length on my southern boundary. The north facing wall of the construction will engulf the full length of my south facing boundary i.e. the view will be replaced with a earth mound and tin shed walls.

:<https://www.google.com.au/maps/place/503+The+Northern+Rd,+Londonderry+NSW+2753/@-33.674634,150.7432715,654m/data=!3m1!1e3!4m5!3m4!1s0x6b128341f5b80e3b0x828d32cac26bff27!8m2!3d-33.673157!4d150.745860x828d32cac26bff27!8m2!3d-33.673157!4d150.74586>

## Issues of concern

**Building size:** proposed resizing of building from 47,709m<sup>2</sup> to 88,178m<sup>2</sup>.

revised building foot print 460 metres in length, 200 metres wide and 9.94 metres high.

The proposed building foot print will consume 75% of the total land parcel footprint.

A construction of this size and production capability should be located in a commercially zoned lot not a rural residential zoning as it is here (521 The Northern Rd Londonderry).

**Visual impact:** proposed 2.5 metre high earth soil mound along northern parameter topped with vegetation.

By definition my property is considered to be in the high visual effect as categorised by the impact assessment i.e "sensitive viewers to the change of the rural outlook". I question the influence the earth mound and vegetation will have on the visual impact of the building. Where I now have an uninterrupted view of grassy lands to the south that would be totally consumed by this building.

**Operational/ production impact:** proposed 24 hours a day continuous operations Monday through Saturday.

Continuous lighting from the south throughout the night will directly impact my property. Akin to living beside the Sydney cricket ground.

Quality of ambient noise throughout the night given the proposed 24 hour operations. Plant and equipment movements within the compound will impact beyond the production compound impacting neighbouring properties.

Vehicles entering and leaving the site will generate additional noise as the trucks will need to accelerate up to road speed to join the flow. Additional heavy vehicle movements throughout the week approximately 90 +, excluding employee car traffic approximately 64 additional cars per day. The cumulative impact of this additional traffic on the Northern Rd will be borne by the neighbouring properties.

I request that my concerns and those of the neighbouring residents opposed to this proposal be acknowledged ,registered and acted upon. The proposed production plant should not be located in a rural residential zone it's clear this construction will impact the value of surrounding properties.

In closing we have had limited opportunity to respond or register our objections and concerns to the Elfe Mushroom Farm proposal, as we did not receive the original or first request for input or objections apparently distributed via mail sometime late July early August 2015.

Regards

Denise Giddings





## Trudy Sampson

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**From:** Bruce Naylor <Bruce.Naylor@Penrith.city>  
**Sent:** Thursday, 26 May 2016 3:05 PM  
**To:** Svc\_T1ConnectP  
**Subject:** FW: Elf Mushroom Farm Modification (MP 08\_0255 MOD2) - NSW Planning & Environment Letter  
**Attachments:** 2660\_001.pdf; FW: ELF MUSHROOM FARM MODIFICATION (MP 08\_0255 MOD 2) (20.8 KB)

#ECMBODY

#QAP 280

Bruce Naylor  
Records Management Officer

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**From:** Clr Kevin Crameri OAM  
**Sent:** Thursday, 26 May 2016 1:46 PM  
**To:** Councillor Records <councillorrecords@penrith.city>  
**Subject:** Fwd: Elf Mushroom Farm Modification (MP 08\_0255 MOD2) - NSW Planning & Environment Letter

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----- Forwarded message -----

**From:** "Tammy Heferen" <[theferen@icsindustries.com.au](mailto:theferen@icsindustries.com.au)>  
**Date:** Mon, May 23, 2016 at 10:13 PM -0700  
**Subject:** Elf Mushroom Farm Modification (MP 08\_0255 MOD2) - NSW Planning & Environment Letter  
**To:** "Clr Kevin Crameri OAM" <[kevin.crameri@penrithcity.nsw.gov.au](mailto:kevin.crameri@penrithcity.nsw.gov.au)>  
**Cc:** "[dheferen1@bigpond.com](mailto:dheferen1@bigpond.com)" <[dheferen1@bigpond.com](mailto:dheferen1@bigpond.com)>

HI

I am writing to you with a very serious concern & objection as we have received the attached letter from NSW Planning & Environment in regard to a Modification Request to the Concept Plan & Project Approval to increase the size of Mushroom Farm building from a total of 47,709m2 to 88,178m2 at the address of 521 The Northern Road, Londonderry.

In summary this is a proposed building the size of 460m long x 200m wide x 4.62m high & 9.94m ridge height - next door to us.

We & our neighbours totally disapprove of this request, I have sent off my disapproval submission via email to Fiona Gibson at Planning & Environment stating by objections (email attached) & our neighbours are also going to do the same, we contacted Fiona Scotts (MP) Office & were advised by them to contact you in regard to our concerns & seeking your advice on helping with this MONSTROUS proposal by the Mushroom Farm.

I have spoken to Fiona Gibson at the planning department & she has advised that we can still submit our objections until this Friday 27<sup>th</sup> May.

Thank you for your time & look forward to hearing from you,

Tammy Heferen

503 (House B) The Northern Road

Londonderry NSW 2753

PH: 0414 750 530

Home email: [dheferen1@bigpond.com](mailto:dheferen1@bigpond.com)

Work email: [theferen@icsindustries.com.au](mailto:theferen@icsindustries.com.au)

Vehicle Movements: the approximate 98 truck movements per week with day & night & also your staff movements of approx. 64 cars every day which will greatly affect neighbouring houses.

Odour: Apparently odour generation is not normally a significant issue associated with mushroom growing where substrate is prepared off site. Please confirm if you are preparing offsite or onsite now or in the future at Londonderry site.

Noise Control: The landscape mound – won't do much to reduce noise  
Plant & equipment – of course this will create noise & disturbance

Value of our property: I am deeply concerned that this Mushroom Farm will depreciate the value of our home

I like my neighbours want representatives from NSW Planning & Environment & the owners of Elf Mushroom Farms come out to the site & our properties to talk to all of the neighbours to actually physically see in person what we are concerned about because this is a major life changing issue for us.

Bob & Mary Lahood  
493 The Northern Road,  
Londonderry NSW 2753





To Whom It May Concern,

We live at 493 The Northern Road, Londonderry & I would like to submit our total objection to the proposed increase in size of the Mushroom farm building at 521 The Northern Road, Londonderry – Elf Mushroom Farm from 47,709m<sup>2</sup> to 88,178m<sup>2</sup>.

I have listed below my concerns which are the same as my neighbours:

Building Size: the proposed new size of this building would make it 460m long x 200m wide with a wall height of 4.62m & ridge height 9.94m.

This whole site is 22.06 hectares = 54 acres & if the proposed building appears to be approximately 75% of that 54 acres that would mean that just **the building alone would take up 40 acres of this site!!!!!!**

I cannot believe what I have read & seen, this proposed building is absolutely HUGE this is something that should only be built at an industrial estate not a rural residential area where our rural view & lifestyle would be absolutely ruined & this is an unacceptable & inappropriate modification.

## **This building is ENOURMOUS**

Your Mulgrave Plant has for the last 30 years had continual complaints about smell & we would be concerned that this will eventually be the case with the Londonderry site, which from other residents comments we fear that any concerns about the plant would fall on deaf ears.

The following are big & real issues:-

Visibility: from our property would be ruined

Viewer Sensitivity: we would fall into the category of "Sensitive Viewers to the change to the rural outlook"

Visual Effect: we fall into this category of HIGH VISUAL EFFECT due to significant change, eg our normal view of green open space becomes 100% totally altered with this development.

Lighting: There will be illumination at night which will affect neighbouring houses.

Operations: 24 hrs a day – this will create disturbances for all of us with noise, light & traffic

