

# PERRAM & PARTNERS

PLANNING AND ENVIRONMENTAL CONSULTANTS

13 November, 2018

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*Our Ref: 139/L01*

**Attention: Ms Emma Barnet**

Dear Madam

**RE: ELF FARM SUPPLIES  
MUSHROOM SUBSTRATE PLANT, MULGRAVE  
RESPONSE TO SUBMISSIONS – MOD3**

Thank you for your letter of 5 June 2018 and subsequent communications providing copies of submissions received to the exhibition of the MOD 3 application, your Department's request for further information and further feedback from the Department and Council. This letter responds to the matters raised as detailed below and by reference to the following attachments:

- Attachment 1 Construction impacts
- Attachment 2 Revised statement of commitments
- Attachment 3 Landscaping plan and management for tree corridor
- Attachment 4 Revised staging plan
- Attachment 5 Revised site plan 200689-D
- Attachment 6 Revised stormwater management report
- Attachment 7 Photomontages
- Attachment 8 Revised noise assessment
- Attachment 9 Heritage listings

There have been three modifications to the proposal as a result of submissions:

- The noise barrier along the southern property boundary has been increased in setback from 400 mm to 1000 mm in order to provide more space for foot access by personnel should this become necessary. It is now the same distance from the boundary as the previously approved 7-metre high concrete wall that is proposed in MOD 3 to be deleted;
- The stormwater basins have been redesigned following reassessment of the stormwater management proposals, leaving basin 1 unchanged, modifying the design of basin 2 and proposing a similar design for new basin 3; and
- A water level controller with cut-off capability has been included in the outlet of each stormwater basin to enable any accidental spills to be captured in response to a suggestion from the EPA.

The response to specific matters raised follows.

## **Department of Planning – request for further information**

1. *Please assess construction impacts and where necessary include or update relevant statement of commitments.*

Please refer to Attachments 1 and 2.

2. *Provide the quantity of fill used to create the vegetated mound.*

The quantity of fill imported to create the vegetated mound was 4,100 cubic metres.

3. *Please provide a landscape plan for the vegetated mound including plans for the ongoing management of the vegetation.*

A landscape plan for the site was prepared in 2016. This plan has now been amended to include the tree corridor referenced in MOD 3. Attachment 3 is the amended plan.

4. *Provide a plan showing staging which reflects the changes made as part of the modification - this will replace the existing plan in Appendix 2 of the approval.*

A new staging plan has been prepared indicating the expected sequence of further approved construction work. Please refer to Attachment 4.

5. *Please update the Proposed Perimeter Walls Site Plan (drawing 200689 in Appendix 8) to reflect all changes to be made as part of this modification including the current vegetation layout and the proposed new dam.*

The updated plan 200689-D is included as Attachment 5.

6. *Show on a plan the location of the 150mm drainage pipe in the mounded vegetation corridor.*

The referenced drainage pipe is shown in the revised stormwater management report (Attachment 6) where it appears adjacent to basin 3 on plans 07166E20\_CA-01/E, CA-05/E and CA-08/E in that report. The largest scale rendition is on plan CA-05/E. Please note that the pipe diameter has been corrected to 240 mm and that the stormwater report provides for this pipe to be replaced nearby with a larger diameter pipe.

7. *Clearly identify the area to be filled on a plan.*

The land to be filled is shown shaded on plans 07166E20\_CA-01/E and CA-08/E of the stormwater management report. The area comprises a triangular section at the south eastern property frontage and a narrow rectangular strip along the southern boundary. The triangular area is the proposed extension to the bale storage area. The narrow rectangular strip is an existing batter at the edge of the filled area that will be raised to horizontal and retained by the lower section of the noise barrier. Filling this strip section was also required for the previously approved 7-metre concrete wall and bale storage shed.

8. *Provide photomontages showing the approved wall and the proposed wall.*

Four photomontages have been included as Attachment 7. The photomontages have been created using two photographs taken from Mulgrave Road, one directly in front of the premises and the other diagonally to the south-east. The photomontages contrast

the currently approved 7-metre high wall and 10 metre high bale sheds with the now-proposed four metre noise barrier to surround the extended bale storage area.

*9. Clearly show what works are to be undertaken in the RU4 zone.*

The boundary between the IN2 and RU4 zones is shown on the plan 200689-D in Attachment 5 and on plan 07166E20\_CA-01/E in Attachment 6. The boundary was plotted by a surveyor before being added to these plans. The MOD 3 works proposed within the RU4 zone include new stormwater basin 3 and part of modified basin 2. In addition, the existing tree corridor for which approval is sought in MOD 3 is located in the RU4 zone.

*10. Provide an updated statement of commitments*

Please refer to Attachment 2

*Items 11 to 19*

Items 11 to 19 of the Department's comments relate to stormwater management. In response to the Department's comments the author, Barker Ryan Stewart, has prepared a revised stormwater management report included as Attachment 6.

By way of background, the original Part 3A application submitted to the Department in 2010 included a stormwater management report prepared by Barker Ryan Stewart. That report described the then existing stormwater system and the proposed stormwater modifications for which approval was sought. While there are a number of stormwater discharge points from the site, the two associated with the largest catchments (both with existing sediment ponds) were to be formalised with stormwater basins, discharge limiters and reed beds following completion of construction. The project was approved in January 2012. In the following years work proceeded on filling the development area in readiness for building work. The erosion and sediment control requirements of the stormwater management plan were implemented for the filling work, but as there was no significant building construction the remainder of the stormwater works did not proceed at that time.

The MOD 1 application submitted in 2014 sought approval to modify the building works but did not require any change to the approved stormwater system. The catchment areas were essentially unchanged. MOD 1 was approved in March 2016. Building work has proceeded consistent with the MOD 1 approval with priority to bringing into service the new odour management system for the plant. Having achieved that objective work is continuing to complete the remainder of the approved works.

The current application, MOD 3 seeks approval to modify the stormwater system approved in 2012. The modification is sourced from a desire to rationalise the system by directing a greater quantity of water to an existing discharge point immediately west of the new building construction. This will better balance the stormwater flow between various discharge points and reduce the length of stormwater piping required. Barker Ryan Stewart advised that the greater volume of stormwater flowing to the western discharge point will require that outlet to be formalised in a similar manner to the two discharges designed in the previous report. Hence MOD 3 has sought approval for basin 3 to be constructed. At the same time the design of basin 2 included in the original approval has been modified and upgraded consistent with its reduced catchment. In the

case of basin 1, it has been confirmed the additional inflow from the extended bale storage area can be accommodated without modification to the approved design.

- 11. Please provide an updated MUSIC model reflecting changes made during modification 1 and the proposed changes for this modification. Describe the new basin, including its size (dimensions volume etc).*

The revised stormwater management report, Attachment 6, clarifies that there were no changes to the stormwater system needed for MOD 1. The stormwater report includes a MUSIC model for the stormwater configuration as proposed in MOD 3. The previous MUSIC model for this site was prepared for the original Part 3A application, approved in 2012.

The additional basin now proposed in MOD 3 is basin 3, located at the existing point of discharge of the western catchment, being a depression east of the tree corridor. The proposed basin is similar to the redesigned basin 2 and includes sedimentation pond and bio-retention basin. Details of basin design are shown on plan 07166E20\_CA- 05/E. In summary, the basin is roughly triangular in shape, being approximately 35 metres long and 20 metres wide at the widest point. The sedimentation pond has a minimum area of 150 square metres and an operating depth of one metre. The bio-retention component has a minimum filter area of 180 square metres and is filled with sand-based material. The basin has a discharge control pit with trash screen, orifice plate and outflow pipe. The discharge from the outflow pipe and overflow weir have rip rap scour protection.

- 12. Describe which changes to the stormwater system are required for this modification and which relate to MOD 1 and show on a plan. This may be shown by updating plan 07166E20\_CA01 to show changes required in a different colour. Update the stormwater report to ensure all the required changes are discussed rather than having to rely on the Figures - note the EA should reflect the stormwater report.*

The revised stormwater management report clarifies that there were no changes to the stormwater system needed for MOD 1. The changes proposed in MOD 3 are the first changes since the original project approval in 2012 and constitute changes to the design of yet to be constructed works. The changes include:

- reconfiguration of catchment areas, shown on plans CA-07/E (before) and CA-08/E (after) and described in section 2.3 of the stormwater report;
- addition of basin 3, shown on plan CA-05/E and described above; and
- re-design of basin 2, shown on plan CA-04/E and described below.

It is proposed that basin 2 be constructed generally in accordance with the approved design, but incorporating a bio-basin within the structure rather than as a separate structure. This will reduce the footprint and construction impact of basin 2. The design changes for basin 2 derived from the 2010 and revised 2018 stormwater management reports are summarised in the following table:

Basin 2 Feature	Currently Approved	Proposed MOD 3
Length and width	Approx. 50 x 20 metres	Approx. 30 x 20 metres
Additional storage available	-	Approx. 15 x 15 metres
Permanent pool depth	0.6 m	1.0 m
Sediment Pond (min)	180 cubic metres	100 sq metres
Settling zone	0.5 m	0.5 m
Bio-retention (min)	100 sq metres	180 sq metres
Outlet	350 mm orifice, 525 mm pipe	180 mm orifice, 375 mm pipe
Scour protection	Discharge headwall	Rip rap and level spreader
Overflow	Through basins	Separate weir with rip rap
Bio-retention	Separate basin 100 sq m	Incorporated 180 sq m

*13. Describe the changes, that is, what is existing and what is proposed - the basins already have orifice plates, will the modification require smaller plates? Describe the changes to be made to each catchment.*

As indicated above, none of the basins have been constructed to date. Stormwater currently flows to existing retention basins and discharge points. Approval is sought under MOD 3 for changes to the design of yet to be constructed stormwater infrastructure. The changes are described in the response to item 12 above.

Changes to the catchment areas are described in detail in section 2.3 of the stormwater report and shown on plans CA-07/E (before) and CA-08/E (after).

*14. It is stated the Proponent will be raising the site of the open air bale storage area to 16 mAHD, is this fill required to raise the site above 1 in 100 ARI event?*

The existing bale storage area has a surface level at 16 m AHD. This is consistent with the level of all other filled land on the site. The proposed triangular extension to the bale storage area is to be filled to the same level to enable its use for bale storage. The outdoor storage area needs to be level for stacking bales and safe and efficient movement of laden front end loaders.

The level of 16 m AHD was provided by Council many years ago before filling commenced as being the 100 year ARI design flood level for the site. More recent flood investigations have led Council to determine a higher flood level for the 100 year ARI event. Council's submission indicates the current 100 year ARI flood level is 17.3 metres AHD. The change in flood level will not affect the design or use of the bale storage area.

*15. Plan number 07166E20\_CA01 is labelled incorrectly - please show which works are proposed - two of the basins already exist.*

The basins designed in the stormwater report do not exist at this time. The two basins that currently exist on the site are stormwater retention ponds that date from the 1990s and are being used as sediment basins. The basins included in the 2010 stormwater report forming part of the 2012 project approval have not been constructed to date. Issue E of plan No 07166E20\_CA01 is included in the revised stormwater management report (Attachment 6). This plan correctly shows that all three basins form part of the proposed drainage system.

*16. Provide the quantity of fill that is needed to raise basin 2 to RL 8.5.*

The stormwater management report included in the environmental assessment indicated that the floor of basin 2 would need to be raised to RL 8.5 (see plan 07166E20\_CA03 issue A). The modified stormwater report now included as Attachment 6, has redesigned the basin but retains the base of the outlet structure at RL 8.5 (issue E of the same drawing). Based on recent survey, the floor will need to be raised by a variable amount up to approximately 0.5 metres requiring about 110 cubic metres of fill.

The internal wall for each of the three basins will require approximately 125 cubic metres of fill which may in part be obtained as surplus from basin shaping works if the material is suitable. This work constitutes part of the existing approval for basins 1 and 2.

*17. Describe how the tree corridor affects stormwater.*

The tree corridor has not affected stormwater management because there is a 240 mm diameter pipe passing through the filled area at the lowest point (the location of basin 3) to drain collected water through to the western side. Please note that the stormwater management report proposes that in addition to formalising basin 3 the existing pipe will be decommissioned and replaced with a larger diameter pipe.

*18. Provide a catchment plan for the existing site as it was before MOD 1 so that changes to the catchments can be easily understood.*

The stormwater management report includes two catchment plans showing the arrangement as approved in 2012 and as now proposed.

*19. The catchment names don't correspond with those in the original assessment, please amend.*

With the inclusion of basin 3 the catchment names were revised to better reflect the physical location of the discharge points. Hence there is a north-eastern catchment, north-western catchment and western catchment all of which discharge through basins, and minor southern and south western catchments. For consistency, the catchment names are recorded on the catchment plans included in the stormwater management report.

*20. Describe the size of the new straw bale storage area.*

When the extension is complete the bale storage area will be approximately 6,000 square metres.

*21. Will any hardstand be constructed?*

The extended bale storage area will be finished as hardstand, similar to the existing area of bale storage.

*22. Describe how erosion will be managed.*

Erosion and sedimentation will be managed as described in revision 1 of the construction environmental management plan (CEMP) for the site (Perram & Partners

2016). The CEMP contains a soil and water management plan incorporating an erosion and sediment plan.

23. *The noise assessment assesses the modification against the wrong criteria - the criteria was changed in MOD 1 - please update and provide a revised prediction for all receptors so the criteria can be adjusted accordingly.*

The noise assessment has been revised and is included as Attachment 8.

### **Environment Protection Authority**

The EPA raised no objection to the proposals contained in MOD 3 but offered a recommendation, as follows:

*The EPA recommends the proposed discharge control pits be constructed to include stormwater isolation valves to facilitate the capture of accidental spills including from the fuel storage structures and workshop areas that drain through these systems.*

The revised stormwater management design provided in Attachment 6 includes a Rocla water level controller in the outlet from each basin. Detail is shown on figure 07166E20\_CA06/E. This device allows an operator to prevent discharge flows from the basin by configuring control weirs within the device and hence enables any spillage to be contained within the basin until it can be removed for disposal.

### **Department of Industry**

The Department of Industry raised no objection to the proposals contained in MOD 3 but submitted the following comment:

*The proponent should prepare a vegetation management plan for the rehabilitation of riparian vegetation along South Creek in accordance with the Guidelines for Controlled Activities on Waterfront Land (2012).*

Elf Farm Supplies is establishing a riparian corridor along the land frontage with South Creek. This work is being done in conformance with a previous condition of consent and is not affected by MOD 3. The revegetation project has been professionally designed and will be managed in accordance with protocols provided by the designer.

### **Hawkesbury City Council**

1. *Recommend that earthworks associated with the tree corridor and bale storage area be modified so that there is no need for filling in the flood plain.*

The tree corridor was prepared with fill and planted several years ago. Prior to filling, the land now occupied by the tree corridor was frequently soggy and unable to be driven over. Preparing the land with fill permitted vehicle access for planting and maintenance as well as raising the surface to promote better drainage to improve growing conditions for the planted trees and shrubs. Plantings have thrived in this location and are now semi-mature and helping to soften the appearance of the substrate plant when viewed from the west.

To remove the fill material and attempt to recreate the tree corridor on the frequently saturated land beneath would achieve little gain to justify further land disturbance and energy consumption.

The bale storage area is required to be level in order that heavy machinery can move freely across the site in any direction. A split level or sloping surface in the storage area would be unacceptable for stacking straw bales and for safe movement of laden front end loaders and straw delivery trucks. Re-spreading the existing fill to create a new lower level for the entire bale storage area would, apart from being disruptive for bale storage during construction, prevent stormwater from the finished storage area draining to the stormwater basin and management system.

2. *Buildings must have flood compatible structural components up to and including the 100 year ARI flood level of 17.3 metres AHD.*

The structures proposed to be constructed under MOD 3, the noise barrier and perimeter wall, will be capable of withstanding inundation at the base. These structures are replacements for a 7-metre high concrete wall and two bale storage sheds already approved for this locality.

3. *Demonstrate that there will not be increased impact in terms of noise and odour than what is currently approved.*

MOD 3 does not propose any alteration to odour management on the site and will not affect the performance of the operation against its odour goals. The proposed noise barrier will enable noise goals to continue to be met. Attachment 8 is a revised noise assessment examining the performance of the site after the noise barrier has been installed.

4. *Stormwater works should clearly address the water quality control measures to be installed to ensure that water draining to South Creek will not have an adverse impact on downstream water quality.*

The stormwater management report (Attachment 6) addresses water quality indicating that the stormwater system has been designed to meet water quality targets in Council's Development Control Plan.

5. *New landscaping associated with the proposed modification should be carried out using native vegetation endemic to the locality and be made up of a combination of grasses, shrubs and trees.*

Attachment 3 is a landscape plan for the site which has been upgraded to include the tree corridor. This plan refers to planting and maintenance of the vegetation and uses species endemic to the area.

6. *Further clarification should be provided as to whether or not the proposed works will have an impact on the existing sewer arrangements on the land.*

The works proposed in MOD 3 will not require any modification to the existing sewer on the property. There will be no impact on sewage disposal.



7. *Council's Section 94A Contribution Plan requires contribution fees to be levied against development that is greater than \$100,000.00.*

The former section 94 and section 94A<sup>1</sup> of the Environmental Planning and Assessment Act gave consent authorities the power to require contributions as a condition of a development consent granted pursuant to Part 4 of the Act. The Elf Farm Supplies' mushroom substrate plant at Mulgrave has received project approval under the former Part 3A of the Act. It is understood Section 94 contributions were not applicable to projects to which Part 3A of the Act applied. For this reason neither the original approval nor the MOD 1 approval included conditions requiring payment of section 94 contributions.

The current application, MOD 3, has been submitted under transitional arrangements allowing existing projects approved under Part 3A to be modified according to the repealed provisions of that Part. Hence it is considered section 94 contributions will not apply to an approval for MOD 3.

Notwithstanding the above, the net value of modifications proposed in MOD 3 will not exceed the \$100,000 indicated in Council's submission.

8. *Council requests that the recommendations of the NSW Department of Primary Industries (Appendix A, attachment 1 - Dated 22 March 2017) be resolved to ensure that the riparian buffer is appropriate.*

Elf Farm Supplies is establishing the riparian corridor in conformance with the existing conditions of approval.

9. *The application must address the visual impact the proposal would have on the overall appearance of the locality and on adjoining land uses. Currently it is unclear as to the colours or material treatment proposed to be used on the retaining walls and concrete panels proposed along property boundaries.*

MOD 3 seeks approval to delete a seven metre high concrete wall and two 10 metre high bale sheds and replace these with a four metre high noise barrier and perimeter wall enclosing an enlarged the bale storage area. Photomontages included in Attachment 7 contrast the appearance of the site if developed in accordance with the current approval and the appearance when developed as proposed in MOD 3. Based on the photomontages, the proposed noise barrier is expected to have a lesser visual impact than the taller and more dominant structures that would have been erected under the existing approval.

Under the existing approval, the seven metre high wall and the lower concrete section of the bale sheds would be unpainted. They would be the grey colour of concrete. The upper metal section of the bale sheds would be green colorbond consistent with other colorbond finishes on the site as shown in the photomontages. The noise barrier now proposed and described in MOD 3, being a reduced height concrete structure with steel supports would be the colour of concrete.

This is consistent with other existing concrete finishes on the site, which are unpainted.

Should the planted tree corridor be approved for retention as proposed in MOD 3, there would be no visual impact and the continuing growth of screening vegetation would be

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<sup>1</sup> carried through to sections 7.11 and 7.12 of the current Act

able to continue. Conversely, if the tree corridor were required to be removed there would be a significant visual impact.

- 10. It is considered appropriate that landscaping be provided between the new walls and property boundaries consistent with existing landscaping provided around the site. Existing landscaping should be incorporated into any new landscape plan.*

The noise barrier on the southern side of the bale storage area has been relocated to be one metre offset from the property boundary, in the same position as the previously approved seven metre high wall. For much of its southern boundary the substrate plant borders the Blacktown-Richmond railway. In this context landscaping the southern boundary is not considered necessary. The noise barrier will be partly visible from Mulgrave Road in the frontage of the property as shown on the photomontage in Attachment 7. However the barrier will be set well back from the frontage, in part behind vegetation and a caretaker's cottage.

- 11. A heritage impact assessment should be submitted that considers the impacts the development would have on the following Heritage items identified under Hawkesbury Local Environmental Plan 2012:*

- Railway stationmaster's residence, No 117 Mulgrave Road, item number I403*
- Railway station, Lot 101, DP 1165487 No 117 Mulgrave Road, item number I404*
- "Tall Trees", Lot 13, DP 736138 No. 124 Mulgrave Road, item number I405*

*The report must recommend how and works along property boundaries could be designed in a manner that would enhance the overall appearance of the development when viewed from adjoining items.*

Attachment 9 is an extract from Council's LEP showing the location of three heritage items referenced by the Council. To properly evaluate the effect of the proposal on its surroundings, its impact must be considered in relation to the currently approved development that will be deleted should MOD 3 be approved. As indicated above it is considered the visual impact of the proposed noise barrier will be less than the visual impact of the approved structures that it will replace.

In the absence of the noise barrier the view from the heritage properties to the closest part of the substrate plant would continue to feature exposed straw bales stacked to a similar height as the proposed barrier with trucks and front end loaders accessing the storage on a daily basis.

The closest heritage listed property and potentially the most affected is the former stationmaster's cottage that adjoins the south-eastern corner of the substrate plant. This cottage can be seen in the photomontage showing the view from the south east. The image shows a significant band of vegetation between the cottage and the substrate plant. This vegetation will almost fully screen the noise barrier from the cottage.

In the view from the railway station and the heritage listed rural property to the south the noise barrier will appear in the context of the existing substrate plant on that site, located beside the railway line in a locality zoned light industrial.

Another relevant consideration is that the purpose of the noise barrier is to reduce impacts on neighbouring properties, of which the heritage listed properties receive the greatest benefit.

12. *Details need to be provided demonstrating that the retaining wall and concrete panels along property boundaries can be accessed for maintenance. It is unclear as to whether or not the proposed setback would be able to accommodate sufficient room to access the walls in order to address matters such as graffiti removal or repainting*

The noise barrier along the southern boundary has been relocated to have a one metre setback from the southern site boundary with railway land. This will provide room for personnel to access the external side of the noise barrier if needed. Should work be required such as painting over graffiti, it is expected that an elevating platform would be used, operating from the inside of the wall and extending over the crest. In an extreme case the concrete panels can be dismantled for maintenance or replacement.

13. *It is recommended that any assessment of the proposal have regard to the objectives of the zones when determining a development application*

Noted.

14. *A performance, damage and defects bond must be lodged with Council prior to the issue of a Construction Certificate. The bond is to cover any restoration required to Council's roads resulting from deterioration caused by construction traffic.*

Noted. Elf Farm Supplies will comply with all conditions of approval.

15. *It is recommended that the application be referred to the following agencies for comment:*  
- Sydney Trains as the proposed works are within 100 metres of a rail corridor;  
- The Department of Defence as the works have been identified under the flight path of the Royal Australian Air Force Base Richmond.

Noted.

### **William Sneddon**

1. *The proposal to adopt outdoor bale storage in an expanded area with walls and modified drainage in lieu of bale sheds appears reasonable.*

Noted.

2. *Imported material for the expanded area needs individual load certificates to ensure EPA standards are met.*

Noted. Elf Farm Supplies will require its filling contractor to obey all applicable laws and conditions of approval in carrying out the work.

3. *The request to allow continued use of the tree corridor appears reasonable.*

Noted.

4. *The details for acid storage appear reasonable, but no information is given for the strength of the acid as used in the ammonia scrubbers. Workplace training is needed for staff not previously trained in its use.*

Noted. Appropriate training is provided to all staff at the substrate plant covering all aspects of their work.

5. *Documents at Council did not include detail on the proposed modification to the concept plan.*

Noted. The request to modify the concept plan was necessary to allow minor works to be undertaken within the RU4 zone. The response to item 9 of the matters raised by the Department refers to these works.

6. *As the plant is considered State-significant development, a community oversight group should be reinstated. Mr Sneddon sat on the first community oversight group. Failing this Elf Farm Supplies should offer site tours to previous committee members and to the community generally to see the new odour management system in operation.*

Noted. Elf Farm Supplies has in the past from time to time shown groups of visitors including school groups over the plant. However this has been done as a private arrangement, generally following a specific request. Elf may continue this practice at the company's discretion, but would not support a condition requiring it to provide inspections to all comers. The land is private property and the processing arrangements are the company's intellectual property for which commercial confidentiality applies.

### **Neville Diamond**

The Department had redacted much of Mr Diamond's submission before the document was posted on the DoP website. The following responds to the matters within the submission that were accessible to the applicant.

1. *The deposited plan numbers appear to have changed from the original application in 2008 through the approved project 2012 and now to MOD 3.*

The original Part 3 application was submitted to the Department in 2010. Figure 2.6 of the environmental assessment associated with that application showed the affected land to be Lot 13 DP 1138749 and Lot 14 DP 1138749. These remain the land title identifiers for the substrate plant, having been created from a subdivision undertaken by the RMS in the aftermath of construction of the Hawkesbury Valley Way.

For completeness, in an earlier application submitted to Hawkesbury Council in 2007, prior to the RMS subdivision, the land was referred to as Lot 4 DP 610341 and part Lot 3 DP 771652.

2. *Importation of fill/VENM should be strictly controlled with a new traffic management plan, certification of each load and posting of load certificates on Elf Farm Supplies web site within 7 days with a copy to a proposed new community consultation group.*

Noted. Elf Farm Supplies will require its filling contractor to obey all applicable laws and conditions of approval in carrying out the work.

3. *There must be a new community consultation group consistent with departmental policy.*

Noted. Elf Farm Supplies will comply with all conditions of approval.

4. *The proposal to continue to store straw bales in the open fails to consider the risk associated with any fire in the straw bale area.*

This matter was addressed in the environmental assessment where it was observed that:

- in November 2016 there was a fire in stacked straw bales, the first in some 40 years of operation on the site;
- experience with the fire confirmed the best way to fight a bale fire is to have the bales readily accessible from all sides so they can be quickly moved away from other bales;
- a bale shed would have inhibited access, making the fire more difficult to control

5. *Sprinklers and bale sheds were not installed contrary to the original consent.*

The proposal to store bales in sheds has been abandoned partly as a result of experience with the 2016 fire. Bale sheds were a proposal of the original application in 2010, not a requirement of approval. There has never been a requirement for stored bales to be associated with sprinklers. Sprinklers are used in the plant for the purpose of bale wetting when the bales are introduced to the production process.

6. *The documentation for the proposed modification was not fully available at Hawkesbury City Council during the exhibition period. In consequence, the application should be re-advertised.*

Elf Farm Supplies is unable to comment on this matter.

I trust this information responds adequately to all matters raised by the Department and in submissions. Should you require any further information or clarification please give me a call.

Yours Faithfully  
for Perram & Partners



Terry Perram  
Principal