

**PENRITH  
CITY COUNCIL**

*Serving Our Community*



PCU019323

Our Ref: IMS:2671956  
Contact: Schandel Jefferys  
Telephone: (02) 4732 8125

4 February 2011

Emma Barnet  
NSW Planning  
GPO Box 39  
Sydney NSW 2001

**Proposed Major Project: Tolson Mushroom Farm  
521 The Northern Road Londonderry  
Submission to the NSW Department of Planning**

Thank you for the notification letter of 13 December 2010 advising Penrith City Council of the major project proposal for the Tolson Mushroom Farm at 521 The Northern Road Londonderry.

As previously stated, Council officers acknowledge that the development would result in benefits to the local community, specifically economic and job opportunities. However, the nature of the development could result in impacts on the surrounding environment if the development is not suitably managed.

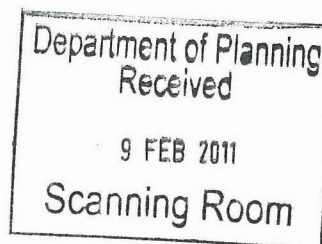
Council officers have reviewed the Environmental Assessment (EA) and identified key issues which are summarised in the attached table. Suggested conditions of consent are also enclosed.

It is strongly recommend that the issues identified be addressed prior to approval. Thank you for providing Council with the opportunity to comment on this development proposal.

Should you have any queries regarding this matter, please contact Schandel Jefferys, Principal Planner, on (02) 4732 8125.

Yours faithfully

Paul Lemm  
Development Service Manager



Submission from Penrith City Council, EA for 521 The Northern Road Londonderry  
Tolson Mushroom Farm  
4 February 2011

Issue	Details	Response/Suggestion
<b>Ongoing management</b>	<p>Effective management of all environmental aspects of the proposal requires satisfactory implementation of recommended mitigation measures as well as on going monitoring of the site by Department of Planning inspectors. This will include effective response times for complaints as well as regular monitoring.</p> <p>As the conditions of consent will fall under the Department of Planning's jurisdiction, the administering of this may be difficult when officers are not based in the local area and if not resourced sufficiently.</p> <p>As the operation at the Londonderry site does not require a licensing under the Protection of the Environment and Operations Act, Council becomes the regulatory authority under this legislation.</p> <p>There are multiple layers of responsibility and this may result in inefficiencies when handling compliance matters.</p>	<p>Communication between the Department and Council will need to be managed to reduce duplication of monitoring and compliance checking.</p>
<b>Visual Impact</b>	<p>The EA provides two photo montages of the proposed building as viewed from the Northern Road and an adjoining property. Elevations of the proposed buildings have not been provided in the EA.</p> <p>The site is listed under Penrith Local Environmental Plan (PLEP) 2010 as land with scenic and landscape values. Development is to be located and designed to minimise its visual impacts.</p> <p>Council would require the rural environment is enhanced with this development. The EA says that colours of buildings and finishes will be used to compliment the existing rural</p>	<p>The landscape mound proposed along the Northern Road will enable the development to be largely screened from public view.</p> <p>Building materials with reflective surfaces such as large expanses of glass, unpainted corrugated iron, concrete blocks, sheet cladding or similar finishes should be avoided. Where these materials are unavoidable, they should be screened with landscaping to minimise visual impact.</p> <p>Although it is recognised that the building design must relate to the proposed use, Council would encourage the use of high quality building materials and building</p>



	<p>environment.</p> <p>Details of proposed signage have not been provided with the EA nor included in the photomontages.</p>	<p>articulation that is commensurate with this rural location.</p> <p>A photomontage taken from the position of photograph 3 would have been the most appropriate site for visual assessment. (Refer to Section 6.7.5 of the EA) This is the location where the proposal is likely to have the most significant visual impact.</p> <p>The landscape proposal for the mound will need to be managed so that landscaping is replaced and continually maintained.</p> <p>The slope of the landscape mound is unknown at this stage but must be adequate to allow plantings to become established and to reduce any risk of erosion.</p> <p>Any fencing that will be visible from a public place should be rural style. Fencing required to ensure the security of the site should be screened behind the proposed landscaping mound and structures on the site.</p>
<b>Remnant vegetation</b>	<p>Remnant vegetation exists at the rear of the property as well as the stand of Castlereagh Swamp Woodland near the site of the proposed child care centre.</p>	<p>Fencing to protect the vegetation at the rear of the property is encouraged.</p> <p>The stand of Castlereagh Swamp Woodland toward the front of the property should be conserved. This will be assessed when the child care centre proposal comes forward.</p>
<b>Access and Traffic</b>	<p>The requirement for an AU type intersection treatment is considered acceptable based on predicted traffic flows at the site and existing movements on The Northern Road. The intersection is to be designed with a right turn bay and left turn deceleration lane from the Northern Road.</p> <p>Penrith City Council is the Roads Authority under the Roads Act 1993 responsible for approving:</p>	<p>Appropriate bicycle parking facilities shall be located within the proposed site.</p> <p>Adequate signposting for both vehicles and pedestrians must be provided onsite to ensure vehicle and pedestrian conflicts are mitigated.</p> <p>The proposed disabled parking spaces must be designed to</p>

	<ul style="list-style-type: none"> <li>• Works on the road reserve, or</li> <li>• The placement of hoardings, structures, containers, waste skips etc. on the road reserve.</li> </ul>	<p>conform with AS 2890.6 (2009). All parking spaces are to comply with the provisions of AS 2890.1 (2004).</p> <p>The driveway width must accommodate swept movements of the largest vehicle servicing the site and be designed to AS 2890.2 (2002).</p> <p>A Roads Act application is to be submitted to Council for consideration including payment of appropriate application and inspection fees under the Roads Act.</p> <p>All works on the road reserve including the placement of hoardings, containers, waste skips and the like on the road reserve shall be carried out in accordance with Penrith City Council specifications.</p>
<b>Development controls</b>	Penrith Development Control Plan (PDCP) 2010 came into effect on 10 December 2010. This document and its requirements were not included in the EA documentation.	Relevant development controls contained in PDCP 2010 must be addressed by the applicant.
<b>Water Recycling System Report Sainty and Associates Pty Ltd (28 May 2010)</b>	<p>The Water Recycling System report is very limited. The following is a summary of concerns of this report:</p> <ul style="list-style-type: none"> <li>▪ The assessment estimates a daily flow of 30,000 litres to come from the 'washing output'. No details have been provided on how this figure was arrived at. This area requires much more detail to determine if the water recycling system is appropriate. In addition this information needs to be considered in line with the effluent management assessment and the stormwater management reports.</li> <li>▪ There is limited information on appropriateness of the 'Recent Washings water quality data (table 1)'. The report does not outline who undertook the testing and the methodologies used to determine the water quality levels.</li> <li>▪ The report suggests that the water will be reused for a number of purposes such as for the cooling towers and toilets. It is unclear if the treated or recycled water is</li> </ul>	<p>This is area is of particular concern as any miscalculations in this area could impact the effluent and stormwater systems.</p> <p>The surrounding environment could also be impacted.</p> <p>Council have significant problems with other mushroom farm developments where this area has not been adequately addressed.</p> <p>As Council will be regulatory authority under the POEO Act, this issue needs to be addressed prior to approval.</p>



	<p>suitable for this use.</p> <ul style="list-style-type: none"> <li>▪ The system also relies upon regular maintenance and monitoring and a report outlining these requirements has not been provided.</li> </ul>	
<b>On-site Effluent Management Report Blue Mountains Geological and Environmental Service Pty Ltd (June 2010)</b>	<p>The on-site sewage management system will require an Operational Approval from Council under section 68 of the Local Government Act 1993 prior to commissioning.</p>	<p>The disposal area is to be located within the buffer distances outlined in Council's 'On-Site Sewage Management and Greywater Reuse Policy'</p> <p>15,000 sq metres of disposal area is to be installed.</p> <p>A detailed monitoring and maintenance plan is provided to Council for approval as part of the Operational Approval application.</p>
<b>Preliminary and detailed Site Contamination Assessment Compaction and Soil Testing Services Pty Ltd</b>	<p>This report uses the Australian Standard 4482.1- 2005 as the basis for a sampling guide.</p>	<p>Details of how the Australian Standards sampling guide relates to the NSW EPA's Sampling Design Guidelines should be provided.</p>
<b>Construction and Operational Noise Impacts Assessment prepared by Atkins Acoustics dated June 2010</b>	<p>The following key issues have not been addressed in this report:</p> <ul style="list-style-type: none"> <li>▪ Page 6 of the report outlines that Traffic Generation includes 83 employee vehicles (based on one car per two employees). This is understated as it cannot be assumed that people will carpool to the development. The noise assessment should consider worse case scenario and in this regard that should reflect one car per every employee.</li> <li>▪ The RBL set for the daytime period for M1 in Table 3 on page 14 seems to be slightly high considering that no daytime figures in the area (as outlined in the table were above 44dB(A) , but on three days they were</li> </ul>	<p>A revised operational noise assessment addressing the key issues listed may change the noise impacts associated with the development.</p> <p>As Council are the regulatory authority under the POEO Act, this issue needs to be addressed prior to approval.</p>

	below 44dB(a)).	
<b>Air Quality Assessment prepared by PAE Holmes dated 17 June 2010</b>	Council officers request that suggested conditions found at the end of this table be included in the consent notice to ensure potential odour impacts can be managed.	
<b>Report Structure and Presentation</b>	<p>This has been raised a number of times yet has not been responded to.</p> <p>As the EA covers not only the proposed farm at Londonderry but also the expansion of the existing farm in Mulgrave it becomes hard to track which facility is being discussed throughout the report.</p>	Although the facilities are interlinked, better delineation throughout the EA would ensure there is no confusion.

#### **AIR QUALITY (SUGGESTED CONDITIONS)**

- Air emissions from the development (including) odour are not to be detected beyond the property boundary.
- A suitably qualified consultant is to undertake an odour and air emissions assessment of the development every 6 months. The assessment is to be undertaken in accordance with the relevant legislation, standards and guidelines and must provide a report outlining the outcomes of the assessment. If the assessment identified any emissions or odours which exceed the levels and criteria provided in the Air Quality Assessment prepared by PAE Holmes dated 17 June 2010 then recommendations are to be provided, in that report, to ensure the development complies with the relevant criteria and does not have any adverse environmental impacts on the surrounding area.

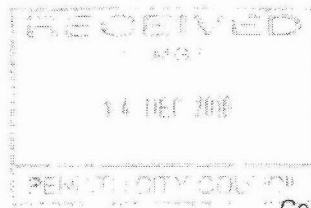
The report is to be provided to the Department of Planning and Penrith City Council within thirty (30) days of completion for consideration

- In the event the excessive odour or air emissions are caused due to temporary plant and equipment failure, then the operator must notify all surrounding residents within 24 hours of the situation and when the plant and equipment will be repaired. Failing plant and equipment is to be repaired as soon as possible.





Planning



Contact: Emma Barnet  
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Mr Alan Stoneham  
General Manager  
Penrith City Council  
PO Box 60  
PENRITH NSW 2571

Our ref: s08/00149-2  
Your ref: IMS:2671956

Attn: Mr Paul Lemm  
Development Service Manager

Dear Mr Lemm

**Elf Mushroom Farm and Substrate Plant (08\_0255)  
Exhibition of Environmental Assessment**

The Director-General of the Department of Planning has received a project application from Elf Farm Supplies and Elf Mushrooms, for a new mushroom farm in Londonderry and expansion of a substrate plant in Mulgrave. The substrate plant currently supplies bulk substrate to a number of mushroom farms in NSW. The proposed mushroom farm would have the capacity to produce up to 220 tonnes of mushrooms per week, while the substrate plant would double its production capacity.

The project is classified as a "Major Project" under *State Environmental Planning Policy (Major Development) 2005* and will therefore be assessed and determined by the Minister for Planning under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Department will be publicly exhibiting the environmental assessment for the project from **Wednesday 15 December 2010** until **Monday, 14 February 2011**. Submissions are due by the end of the exhibition period. A submission by way of objection must set out the reasons for objection.

The Department invites you to make a detailed submission on the project by **Monday, 14 February 2011**. Copies of the Environmental Assessment have been sent to you. It would be appreciated if the Council could make a copy of the EA available to the public, during the exhibition period. The Department's newspaper advertisement is attached for your information.

If you have any enquiries about the proposal, please contact Emma Barnet on (02) 9228 6550 or via email [emma.barnet@planning.nsw.gov.au](mailto:emma.barnet@planning.nsw.gov.au).

Yours sincerely

*for Felicity Greenway*  
Chris Ritchie  
Manager - Industry  
Mining and Industry Projects  
13/12/10



# EXHIBITION OF ENVIRONMENTAL ASSESSMENT

## Elf Mushroom Farm and Substrate Plant

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**Application number** MP 08\_0255  
**Location** 521 The Northern Road Londonderry (Lot 138 DP 752037) and 108 Mulgrave Road, Mulgrave (Lot 14 DP 1138749 and part Lot 13 DP 1138749)  
**Proponent** Elf Mushrooms and Elf Farm Supplies Pty Ltd  
**Council area** Penrith and Hawkesbury

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### Description of project

Elf Farm Supplies Pty Ltd and Elf Mushrooms propose to establish a mushroom farm on a 22 hectare site in Londonderry as well as expand operations to increase substrate production levels at an existing substrate plant in Mulgrave. The proposed mushroom farm would have the capacity to produce up to 220 tonnes of mushrooms per week, while the substrate plant would double its production capacity.

### Approval authority

Minister for Planning under Part 3A of the *Environmental Planning & Assessment Act 1979*.

### Exhibition

The Environmental Assessment (EA) for the project will be publicly available from **Wednesday 15 December 2010** until **Monday 14 February 2011**. During this period you may:

- view a copy of the Environmental Assessment at:
  - **Department of Planning:** Information Centre 22-33 Bridge Street, Sydney (9228 6111);
  - **Penrith City Council:** 601 High Street, Penrith (4732 7777);
  - **Hawkesbury City Council:** 366 George Street, Windsor (4560 4444); and
  - **Nature Conservation Council:** Level 2, 5 Wilson Street, Newtown (9516 1488).
- download a copy of the EA from the Department of Planning's website at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au) (go to Development Assessments/On Exhibition/Major Projects); or
- ask the Department of Planning (1300 305 695) to send you a CD-ROM copy of the EA free of charge.

### Submissions

You are invited to make a written submission on this proposal. This submission should include:

- your name and address;
- the project application number (08\_0255);
- a statement on whether you support or object to the proposal; and
- the reasons why you support or object to the proposal.

Your submission must reach the Department by close of business on **Monday 14 February 2011**, and should be:

- faxed to: 9228 6466; or
- posted to: Major Projects Assessment, Department of Planning, GPO Box 39, SYDNEY NSW 2001; or
- emailed to: [plan\\_comment@planning.nsw.gov.au](mailto:plan_comment@planning.nsw.gov.au) or via the entry for the project on the Department's website at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au) (go to Development Assessments/On Exhibition/Major Projects).

Persons lodging submissions are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years. For more details, including a disclosure form, go to [www.planning.nsw.gov.au/donations](http://www.planning.nsw.gov.au/donations).

Under section 75H of the *Environmental Planning and Assessment Act 1979*, the Director-General is required to provide copies of submissions received during the exhibition period, or a report of the issues raised in those submissions, to the Proponent and other interested public authorities. The Department may also place a copy of your submission on the Department's website. If you do not want your contact details to be made available to the Proponent, these authorities, or on the Department's website, please clearly state this in your submission.

### Enquiries

Emma Barnett (02) 9228 6550

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