



Hawkesbury City Council

late
supplementary
ordinary
meeting
business
paper

date of meeting: 09 December 2008

location: council chambers

time: 5:00 p.m.

ORDINARY MEETING - Late Supplementary

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Meeting Date: 9 December 2008

LATE SUPPLEMENTARY REPORTS

Item: 274 CP - Proposed Mushroom Farm and Substrate Plant Project, Londonderry and Mulgrave - (95498)

REPORT:

Introduction

On 3 December Council received a letter from the Department of Planning stating that *“The Department has received a Preliminary Environmental Assessment from Tolson Group for a new mushroom farm at Londonderry and an extension of a mushroom substrate plant at Mulgrave.”* The Minister is the approval authority for these projects under the provisions of Part 3A of the Environmental Planning and Assessment Act 1979 (EP&A Act). The Department of Planning advised the Tolson Group on 29 September 2008 that the Minister had formed the opinion that the proposed development was a Part 3A project.

The Department has been requested by the applicant to issue the Director General’s requirements for the proposed project and the purpose of the letter from the Department is to seek Council’s key environmental issues for inclusion in the preparation of the Environmental Assessment by the applicant. Any comments that Council may have in relation to the key environmental issues must be submitted to the Department by Wednesday 17 December 2008.

Part 3A Process

Part 3A of the EP&A Act sets out the process for the application, assessment and consideration of projects that fall into that category.

The first stage is the decision whether the particular project should be assessed under that part. The projects and criteria are set out in the State Environmental Planning Policy (Major Projects). The subject proposal fits into the category of a Major Project due to the estimated value of the development and the fact that the combined project spans two Council areas, i.e., the substrate plant expansion (at Mulgrave in Hawkesbury City Council LGA) is dependent on the new mushroom farm that is proposed in Londonderry (located in Penrith City Council LGA).

The second stage of this process (the subject of this report) is for the applicant to apply to the Department of Planning for the issue of the Director General’s Requirements (DGRs) for the preparation of the Environmental Assessment (EA). This requires the applicant to provide a project description and an assessment of the key issues proposed to be addressed in the detailed EA that is to be prepared. This is so specifically tailored Director General’s requirements can be issued by the Department of Planning for the proposal. At this stage the Department refers the matter to various authorities, including Council, to identify the key issues that the EA should address.

Upon issue of the DGRs the applicant must prepare an EA that addresses all the requirements in the DGRs for submission to the Department for assessment of the project. The Department will, upon receipt of the application, refer the application to various authorities, including Council, and also exhibit the application on the Department’s website. Council and the public will have the opportunity to make a detailed submission on the proposal and EA at that time.

Preliminary Environmental Assessment

The submitted preliminary environmental assessment has provided an outline of the proposal, i.e., the new mushroom farm in Londonderry and the expansion of the substrate plant at Mulgrave, the alternatives considered by the applicant, industry background material, review of relevant planning provisions and has identified the key environmental issues that the proposed environmental assessment will address for both sites.

The applicant has identified the key environmental issues for the Londonderry site as noise, air quality, water quality, transport, flora and fauna, visual impact and cultural heritage.

The applicant has identified the key environmental issues for the Mulgrave site as Air quality, noise, Water quality, transport and visual impact.

What is required from Council

The current letter from the Department of Planning requests that Council identifies to the Department the relevant key environmental issues for the preparation of the Environmental Assessment for inclusion into the DGRs. Council's requirements will relate specifically to the Mulgrave substrate plant extensions. The principle issues of air and water quality, noise, transport and visual amenity are already proposed to be included in the EA and, as such, Council does not need to address these issues unless there is something specifically omitted in the applicant's submission.

It is proposed that a submission be prepared on behalf of Council that reiterates that the EA should address all the issues proposed in the applicant's submission as well as additional odour monitoring and management plan details (specifically related to certain weather conditions), details of the minor additional filling proposed, detailed landscape plan and flood site management and evacuation.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Investigating and planning the City's future in consolation with our community, and co-ordinating human and financial resources to achieve this future."

Funding

There are no funding implications from this report

RECOMMENDATION:

That:

1. A submission be prepared and sent to the Department of Planning identifying the key environmental issues, as stated in this report, that Council wishes to have included in the Director General's requirements for the mushroom substrate plant project.
2. A copy of that submission be forwarded to all Councillors.

ATTACHMENTS:

There are no supporting documents for this report.

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ordinary
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