

Planning and Development (Hume Food Organics and Garden Organics Facility at Block 5, Section 26 Hume) EIS Assessment Report 2026

Notifiable instrument NI2026–345

made under the

Planning and Development Act 2007, s 225A (EIS assessment report)

1 Name of instrument

This instrument is the *Planning and Development (Hume Food Organics and Garden Organics Facility at Block 5, Section 26 Hume) EIS Assessment Report 2026*.

2 Commencement

This instrument commences on the day after its notification day.

3 EIS assessment report

The territory planning authority has prepared the EIS assessment report for the Hume Food Organics and Garden Organics facility as set out in the schedule.

Note 1 A copy of the assessment report can be obtained from the territory planning authority website at: <http://www.planning.act.gov.au>.

Note 2 Under the Act, s 225A (5) (repealed), the EIS assessment report expires 18 months after its notification day.

George Cilliers
Territory Planning Authority
16/07/2026



ACT
Government

Territory Planning
Authority

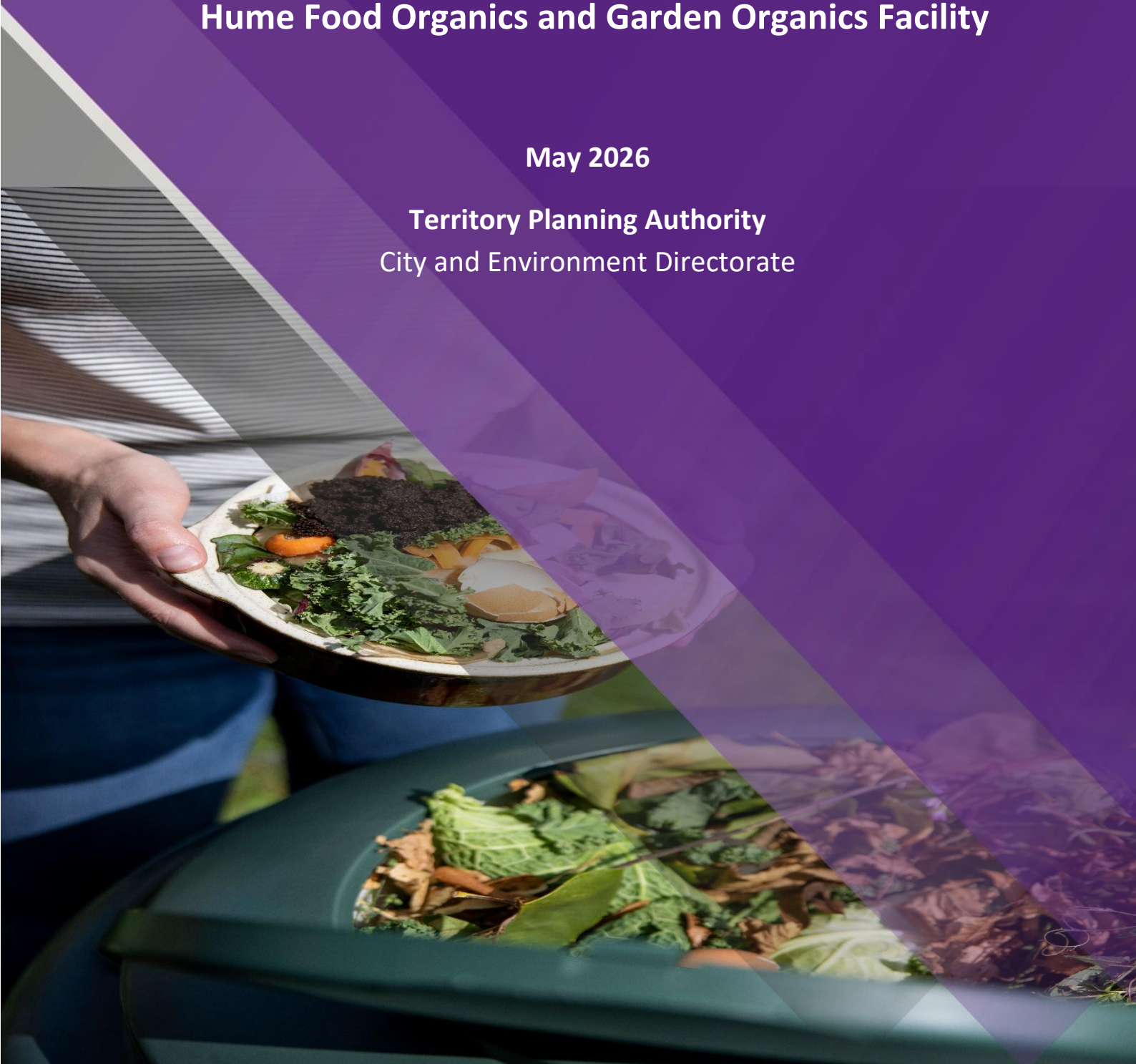
Environmental Impact Statement Assessment Report

For

Hume Food Organics and Garden Organics Facility

May 2026

**Territory Planning Authority
City and Environment Directorate**



Pursuant to Section 222 of the *Planning and Development Act 2007* (**PD Act**), this report evaluates the revised environmental impact statement for the following application:

Ref no: 202200016

Document no: 1-2022/66649

Project: ACT FOGO Waste Facility

Date scoping document issued: 19 July 2022

Date draft EIS lodged: 11 December 2023

Date revised EIS lodged: 27 November 2025

Proponent: ACT No Waste, City and Environment Directorate

Applicant: GHD

Location: Block 5, Section 26 HUME

Street address: 6 Recycling Road, HUME ACT 2620

As required by section 225A of PD Act, the planning and land authority (**the Authority**) has prepared this EIS Assessment Report (**the report**) for the Minister for Planning and Sustainable Development. This report confirms that the Authority is satisfied that:

- each matter raised in the scoping document for this proposal is addressed;
- there is an account of timely representations;
- the EIS demonstrates how timely representations have been taken into account;

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Glossary and definitions

Term	Definition
ACT	Australian Capital Territory
The Authority	The planning and land authority
AEP	Annual Exceedance Probability
AMP	Asset Management Plan
AQIA	Air Quality Impact Assessment
BSUD	Biodiversity Sensitive Urban Design
CED	City and Environment Directorate
CEMP	Construction Environment Management Plan
Climate Change Strategy	ACT Climate Change Strategy 2019-2025
DA	Development Application
DCCEEW	Department of Climate Change, the Environment, Energy and Water
DCP	Development Control Plan
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EP Act	<i>Environment Protection Act 1997</i>
EPA	Environment Protection Authority
EP Regulation	<i>Environmental Protection Regulation 2005</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)</i>
ESD	Ecologically Sustainable Development
ESCP	Erosion Sediment Control Plan
FOGO	food organics and garden organics
GHD	GHD Pty Ltd
GHG	Greenhouse Gas
ha	hectare
Heritage Act	<i>Heritage Act 2004</i>
HRR	Hazard and Risk Report
Infrastructure Plan	Canberra's Living Infrastructure Plan: Cooling the City
MNES	Matters of National Environmental Significance
NASF	National Airport Safeguarding Framework
NCA	National Capital Authority
NC Act	<i>Nature Conservation Act 2014</i>

NCP	National Capital Plan
NSW	New South Wales
OMP	Operational Management Plan
OWMP	Operational Water Management Plan
PD Act	<i>Planning and Development Act 2007</i>
PD Regulation	<i>Planning and Development Regulation 2008</i>
PFAS NEMP	Per- and poly-fluoroalkyl substances National Environmental Management Plan
Planning Act	<i>Planning Act 2023</i>
Planning Strategy	ACT Planning Strategy 2018
PHA	Preliminary Hazard Analysis
PPE	Personal Protective Equipment
Schedule 11	Schedule 11 to the Work Health and Safety Regulations 2011
SDS	Safety Data Sheet
SWMP	Soil and Water Management Plan
TaMS	Territory and Municipal Services Directorate
Territory Plan	<i>Territory Plan 2008</i>
TP Act	<i>Tree Protection Act 2005</i>
tpa	tonnes per annum
TSI	Targeted site investigation
Waste Management Strategy	ACT Waste Management Strategy 2011-2025
WIA	Water Impact Assessment
WM Act	<i>Waste Management and Resource Recovery Act 2016</i>
WR Act	<i>Water Resources Act 2007</i>
WWL	Waterways Works License

1. Introduction

This report is to the ACT Minister for Planning and Sustainable Development on the assessment of the Environmental Impact Statement (EIS) in relation to the ACT FOGO Waste Facility. This application was submitted before commencement of the *Planning Act 2023* (Planning Act) and is therefore assessed in accordance with the requirements of the *Planning and Development Act 2007* (PD Act) which was in force at the time.

The project is a development of a type that meets section 123 of the PD Act as it involves the construction of a waste management facility that is for the storage, treatment, disposal, processing, recycling, recovery, use or reuse as mentioned in Schedule 4 of the PD Act, and therefore requires an EIS. The development application (DA) for this project will be assessed in accordance with the Planning Act which requires an EIS to be submitted with the development application.

1.1. Project description

ACT NoWaste is proposing to construct and operate an in-vessel composting facility processing food organics and garden organics (FOGO) feedstock. The facility will have capacity to receive and process up to 70,000 tonnes of FOGO waste per year diverting organic waste from landfill and producing various grades of FOGO derived products including mulch, compost and soil conditioners.

The facility will be located off John Cory Road in Hume, directly beside the Materials Recovery Facility site. The facility will include:

- Receival hall
- Primary composting hall with tunnel modules
- Maturation and refining hall
- Product storage shed
- Odour management system

The facility will also include the following ancillary supporting infrastructure:

- Administration/control room building
- Machinery shed/workshop
- Weighbridges
- Access roads
- Hardstand parking
- Stormwater and leachate management

1.2. Project background

The ACT Government is working towards reducing greenhouse gas emissions and reaching net zero emissions by 2045 (ACT Government, 2019a). The proposed FOGO facility is required to support this initiative and meet key Territory and Federal Government resource recovery and landfill diversion targets including the National Waste Policy Action Plan target of halving the amount of organic waste sent to landfill for disposal by 2030 and the ACT Waste Management Strategy 2011-25 target of increasing the rate of resource recovery to over 90 percent by 2025, with no recoverable waste sent to landfill.

In the ACT around 26,000 tonnes of household food waste goes to landfill each year. When FOGO decomposes in landfill it produces methane – a powerful greenhouse gas contributing

to climate change. Diverting FOGO from landfill will reduce greenhouse gas emissions and turn organic waste into valuable compost.

The future FOGO service and proposed new FOGO processing facility will help the ACT reach these targets and commitments by reducing the amount of organic waste disposed in landfill and lowering greenhouse gas emissions.

1.3. Project location

The EIS relates to land in Hume, Australian Capital Territory. The land is located at Block 5 Section 26 Hume (the site) and is 2.3 ha in area. The land is zoned IZ1 General Industry under the Territory Plan. The project location and broader locality is shown in Figure 1. A site plan is shown in Figure 2.



Figure 1 - Proposal site and locality (source: GHD Final Revised EIS 2025)

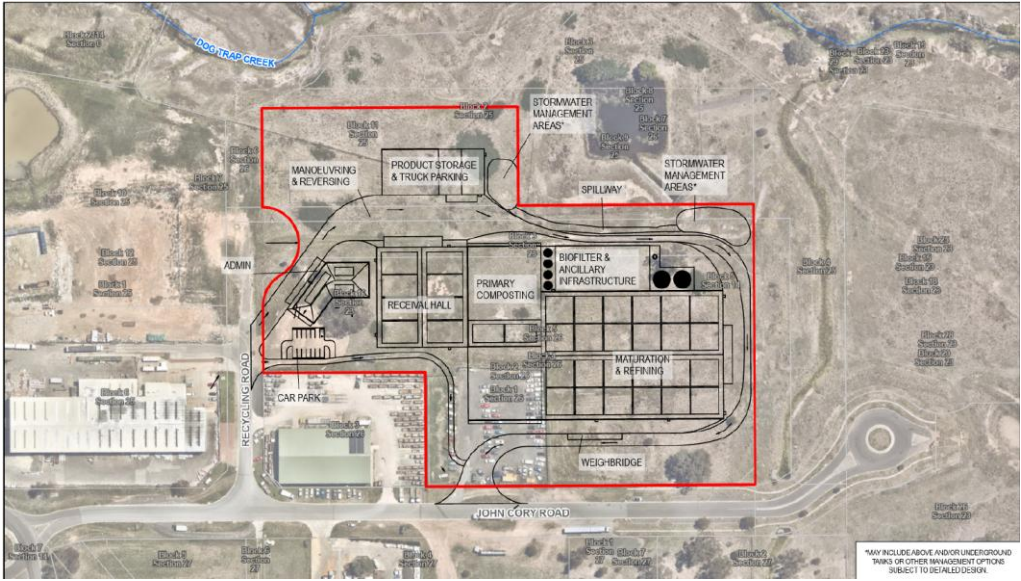


Figure 2 – Site plan of the project (source: GHD Final Revised EIS 2025)

1.3.1 Legal land description and tenancy

Table 1 below details the land tenancy for affected blocks.

Table 1 - Legal land description and tenancy

Block	Section	District/Division	Tenancy	Tenant
Directly affected lands				
5	26	HUME	Leased Territory Land	CED, No Waste
Neighbouring lands or indirectly affected lands				
6 & 10	25	HUME	Leased Territory Land	Private Lessee
7	26	HUME	Unleased Territory Land	CED, No Waste
3	26	HUME	Leased Territory Land	Private Lessee
4	27	HUME	Leased Territory Land	Private Lessee
7	27	HUME	Unleased Territory Land	CED, No Waste
28	23	HUME	Unleased Territory Land	Unleased
29	23	HUME	Unleased Territory Land	Unleased
21	23	HUME	Unleased Territory Land	Unleased
2114		JERRABOMBERRA	Leased Territory Land	CED, No Waste
1694		TUGGERANONG	Leased Territory Land	Private Lessee (Solar Farm)

1.4. Alternatives to the project

The EIS considered a number of sites in the ACT region as viable options for the project and undertook investigations to identify the most suitable site. Alternatives investigated included a feasibility study into upgrading the existing Mitchell Resource Management Centre (MRMC) as well as six alternative sites in north Canberra, all of which were assessed as having a moderate to very high constraints rating based on a multi-criteria assessment which considered environmental and engineering values.

The FOGO Feasibility Study concluded the Hume Resource Recovery Estate (HRRE) is the most suitable location as the area is already zoned for waste uses. HRRE is an existing industrial area established specifically to house recovery, reprocessing and material resale industrial facilities. The facility is located a sufficient distance (over one kilometre) from sensitive receptors as opposed to other industrial sites within the ACT. In addition, the ACT Waste Management Strategy 2011-2025 identified benefits from the co-location of waste facilities in the HRRE, including synergies between different parts of the recycling industry which could result in increased resource recovery, reduced costs and reduced traffic movements.

The option of not building the facility was also considered. The EIS states that if the facility is not built the ACT Government will not meet the objectives of the ACT Waste Management Strategy 2011- 2025, the draft ACT Circular Economy Strategy or the ACT Climate Change Strategy 2019-2025 (ACT Government, 2019a) which would result in:

- FOGO continuing to be taken to landfill and thereby continuing to produce emissions;
- the ACT not reaching the National Waste Policy Action Plan target to halve the amount of organic waste sent to landfill for disposal by 2030;
- the ACT Government being unable to meet its commitment under the draft ACT Circular Economy Strategy (now the ACT Circular Economy Strategy and Action Plan 2023-2030) to introduce a citywide FOGO collection service to all Canberra households; and
- organics continuing to take up valuable space in the Mugga Lane landfill which reduces the landfills lifespan. This would ultimately mean more money is directed towards creating landfills.

The EIS therefore identifies that doing nothing is not considered acceptable.

2. The environmental impact assessment process

Environmental impact assessment (EIA) processes are used to identify, predict, plan for and manage the impacts of development proposals before a decision is made about the project going ahead. An environmental impact assessment process is not an approval process. It ensures potential impacts and possible mitigation measures have been fully investigated and documented in accordance with the requirements of a scoping document.

The EIS is used as a key assessment tool for any development application lodged for the proposal. The EIS also recommends conditions to be imposed on a development application (if approved) for the proposal. Figure 3 outlines the EIS process.

2.1. EIS triggers

As described in Section 1.4 of the EIS report the project required an EIS as it was a development of a kind mentioned in Schedule 4, Part 4.2, item 10 of the PD Act.

Table 2 - Impact track (EIS) triggers per Schedule 4 of the PD Act

Item Number	Description	Project Component
Part 4.2, item 10	<i>proposal for a waste transfer station or recycling facility that sorts, consolidates or temporarily stores solid waste (including municipal waste) for transfer to another site for disposal, storage, reprocessing, recycling, use or reuse, if the transfer station— (a) is intended to handle more than 30kt of waste each year; or (b) will be less than 1km from the boundary of a residential block or unit in a residential or commercial zone; but (c) is not a small-scale waste management facility, on or near a residential block or near a residential unit, consisting of wheelie bins, small hoppers, or other small waste management bins or enclosures for the use of people living on the residential block or in the residential unit</i>	The proposal is for the construction of a waste transfer station intended to handle more than 30kt of waste each year.

2.2. EIS process

The flowchart below outlines the EIS process in accordance with the PD Act.

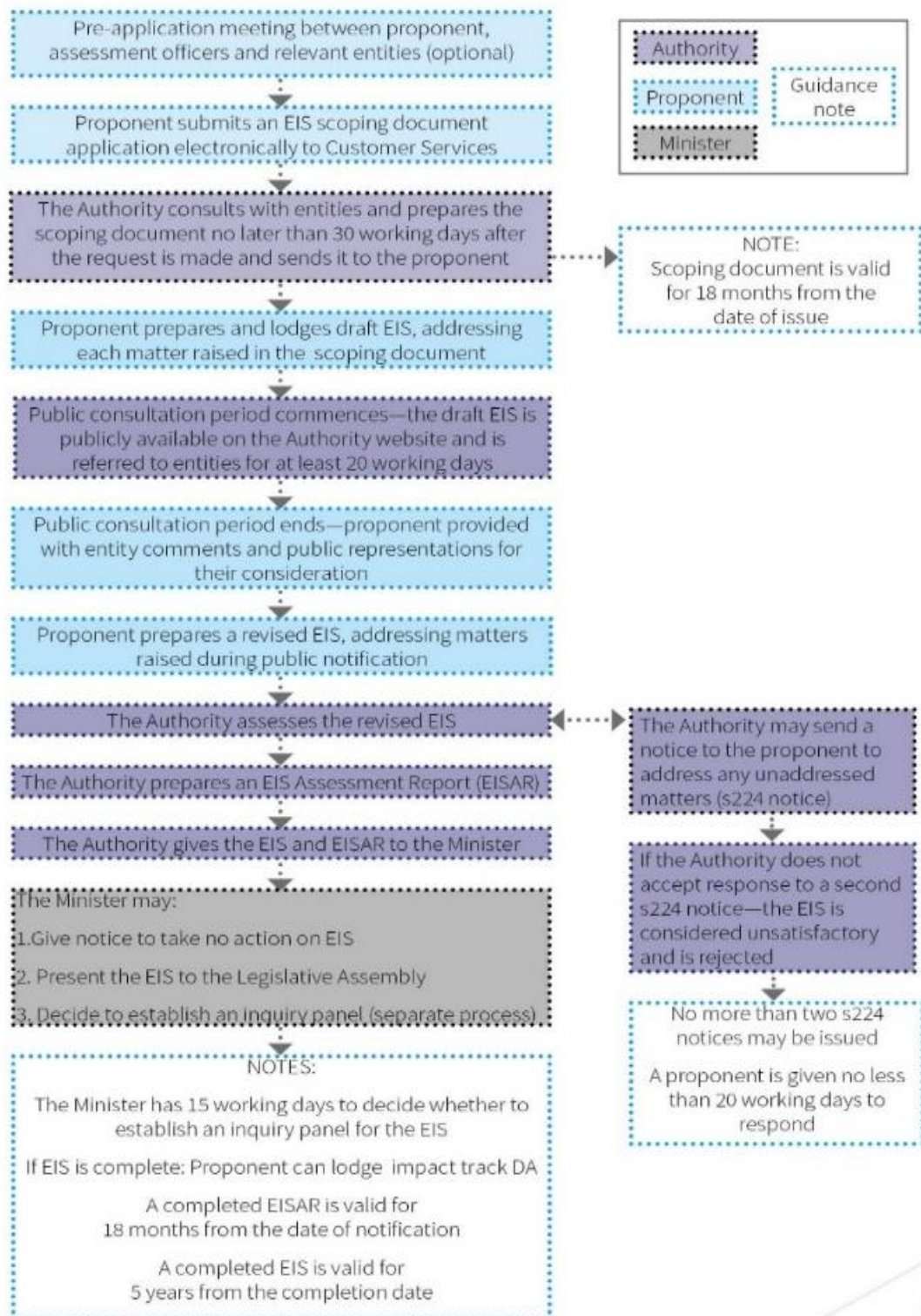


Figure 3 - The EIS process

2.3. Scoping Document

To guide the content of an EIS and therefore the investigations and research required, a scoping document is prepared. The planning and land authority (the Authority) within EPSDD prepares a scoping document in response to an application made for the proposal.

On 11 May 2022, TCCS (now CED) NoWaste submitted a request for a scoping document for an EIS pursuant to section 212(1) of the PD Act.

The Authority must consult with entities prescribed in section 51 of the *Planning and Development Regulation 2008* (PD Regulation) about the scoping document application. The Authority may also seek advice from the ACT community and other entities. The Authority referred the scoping document application to entities inviting written comments. Entities were given 15 working days to provide comment. The consulted entities and their responses are summarised in Table 3.

Table 3 - Entity comments on scoping document application

Entity consulted	Entity response
Evoenergy	No comment provided
Icon Water	14 July 2022 ICON water commented on both environmental and trade waste aspects of the proposal. <u>Environmental comments</u> Any connection and movement of ICON water assets will need to ensure contamination does not occur to ICON pipelines. A contamination study is required to be provided to ICON water to help with future management of infrastructure. <u>Trade Waste Comments</u> All connections to sewer that are classified as Liquid Trade Waste (any non-domestic sewage) must apply to Icon Water's Liquid Trade Waste team to seek approval before connection to sewer. This includes any discharge to sewer from this facility. The ACT FOGO waste facility will also need to consider how they are going to manage their liquid wastewater during construction and any potentially contaminated ground or surface water.
Jemena	No comments provided
Conservator of Flora and Fauna	13 July 2022 Office of Conservator of Flora and Fauna (OCFF) advised the terrestrial biodiversity impacts of the development are likely to be negligible and do not require further assessment, however there are several considerations regarding Dog Trap Creek that need to be included in the EIS. The EIS should consider impacts during both construction and operation of the facility on the following: • increased erosion – particularly affecting Dog Trap Creek; and • stormwater control to ensure runoff is treated The EIS should include assessment of peak discharge and discharge volume and demonstrate that the facility will have no impact.

	The EIS should consider fire risks associated with the proposal. This includes: • risk of bushfire impacting the facility; • fire originating on the site affecting other lands (during construction and operation); • the location of asset protection zones (which should be within the site boundary and maintained by the operator); • impacts to connectivity and biodiversity; • vermin impacts to biodiversity during operation of the facility; and • potential presence of Striped Legless Lizard habitat.
Emergency Services Commissioner	12 July 2022 ACTSES could not provide comment on this EIS as there is no flood mapping available for the area. ACT F&R reviewed the application and provided comment acknowledging the proposed development is located within a bushfire prone area and that bushfire risk would need to be considered during the EIS process. The EIS should include a bushfire assessment due to the nature of the facility. ACT F&R recommend the assessment includes provision of shielding (non-combustible fencing) to the perimeter of the block to assist with prevention of fire travel into the facility from surrounding grassland in the event of a bushfire.
Environment Protection Authority	No comments provided.
ACT Heritage Council	15 July 2022 The Council advised a recent assessment of Hume Site 1, by Navin Officer Heritage Consultants (in prep) to support the development of the FOGO facility, has identified that significant features of the place may extend beyond the registered boundary into the FOGO proposal area. Additionally, there have been a number of Aboriginal places, in addition to Hume PAD 4 recorded in and near the project area, including HA11, Hume 1, HAC2/Hume 2, HA12, HID1395, HID1391 and PAD2. The council requested an expert assessment of the potential for Hume Site 1 to extend into the proposed development area by a geomorphologist or other suitably qualified specialist and assessment of the potential impacts to Hume Site 1 and a Cultural Heritage Assessment (CHA) undertaken by a qualified archaeologist and Representative Aboriginal Organisations (RAOs), with a report submitted to the Council for endorsement. If any Aboriginal places or objects are discovered within the proposed development area, efforts should be made to conserve them <i>in situ</i>. If <i>in situ</i> conservation is not feasible, a Statement of Heritage Effect (SHE) approved under Section 61H of the <i>Heritage Act 2004</i> will be required before any work can begin.
ACT Health	13 June 2022 The Health Protection Service advised: • the EIS should include an assessment of odour impacts associated with the proposed facility and identify mitigation measures; and • the EIS should include a contamination assessment as per the scoping document requirement.
Transport Canberra and City Services (TCCS)	14 July 2022 No comments.

Development Co-Ordination (now a part of CED)	
National Capital Authority	27 June 2022 The NCA advised the site is identified as an urban area in the National Capital Plan (the Plan) and the proposed land use is permitted under the Plan. Any future development application on this site will need to consider visual impact to the Monaro Highway and be consistent with Development Control Plan 171/09/0001.
Climate Change and Energy - CED	13 July 2022 Climate Change and Energy suggested the EIS should provide further evidence of how the proposal will result in a reduction in net emissions by diverting waste from landfill. If the proposal has the potential to be a significant emitter and may impact on the ACT's greenhouse gas emissions targets, the proponent will need to provide quantitative estimates of the Scope 1 and 2 greenhouse gas emissions that will be generated by the proposed development during operation. Mitigation and/or offsetting measures proposed and the extent to which they reduce emissions must also be quantified. Estimates must be calculated in a way that is comparable to the greenhouse gas emissions targets in the <i>Climate Change and Greenhouse Gas Reduction Act 2010</i>. The EIS should also consider potential dust impacts to the nearby Mugga Lane Solar Park. Impacts of climate change also need to be considered in the EIS, ideally through a climate change risk assessment such as NARClm.
Canberra Airport	6 July 2022 Canberra Airport acknowledged the application document references the National Air Safety Framework (NASF) Guidelines and the proponent will undertake a Bird and Wildlife Assessment (Guideline C). We also request that Guideline E- lighting and pilot distraction be regarded to, we acknowledge that this would be addressed under the NCA Outdoor Lighting policy. The airport advised they will also require a copy of the environmental management documentation for our records and comment once the document is prepared.
CED Strategic Planning	14 July 2022 No comments.

In developing the scoping document, a risk-based approach was used so that the EIS could focus on those matters that potentially result in a significant environmental impact.

On 19 July 2022, the scoping document was issued by the Authority to the proponent pursuant to section 212(2) of the PD Act (Appendix 1). The scoping document set out the matters to be addressed in the EIS and contained, at a minimum, the requirements required in section 50 of the PD Act and section 54 of the PD Regulation.

The scoping document was notified on the ACT Legislation Register on 30 August 2022.

Pursuant to section 214 of the PD Act, the scoping document was issued within 30 working days after the application was made.

Under section 215 of the PD Act, the scoping document is effective for 18 months from the day after the date on the scoping document. After receiving the scoping document and pursuant to section 216(2) of the Act, the proponent is required to:

- a) prepare a draft EIS that addresses each matter raised in the final scoping document for the proposal
- b) give the draft EIS to the Authority for public notification

A cross-reference document was included as an Appendix to the EIS to cross reference the contents of the EIS to the contents required in the scoping document (Appendix 1).

2.4. Draft EIS

The purpose of the draft EIS is to identify and describe the potential environmental, social and economic impacts of the proposal, including cumulative, regional, temporal and spatial considerations. The draft EIS is required to fulfil the requirements of the scoping document.

On 27 November 2022, ACT No Waste gave the Authority a draft EIS, under section 216(2) of the PD Act.

2.4.1 Public notification of draft EIS

Pursuant to section 217 of the PD Act, the Authority publicly notified the draft EIS from 29 January 2024 to 12 March 2024, being 30 working days. This exceeds the minimum requirement under section 218 of the PD Act, which states that the public consultation period of the draft EIS is no less than 20 working days. Additional time was provided to allow the public more time to consider the application due to the complexity/size of documents/level of interest in the proposal.

During the public consultation period, a copy of the draft EIS was available on the Authority's website and at the EPSDD shopfront in Dickson. This public consultation process provided interested stakeholders and the community with the opportunity to make representations on the proposal or in respect to specific environmental issues of concern.

Four representations were received during the public consultation period. Copies of public representations received during the public consultation period are provided at Appendix 5. The main issue raised during the public consultation period is potential odour emissions arising from the FOGO facility. One additional concern was raised urging the Government to speed up the approval and eventual development of a second FOGO facility for the ACT.

A summary of comments received and the proponent's response to those comments during the public consultation process was provided by the proponent in the revised EIS and is detailed in Appendix T of the EIS.

As required by section 220 of the PD Act, copies of all public representations were provided to the proponent and made available on the Authority's website. The representations will remain on the website until either the EIS is completed or the representations are withdrawn.

2.4.2 Entity referral of EIS

On 29 January 2024 the draft EIS was referred to each of the entities who provided comments on the scoping document. The referral took place at the draft EIS stage so that the proponent could address entity comments in revising their EIS. Additional comments were sought on the revised EIS where the entity had requested further information from the proponent. Comments on the EIS received from entities are summarised in Table 4 below.

Table 4 - Summary of entity comments on the draft EIS

Referred entity	Entity response
ACT Health	23 February 2024 The EIS scoping document adequately addresses HPS comments and there were no further public health concerns.
Evoenergy	No comment received.
Icon Water	16 February 2024 ICON have an existing asset that may require relocation, a capacity check will be required when more information on the development is available and the Liquid Trade Waste team will need to be consulted for any wastewater discharge to the sewer network. The proponent must ensure our sewer system is protected from any unapproved discharge to sewer associated with the construction works.
Jemena	29 January 2024 Jemena reviewed the proposed development and confirmed Evoenergy gas have no objections.
Conservator of Flora and Fauna	19 February 2024 The Conservator provided advice stating the EIS has several issues needing to be addressed in the revised EIS. These included: • Water Impact Assessment needs to be updated to respond to Conservator concerns; • stormwater control modelling needs to be updated to address an error in the model; • increased erosion, particularly in relation to Dog Trap Creek, needs to be considered; • impacts to aquatic biodiversity need to be considered in more detail; • Asset Protection Zones do not comply with ACT Bushfire Management Standards 2023 and will need to be reviewed and updated; and • habitat connectivity improvement opportunities need to be identified.
Emergency Services Commissioner	15 February 2024 ACT Fire and Rescue have no objections to the development and provided further information on the APZ requirements confirming APZ's should be contained within the site.

Environment Protection Authority	19 February 2024 The EPA provided comments requesting further information on the feedstock management procedures to be implemented to manage/reduce acceptance of PFAS contaminated compostable food packaging and assess end products for PFAS contamination with consideration to the guidance in the draft PFAS NEMP 3.0.
ACT Heritage Council	19 February 2024 Requested further information be provided to meet the scoping document requirements, in regards to: - the potential error in MUSIC model must be addressed and corrected and the Water Impact Assessment updated accordingly; - an expert assessment of potential impacts to Hume Site 1 arising from the proposal including water quality, hydrology and erosion; and - further information on whether there are any other reasonably practicable ways to reduce impacts to HFFPAD01. Additionally, the council advised: - they would not support the application if there is likely to be a significant impact on Hume Site 1; and - the Council is currently reviewing a Statement of Heritage Effect application for HFFPAD01 and advice will be provided directly to the applicant in relation to this application.
Transport Canberra and City Services	18 April 2024 Comments relate to matters to be addressed at DA stage.
National Capital Authority (NCA)	19 February 2024 The NCA commented their requirements in the scoping document were adequately addressed and they have no further comments.
Climate Change and Energy (CCE)	15 February 2024 CCE provided comments against their scoping document requests on emissions, dust impacts to the Mugga Lane Solar Farm and climate change risk assessment. - CCE requested the Proponent provide further evidence that demonstrates how the proposed development will result in a reduction in net emissions by diverting waste from landfill and how the calculations were made. - CCE requested that the Proponent provide further information on any potential dust impacts of the proposed development on the nearby solar facility. - CCE requested that the EIS considers mitigation measures for extreme heat.
Strategic Planning CED	Had no further comments on the proposal.

The entity comments are included in this report where they relate to each potential impact. Any matters to be considered or conditions that have been recommended by a referral entity will be included in Section 5 of this report.

2.4.3 Request for revision of draft EIS

The Authority provided their preliminary review of the draft EIS, entity comments and public representations to the proponent. The proponent was required to revise the draft EIS, to take into consideration all matters raised by entities and in representations made during public consultation and comments from the Authority and to demonstrate how the matters have been taken into account in the revised EIS.

2.5 Revised EIS

On 9 September 2025, ACT NoWaste submitted a revised EIS to the Authority pursuant to section 221 of the PD Act. A brief adequacy review was undertaken to confirm that all appropriate sections and appendices had been included. As stated above, the revised application was circulated to selected entities to confirm their matters raised in earlier referrals had been addressed. Following this, the Authority commenced assessment of the EIS in accordance with section 222 of the Act. The Authority reviewed the revised EIS for:

- adherence to the final scoping document and legislative requirements;
- consideration and incorporation of the Authority's and entity comments provided on the draft EIS; and
- consideration and response to public representations received during notification of the draft EIS and other consultation processes.

Matters to be considered during the assessment include possible conditions of approval for any subsequent DAs for this proposal, as identified in Section 5 of this report.

Table 5 - Summary of entity comments on the revised EIS

Referred entity	Entity response
ACT Health	12 December 2025 Previous comments have been adequately addressed and there are no further public health concerns.
Climate Change & Energy	15 December 2025 CCE advise the Revised EIS now addresses previous comments. No further information required.
Environment Protection Authority	18 December 2025 Advised the scoping document and draft EIS have adequately addressed EPA requirements.
Jemena	10 December 2025 • Jemena advised there is a high pressure gas network in the vicinity of works, the applicant will need to ensure appropriate Before You Dig Australia (BYDA) processes are strictly followed during the construction phase. • If any relocation of meter or service pipe is required the work must be carried out by personnel accredited by Evoenergy.
Conservator of Flora and Fauna	9 January 2026 Advised overall support with the condition that the applicant addresses the rehabilitation of land near Dog Track Creek in their BSUD response at the DA stage.
Emergency Services Agency	4 December 2025

Referred entity	Entity response
	ACTSES advised they could not provide an assessment as no flood mapping/study is available. ACT F&R advised they were supportive of the proposal.

After assessing the revised EIS and discussions with referral entities, the Authority determined that there were a number of items that were deemed ‘unaddressed matters’. Therefore a notice under section 224 of the PD Act was issued to ACT NoWaste.

2.5.1 Section 224 notice – request for further information

On 12 February 2026, a notice pursuant to section 224 of the PD Act was issued by the Authority to ACT No Waste. A copy of the S224 notice is provided at Appendix 3.

On 2 March 2026, the proponent provided a response to the Authority (Appendix 4) and the Authority deemed the response to address the unaddressed matters of the notice.

2.6 Additional public consultation

In addition to the statutory notification performed by the Authority at draft EIS stage, the following consultation activities were undertaken by the Proponent:

- In May 2023, a letter was distributed to around 10,690 residents and businesses located in the suburbs of Chisholm, Fadden, Farrer, Gilmore, Gowrie, Hume, Isaacs, Jerrabomberra, Macarthur and Tralee as well as to other community members who had registered to be kept informed on the proposal. The purpose of the letter was to provide information about the proposed new MRF and FOGO facilities, inform the community about the start of the EIS process for the facilities, and invite the community to provide feedback on the proposals.
- In May 2023 an email was sent to around 140 businesses and community groups to inform them of the project. The stakeholders included neighbouring services, local community groups and volunteer conservation groups, landscape management and landcare groups in the area.
- A joint FOGO facility and MRF project page was created on the City Services website. The website also encouraged the community to provide feedback which would inform the draft EIS.
- Content was distributed via ACT Government channels including Facebook, Twitter and LinkedIn.
- Four face-to-face consultation sessions were held in May 2023. The community sessions were held across two weeks, with two sessions per week, across four different locations near the proposal sites.

Details of engagement undertaken by the proponent are contained in the Engagement Report at **Appendix S** of the revised EIS.

2.7 Giving the EIS to the Minister for Planning and Sustainable Development

Following the proponent's response to the section 224 notice, the Authority has accepted the EIS under section 222 of the PD Act. The findings and outcomes of the review of the EIS are included in this report, which is provided to the Minister for Planning and Sustainable Development with the EIS in accordance with section 225. Once the Minister has received the EIS, the Minister may:

- under section 226 – choose to take no action on the EIS; or
- under section 227 – present the EIS to the Legislative Assembly; or
- under section 228 – establish an inquiry panel to inquire about the EIS. The Minister must make this decision within 15 working days of receiving the EIS from the Authority. The requirements for establishing an inquiry panel are detailed under Part 8.3 of the PD Act.

Under section 209 of the PD Act, an EIS is completed if the Minister:

- a. gives the Authority a notice of no action under section 226;
- b. has not decided to establish an inquiry panel to inquire about the EIS;
- c. has established an inquiry panel for the EIS and:
 - i) the Panel has reported the results of the inquiry; or
 - ii) the time for reporting under section 230 has ended.

The Authority's recommendation to the Minister can be found in Section 5 of this report.

2.8 Lodging a development application

Once the EIS has been completed the proponent can lodge a development application in accordance with the *Planning Act 2023*. Any subsequent development application related to the EIS must include the completed EIS. The EIS expires five years after the day it is completed.

2.9 Documentation referenced in this report

The documentation referenced in the Authority's assessment report is summarised as follows:

- Revised EIS and supporting documentation;
- Entity comments and public representations;
- Correspondence or additional information received from proponent; and
- Expert/consultant advice on the project.

3. Assessment of impacts

This section provides a high-level summary of issues identified in the scoping document that had to be assessed in the EIS. For each set of identified issues, the results of the proponent's assessment are summarised under the following headings:

- Impacts
- Key findings
- Mitigation
- Residual Risk Assessment

3.1. Planning and Land status

The proposal is located in the Hume Resource Recovery Estate, a general industry area in Hume in close proximity to other waste processing facilities.

3.1.1 Impacts

In relation to planning and land status, the Scoping Document identifies the proposal as having a risk of sterilising surrounding land uses.

3.1.2 Key Findings

The EIS notes the proposal site is zoned IZ1 General Industrial. The proposal is permissible and consistent with the objectives of this zone.

The site is within the Hume Resource Recovery Estate, an existing industrial area which is separated by over one kilometre from the closest residential area, adjacent and proximate to other existing and proposed waste facilities including ACT Skip Hire across Recycling Road, Soft Landing Mattress Recycling, and the Mugga Lane Resource Management Centre and Landfill.

In addition, the site is subject to a Development Control Plan (DCP) under the National Capital Plan. The EIS addresses the requirements of the DCP, and the NCA have not raised any issues in relation to the proposal. A detailed assessment of the proposal against the DCP will be undertaken by the NCA as part of any future works approval.

3.1.3 Mitigation and avoidance

The EIS states that no mitigation measures are considered to be required given the low risk of the proposal.

3.1.4 Residual Risk Assessment

The EIS found there is no residual risk associated with planning and land status.

3.2 Traffic

Construction and operation of the FOGO facility will require heavy vehicle access to the site for the movement of construction materials and FOGO material, as well as light vehicle access for construction and operation staff.

3.2.1 Impacts

In relation to traffic and transport, the Scoping Document identifies the risk of traffic impacts from operation of the new facility.

3.2.2 Key Findings

A Traffic and Transport Impact Assessment (TTIA) was undertaken to assess the potential traffic impacts during the construction and operation of the proposal. The TTIA considers the construction and operation of the materials recovery facility occurring at the same time as the proposal. The TTIA found that:

- during construction the level of service at the intersection with Monaro Highway at Mugga Lane will worsen particularly in the southbound lane in AM peak times and both north and southbound lanes during PM peak times; and
- traffic modelling showed there will be no change to the level of service on any surrounding intersection during the operation of the facility.

The full TTIA is provided at Appendix E of the EIS. TCCS did not raise any concerns in relation to the TTIA.

Improvements in existing traffic conditions are expected to result from the Monaro Highway upgrade works which are currently under construction and scheduled to be completed in 2026.

The EIS notes that all parking for vehicles (including construction vehicles) associated with the proposal will be contained onsite within the site boundary during both construction and operation of the facility. Construction and operation of the facility is not expected to impact public or active transport routes given there are no major stops or facilities located near the proposal site access. It further notes that emergency vehicle access would be maintained throughout construction and operation of the facility.

3.2.3 Mitigation and avoidance

Table 6 summarises the avoidance and mitigation measures associated with traffic and transport as proposed in the EIS. A complete table of mitigation measures is included at Table 22.1 of the Revised EIS.

Table 6 - Avoidance and Mitigation Measures – Traffic and Transport

Proposed Mitigation	Stage of Implementation
Development of a construction traffic management plan (CTMP).	Prior to construction and construction
Logistics management will be controlled by a site supervisor to ensure efficient deliveries and to minimise trips.	Construction
All vehicles will comply with road traffic rules.	Construction and Operation

All parking will be contained within the proposal site.	Construction and Operation
All staff and contractors engaged on-site will be required to undergo site induction.	Construction and Operation
Separation of internal haulage routes for heavy vehicle movements.	Construction
Separate entrances and exits will be provided for vehicles and pedestrians.	Construction
Access for emergency vehicles will be maintained during construction.	Construction
Truck drivers will be directed to follow predetermined haulage routes.	Construction and Operation
Any oversized or overweight loads will be transported in accordance with the requirements of the relevant road authority.	Construction

3.2.4 Residual Risk Assessment

The table below summarises the risks associated with traffic and transport as identified in the Scoping Document and addressed in the Revised EIS.

Table 7 - Residual Risk – Traffic and Transport

Risk identified	Risk Assessment (before mitigation)	Likelihood (after mitigation)	Consequence	Residual Risk
Increase in heavy vehicle movement and the potential for limited road lane closures associated with construction works and delivery of equipment.	High	Unlikely	Minor	Very low
Changes in existing traffic access such as increased traffic volume.	Medium	Unlikely	Minor	Very low

3.3 Utilities

The proponent has undertaken a Before-You-Dig Australia (BYDA) search which identifies the utilities on and surrounding the site including gas, electricity, water supply, sewer and telecommunications infrastructure. A suitably qualified services locator also conducted a site walkover on 17 April 2023.

3.3.1 Impacts

The Scoping Document identifies the risk of impacts on existing utilities and infrastructure from required upgrades to utilities and infrastructure associated with the FOGO proposal.

3.3.2 Key Findings

The EIS states there are no known gas mains in the immediate vicinity of the proposal site. Existing electricity infrastructure consists of overhead connections visible along the proposal site boundary and an abandoned underground service line located in the northeast corner of the proposal site. Relevant details in relation to stormwater and wastewater collection and treatment are discussed in Section 3.7 of this report.

The EIS states the proposal will require the installation of electricity, communication, water supply and sewer connections for the operation of the facility which will all be subject to detailed design. Evoenergy comments on the draft EIS advised they were supportive of the proposal and had no concerns. ICON water comments on the draft EIS advised further consultation is required at detailed design stage to assess the need to remove existing infrastructure and advised Trade Waste will need to be consulted for any wastewater discharge to the sewer network.

The Revised EIS notes that the removal or relocation of utilities, need for discharge of liquid trade waste and stormwater treatment will be subject to detailed design.

3.3.3 Mitigation and avoidance

The table below summarises the avoidance and mitigation measures associated with utility services as proposed in the EIS. A complete table of mitigation measures is included at Table 22.1 of the Revised EIS.

Table 8 - Avoidance and Mitigation Measures – Utilities

Proposed Mitigation	Stage of Implementation
Construction contractor to confirm the locations of utilities in consultation with the relevant provider.	Detailed design and prior to construction
Consultation will be undertaken with utility providers to check capacity of existing utilities to service the proposed facility including ICON Water liquid trade waste team.	Detailed design
Appropriate waste management and erosion and sediment controls to be included in the CEMP to avoid contamination resulting from the proposal.	Detailed design

3.3.4 Residual Risk Assessment

The table below summarises the risks associated with Utilities as identified in the Scoping Document and addressed in the Revised EIS.

Table 9 - Residual Risk – Utilities

Risk identified	Risk Assessment (before mitigation)	Likelihood (after mitigation)	Consequence	Residual Risk
Impacts on existing utilities during construction	NA	Remote	Moderate	Very low
Impacts on existing utilities during operation	NA	Remote	Moderate	Very low

3.4 Materials and waste

The proposed facility will process food organics and garden organics waste. It will also generate other types of waste during demolition, construction and operation of the facility. The EIS states waste will be managed using a waste hierarchy of avoidance, re-use and then disposal.

3.4.1 Impacts

In relation to materials and waste, the scoping document identifies the following risks of the proposal:

- impacts from hazardous waste and/or chemicals received/stored at the facility;
- impacts from excess stockpiling of waste or recyclable material; and
- impacts from spread of waste.

3.4.2 Key Findings

A Waste Management Plan (WMP) was included in the EIS. The plan addresses waste handling during demolition, construction and operation phases of the proposed FOGO facility.

During demolition and construction, waste will be temporarily stored on-site on a hardstand area. Licensed private waste collection contractors will be engaged to collect and transport waste off-site for disposal or recycling following source segregation on-site.

Once operational, the facility will process up to 70,000 tonnes of household FOGO waste and convert it into approximately 28,000 tonnes per year of FOGO-derived products such as composts, soil conditioners and mulches which can then be sold. Sampling and testing of the product material will be undertaken prior to export off-site.

3.4.3 Mitigation and avoidance

Table 10 below summarises the avoidance and mitigation measures associated with materials and waste as proposed in the EIS.

Table 10 - Avoidance and Mitigation Measures – Materials and Waste

Proposed Mitigation	Stage of Implementation
An unexpected finds protocol will be implemented during construction.	Design and planning phase / during construction
Detailed design will include measures to minimise quantities of waste requiring off-site disposal including minimising volume bulk excavations and careful procurement of construction materials to minimise excess waste materials.	Detailed design
A demolition and construction waste management plan will be prepared and implemented as part of the CEMP for the proposal.	Prior to construction
All demolition and construction waste will be classified and recycled or disposed of in accordance with the Environmental Standards: Assessment and Classification of Liquid and Non-Liquid Wastes (EPSDD, 2021) and other relevant legislative and policy requirements.	Construction phase

A detailed operational waste management plan will be developed and implemented. This will include: • Details of all key waste and process residue streams and expected quantities. • Waste and residue handling, management and storage procedures including feedstock receipt and waste loading • Procedures for identifying and managing unacceptable and non-compliant waste types • Waste classification procedures and details of how all waste streams will be recycled or disposal of in accordance with the ACT Environmental Standards: Assessment and Classification of Liquid and Non-Liquid Wastes (EPSDD, 2021) and other relevant legislation and policies.	Prior to operation / during construction
A Contingency Management Plan will be developed during DA stage to manage potential exceedances of storage capacity. This will include: • Details of off-site recycling and disposal locations. • A detailed output product sampling and validation program in accordance with agreed end use specifications to ensure fitness for purpose for each intended end use. • Record keeping and reporting requirements.	Prior to operation / during construction / operation
A FOGO feedstock management plan will be developed and implemented which includes: • FOGO feedstock specification and contaminant tolerances. • FOGO feedstock pre-sort procedures. • Detailed feedstock sampling and monitoring program which documents sampling and other quality assurance/quality control procedures based on the allowable contaminant tolerances. • Consideration of the per- and poly-fluoroalkyl substances National Environmental Management Plan 3.0 (PFAS NEMP) which will be revised during the DA Stage but may include sampling and testing of feedstock, procedures to ensure feedstocks are suitable and meet product requirements and output monitoring of PFAS content.	Operation

3.4.4 Residual Risk Assessment

The table below summarises materials and waste risks identified in the Scoping Document and addressed in the Revised EIS.

Table 11 - Residual risk – Materials and Waste

Risk identified	Risk Assessment (before mitigation)	Likelihood (after mitigation)	Consequence	Residual Risk
Waste generated during construction	High	Almost certain	Minor	Medium
Waste generated during operation	High	Unlikely	Minor	Very Low
Impacts from hazardous waste and or chemical received/stored at the facility	High	Unlikely	Minor	Very Low
Impacts from excess stockpiling of waste or recyclables	High	Unlikely	Minor	Very Low
Impacts from spread of waste	High	Unlikely	Minor	Very Low

3.4 Biodiversity and nature conservation

A Biodiversity Assessment Report was prepared as part of the EIS for the FOGO facility. This report, as well as a range of ecological surveys and investigations, were prepared to identify any threatened flora and fauna on the proposal site and potential ecological impacts of the proposal.

3.4.1 Impacts

The Scoping Document identifies potential biodiversity and nature conservation risks associated with the proposal, including:

- impacts on terrestrial flora and fauna from construction and operation;
- potential impacts on habitat connectivity, given the site's proximity to undeveloped land and ecological corridors;
- risk of attracting vermin and pest animals associated with organic waste processing, and secondary impacts on surrounding biodiversity;
- potential impacts to Dog Trap Creek and adjacent ecosystems associated with stormwater runoff and erosion; and
- the potential presence of Striped Legless Lizard (SLL) habitat and the need for targeted surveys to confirm presence or absence.

3.4.2 Key findings

The EIS states that the proposal site has been subject to extensive historical disturbance, including vegetation clearing, earthworks and adjacent industrial activity. Construction would involve disturbance of previously cleared or modified land. Vegetation present on the site is largely degraded exotic grassland, with limited habitat value. Dog Trap Creek, located north of the site, is highly modified, actively eroding and assessed as having low aquatic ecological value. The surrounding land includes areas identified as having moderate to high potential for habitat connectivity, although the proposal site itself is not of high ecological significance.

The EIS concludes that no threatened plant species or threatened ecological communities were identified on the proposal site and vegetation on site does not meet criteria for protection under the *Nature Conservation Act 2014*.

In relation to fauna, the EIS concludes that habitat values on the proposal site are assessed as low, with limited shelter, foraging or breeding resources. The EIS concludes the proposal is not expected to result in adverse impacts on protected fauna.

The Revised EIS includes consideration of the potential presence of Striped Legless Lizard (SLL). The EIS notes that targeted surveys were undertaken by suitably qualified ecologists, with no SLL being detected during surveys. The habitat quality on site was assessed as low to marginal due to disturbance history. On this basis, the proposal is not expected to result in adverse impacts on SLL.

In relation to connectivity, although the proposal site is located adjacent to areas that contribute to broader habitat connectivity, the proposal is not expected to materially reduce existing connectivity given the industrial land use zoning and existing disturbance. No clearing of high-value habitat or ecological corridors is proposed.

In relation to vermin and pest attraction, organic waste facilities can pose a risk of attracting vermin, birds and pest animals, which may impact adjacent biodiversity. As such, the proposal incorporates fully enclosed receipt and composting operations, significantly reducing access to organic material. With operational controls in place, the risk of increased vermin or pest pressure on surrounding ecological areas was assessed as low.

Overall, the Revised EIS concludes that biodiversity impacts would be minor and localised, and that the proposal would not result in significant adverse impacts on flora, fauna or ecological connectivity. Connectivity with Dog Trap Creek was considered and the proponent has undertaken to integrate principles of the Biodiversity Sensitive Urban Design Guide at the DA stage and have consulted with the Conservator's office for advice on the best species of native trees and grasses to plant.

3.4.3 Mitigation and avoidance

The Revised EIS identifies mitigation and avoidance measures for biodiversity and nature conservation impacts (refer to Chapter 11 and Chapter 22). Table 12 below summarises the avoidance and mitigation measures associated with biodiversity and nature conservation. A complete table of mitigation measures is included at Table 22.1 of the Revised EIS.

Table 12 - Avoidance and Mitigation Measures – Biodiversity and Nature Conservation

Mitigation measure	Stage of implementation
A flora and fauna management plan (FFMP) will be developed before the commencement of construction (as part of the CEMP). Measures will be implemented before, during and after construction and will include: • Removal of areas of native vegetation and rocky habitat will be minimised wherever possible. • No impact to any areas of habitat not marked for removal. • No vegetation removal or soil disturbance will occur outside the impact areas. • All staff will be inducted and informed of the limits of vegetation clearing and the areas of vegetation to be retained. • If any threatened flora, threatened ecological communities or rocky habitat (which were not assessed in the ecological assessment) are identified in the proposal site, work will cease immediately and the environmental manager will be contacted. • An ecologist/wildlife carer will be present on-site during clearing activities. • Pre-clearance survey of frogs prior to works commencing.	Prior to construction and during construction
Trees to be retained will be managed during construction in accordance with <i>Australian Standards 4970-2009 Protection of Trees on Development Sites</i> .	Construction
The rocky habitat present on-site will be relocated during clearance.	Prior to construction
Principles of Biodiversity Sensitive Urban Design will be integrated into the detailed design at DA stage and include planting of native grasses in the undeveloped area to the west.	Detailed Design
A weed and pest management plan (WPMP) will be developed before the commencement of construction (as part of the CEMP). Measures will be implemented before, during and after construction to prevent the establishment and/or spread of weeds. The WPMP will include: • Limits for movement during construction to reduce spread of weeds to areas of high-quality habitat. • No machinery, light vehicle, or construction staff access to adjacent areas will occur, to minimise the risk of spread of weeds to sensitive areas. • When transporting weed waste from the proposal site to the waste facility, trucks must be covered to avoid the spread of weed-contaminated material. Disposal must be documented, and evidence of appropriate disposal must be kept. • Sediment controls will be put in place to prevent spread of weeds downstream. Other protocols will include: • Minimising the removal of vegetation wherever possible. • Having an ecologist/wildlife carer on site during clearing activities.	Prior to construction
A Soil and Water Management Plan (SWMP) will be prepared incorporating an Erosion and Sediment Control Plan (ESCP) prior to construction commencement, as part of the CEMP.	Prior to construction

3.4.4 Residual Risk Assessment

The table below summarises biodiversity and nature conservation risks identified in the Scoping Document and addressed in the Revised EIS.

Table 13 - Residual Risk (biodiversity and nature conservation)

Risk identified	Risk (before mitigation)	Likelihood (after mitigation)	Consequence (after mitigation)	Residual risk
Impacts on flora from site disturbance	Medium	Unlikely	Minor	Low
Impacts on fauna, including threatened species	Medium	Unlikely	Minor	Low
Impacts on habitat connectivity	Medium	Unlikely	Minor	Low
Attraction of vermin and pest animals	Medium	Unlikely	Minor	Low
Secondary impacts to Dog Trap Creek ecosystems	Medium	Unlikely	Minor	Low

With the implementation of the proposed mitigation measures, the residual risk associated with biodiversity and nature conservation is considered low, and the proposal is unlikely to result in significant adverse ecological impacts.

3.5 Landscape and visual impact

The FOGO facility is proposed to be developed in an area which is already used for other light industrial purposes, with large sheds and warehouses found throughout the Hume Industrial Estate.

A Landscape and Visual Impact Assessment (LVIA) was included in the EIS. The assessment considered the potential for visual impacts of the facility on its surroundings during both construction and operation.

3.5.1 Impacts

The Scoping Document identifies the risk of visual impacts of the facility itself and its operations.

3.5.2 Key Findings

The LVIA considered six viewpoints within the proposal viewshed for consideration of visual impacts, incorporating a range of receptor types and distances from the proposal site.

The LVIA found that the visual impacts of the proposal are anticipated to be low to negligible, with the exception of one viewpoint which has a moderate rating due to its proximity to the Tuggeranong Heritage Track. Receptors in the area are considered to be of

low sensitivity as they are predominantly screened or filtered by surrounding built form, topography and/or vegetation.

The assessment also considered the requirement for a Biofilter stack to mitigate odour emissions of the FOGO facility and found, although the proposed biofilter stack would be 15 metres high, three metres higher than the height of the proposed building, that visual impacts of the stack would be considered negligible as it would be unlikely to be visible within the context of the surrounding proposed buildings.

3.5.3 Mitigation and avoidance

Table 14 - Avoidance and Mitigation Measures - Visual Impacts

Proposed Mitigation Measure	Stage of Implementation
All practical measures will be undertaken to ensure construction equipment, storage areas, and other visible elements are located away from key views.	Construction
General tidiness of the site will be maintained during construction.	Construction
Works during evening/night will be avoided wherever possible to minimise light impacts.	Construction
All disturbed areas will be rehabilitated to previous condition.	Construction
Screening measures will be utilised to blend the proposal site with its surroundings.	Construction
Ensure the proposal form, material and finishes are of high quality and are in keeping with the surrounding setting.	Operation /Detailed design
The DCP Guidelines states that 'The roof should be of pre-coated metal of low reflectivity'. This should be taken into consideration when specifying Colourbond metal roofing finishes.	Operation /Detailed design
Custom designed cladding complementing the Indigenous cultural and rural landscape setting will be considered. Where unavailable green colour bond will be used in keeping with nearby structures.	Operation /Detailed design
Screen planting along the northern property boundary, to preserve the landscape character of Dog Trap Creek corridor.	Construction and operation
Increasing the density of planting along the site boundaries, to minimise visual impacts of the buildings, car parking and ancillary structures and equipment.	Construction and operation
Planting screening vegetation within the site boundary along John Cory Road, to minimise visual impacts experienced from the Tuggeranong Heritage Track.	Construction and operation
Avoid tree removals where possible to retain the visual character.	Construction and operation
Minimising signage dimensions.	Construction and Operation
Avoiding brightly illuminated signage.	Construction and Operation
Employing high quality signage design.	Construction and Operation
Locating signage on buildings rather than freestanding.	Construction and Operation

3.5.4 Residual Risk Assessment

The table below summarises the risks associated with Utilities as identified in the Scoping Document and addressed in the Revised EIS.

Table 15 - Residual Risk – Visual Impacts

Risks Identified	Original risk rating	Residual likelihood	Residual Consequence	Residual risk rating
Visual impacts during construction	Medium	Unlikely	Minor	Very Low
Additional visual impacts of the new facility to the existing landscape	Medium	Unlikely	Minor	Very Low
Lighting impacts causing pilot distraction	NA	Remote	Major	Low

3.6 Soils and geology

The proposal site lies within the Williamsdale Landscape as defined by the Atlas of Australian Soils, which is characterised by Kandosols along with related yellow leached soils in moderately drained areas and harder neutral to alkaline yellow mottled soils in poorly drained conditions. Geologically, the area is underlain by Silurian-aged Deakin Volcanics, consisting mainly of rhyodacitic ignimbrite with minor volcanoclastic and argillaceous sediments.

3.6.1 Impacts

The Scoping Document identified impacts from soil contamination from the operation of the facility and impacts from the disturbance of existing contaminated soil as risks for the proposal.

3.6.2 Key Findings

A preliminary site investigation (PSI) was conducted by GHD in 2022. The PSI reviewed the historic use of the site as a storage area for recycled material and concluded the previous site use had the potential to contaminate soil and water. It concluded that further investigation was required given the lack of existing contamination information on the proposal site and to assess the potential contamination risk to human health. A further Targeted Site Investigation (TSI) was arranged by ACT NoWaste.

The TSI assessment concluded there is a low likelihood that soil contamination is present on the site that could pose an unacceptable risk to construction or future operation works at the Hume FOGO site.

3.6.3 Mitigation and avoidance

Table 16 below summarises the avoidance and mitigation measures associated with soils and geology. A complete table of mitigation measures is included at Table 22.1 of the Revised EIS.

Table 16 - Avoidance and Mitigation Measures – Soils and Geology

Mitigation measure	Timing
A Construction Management Plan (CMP) will be prepared with measures to mitigate unexpected contamination risks during construction and included in the CEMP.	Prior to construction and construction
An asbestos assessor will be appointed to ensure there is no asbestos contaminated material (ACM) on the proposal site.	Construction
Drainage on the proposal site will be improved to minimise runoff towards Dog Trap Creek.	Construction
An Unexpected Finds Protocol (UFP) will be developed and included in the CEMP.	Construction
An ESCP will be prepared as part of the CEMP to identify and mitigate erosion impacts from construction activities, particularly during extreme weather.	Construction
A designated washdown area will either be provided on the proposal site or located at truck depots off-site.	Construction and operation
Any contaminated soil removed from the proposal site will be classified in accordance with ACT EPA 'Requirements for the reuse and disposal of contaminated soil in the ACT' (Access Canberra, 2019) and disposed of at a suitable licensed waste facility.	Construction
All hazardous materials will be stored and banded in designated areas within site compounds in accordance with <i>AS 1940-2004 The storage and handling of flammable and combustible liquids</i> (Standards Australia, 2004).	Construction and operation
All diesel fuels and lubricating oils will be stored in appropriate containers and on bunds and away from drainage areas.	Construction and operation
Spill kits will be located adjacent to storage areas.	Construction and operation
All spills will be cleaned up immediately as appropriate and certified by the EPA via approval letter.	Construction and operation
Safety Data Sheet (SDS) sheets will be located adjacent to storage areas.	Construction and operation
Appropriate storage areas will be created for batteries and fuel that are compliant with relevant standards.	Operation

3.6.3 Residual Risk Assessment

The table below summarises the risks associated with Soil and Geology as identified in the Scoping Document and addressed in the Revised EIS.

Table 17 - Residual Risks – Soil and Geology

Risks Identified	Original risk rating	Residual likelihood	Residual Consequence	Residual risk rating
Site contamination (such as liquid contaminant spills) from construction machinery	Low	Possible	Minor	Low
Erosion and sedimentation causing pollution of waterways during construction	Medium	Unlikely	Moderate	Low
Encountering contaminated land	High	Unlikely	Moderate	Low
Unprocessed material or contaminants separated from materials during operation may be a source of contamination if uncontained	NA	Unlikely	Moderate	Low
Contaminated wastewater and stormwater may impact on surrounding land and water catchments.	NA	Unlikely	Moderate	Low

3.7 Water quality and hydrology

Water quality and hydrology relates to construction and operation phases of the proposal. It assesses both surface water and groundwater matters. The proposal site is located within the Dog Trap Creek catchment, which drains northwards toward the Jerrabomberra East Grasslands Nature Reserve. Dog Trap Creek is described as highly modified and actively eroding, with limited aquatic ecological values. Groundwater is encountered at depth (approximately 8–12 metres), and there are no significant wetlands or surface waterbodies on the proposal site. The site lies partially within the probable maximum flood (PMF) extent, but major built elements are located outside frequent flood extents.

3.7.1 Impacts

The Scoping Document identifies potential impacts to water quality and hydrology, including:

- impacts to surface water and groundwater from construction and operation;
- erosion and sedimentation impacts on Dog Trap Creek due to altered runoff regimes;
- impacts from stormwater discharge quantity and quality, including peak discharge and discharge volumes;
- potential impacts from leachate or contaminant spills affecting groundwater and downstream waterways; and
- increased risk during extreme rainfall and flood events, given the site's location within the floodplain of Dog Trap Creek.

3.7.2 Key findings

The Revised EIS assesses water quality and hydrology in Chapter 13 and includes a Water Impact Assessment (Appendix N). The Water Impact Assessment considered the surface water and groundwater features of the area and the impacts erosion associated with the proposal might have on Dog Trap Creek. This included an assessment of peak stormwater discharge and stormwater discharge volume from the facility and consideration of the impact of stormwater discharges to Dog Trap Creek, as well as the need for erosion and sediment control structures in the creek to mitigate any impact.

In addition, the Water Impact Assessment considered how runoff from the proposal site will be treated before entering the receiving environment, stormwater retention and reuse capabilities at the proposal site, potential impacts of leachate/contaminant spills on local groundwater and surface water and measures to manage leachate/contaminants emanating from the facility to avoid impacts on groundwater and surface water.

A critical component of the proposed soil and water management strategy is the principle of including in-built water management measures into the proposal. This includes FOGO processes being undertaken indoors, management of stormwater to minimise impacts of downstream flooding and reuse of site runoff for water demand. In addition, it is proposed to secure an external potable supply to supplement full site demand during dry periods and secure a sewer disposal capability with Icon Water to accommodate the full wastewater demand from all activities taking place on the proposal site.

Based on the findings of the report and assessment of the Revised EIS, no significant or unacceptable impacts to water quality or hydrology are anticipated, provided the proposed mitigation measures are implemented.

3.7.3 Mitigation and avoidance

The Revised EIS identifies a suite of avoidance and mitigation measures for water quality and hydrology, these measures are summarised in the table below. A complete list of mitigation measures is provided in Table 22.1 of the Revised EIS.

Table 18 - Avoidance and Mitigation Measures - Water and Hydrology

Mitigation measure	Timing
Before the commencement of construction, a SWMP will be developed in accordance with Environment Protection Guidelines for Construction and Land Development in the ACT to address erosion and sediment control. The plan will specify numerous general requirements that will apply to the proposal, including: • Minimising the extent and duration of disturbance • Handling of soils • Stockpiling • Site access and egress • Management of drainage • Water quality monitoring • Roles, responsibilities, and incident reporting • Fuel storage • Inspection requirements	Construction

Before the commencement of operations, a detailed Operational Water Management Plan (OWMP) will be developed. It will be updated on a yearly basis. Some key requirements will include: • Materials inside trucks are not to be removed until truck is fully inside the indoor receiving area. • Fast action roller doors are to be installed so they can close promptly after trucks have entered the building. • Products are to be fully repackaged before leaving indoors on instances where they are transferred off-site or between buildings. The OWMP will also include details of the following: • Maintenance of the wastewater system, including the containment and conveyance system to ensure wastewater is not discharged off-site. • Consultation with Icon Water regarding a trade waste licence and management of water during operation in line with authority requirements. • Emergency management procedures, such as management of uncontrolled spills, including where engineered controls of areas containing hazardous materials are required such as bunding or similar to intercept pollutants from the receiving environment. • Emergency evacuation procedures during extreme rainfall events, including forecasting procedures, evacuation pathways and muster locations.	Operation
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3.7.4 Residual Risk Assessment

The table below summarises the risks associated with water quality and hydrology as identified in the Scoping Document and addressed in the Revised EIS.

Table 19 - Scoping document requirements – Residual Risk - Water Quality and Hydrology

Risk identified	Risk (before mitigation)	Likelihood (after mitigation)	Consequence (after mitigation)	Residual risk
Dirty runoff, erosion and sedimentation impacting Dog Trap Creek during construction	Medium	Unlikely	Minor	Low
Increased stormwater discharge affecting downstream waterways	Medium	Unlikely	Minor	Low
Leachate or contaminant spills impacting surface or groundwater	Medium	Unlikely	Minor	Low
Flooding impacts during extreme rainfall events	High	Possible	Minor	Medium–Low

Overall, with the implementation of the proposed mitigation measures, the residual risk to water quality and hydrology is considered low, and the proposal is unlikely to result in significant adverse impacts on Dog Trap Creek, groundwater, or downstream receiving environments.

3.8 Climate change and air quality

The FOGO facility is proposed to be constructed to divert FOGO away from landfill to reduce greenhouse gas emissions, which would support the ACT Government reaching net zero emissions by 2045. The facility has the potential to generate dust during construction and odours during operation.

3.8.1 Impacts

The Scoping Document identifies climate change and air quality as potentially significant environmental issues associated with the construction and operation of the FOGO facility. Key risks include:

- air quality impacts, particularly odour, dust and particulate emissions during construction and operation;
- potential cumulative air quality impacts when considered alongside existing and proposed waste and industrial uses in the Hume Resource Recovery Estate;
- greenhouse gas (GHG) emissions arising from construction activities and ongoing operation of the composting facility; and
- increased vulnerability of the proposal to climate change hazards, including extreme heat, extreme rainfall events, storms and bushfire, which may affect facility operation, asset resilience and local environmental outcomes.

3.8.2 Key findings

The Revised EIS assesses climate change and air quality in Chapters 14 (Air quality and odour), 15 (Greenhouse gas assessment) and 16 (Climate change) and includes an Air Quality Impact Assessment at Appendix O and Climate Change Risk Assessment at Appendix P. The assessments considered the impacts outlined in the Scoping Document and found the main pollutants of concern are dust during construction and odour during operation. Further findings of the report are summarised below.

Air quality and odour

Construction-phase air quality impacts are expected to be temporary and primarily related to dust generation from earthworks, vehicle movements and material handling. With implementation of standard dust management measures, construction-related air quality impacts are assessed as low and short-term.

The operational phase poses the greatest potential air quality risk due to odour emissions associated with processing organic waste. The proposal incorporates in-vessel composting technology, with all reception, composting and maturation activities undertaken within fully enclosed buildings maintained under negative pressure. Process air would be treated via a dedicated odour management system, incorporating biofiltration and, if required, wet scrubbers and elevated stacks to assist dispersion.

Air dispersion modelling undertaken for the Revised EIS demonstrates that predicted odour concentrations at all sensitive receptors would comply with relevant odour assessment criteria, including under worst-case operating scenarios. Dust generation during operation is expected to be minimal due to enclosure of processing activities and controlled handling of finished products.

Greenhouse gas emissions

Construction of the proposal would generate greenhouse gas emissions associated with materials, energy use and vehicle movements. Operational greenhouse gas emissions are primarily associated with energy consumption and residual emissions from composting processes.

The Revised EIS estimates average operational emissions of approximately 8,900 tonnes CO₂-e per annum. Importantly, the facility is expected to deliver a net emissions benefit at a system level, by diverting up to 70,000 tonnes per annum of food and garden organics from landfill, thereby avoiding methane generation that would otherwise occur. The proposal aligns with ACT Government policy objectives to reduce emissions from waste management and contribute to achieving net zero emissions by 2045, as articulated in the ACT Climate Change Strategy.

Climate change resilience

A Climate Change Risk Assessment identified key climate hazards relevant to the proposal, including:

- extreme heat affecting building performance, worker safety and process reliability;
- extreme rainfall and flooding potentially affecting stormwater management and material handling;
- storm events (including hail and high winds) affecting exposed infrastructure; and
- bushfire risk impacting site safety and asset integrity.

The Revised EIS concludes that these risks can be effectively managed through appropriate design standards, operational procedures and emergency management planning.

Overall, the Revised EIS concludes that air quality impacts, including odour, can be acceptably managed, and that the proposal would make a positive contribution to climate change mitigation at a Territory level.

3.8.3 Mitigation and avoidance

The Revised EIS identifies mitigation and avoidance measures for climate change and air quality impacts (refer to Chapter 11 and Chapter 22). Table 20 below summarises those measures. A complete list of mitigation measures is provided in Table 22.1 of the Revised EIS.

Table 20 - Avoidance and Mitigation Measures – Climate change and air quality

Mitigation measure	Timing
A dust control protocol will be prepared that forms part of the CEMP to detail management measures, a method for recording dust complaints and monitoring requirements.	Construction
Plant and equipment will be maintained in good condition to minimise ignition risk, spills and air emissions that may cause nuisance.	Construction
An onsite meteorological station will be set up to inform operational activities and identify odour sources in the event of a complaint.	Operation
The biofilter will be maintained as per manufacturer specifications and perform regular testing to confirm it is performing correctly.	Operation
The oxygen levels will be monitored inside the composting tunnels to ensure optimum levels are maintained.	Operation

Opportunities to reduce construction emissions will be investigated and considered during design and construction planning. This will include consideration of: • Use of construction materials with high recycled content, such as supplementary cementitious materials in concrete, reclaimed asphalt pavement in asphalt and post-consumer recycled content in steel. • Revegetation of nearby land. • Sustainable procurement practices where feasible. • Construction materials sourced locally where possible. • Opportunities for the reuse/recycling of other construction and demolition waste materials to be investigated and included in construction management plans, where feasible.	Construction
Ways to lower demand of diesel use and substitution with less emission intense fuels will be investigated and considered. This will include considering the use of electric/hydrogen plant and vehicles.	Construction and Operation
Emission capturing techniques and Carbon Capture Utilisation and Storage (CCUS) measures will be considered.	Detailed Design
Educational campaigns and increasing recycling awareness will be developed and implemented to help reduce feedstock contamination.	Operation
Regularly update WHS management plan and procedures to adjust to conditions.	Operation
Consider use of 'cool' materials when designing. This includes light-coloured roofs, increased tree canopy and other landscaping elements to mitigate impacts of urban heat.	Operation
Consider additional protection structures during detailed design.	Detailed Design
Consider use of materials (especially roofing) that can withstand potential hail damage.	Detailed Design
Ensure that mobile and permanent equipment is sufficiently covered.	Detailed Design

3.8.4 Residual Risk Assessment

The table below summarises the risks associated with climate change and air quality as identified in the Scoping Document and addressed in the Revised EIS.

Table 21: Scoping Document Requirement - Residual Risk - Climate change and air quality

Risk identified	Risk (before mitigation)	Likelihood (after mitigation)	Consequence (after mitigation)	Residual risk
Dust emissions during construction	Medium	Unlikely	Minor	Low
Odour impacts from operation of the facility	High	Possible	Minor	Low–Medium
Cumulative air quality impacts	Medium	Unlikely	Minor	Low
Greenhouse gas emissions from operation	Medium	Possible	Minor	Low
Impacts from extreme weather due to climate change	High	Possible	Minor	Medium

With the implementation of the proposed mitigation measures, the Revised EIS concludes that the residual risk associated with climate change and air quality is considered low to medium, and acceptable in the context of the proposal's location, design and policy objectives. The proposal is also expected to deliver broader climate change mitigation benefits by significantly reducing emissions from organic waste disposal.

3.9 Noise, vibration and lighting

3.9.1 Impacts

The Scoping Document identifies potential impacts associated with noise, vibration and lighting during both construction and operation of the FOGO facility, including:

- noise and vibration generated during construction activities, including earthworks, concrete works, plant operation and vehicle movements;
- operational noise from fixed plant and equipment, including fans, blowers, conveyors, mobile plant and heavy vehicle movements;
- potential cumulative noise impacts in combination with other waste management and industrial uses within the Hume Resource Recovery Estate; and
- effects of external lighting on surrounding land, including potential impacts to amenity, visual character and aviation safety (pilot distraction).

3.9.2 Key findings

The Revised EIS addresses noise, vibration and lighting in Chapter 18 (Noise and vibration) and a supporting Noise Emission Assessment is included at Appendix Q of the Revised EIS.

The noise emission assessment considered the noise impact to nearby receivers and found the proposal site is located within an established industrial precinct, characterised by existing waste and resource recovery operations with the nearest sensitive residential receivers located more than one kilometre from the site.

Construction activities will generate noise from heavy machinery, trucks and mobile plant however this is expected to be temporary and intermittent and to occur only during standard daytime construction hours as prescribed under the Environment Protection Regulation 2005.

Vibration impacts were assessed as negligible, with no vibration intensive activities or equipment proposed. Damage or disturbance to nearby receivers caused by vibration is not anticipated.

Operational noise was also considered in the assessment. The noise modelling undertaken indicates that operational noise levels at the site boundary and at all sensitive receptors would comply with the applicable noise criteria under the ACT Noise Environment Protection Policy with separation distances and enclosure of plant machinery ensuring that cumulative noise impacts with surrounding industrial operations remain acceptable.

Lighting impacts were also assessed. Some external lighting will be required for site access, security and safe operation, however, the lighting design will be consistent with industrial land use, with luminaires directed downward and shielded as necessary to minimise light

spill. Given the industrial context and separation from residential areas, lighting impacts on amenity are assessed as low.

Overall, the Revised EIS concludes that noise, vibration and lighting impacts would be minor, manageable and acceptable, given the site's location, design features and mitigation measures.

3.9.3 Mitigation and avoidance

The Revised EIS identifies a range of mitigation and avoidance measures for noise, vibration and lighting (refer to Chapter 18 and Chapter 22), these are summarised in the table below:

Table 22 - Avoidance and Mitigation Measures – Noise and Vibration

Mitigation measure	Timing
- Limiting construction activities to approved hours in accordance with regulatory requirements. - Use of well-maintained plant fitted with appropriate silencers and noise controls. - Implementation of construction scheduling to minimise simultaneous operation of high-noise equipment where practicable. - Community and stakeholder communication procedures to manage any construction-related disturbance.	Construction
- Enclosure of processing plant and equipment within buildings. - Selection of low-noise plant and equipment during detailed design. - Ongoing maintenance of mechanical equipment to prevent excessive noise emissions. - Traffic management measures to minimise unnecessary vehicle idling or queuing. - Design of external lighting to focus illumination only where required for safety and security. - Use of directional lighting and shielding to reduce light spill beyond the site. - Compliance with relevant lighting standards and National Capital Authority requirements to minimise off-site impacts and pilot distraction.	Operation

3.9.4 Residual Risk Assessment

The table below summarises the risks associated with noise, vibration and lighting as identified in the Scoping Document and addressed in the Revised EIS.

Table 23 - Residual Risk – Noise Vibration and Lighting

Risk identified	Risk (before mitigation)	Likelihood (after mitigation)	Consequence (after mitigation)	Residual risk
Construction noise impacts	Medium	Unlikely	Minor	Low
Construction vibration impacts	Low	Rare	Minor	Very low
Operational noise impacts	Medium	Unlikely	Minor	Low
Cumulative industrial noise impacts	Medium	Unlikely	Minor	Low
External lighting impacts and pilot distraction	Low	Rare	Minor	Very low

With the implementation of the proposed mitigation measures, the residual risk associated with noise, vibration and lighting is considered low to very low, and acceptable in the context of the proposal's industrial setting and regulatory framework.

3.10 Hazard and risk

Hazard and risk relates to construction and operation of the proposal with the main risks relating to fire and hazardous materials.

3.10.1 Impacts

The Scoping Document identifies potential hazard and risk impacts due to the nature of the proposed use and its location. Key risks identified include:

- fire risk, including fires within composting material, stockpiles or buildings, and the potential for fire to spread beyond the site;
- bushfire risk, given the broader landscape context and projected climate change impacts;
- potential risks associated with the storage and handling of hazardous materials and chemicals during construction and operation;
- risks associated with critical infrastructure failure, including electrical, water and wastewater systems;
- potential impacts on the surrounding environment and infrastructure in the event of accidents, spills or emergency events; and
- potential wildlife hazard risks, including attraction of birds and associated aviation safety considerations.

3.10.2 Key findings

The Revised EIS addresses hazard and risk in Chapters 19 (Hazard and risk) and 20 (Bushfire). A Preliminary Hazard Analysis and Bushfire Risk Assessment were also included in the revised EIS at Appendix R and Appendix S respectively.

These assessments found the proposal is located within an established industrial area designed to accommodate waste and resource recovery infrastructure. Surrounding land uses are predominantly industrial, with sensitive receptors located at significant separation distances. Existing emergency services infrastructure and access arrangements are available to support incident response.

Fire risk during operation of the facility was considered as composting operations inherently present a risk of heat generation and fire if not properly managed. The report found the proposal incorporates in-vessel composting, which allows close control of temperature, oxygen and moisture levels, significantly reducing the risk of spontaneous combustion and in addition, all processing activities will be undertaken in enclosed buildings, reducing the likelihood of fire spread. Overall, it was concluded that the likelihood of a major fire event due to the facilities operation is low if the proposed management and mitigations are implemented.

A bushfire assessment was undertaken in accordance with ACT Bushfire Management Standards. The assessment found appropriate Asset Protection Zones (APZs) have been identified and incorporated into the site layout and construction standards and access arrangements are designed to ensure the facility is resilient to bushfire events. With mitigation measures implemented, bushfire risk to the proposal and surrounding land is considered manageable.

Limited quantities of hazardous materials and chemicals are expected to be stored and used on site, primarily for plant operation, maintenance and odour control systems. None of the anticipated hazardous chemicals are expected to exceed placard quantities under the Work Health and Safety Regulation 2011 and a chemical register, safety data sheets and appropriate bunding and storage systems would be implemented in accordance with Australian Standards. Risks associated with chemical storage and handling are assessed as low, subject to standard controls.

The hazard assessment also included consideration of wildlife and aviation safety as the proposal site lies within the broader Canberra Airport safeguarding area. Although composting facilities can attract birds, the use of enclosed processing buildings significantly reduces attractants. A Wildlife Management Plan will also be prepared to address potential risks and the Canberra Airport did not raise concerns with the proposal.

Overall, the Revised EIS concludes that no unacceptable hazard or risk impacts are anticipated, and that residual risks can be appropriately managed through design, operational controls and regulatory oversight.

3.10.3 Mitigation and avoidance

The Revised EIS identifies comprehensive mitigation and avoidance measures for hazard and risk (refer to Chapters 19, 20 and 22). Table 24 below summarises those measures. A complete list of mitigation measures is provided in Table 22.1 of the Revised EIS.

Table 24 - Avoidance and Mitigation Measures – Hazard and Risk

Mitigation measure	Timing
A Fire Management Plan will be prepared for construction and operation.	Construction and Operation
Smoke detectors, fire extinguishers, fire blankets, fire hose reels and sprinklers will be appropriately placed within buildings.	Operation
An Emergency Management Plan will be prepared.	Operation
Buildings will be maintained to exclude pest animal entry.	Operation
Pest management professionals will be engaged as required.	Operation
Good housekeeping practices will be adopted.	Operation
The receival hall will be normally closed and operated under negative pressure.	Operation
Air exhaust from composting facility will be directed to an odour treatment system.	Operation
The biofilter will be operated and maintained.	Operation
Effective aeration of compost will be maintained.	Operation
FOGO will be pasteurised prior to despatch of finished product.	Operation
The process water recycle system will appropriately maintained.	Operation
Adequate training will be provided on operating machinery.	Operation
The following plans will be developed to manage critical infrastructure: • Business Continuity Plan: • Definition of critical waste services and plan coverage • Identification of potential threats and assessment of impacts • Critical function checklists (such as inventory of critical equipment and materials, vendors and logistics) • Recovery strategies (such as temporary staffing, mobile equipment options) • Emergency management procedures • Internal and external communication plans, including contact lists for staff, suppliers, and emergency services. • Asset Management Plan	Operation
Each chemical will have appropriate labelling, an appropriately sized bund and be stored within designated work areas.	Construction and Operation
Safe Work Management Statements (SWMS) and procedures will be implemented for the handling of all chemicals including transfer, storage, spill prevention and clean up requirements.	Operation

An SDS library will be located on-site that covers all chemicals used and/or stored on-site.	Operation
Appropriate PPE will be provided for users of chemicals.	Operation
Guideline C of NASF - Managing the Risk of Wildlife Strikes in the Vicinity of Airports will be adhered to.	Operation
Waste will be stored and processed in buildings or vessels.	Operation
Deterrent technologies will be used as required.	Operation
FOGO contamination or other waste generated as a result of the operation will be stored in an enclosed skip bin for off-site disposal or recycling within the receival hall.	Operation
Recyclable materials will be held in dedicated sealed skip bins. This will be managed in accordance with the site operations plan and be serviced regularly by a waste contractor.	Operation
The site will be kept clean and tidy.	Operation
Waste from office and administration activities will be stored in appropriate bins (with lids).	Operation

3.10.4 Residual Risk Assessment

The table below summarises the hazards and risks identified in the Scoping Document and addressed in the Revised EIS.

Table 25 - Scoping Document Requirement - Residual Risk - Hazard and risk

Risk identified	Risk (before mitigation)	Likelihood (after mitigation)	Consequence (after mitigation)	Residual risk
Fire within the facility or stockpiled material	High	Unlikely	Minor	Low
Bushfire impacting the facility	High	Possible	Minor	Medium–Low
Hazardous chemical spill or incident	Medium	Unlikely	Minor	Low
Critical infrastructure failure	Medium	Unlikely	Minor	Low
Wildlife attraction and aviation safety risk	Medium	Unlikely	Minor	Low

With the implementation of the proposed mitigation measures, the residual risk associated with hazard and risk is considered low to medium, and acceptable in the context of the proposal's location, design and regulatory controls.

3.11 Socio-economic and health

The EIS provides an assessment of potential socio-economic and health impacts of the proposal.

3.11.1 Impacts

The Scoping Document identifies potential socio-economic and health impacts associated with the construction and operation of the FOGO facility, including:

- impacts on community amenity and health, particularly from odour, noise, dust and pest attraction;
- risks associated with vermin, pest animals and biosecurity, given the handling of organic waste;
- potential impacts on workers and surrounding land uses in the event of poor operational management; and
- broader socio-economic effects, including contribution to waste management objectives, employment and regional infrastructure.

3.11.2 Key findings

The Revised EIS addresses socio-economic and health impacts in Chapter 17 and concludes that no direct health impacts to the general public are anticipated due to the separation distance and the enclosed nature of the facility.

Potential indirect health impacts (such as odour, noise or dust) have been assessed under the relevant technical disciplines and are predicted to comply with applicable criteria. Construction-related health impacts are expected to be temporary and would be managed through standard construction environmental management practices.

Vermin, pests and biosecurity were considered and discussed in the revised EIS. Organic waste facilities have the potential to attract vermin, insects and birds if not properly managed, however, the proposal incorporates fully enclosed waste receipt and processing areas, with fast-acting roller doors, negative pressure environments and controlled waste handling. Waste will be processed promptly, reducing opportunities for decomposition in open areas. Biosecurity risks would be further managed through operational procedures, cleaning regimes and waste acceptance protocols.

Socio-economic benefits

The proposal will provide critical waste management infrastructure for the ACT, supporting the transition to a circular economy. The facility will divert up to 70,000 tonnes per annum of food and garden organics from landfill. Construction and operation of the facility will generate employment opportunities, both directly and indirectly.

By reducing reliance on landfill disposal, the proposal contributes to longer landfill lifespans and reduced future infrastructure costs. The proposal aligns with ACT Government strategies for waste reduction, emissions reduction and sustainable resource management, delivering broader socio-economic benefits at a Territory scale.

Overall, the Revised EIS concludes that socio-economic and health impacts would be minor and acceptable, and that the proposal would result in net positive socio-economic outcomes.

3.11.2.1 *Mitigation and avoidance*

The Revised EIS identifies a range of mitigation and avoidance measures for socio-economic and health impacts (refer to Chapter 17 and Chapter 22). These are summarised in the table below. A complete list of mitigation measures is provided in Table 22.1 of the Revised EIS.

Table 26 - Avoidance and Mitigation Measures – Hazard and Risk

Mitigation measure	Timing
A construction Biosecurity Management Plan (including a pest and weed management plan) will be developed and implemented as part of the CEMP and include: - Measures to ensure controls and procedures are implemented during construction to avoid, minimise or manage potential adverse impacts on biodiversity. - Measures to retain and protect existing flora and fauna habitat where possible and appropriately manage the spread of weeds and plant pathogens. - Measures to minimise the potential for biosecurity risks during construction in accordance with the <i>Biosecurity Act 2015</i> and relevant ACT legislation.	Construction
An operational Biosecurity Management Plan will be developed and implemented which: - Clearly documents operational procedures, controls and ongoing monitoring and measurement of biosecurity risks associated with the proposal, including requirements for delivery within the receival hall and composting (pasteurisation) in accordance with the requirements of AS 4454-2012 (Standards Australia, 2012). - Identifies common pests and weeds (and associated disease symptoms, where applicable) within the local region so that staff can readily identify them. - Outlines how pest and weeds will be managed on the site.	Operation

3.11.3 *Residual Risk Assessment*

The table below summarises the socio-economic and health risks identified in the Scoping Document and addressed in the Revised EIS.

Table 27 - Scoping Document Requirement - Residual Risk - Socio-economic and health

Risk identified	Risk (before mitigation)	Likelihood (after mitigation)	Consequence (after mitigation)	Residual risk
Amenity and health impacts from odour, dust or noise	Medium	Unlikely	Minor	Low
Attraction of vermin and pest animals	Medium	Unlikely	Minor	Low
Construction-related disturbance to surrounding land uses	Medium	Unlikely	Minor	Low
Adverse socio-economic impacts	Low	Rare	Minor	Very low

With the implementation of the proposed mitigation measures, the residual risk associated with socio-economic and health impacts is considered low, and acceptable in the context of the proposal's location, design and broader public benefit.

3.12 Heritage

The proposal site is subject to previously recorded Aboriginal sites and archaeological potential.

3.12.1 Impacts

The Scoping document identified the risk of impacts from the proposal to known heritage values.

3.12.2 Key Findings

The EIS included a Cultural Heritage Assessment (CHA) undertaken to assess the potential impacts of the proposal on known and potential heritage values. A copy of the CHA is included at Appendix H of the EIS.

The CHA identified the proposal site has been subject to extensive survey and subsurface investigation as a part of planning procedures for the expansion of the Hume Industrial Estate. There are a number of heritage values both on and surrounding the site, of note, potential direct impacts during construction were identified for HFFPAD01, HID1395 and Hume Site 1 as well as indirect impacts to HFF01 and HID1391. No impacts to heritage values are expected during operation of the facility.

HFFPAD01 is an area of potential archaeological deposit (PAD). The PAD spans an area of 142 x 121 metres and includes rocky outcrop in the South eastern end. Representative Aboriginal Organisation's (RAO's) identified the area as a potential raw material resource with a high likelihood to contain artefacts due to its undisturbed nature. The area of the HFFPAD01 located to the West of the proposal site has been subject to a higher level of disturbance and although subsurface testing revealed 2 subsurface artefacts, no further testing is recommended due to the highly disturbed nature of the site.

HID1395 (previously recorded as PAD2) and HID1391 have been subject to grader scrapes with a total of 458 artefacts recovered from the site. Following the scrapes, salvage works were undertaken uncovering a further 924 artefacts. These works provided a comprehensive assessment of the site and no further investigations are required.

Hume Site 1 is located in proximity of the proposal site. All information about the nature and precise location of Hume Site 1 has been declared restricted under the Heritage Act 2004. The ACT Heritage Council raised concerns about the potential impacts that noise, vibration, flooding and water runoff from construction and operation of the proposal would have on Hume Site 1. Noise and vibration and hydrological assessments indicate the proposal will not pose an increased risk to Hume Site 1.

HFF01 is an isolated aboriginal artefact recorded 4 m outside the proposal site. The artefact will be fenced off during construction to prevent any impacts to the artefact.

In response to the draft and revised EIS, The Heritage Council determined heritage impacts have been adequately addressed, subject to conditions which are recommended to form part of any future development approval.

3.12.3 Mitigation and Avoidance

Table 28 below summarises the avoidance and mitigation measures associated with heritage impacts as proposed in the EIS. A complete list of mitigation measures is provided in Table 22.1 of the Revised EIS.

Table 28 - Avoidance and mitigation measures (heritage)

Proposed mitigation measure	Stage of implementation
All proposal personnel, including contractors, will be made aware of the heritage status of the known heritage sites prior to impacts.	Prior to construction/During construction
Site HFF01 and HFF02 will be fenced during construction to ensure that no machinery can impact the surface artefacts.	Prior to construction/During construction
Site fencing should be installed with the assistance of RAOs and a suitably qualified archaeologist.	Prior to construction/During construction
Artefacts within HFFPAD01 around high density deposits will be salvaged in accordance with a salvage methodology approved by ACT Heritage. The timeline for these works will be arranged by Infrastructure Canberra in consultation with ACT Heritage.	Prior to construction/During construction

3.12.4 Residual Risk

The table below summarises the heritage risks identified in the Scoping Document and addressed in the Revised EIS.

Table 29 - Residual Risk – Heritage

Risk identified	Risk (before mitigation)	Likelihood (after mitigation)	Consequence (after mitigation)	Residual risk
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Direct impacts on existing historic non-Aboriginal heritage places or objects (including physical, visual and potential vibration impacts).	Negligible	Remote	Minimal	Negligible
Direct impact to Aboriginal archaeological potential or places with high Aboriginal cultural values.	High	Unlikely	Moderate	Low

3.13 Conclusion of impact assessment

The supporting studies and the comments of relevant entities provide sufficient information on all identified impacts of the proposal identified above.

4 Policy considerations

Legislative requirements and ACT policies considered in the preparation of the EIS are detailed below.

4.1 *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*

The EPBC Act is the Commonwealth's primary environmental legislation, designed to protect Matters of National Environmental Significance (MNES), including threatened species, ecological communities, and heritage places. The EPBC Act requires referral to the Commonwealth if a proposal is likely to significantly impact MNES. The EIS includes a biodiversity assessment (Chapter 8 and Appendix F), which concludes that the proposed FOGO facility will not impact MNES, and therefore does not require referral. The proposal is not considered a controlled action under the EPBC Act, and no further Commonwealth assessment is needed.

4.2 *Planning Act 2023*

Although the *Planning and Development Act 2007* (PD Act) has been repealed, transitional provisions under Section 636 of the *Planning Act 2023* allow the EIS to be assessed under both the former and current legislation. The proposal meets the criteria for "Significant Development" due to its scale and the requirement for an EIS. It also satisfies triggers under Schedule 4 of the former PD Act and Schedule 1 of the *Planning Regulation 2023*, ensuring compliance with both frameworks. As the application was submitted in 2022, this EIS is being assessed under the PD Act. The future development application will be assessed under the *Planning Act 2023*.

4.3 *Planning and Development Regulation 2008*

As this EIS is being assessed under the *Planning and Development Act 2007*, the EIS must be prepared in accordance with the *Planning and Development Regulation 2008* (the Regulation). Section 50 of the Regulation outlines the requirements for the preparation of an EIS in the ACT.

The proposed FOGO facility triggers Schedule 4, Part 4.2, Item 10 as it is a Food Organics and Garden Organics (FOGO) processing facility handling over 70,000 tonnes of FOGO waste annually. These thresholds confirm the necessity of an EIS and classify the project as significant development.

4.4 *Waste Management and Resource Recovery Act 2016*

The *Waste Management and Resource Recovery Act 2016* (WMRR Act) provides the licensing framework for waste facilities and defines key terms such as waste, waste activity, and waste facility. The proposed FOGO facility qualifies under these definitions and will require a waste facility licence under Section 22. The WMRR Act supports the ACT Waste Management Strategy 2011–2025, promoting waste minimisation, resource recovery and innovation. The FOGO facility will also comply with requirements for waste transporters and codes of practice under Part 10A.

4.5 *Environment Protection Act 1997*

The *Environment Protection Act 1997* (EP Act) regulates environmental protection in the ACT, including pollution control and contaminated land management. The FOGO facility qualifies as a Class A activity under Schedule 1 Item 37, requiring an Environmental

Authorisation from the EPA. The EIS includes mitigation strategies to prevent environmental harm, aligning with the Act's objectives and addressing offences under Sections 137–139.

4.6 Environment Protection Regulation 2005

This regulation supports the EP Act by detailing offences related to emissions and setting standards for noise and sediment control. The proposal meets noise standards outlined in Chapter 18 and Appendix Q. Although the regulation lacks specific odour and air quality criteria, the EIS includes assessments based on NSW and national guidelines (Appendix O). The proposal will require an approved ESCP plan to be developed at the DA stage to manage and prevent impacts during construction.

4.7 Heritage Act 2004

The *Heritage Act 2004* protects heritage places and objects, including Aboriginal Heritage. The EIS addresses heritage considerations in Chapter 9 and the included Cultural Heritage Assessment as Appendix H. The Heritage Council issued a Statement of Heritage Effect (SHE) with conditions on 9 July 2025 stating the conditions of the SHE must be adhered to.

4.8 Urban Forest Act 2023

The *Urban Forest Act 2023* replaces the repealed *Tree Protection Act 2005* with the aim of improving tree protection on both public and private land. The Urban Forest Act will apply to trees in built up areas and industrial zoned land. Trees on the proposed FOGO site will require approval from the Conservator if they are proposed to be removed.

4.9 Water Resources Act 2007

The *Water Resources Act 2007* (WR Act) aims to ensure the use and management of the Territory's water resources are sustainable while protecting the ecosystems dependant on the waterways. The WR Act requires work in a waterway and construction of a water structure with a capacity of more than 2 megalitres (regardless of whether it is located on or off a waterway) to be licensed unless the works are approved by an Environmental Authorisation or Environment Protection Agreement under the EP Act. As the FOGO facility requires an Environmental Authorisation, a waterway license is not required for the proposal.

4.10 The ACT Climate Change Strategy 2019-2025

The ACT Climate Change Strategy 2019-2025 (Climate Change Strategy) brings together emission reduction, resilience and adaptation measures as part of a holistic response to climate change and together with Canberra's Living Infrastructure Plan, replaces the Climate Change Adaptation Strategy. The Climate Change Strategy identifies how the ACT will transition to a net zero emission city by 2045, including Goal 6A to reduce waste generation.

The proposed FOGO facility will play an important role in assisting the ACT Government in meeting goals around waste and emissions reductions by diverting up to 70,000 tonnes per annum of FOGO waste from landfill and converting it into new compost products.

4.11 Canberra Living Infrastructure Plan: Cooling the City

The *Canberra Living Infrastructure Plan: Cooling the City* promotes green infrastructure to combat climate change. The proposal includes landscaping and adheres to a 50% site coverage limit, supporting tree canopy and permeable surface targets.

4.12 Climate Change and Greenhouse Reductions Act 2010

The *Climate Change and Greenhouse Reductions Act 2010* (CCGR Act) promotes the development of policies and practices to address climate change, sets targets to reduce greenhouse gas emissions and provides for monitoring and reporting in relation to the targets. The EIS includes assessments of climate change impacts and mitigation measures in Chapter 16.

4.13 Territory Plan 2023

The Territory Plan provides the statutory framework for land use in the ACT. The proposal aligns with industrial zone and district policies and will be assessed under the outcomes-based framework introduced in 2023. Supporting materials such as design guides may be referenced during assessment.

4.14 ACT Planning Strategy 2018

The Planning Strategy outlines long-term goals for a sustainable, resilient, and compact city. The proposal supports strategic directions such as protecting industrial land and improving resource efficiency. The East Canberra District Strategy reinforces the site's role in regional economic development and transport connectivity.

4.15 National Capital Plan

Administered by the National Capital Authority, the National Capital Plan (NCP) sets strategic land use policies for Canberra. While the site does not meet the requirements for special conditions (as it does not directly front an approach route), the NCA has prepared DCP Number 171/09/0001 Hume West Industrial Area which applies to Part section 23, sections 25, 26 and 27 Hume and the proposal site is in the area subject to the DCP.

Details of the Special Requirements in the DCP are provided in Chapter 5 and the landscape and visual impacts associated with the proposal are discussed in Chapter 11 of the EIS.

4.16 Separation Distance Guidelines for Air Emissions (2018)

These guidelines recommend buffer zones between emitters and sensitive uses. The EIS considers these in its air quality assessment (Chapter 14), ensuring minimal impact on surrounding areas and protecting industrial viability.

4.17 ACT Waste Management Strategy 2011-2025

The strategy promotes full resource recovery and a carbon-neutral waste sector. The proposed FOGO facility will support all 4 outcomes of the strategy being less waste, full recovery, clean environment, and reduced emissions by recovering and creating products and markets for organic waste and reducing the amount of organic landfill which will reduce greenhouse gas emissions created by decomposing organic waste.

4.18 ACT Waste Feasibility Study (2018)

The study outlines best practices for waste management and aims to increase resource recovery to 90%. The proposal supports key recommendations and is a key deliverable in implementing the policy objectives for both reusing waste products and reducing emissions.

4.19 *Ecologically Sustainable Development*

The proposal is assessed against principles of ecological integrity, economic prosperity, precaution, and intergenerational equity. It avoids greenfield expansion, supports biodiversity, and provides long-term environmental and social benefits. Mitigation measures include habitat restoration and fauna connectivity improvements.

4.20 *National Airport Safeguarding Framework*

The site is within 10 km of Canberra Airport. The FOGO facility will be fully enclosed, with no open waste storage, reducing bird attraction risk. Canberra Airport has no objection to the proposal and found it was in line with NASF guidelines.

4.21 *Transport for Canberra Policy 2012-2031*

The *Transport for Canberra: Transport for a Sustainable City Policy 2012-2031* is the foundation for transport planning in the Territory. The FOGO Proposal is aligned with the six guiding principles of the policy and is located within the HRRE, an area nominated for waste uses and integrated with the land use planning framework.

5 Recommended conditions

After considering the revised EIS, the Authority recommends DA considerations to assist with the avoidance and mitigation of adverse environmental impacts, as outlined in Table 30.

Any DA related to the completed EIS must include the DA considerations as part of the application.

Table 30 - Draft Conditions of Development Approval for Hume Food Organics and Garden Organics (FOGO) Facility

No.	Condition contents	Endorsement/approval	Construction stage	Draft condition of approval
1	General	Territory Planning Authority (TPA)	All works	All works must be consistent with the mitigation measures in table 22.1 of the Hume Food Organics and Garden Organics Facility Revised Environmental Impact Statement prepared by GHD for ACT No Waste, dated 13 November 2025.
2	Utilities and Service management plan	Evoenergy and ICON Water	Prior to Construction	Utility locations must be confirmed during detailed design in consultation with service providers. BYDA must be conducted prior to construction.
3	Utilities and Service management plan	Evoenergy and ICON Water	Prior to Construction	The CEMP must include erosion and sediment controls to prevent contamination from utility works.
4	Utilities and Service management plan	Evoenergy and ICON Water	Prior to Construction	Evoenergy and Icon Water must be consulted during detailed design to confirm service capacity.
5	Utilities and Service management plan	Evoenergy and ICON Water	Prior to Construction	At a minimum the ACT FOGO waste facility will need a current Icon Water Approval to discharge to sewer. A new trade waste application must be submitted to ICON water.
6	Utilities and Service management plan	Evoenergy and ICON Water	Prior to Construction	If any discharge of non-domestic wastewater to the sewer system is required, the applicant must make contact with the ICON water Liquid Trade Waste team and submit an application for Non-Domestic Discharge (Liquid Trade Waste) to sewer to Icon Water for assessment prior to construction and operation of the site.
7	Construction Environmental Management Plan (CEMP)	TPA	Prior to Construction	A CEMP must be prepared and submitted to the TPA (CEDImpact@act.gov.au) for endorsement prior to construction. The CEMP must outline the construction conditions/methods and temporary environmental protection measures to manage the impact of construction activities, consistent with the EIS. The CEMP must include the mitigation measures proposed in the EIS and any relevant management plans including, but not limited to: ○ Demolition and Construction Traffic Management Plan ○ Flora and Fauna Management Plan ○ Weed Prevention and Management Plan ○ Biosecurity Management Plan

				○ Demolition and Construction Waste Management Plan ○ Operational Waste Management Plan ○ Feedstock Management Plan ○ Contamination management plan ○ Erosion and Sediment Control Plan ○ Waste Water Management Plan including storm water management ○ Dust Control Protocol ○ Bushfire Prevention and Response Plan ○ Unexpected Finds Protocol (for heritage matters)
8	CEMP	TPA	During Construction	All works must be undertaken in accordance with the endorsed CEMP.
9	Heritage requirements	ACT Heritage Council	During Construction	All works must be in accordance with the approved Statement of Heritage Effect and associated conditions.
10	Biodiversity and Conservation	Conservator of Flora and Fauna	Detailed Design	The Biodiversity Sensitive Urban Design response must include commitments to undertake plantings of appropriate local native species within the Dog Trap Creek setback corridor to the satisfaction of the Conservator of Flora and Fauna.
11	Bushfire Management	Act Fire and Rescue (ACT F&R)	Before Construction	All works must be in accordance with the recommendations included in the Bushfire Assessment Report prepared by GHD Pty Ltd (project number 12540460).
12	Bushfire Management	Act Fire and Rescue (ACT F&R)	Before Construction	The locations of street furniture, landscaping, existing trees and tree planting must be consistent with the following criteria: • Street furniture, landscaping, and trees must not impede or cover in-ground and above-ground hydrants, other water supplies and all service shut-offs. • Hydrants are identified, easily accessible and do not have vehicles parking over them. • Street furniture, landscaping, and trees must allow the progress of emergency service vehicles attending the facility.

				The minimum height clearance for ACTF&R vehicles is 4.5 metres. Site maintenance should include pruning any overhanging branches over driveways and pathways.
13	Waste and Materials Management	Environment Protection Authority (EPA)	Before construction and prior to operation	A Demolition and Construction Waste Management Plan must be prepared prior to construction, incorporating waste hierarchy principles and classification and disposal procedures.
14	Waste and Materials Management	Environment Protection Authority (EPA)	Before construction and prior to operation	An Operational Waste Management Plan (OWMP) must be prepared prior to operation, detailing waste streams, handling, classification, disposal, and contingency plans.

6 Recommended action on this EIS

Having regard to the documentation and information provided, the Authority has assessed the Hume Food Organics and Garden Organics Facility (FOGO) Revised EIS as meeting the requirements of Chapter 8 of the PD Act.

It is the Authority's assessment that the revised EIS has provided sufficient information to the ACT Government and the community to allow an informed evaluation of potential environmental impacts which could be attributed to the proposal. The proponent has proposed a range of avoidance, mitigation and management measures to reduce and avoid potential environmental impacts arising from construction and operational activities associated with the project. It is considered that any potential adverse impacts can be adequately addressed by implementing these measures and the development application conditions specified in this report.

The Authority's recommendation is that the Minister take no action in relation to the revised EIS.

The Minister has the following options under the PD Act in relation to the EIS:

Option 1 – take no action on the EIS. This option applies if the Minister decides not to establish an Inquiry Panel and decides not to present the EIS to the Legislative Assembly.

Option 2 – not establish an inquiry panel but present the EIS to the Legislative Assembly. The EIS process is complete upon the Minister's decision not to establish an Inquiry Panel.

Option 3 – establish an inquiry panel to inquire about the EIS. The EIS process will be complete at the finalisation of the inquiry panel report.

Under s 228 of the PD Act, the Minister must decide to establish an inquiry panel within 15 working days of receiving this assessment report.

For all options above, the Minister may still choose to present the EIS to the Legislative Assembly under s 227 of the PD Act. However, this does not affect whether the EIS process is considered complete (see s 209(2) of the PD Act).

Appendix 1 – Final scoping document



ACT
Government

Environment, Planning and
Sustainable Development

Scoping Document

Under Division 8.2.2 of the *Planning and Development Act 2007*

APPLICATION NUMBER: 202200016		DATE OF THIS NOTICE: 19 July 2022
DATE LODGED: 7 June 2022		
PROJECT: Proposed Food Organics and Garden Organics (FOGO) facility involving in vessel composting of up to 70,000 tonnes per annum of food and green waste organic material		
IMPACT TRACK TRIGGER: Schedule 4, Part 4.2, Item 10 of the <i>Planning and Development Act 2007</i> . Other triggers may also apply.		
BLOCK: 5	SECTION: 26	DISTRICT/DIVISION: Hume
ADDRESS: 6 Recycling Road		
PROPONENT/APPLICANT: ACT NoWaste		
LESSEE/LAND CUSTODIAN: ACT NoWaste (Transport Canberra and City Services - TCCS)		

SCOPING DOCUMENT

The planning and land authority (the Authority) within the Environment, Planning and Sustainable Development Directorate (EPSDD) received the application under section 212(1) of the *Planning and Development Act 2007* (the PD Act) for Scoping of an Environmental Impact Statement (EIS) for the above proposed development. Pursuant to section 212(2) of the PD Act, the Authority has:

- Identified the matters that are to be addressed by an EIS in the relation to the development proposal and
- Prepared this written notice (the **scoping document**) of the matters.

NB: The EIS must conform to the requirements of this scoping document. This document does not indicate approval or support in any way, nor does it indicate approval in principle.

TERM OF SCOPING DOCUMENT

Pursuant to section 213(2) of the PD Act, the proponent must give the draft EIS to the Authority by the end of the period of 18 months starting on the day the Authority gives the scoping document for the development proposal to the applicant.

FORM AND FORMAT OF EIS

The Authority requires that the proponent engage a suitably qualified independent consultant to prepare an EIS, OR the proponent submits, with the draft EIS, an independent review of the draft EIS undertaken by a suitably qualified consultant. The EIS must be in the following form and format:

- The EIS must be prepared in accordance with section 50 of the *Planning and Development Regulation 2008*.
- The EIS must be written in plain English and avoid the use of jargon as much as possible.

GPO BOX 1908, Canberra ACT 2601

www.planning.act.gov.au



ACT
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Environment, Planning and
Sustainable Development

Scoping Document

Under Division 8.2.2 of the *Planning and Development Act 2007*

- The EIS is required to be provided in the same structure as described in this Scoping Document as closely as possible. A table that cross-references the EIS to the scoping document must be included in the EIS submission.
- The report must reference any figures or supporting information used to the supporting appendix and page number, table or figure.
- Additional technical detail, including relevant data, technical reports and other sources of the EIS analysis must be provided in appendices.
- Maps, diagrams and other illustrative material should be included in the EIS to assist readers to interpret information.
- The EIS document sized A4 with maps and drawings in A4 or A3 format.
- The proponent must supply a copy of all draft EIS and revised EIS documents in electronic formats for circulation and web posting. These are to be supplied by email, USB, or another agreed method.
- Digital files must not exceed 20 MB each.

COST OF PREPARATION OF EIS

The proponent is responsible for the preparation of the draft and revised EIS and any related applications and associated costs. This includes additional copies of the draft and revised EIS and other associated documents as required by the Authority from time to time.

NEXT STEPS

The proponent is now required to prepare a document (a ***draft EIS***) that addresses each matter raised in this scoping document for the proposal within the timeframe provided. Once the draft EIS has been accepted for lodgement, a public notification fee is payable in order for notification, referrals and assessment to commence. After the notification period has closed, the Authority will provide comments and any public representations received for the proponent to address in preparing a ***revised EIS***, and any further instructions on the application.

If you have any queries about the requirements outlined in this scoping document, please contact Dominic Riches to arrange a suitable time to discuss.

Delegate of the planning and land authority

George Cilliers
Executive Group Manager
Planning Delivery Division
Environment, Planning and
Sustainable Development Directorate

Contact

Dominic Riches
A/g Senior Director
Impact Assessment
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GENERAL REQUIREMENTS FOR THE EIS

1. Cover Page

The cover page must clearly display the following:

- The name of the proposal (project title)
- The block identifier(s) and street address for the proposal
- The date of the preparation of the document
- Full name and postal address of the designated proponent
- Full name and postal address of the designated applicant
- Name and contact details of the person/organisation who prepared the documents (if different to the above)

2. Glossary

Provide a glossary of technical terms, acronyms and abbreviations used in the EIS.

3. Executive Summary

Provide a non-technical summary of the EIS including a description of the proposal, key findings and recommendations.

4. Introduction

Summarise the background and justification for the proposal.

5. Proposal Details

5.1. Project Description

Provide a description of the proposal, including:

- a) The objectives and justification for the proposal
- b) The location of the land to which the proposal relates, including detailed maps
- c) The division and/or district names and block and/or section numbers of the land under the *Districts Act 2002*
- d) If the land is leased – the lessee's name
- e) If the land is unleased or public land – the custodian of the land
- f) The purposes for which the land may be used
- g) A clear identification of all lands subject to direct disturbance from the proposal and associated infrastructure and geomorphic features such as waterways and wetlands. This is to be supported by a map showing all affected lands
- h) An outline of any developments that have been, or are being undertaken within the proposal area and broadly in the region. Describe how the proposal relates to these developments
- i) A description of all the components of the proposal, including the proposal specifications, the predicted timescale for implementation (design, approvals, construction and decommissioning) and project life
- j) A plan/description of the precise location of any works to be undertaken, structures to be built or elements of the proposal that may have relevant impacts and
- k) A description of the construction methodologies for the proposal.

5.2. Alternatives to the proposal

As background for the proposal, provide details of any alternatives considered in developing the proposal including a description of:

- a) Any alternatives to the proposal and provide reasons for selecting the preferred option with an analysis of site selection as an attachment to the EIS
- b) The criteria used for assessing the performance of any alternative to the proposal considered
- c) Any matters considered to avoid or reduce potential impacts prior to the selection of the preferred option and
- d) Details of the consequences of not proceeding with the proposal.

6. Legislative and Strategic Context

A description of the EIS process including any statutory approvals obtained or required for the proposal, and how the proposal is aligned with strategic priorities for the ACT.

6.1. Statutory requirements

The description must include information on statutory requirements for the preparation of an EIS:

- *Planning and Development Act 2007*
- *Planning and Development Regulation 2008*
- *Waste Management and Resource Recovery Act 2016 and*
- Related statutory approvals.

6.2. Other requirements

The description must also include information on how the proposal is consistent with each of the following:

- Territory Plan 2008, including the Statement of Strategic Directions (Section 2.1)
- ACT Planning Strategy
- National Capital Plan
- *Climate Change and Greenhouse Gas Reduction Act 2010*
- The ACT Climate Change Strategy 2019-2025
- Canberra's Living Infrastructure Plan: Cooling the City
- Relevant Environment Protection Policies and Separation Distance Guidelines for Air Emissions (https://www.environment.act.gov.au/environment/legislation_and_policies)
- Transport for Canberra policy
- *Environment Protection Act 1997*
- *Heritage Act 2004*
- *Nature Conservation Act 2014*
- Other relevant planning and environmental guidelines and management plans.

7. Risk Assessment

7.1. Risk Assessment Methodology

Provide a risk assessment in accordance with the Australian and New Zealand Standard for risk management AS/NZS ISO 31000:2009 *Risk Management – Principles and guidelines*. The proposed criteria for determining which risks are potentially significant impacts must be described.

The Preliminary Risk Assessment (PRA) submitted as part of the request for a scoping document must be revised to include, but not be limited to, the risks identified by the Authority in Table 1.

The risks identified in Table 1 are based on the scoping document application and comments received from entities on the application. All of these risks are considered potentially significant (i.e. a medium risk level or above), and must be addressed in the EIS. Should any risk levels change during the preparation of the EIS or any new risks become apparent, these must be assessed and included with a justification in the EIS, and where relevant, the residual risk assessment.

-Assessment guide-			
Provide a table with the headings below to describe the risks identified and the original risk rating without any mitigation strategies in place. This table format is one option, however alternative formats can be used provided the methodology is clearly described and in accordance with AS/NZS ISO 31000:2009 <i>Risk Management – Principles and guidelines</i>			
Risk	Likelihood	Consequence	Risk rating

Table 1 – Identified impacts and requirements to be addressed in the EIS

Environmental Theme	Risk identified	See section/s below for further detail
Planning and land status	Sterilisation of surrounding land uses	8.1.1
Traffic and transport	Traffic impacts from the operation	8.1.2
Utilities	Impacts on existing infrastructure	8.1.3
Biodiversity and nature conservation	- Impacts on flora - Impacts on fauna	8.1.4
Heritage	Impacts on known heritage values	8.1.5
Materials and waste	- Impacts from hazardous waste and/or chemicals received/stored at the facility - Impacts from excess stockpiling of waste or recyclable material - Impacts from spread of waste	8.1.6
Landscape and visual	Visual impacts from the facility and the operation	8.1.7
Soils and geology	- Impacts from soil contamination from the operation - Impact from the disturbance of existing contaminated soil	8.1.8

Environmental Theme	Risk identified	See section/s below for further detail
Water and hydrology	- Impacts to groundwater from the operation - Impacts on stormwater and surrounding waterways, such as Dog Trap Creek	8.1.9
Air quality and climate change	- Air quality impacts from operation including cumulative impacts - Increased greenhouse gas emissions from the proposal	8.1.10
Socio-economic and health	Impacts from operation harbouring vermin and pest animals	8.1.11
Noise and vibration	Noise and vibration impacts from operation of the facility, including truck movements	8.1.12
Hazard and risk	- Impacts from fires at the facility - Impacts from bushfires - Impact on aircraft from bird strike	8.1.13

8. Assessment of Impacts

Sufficient information is required to provide the Authority with an adequate understanding of the environmental impacts associated with the proposal.

Each risk identified in Table 1 and in the proponent's PRA must be addressed, and structured, as set out in sections 8.1.1-8.1.5 below.

8.1. Standard requirements

8.1.1. Environmental conditions and values

Describe the environmental conditions and identify the environmental values for the environmental themes identified in Table 1. This section should discuss the baseline conditions for the area.

8.1.2. Investigations

Identify the findings and results of any environmental investigation in relation to the land to which the proposal relates.

8.1.3. Impacts

Describe the effects of the environmental impact as a result of construction and operation for the environmental themes identified in Table 1 and in the proponent's risk assessment (including cumulative, consequential and indirect effects) on physical and ecological systems and human communities.

Particular emphasis should be placed on the potentially significant impacts identified in the risk assessment and this scoping document. Include a discussion of the timeframes of impacts i.e. short or long term, their nature and extent and whether they are reversible or irreversible, unknown or unpredictable. Include an analysis of the significance of the relevant impacts. Information must include any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

8.1.4. Mitigation

Discuss the proposed safeguards and mitigation measures proposed to be taken for the environmental management of the land to which the proposal relates for the environmental themes identified in Table 1 and the proponent's risk assessment. This is to include:

- a) A description and an assessment of the proposed impact prevention, mitigation or offsetting measures to deal with the environmental impact of the proposal, along with which stage the mitigation measures will be adopted
- b) Any statutory or policy basis for the mitigation measures
- c) An outline of an environmental management plan (EMP) that sets out the framework for continuing management, mitigation and monitoring programs for the relevant impacts of the action, including any provisions for independent environmental auditing
- d) The frequency, duration and objectives of monitoring proposed
- e) The name of the agency responsible for endorsing or approving each mitigation measure or monitoring program
- f) A description of the cost effectiveness of environmental mitigation or rehabilitation measures proposed and the expected or predicted effectiveness of those measures.

8.1.5. Residual risk

Provide a table that details the residual risk for the potentially significant impacts identified for the environmental themes in Table 1 and the proponent's risk assessment. A residual risk assessment is only required where the significance of impact is determined as medium or above. The calculation of the residual risk should take into account the influence of implementation of mitigation or offsetting measures on the impacts identified by the risk assessment. A discussion of how the calculations were determined should also be included, including the expected or predicted effectiveness of the mitigation measures.

-Assessment Guide-				
Provide the residual risk assessment as set out in the table below.				
Risk identified in Section 7.1	Original risk rating from items identified in 7.1	Residual likelihood	Residual consequence	Residual risk rating

8.2. Detailed requirements

The following items (sections 8.2.1 - 8.2.13), relate to the potentially significant environmental impacts identified in Table 1. They must be addressed in detail in the EIS.

NOTE: The information provided under the following headings is not an exhaustive list of matters that may be required to accurately detail the assessment scenarios.

8.2.1. Planning and land status

- *Include a description of planning context of the area where the project will be located.*
- *Describe planning and development status of any land or project relevant to the proposal.*
- *Describe land use of the proposed land and any land to be affected (including, but not limited to, zoning, lessee(s) or custodian of the land, the permissibility of the proposed use defined in the Territory Plan).*
- *Investigate the impact the proposal will have on existing and future uses in relation to the surrounding uses.*

8.2.2. Traffic and transport

- *Investigate the traffic impacts of the construction and operation of the facility on Mugga Lane and the Monaro Highway including consideration of whether continued safe and efficient movement of vehicles accessing the facility, relating to other activities such as the Mugga Landfill or the materials recycling facility, is not impeded by road network arrangements.*
- *Undertake a Transport Impact Assessment (TIA) in accordance with Transport Canberra and City Services (TCCS) Transport Impact Assessment Guidelines which is available at: https://www.cityservices.act.gov.au/__data/assets/pdf_file/0009/991989/TCCSTransport-Impact-Assessment-Guidelines.pdf.*
- *The TIA must include intersection analysis of the nearby roads.*
- *Describe how hazardous materials will be transported to and from the site.*

8.2.3. Utilities

- *Describe current utilities on and surrounding the site.*
- *Provide details of new connections and any proposed relocation.*
- *Provide details of any proposed discharge of liquid trade waste required.*
- *Information must be provided regarding utility works that are required as part of the proposal and mitigation measures proposed to avoid contamination.*

8.2.4. Biodiversity and nature conservation

- *Provide a description of ecological values on and adjacent to the site.*
- *Provide details of whether the proposal will impact the existing connectivity for the area and whether the site will contribute to the future connectivity of the area.*
- *Consider impact on the area from the facility attracting vermin and associated predators.*
- *Consider impacts from the spread of weeds.*
- *A targeted Striped legless lizard (SLL) survey must be undertaken for the site.*
- *Any impacts identified in the EIS must also consider avoidance and mitigation measures to ensure impacts are reduced.*

8.2.5. Heritage

- *Include expert advice from [REDACTED] suitably qualified specialist on the likelihood of Hume Site 1 extending into the development site.*
- *Include detailed consideration of the associated environmental impacts arising from the proposal (such as impacts to water quality, hydrology, vibration) and their potential impacts to Hume Site 1.*

- *Provide a Cultural Heritage Assessment (CHA) to assist in determining any possible heritage impacts from the development proposal.*
- *If the CHA identifies that proposed works will cause damage or diminish the significance of heritage places, recommendations must be presented to comply with Heritage Act 2004 provisions. This must include consideration of alternatives to avoid heritage impacts, and if these alternatives are not reasonably practicable, measures that could be adopted to minimise heritage impacts.*

8.2.6. Materials and waste

- *Describe the nature, location and quantities of all materials (including hazardous wastes) to be handled on the site, including the assessment, storage, stockpiling, processing and disposal of materials and waste.*
- *Provide details of expected finished compost volumes and export rates.*
- *Outline management procedures in case of oversupply and/or stockpiling of waste and any consideration to the measures implemented when/if the facility ceases operation.*
- *Prepare an Operational Waste Management Plan in accordance with TCCS Waste Code.*
- *Describe any hazardous materials and dangerous chemicals to be used or stored on site during construction and operation.*
- *Identify any Schedule 11 hazardous chemical, as per Work Health and Safety Regulation 2011 (WHS Regulation).*
- *Provide details of maximum storage capacities for any hazardous chemicals.*
- *Provide safety data sheets for any hazardous chemicals.*
- *Identify whether any Schedule 11 hazardous chemicals meet the placard quantity as per the WHS Regulation.*

8.2.7. Landscape and visual

- *Undertake a visual assessment of the site and surrounds to describe the current landscape character of the area.*
- *Describe the predicted impacts the facility and its operations (such as incoming wastes, composting material, and potential stockpiling) may have on the landscape character of the site and surrounds.*
- *Provide perspectives and/or a visual analysis of the proposal from local vantage points.*
- *Consider visual impact to the Monaro Highway and consistency with Development Control Plan 171/09/0001.*
- *Consider lighting impacts in relation to pilot distraction.*

8.2.8. Soil and geology

- *Describe the soil and geology features of the area.*
- *Provide an environmental assessment of potential existing contamination from previous and adjacent land uses at the development site undertaken by a suitably qualified environmental consultant.*
- *An assessment of potential PFAS (per-and poly-fluoroalkyl substances) contamination for the site is required.*
- *Discuss any contamination impacts that are present at the site (soil and groundwater), and how the site will be remediated (if required).*
- *Describe the potential impacts of leachate/contaminant spills on the local soils.*

8.2.9. Water and Hydrology

- Describe the surface water and groundwater features of the area.
- Investigate the impact the proposal will have on erosion in the Dog Trap Creek and investigate the need for erosion and sediment control structures in the creek to mitigate this impact.
- Provide an assessment of peak stormwater discharge and stormwater discharge volume from the facility and consideration of the impact of stormwater discharges to the Dog Trap Creek.
- Describe how runoff from the development site will be treated before entering the receiving environment.
- Provide information on stormwater retention and reuse capabilities at the development site.
- Describe the potential impacts of leachate/contaminant spills on local groundwater and surface water.
- Provide information on measures to manage leachate/contaminants emanating from the facility to avoid impacts on groundwater and surface water.

8.2.10. Air quality and climate change

- Provide an air quality and odour impact assessment completed by a suitably qualified environmental consultant which considers the air discharges from the facility and their impact on the surrounding environment. The assessment must take into consideration cumulative impacts from surrounding land uses. The assessment must be carried out in accordance with the “NSW EPA Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales”.
- The assessment must consider dust impacts on the surrounding developments.
- The air quality and odour assessment must identify suitable mitigation measures.
- The assessment must include an Air Quality Management Plan which describes proposed mitigation and monitoring of air quality impacts and preventative controls such as maintenance measure and process management.
- Provide evidence showing net emissions from the operation of the facility.
- Provide quantitative estimates of the Scope 1 and 2 greenhouse gas emissions that will be generated by the proposed development during operation.

8.2.11. Socio-economic and health

- Provide an assessment of impacts from the operation harbouring vermin and pest animals.
- Outline vermin and pest control measures encompassing both the transport and storage of organic waste on site.

8.2.12. Noise and Vibration

- Provide a noise and vibration impact assessment regarding the operation of the facility prepared in accordance with the “Guidelines for the preparation of Noise Management Plans for development applications Environment Protection Authority, February 2014”.

8.2.13. Hazard and risk

- Provide an assessment of the potential threat of fire occurring at the facility, such as risk in relation to fire in stockpiled material, any effect on the surrounding area that a fire may have, and the protection measures necessary to address the potential threat of fire.

-
- *A bushfire assessment must be undertaken by a suitably qualified person.*
 - *A climate change risk assessment is required addressing the risk from increased events from flood, bushfire or extreme heat risk.*
 - *Outline management procedures to be followed should critical infrastructure failure occur.*
 - *Describe any hazardous materials and dangerous chemicals to be used or stored on site during construction and operation.*
 - *Provide assessment and mitigation measures against the requirements of the “National Airport Safeguarding Framework (NASF)” and airport operations including “Guideline C - Managing the Risk of Wildlife Strikes in the Vicinity of Airports.”*
 - *Provide a Wildlife Management Program in accordance with the NASF Guidelines.*

8.3 Entity requirements

The EIS must address the entities comments provided in [Attachment A](#). If the issues raised by entities have been addressed in other sections of the EIS, this must be cross referenced.

9. Community and stakeholder consultation

The intention of the consultation in this scoping document is to ensure significant proposals include meaningful engagement with the community in the early stages of the project and provide clear expectations and an understanding of the actual development proposed. Consultation also provides an opportunity for the community to contribute in the design of the proposal and to resolve any major concerns early in the planning stages.

9.1. Consultation must be undertaken with:

- Lease holders and land managers of land potentially impacted by the proposal.
- Any recreational groups which may be affected by the proposal.
- Any volunteer conservation, landscape management or land care groups active in the area to be affected by the proposal, such as the Molonglo Conservation Group and the Isaacs Ridge Mount Mugga Mugga ParkCare Group.
- The local community and businesses owners and employees. This includes local community groups such as the Tuggeranong Community Council, the Jerrabomberra Residents Association and other community groups in the Southern Central Canberra area.

9.2. Provide a consultation report that includes:

- A description of the methodology and criteria for identifying stakeholders and how they were identified. Details and plans must be provided showing potential impacts on the local and wider community to justify how stakeholders were identified.
- An outline of the communication methods used. A variety of communication methods must be adopted to ensure all stakeholders are engaged appropriately, such as face to face, email/letters, community meetings and information sessions and website notifications.
- Details on the information provided during the community consultation process. Note: A plain English statement explaining the proposal and conceptual drawings must be made available to the community and stakeholders.
- A summary of the responses and the main comments raised. Evidence must be provided demonstrating that consultation has been undertaken with each relevant group/person including specific detail on how these concerns were addressed.

- A description on how any concerns have been considered and identify any changes that have been made to the proposal.

Consultation must occur as early as possible and avoid, or make allowances for public holidays, school holidays and the summer holiday (Christmas) shutdown period. The level of engagement must be comparable with the size, location and nature of the development and potential impact on the wider community.

9.3. Consideration of public representations from Draft EIS notification

The revised EIS must include a consultation report outlining the representations received, issues raised in the representations and a response to the issues and values identified. The summary response must clearly identify the representation(s) to which the responses relate.

10. Recommendations

Provide a summary of any commitments to impact prevention, mitigation measures, offsetting measures and other actions within the EIS.

Describe the monitoring parameters, monitoring points, frequency, data interpretation and reporting proposals.

11. Other relevant information

The proponent may wish to include issues outside the scope of the EIS as a separate section of the EIS. This allows the proponent to identify matters not required to be addressed in the EIS, but that would be subject to development assessment consideration and notification. This can provide additional context for members of the public regarding management of environmental issues, by ensuring that the public is aware that these issues will be addressed in the detailed design of the proposal.

12. References

A reference list using standard referencing systems must be included.

13. Required Appendices

13.1. Scoping document for the EIS

A copy of the scoping document should be included in the EIS. Where it is intended to bind appendices in a separate volume from the main body of the EIS, the scoping document should be bound with the main body of the EIS for ease of cross-referencing.

13.2. Scoping Document Reference

Include a table that cross-references the EIS to the scoping document. If the EIS addresses the scoping document in multiple places then this must be also referenced.

13.3. Proponent's Environmental History

Provide details of any proceedings under a Commonwealth or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:

- The person proposing to take the action
- For an action for which a person has applied for a permit, the person making the application.

If the person proposing to take the action is a corporation, then provide details of the corporation's environmental policy and planning framework.

13.4. Information Sources

For information given the following must be stated:

- The author or any reports or studies
- The publication date
- The source of the information
- How recent the information is (i.e. when a study was conducted or when primary sources were produced)
- How the reliability of the information was tested
- What uncertainties (if any) are in the information.

13.5. Study team

The qualifications and experience of the study team and specialist sub-consultants and expert reviewers must be provided.

13.6. Specialist studies

All reports generated based on specialist studies undertaken as part of the EIS are to be included as appendices.

13.7. Research

Any proposals for researching alternative environmental management strategies or for obtaining any further necessary information should be outlined in an appendix.

Attachment A ENTITY REQUIREMENTS

A1. ACT Emergency Services Agency

ACTF&R has reviewed the Application for Environment Impact Statement Scoping documents. These documents acknowledge the proposed development is located within bushfire prone area, and that bushfire risk would be considered during the EIS process.

ACTF&R require a bushfire assessment to be completed and submitted for review for this development. Due to the nature of the facility, ACTF&R recommend the assessment includes provision of shielding (non-combustible fencing) to the perimeter of the block to assist with prevention of fire travel into facility from grassland hazard in the event of a bushfire.

A2. Canberra Airport

We acknowledge the application document references the NASF Guidelines and the proponent will undertake a Bird and Wildlife Assessment (Guideline C). The site is just under 9km away from the airport and so it lies between the Area B and Area C of the NASF Guideline C, this details a Mitigate and Monitor action plan for dealing with birds and wildlife. A thorough investigation is required by the proponent. We are happy to provide contact details of preferred consultants if required.

We also request that Guideline E- lighting and pilot distraction be regarded to, we acknowledge that this would be addressed under the NCA Outdoor Lighting policy.

A3. Climate Change and Energy (EPSDD)

The documentation provided suggests that there are overall environmental benefits of processing organic waste in a FOGO facility, compared to sending that waste to landfill. However, it is not clear from the available information whether the proposed development will result in an overall reduction in net greenhouse gas emissions. Climate Change and Energy Division recommends that the proponent is required to provide evidence that gives assurance there will be a reduction in net emissions by diverting waste from landfill.

If the proposal has the potential to be a significant emitter and may impact on the ACT's greenhouse gas emissions targets, the proponent will need to provide quantitative estimates of the Scope 1 and 2 greenhouse gas emissions that will be generated by the proposed development during operation. Mitigation and/or offsetting measures proposed and the extent to which they reduce emissions must also be quantified. Estimates must be calculated in a way that is comparable to the greenhouse gas emissions targets in the Climate Change and Greenhouse Gas Reduction Act 2010.

The Climate Change and Energy Division notes the proximity of the proposed development to the Mugga Lane Solar Park. The Division recommends the proponent is required to consider the potential impacts (e.g. dust) of the development on the solar facility.

If the proponent is assessing flood, bushfire or extreme heat risk, the Division advises that the impacts of climate change also need to be considered in the EIS, ideally through a climate change risk assessment. The Division encourages the use of NARClm regional downscaled climate projections for any reference to the ACT's future climate. More information can be found here:

<https://www.climatechange.environment.nsw.gov.au/climate-projections-used-adaptnew?elqTrackId=f72f9814d12b4d16ba7df19f02bf31e5&elqaid=83&elqat=2>

A4. Conservator of Flora and Fauna

Terrestrial biodiversity impacts of the development are likely to be negligible and additional assessment is not required. However, there are several major concerns regarding potential impacts to Dog Trap Creek which are required to be included in the Scoping Document and addressed in the EIS process. In particular, the EIS will need to incorporate potential impacts of the future operation of the facility in addition to the impacts during construction. The specific items for inclusion are:

1. Increased erosion

The degraded state and active erosion of Dog Trap Creek is a major concern. Increased development adjacent to the creek will increase the hydrologic stress on this system, leading to further erosion. Ideally, creek stabilisation works are needed in conjunction with increasing development in the catchment. The EIS should consider the need for erosion and sediment control structures in the creek.

2. Stormwater control

The EIS should include assessment of peak discharge and discharge volume and demonstrate that the facility will have no impact.

In addition, the EIS should demonstrate how all runoff from the development site will be treated before entering the receiving environment and consider retention of stormwater and stormwater reuse on-site.

Bushfire risk

Whilst the proposal has identified that it will consider bushfire risk in the EIS, I suggest the following should be the minimum elements that should be considered:

- *Risk of bushfire impacting the facility. Particularly addressing any required asset protection zones, the construction standards of any buildings, the siting of any stockpiles and windrows of flammable materials.*
- *Fire originating on the site affecting other lands. Construction, and Operational phases. Measures to reduce the likelihood of fire ignition and spread, including conditions around the safety of plant and equipment to minimise risk of ignition, and on when construction or operations should cease for safety.*
- *Asset protection zones. These must be located within the site boundary and maintained by the operator. Any impacts of APZ on the environment to be assessed as part of the EIS.*

Irrespective of the above the proponent should conduct a full risk assessment of potential natural hazards and risks, including flooding.

Impacts to connectivity

The proposal is adjacent to undeveloped land and, as identified in the preliminary assessment, there are a range of potential conservation values present. The habitat connectivity mapping prepared by the ACT Government notes that the site is located in an area of Moderate to High value for its potential to improve habitat connectivity. As part of the biodiversity assessment, the proposal should assess the risk associated with the development from the perspective of habitat connectivity.

Impacts to biodiversity

The type of facility being proposed for this development holds a risk for attracting vermin and associated predators, which can then impact on adjacent lands and biodiversity. The EIS should consider this risk in the operational phases.

Potential presence of Striped Legless Lizard

The Scoping Document refers to an inspection performed by my team in 2020 that determined the vegetation on the site was too degraded to support Striped Legless Lizard (SLL).

Prior to European settlement, this section of Dog Trap Creek was natural temperate grassland or open woodland which was primary habitat for this species. Recent surveys (post 2020) in the Jerrabomberra area have recorded SLL in degraded vegetation. Advice received from an expert in this species is that the site does have potential to support a population. Possible SLL habitat in this vicinity is subject to a number of development proposals which represent a cumulative threat to the conservation of this species. For this reason, I require a targeted SLL survey to be undertaken on the site as part of the EIS. This is required to ensure that the proposal does not pose a threat to SLL.

A5. Environment Protection Authority (EPA)

Air Emissions:

A quantitative assessment of the potential air quality and odour impacts on the surrounding area and details of all proposed mitigation, management and monitoring measures. This assessment must be carried out in accordance with the NSW EPA Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales.

Noise Emissions:

A noise impact assessment prepared in accordance with the “Guidelines for the preparation of Noise Management Plans for development applications Environment Protection Authority, February 2014”

Water:

An assessment of surface water and leachate management must be included in the EIS documentation.

Contamination:

An environmental assessment of the site to determine whether it is suitable for the proposed uses from a contamination perspective. Whilst the proponent can be made aware of this requirement it can be covered off in the DA process rather than the EIS.

An assessment of potential PFAS (per-and poly-fluoroalkyl substances) contamination at the site and in the product is required, taking account of research undertaken by the Australian Packaging Covenant Organisation, Australia’s PFAS National Environmental Management Plan and ACT initiatives to ban single use plastic packaging.

Advice

It should be noted that if approved, the proponent will be required to hold an Environmental Authorisation (EA) granted by the EPA. The EA will be required to be obtained following approval of a Development Application and prior to operations commencing on the site. The EPA will set a range of conditions in the EA including setting limits on emissions and managing and monitoring emissions and impacts on the environment.

A6. ACT Health

Odour impacts associated with the facilities’ operation on surrounding receptors should be identified and assessed and mitigation measures should be discussed within the EIS.

The applicant is advised that The HPS supports the implement standard mitigation measures, actions and studies in table 8 of the EIS scoping document (refer to page 45-49).

The HPS supports that a contamination assessment should be undertaken as part of the EIS as

indicated in the ACT FOGO waste facility EIS Scoping Document 4.5 Soils and contamination.

A7. ACT Heritage

1. *An expert assessment of the potential for Hume Site 1 to extend into the proposed development area, by a suitably qualified specialist.*
2. *An expert assessment of the potential environmental impacts to Hume Site 1 arising from the proposal, such as but not limited to water quality, hydrology, erosion and vibration.*
3. *A Cultural Heritage Assessment (CHA) of the potential Aboriginal heritage impacts of the proposal, which must:*
 - a. *Be undertaken by a suitably qualified archaeologist;*
 - b. *Be informed by consultation with Representative Aboriginal Organisations (RAOs) about: the cultural and heritage significance of any identified Aboriginal places and objects; the potential heritage impacts of proposed development; and proposed management outcomes;*
 - c. *Meet the information requirements of the Council's Cultural Heritage Reporting policy, which is available at <https://www.environment.act.gov.au/heritage/publications-and-resources>;*
 - d. *If the CHA identifies that proposed works will cause damage or diminish the significance of heritage places, recommendations must be presented to comply with Heritage Act 2004 provisions; and*
 - e. *This CHA is to be submitted directly to the Council for review, and for advice on any additional Heritage Act 2004 requirements.*
4. *If testing or archaeological excavation is required to assess the extent of Hume Site 1, and/or to assess the Aboriginal heritage significance of the subject area, this investigation must be undertaken to inform the EIS. The investigation must include:*
 - a. *Preparation of an Excavation Permit application by suitably qualified specialists, and including a Research Design and Methodology;*
 - b. *Where the application relates to Aboriginal places and objects, consultation with RAOs regarding the proposed investigation, its methods and the management of any objects recovered;*
 - c. *Submission of the application to the Council under Section 61E of the Heritage Act 2004; and*
 - d. *Following approval of the application under Section 61F of the Heritage Act 2004, completion of the investigation in accordance with the conditions of that approval.*
5. *If the above assessment actions identify that the proposal may have detrimental heritage effects, all alternatives to heritage impacts must be considered and adopted where reasonably practicable. Where alternatives are not reasonably practicable, measures to minimise heritage impacts must also be considered and adopted.*

Note: *The EIS must redact information on some heritage places and objects, including in attached heritage reports, as:*

- *It is an offence under Section 55 of the Heritage Act 2004 to make information on Hume Site 1 publicly available; and*

- *Information on Aboriginal places and objects is culturally sensitive, and should not be made public in accordance with Traditional Custodians views. It is also an offence under Section 55 of the Heritage Act 2004 to make information on some Aboriginal places at Hume publicly available.*

The Council also advises that, if the above assessment demonstrates that the proposal would have a significant adverse impact on Hume Site 1, the proposed development of a FOGO facility may not be suitable at this location; and may not be supported by the Council in the future.

The Council also notes that, in accordance with Heritage Act 2004 provisions, approval from the Council will be required where the proposal may diminish the heritage significance of Hume Site 1 or damage Aboriginal places and objects; in addition to any approvals required under the Planning and Development Act 2007.

Such approval is sought by making a Statement of Heritage Effect (SHE) application under Section 61G of the Heritage Act 2004, which are approved by the Council where it is satisfied on reasonable grounds that: the proposed activity is justifiable; and that there are no other reasonably practicable alternatives to heritage impacts; and that measures to minimise the heritage impacts of the proposal have been adopted.

A8. Icon Water

Trade Waste

All connections to sewer that are classified as Liquid Trade Waste (any non-domestic sewage) must apply to Icon Water's Liquid Trade Waste team for approval before connection to sewer. This will include any discharge to sewer from this facility. Further information on acceptance requirements for liquid trade waste can be found on the Icon Water website www.iconwater.com.au/tradewaste.

In this circumstance at a minimum the ACT FOGO waste facility will need a current Icon Water Approval to discharge to sewer. A new trade waste application must be submitted. A consultation may be required to ascertain the likely discharge and discuss any pre-treatment requirements or if some waste must be collected for off-site disposal. The ACT FOGO waste facility will also need to consider how they are going to manage their liquid wastewater during construction and any potentially contaminated ground or surface water. This water must not be discharged to sewer without approval from Icon Water.

*Icon Water Liquid Trade Waste team contact information is Email: trade.waste@iconwater.com.au
Phone 02 6248 3222.*

Environment

- *The site is potentially contaminated with Heavy Metals / Hydrocarbons / Asbestos overlay. The EIS notes that a contamination study will be done. This will need to take into account Icon Water assets and ensuring that any connections and movement of pipelines done through the project are done ensuring contamination does not occur to the pipeline.*

The contamination study should be provided to Icon Water to help us future manage the infrastructure we have in the area as well.

A9. Nation Capital Authority (NCA)

The site is identified as an urban area in the National Capital Plan (the Plan) and the proposed land use is permitted under the Plan. Any future development application on this site will need to consider visual impact to the Monaro Highway and be consistent with Development Control Plan 171/09/0001.

A10. Transport Canberra and City Services (TCCS)

TCCS had no comments for the EIS scoping stage.

Attachment B

GLOSSARY

ACTF&R: ACT Fire and Rescue (ESA).

Development application (DA): Application for development as defined under the PD Act.

Environment: As defined under the *Planning and Development Act 2007* (the PD Act), each of the following is part of the environment:

- (a) the soil, atmosphere, water and other parts of the earth;
- (b) organic and inorganic matter;
- (c) living organisms;
- (d) structures, and areas, that are manufactured or modified;
- (e) ecosystems and parts of ecosystems, including people and communities;
- (f) qualities and characteristics of areas that contribute to their biological diversity, ecological integrity, scientific value, heritage value and amenity;
- (g) interactions and interdependencies within and between the things mentioned in paragraphs (a) to (f);
- (h) social, aesthetic, cultural and economic characteristics that affect, or are affected by, the things mentioned in paragraphs (a) to (f).

Environmental Impact Statement (EIS): As defined under the PD Act.

EPA: ACT Environment Protection Authority.

EPBC Act: *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth)

EPSDDD: *Environment, Planning and Sustainable Development Directorate*.

ESA: Emergency Services Agency.

HPS: Health Protection Service in the ACT Health Directorate.

Impact Track: An assessment track that applies to a development proposal defined under the PD Act, section 123.

Long term: Greater than 15 years duration.

Medium term: Greater than three (3) years to 15 years duration.

NCA: National Capital Authority (Cwth).

PD Act: *Planning and Development Act 2007* (ACT)

Scoping: The process of identifying the matters that are to be addressed by an EIS in relation to the development proposal - see the PD Act, Section 212 (2).

Short term: Zero to three (3) years duration.

SLL: Stripped legless Lizard.

TCCS: Transport Canberra and City Services.

Appendix 2 – Cross reference table between EIS and the final scoping document

Scoping Document reference	General requirements for the EIS	Location in EIS
1. Cover Page	The cover page must clearly display the following: The name of the proposal (proposal title) The block identifier(s) and street address for the proposal The date of the preparation of the document Full name and postal address of the designated proponent Full name and postal address of the designated applicant Name and contact details of the person/organisation who prepared the documents (if different to the above)	Page 4
2. Glossary	Provide a glossary of technical terms, acronyms and abbreviations used in the EIS.	Page 4
3. Executive Summary	Provide a non-technical summary of the EIS including a description of the proposal, key findings and recommendations.	Page 4
4. Introduction	Summarise the proposal background and justification for the proposal.	Chapter 1
5. Proposal Details		Section 1.2
5.1 Project Description	Provide a description of the proposal, including: The objectives and justification for the proposal; The location of the land to which the proposal relates, including detailed maps; The division and/or district names and block and/or Section numbers of the land under the <i>Districts Act 2002</i> ; If the land is leased – the lessee’s name; If the land is unleased or public land – the custodian of the land; The purposes for which the land may be used; A clear identification of all lands subject to direct disturbance from the proposal and associated infrastructure and geomorphic features such as waterways and wetlands. This is to be supported by a map showing all affected lands; An outline of any developments that have been, or are being, undertaken by the proponent, or other person(s) or entities, within the proposal area and broadly in the region. Describe how the proposal relates to these developments; A description of all the components of the proposal, including the proposal specifications, the predicted timescale for implementation (design, approvals, construction and decommissioning) and proposal life; A plan/description of the precise location of any works to be undertaken, structures to be built or elements of the proposal that may have relevant impacts; and A description of the construction methodologies for the proposal.	Chapter 2
5.2 Alternatives to the proposal	As background for the proposal, provide details of any alternatives considered in developing the proposal including a description of: Any alternatives to the proposal and provide reasons for selecting the preferred option with and analysis of site selection as an attachment to the EIS The criteria used for assessing the performance of any alternative to the proposal considered Any matters considered to avoid or reduce potential impacts prior to the selection of the preferred option and Details of the consequences of not proceeding with the proposal	Section 2.7
6. Legislative and Strategic Context		Section 3
tatutory irements	The description must include information on statutory requirements for the preparation of an EIS: <i>Planning and Development Act 2007</i> (including confirmation of relevant Schedule 4 triggers based on impacts identified in the scoping document and any studies undertaken in preparing the draft EIS) <i>Planning and Development Regulation 2008</i> <i>Waste Management and Resource Recovery Act 2016</i> Related statutory approvals	Section 3.1 and 3.2

6.2 Other requirements	The description must also include information on how each of the following has been considered in the preparation of the EIS and the development of the proposal: Territory Plan 2008 ACT Planning Strategy National Capital Plan Sustainability Policies Relevant Environment Protection Policies and Separation Distance Guidelines for Air Emissions: (https://www.environment.act.gov.au/environment/legislation_and_policies) Environment Protection Act ACT Waste Management Strategy 2011-2025 ACT Waste Feasibility Study Other relevant planning and environmental guidelines and management plans	Section 3.4
7. Risk Assessment		Chapter 4
7.3.1 Risk Assessment Methodology	Provide a risk assessment in accordance with the Australian and New Zealand Standard for risk management AS/NZS ISO 31000:2009 <i>Risk management – Principles and guidelines</i> . The proposed criteria for determining which risks are potentially significant impacts must be described.	Chapter 4
8. Assessment of impacts	Sufficient information is required to provide the Authority with an adequate understanding of the environmental impacts associated with the proposal.	Chapters 6 to Chapter 21
8.1.1 Environmental conditions and values	Describe the environmental conditions and identify the environmental values for the environmental themes identified in Table 1 of the Scoping Document. This section should discuss the baseline conditions for the area.	Chapters 6 to Chapter 21
8.1.2 Investigations	Identify the findings and results of any environmental investigation in relation to the land to which the proposal relates.	
8.1.3 Impacts	Describe the effects of the environmental impact as a result of construction and operation of the proposed development for the environmental themes identified in Table 1 (including those in the proponent's risk assessment) (including cumulative, consequential and indirect effects) on physical and ecological systems and human communities. Particular emphasis should be placed on the potentially significant impacts identified in the risk assessment and this scoping document. Include a discussion of the timeframes of impacts i.e. short or long term, their nature and extent and whether they are reversible or irreversible, unknown or unpredictable. Include an analysis of the significance of the relevant impacts. Information must include any technical data and other information used or needed to make a detailed assessment of the relevant impacts.	
8.1.4 Mitigation	Discuss the safeguards and mitigation measures proposed to be taken for the environmental management of the land to which the proposal relates for the environmental themes identified in Table 1 (including those in the proponent's risk assessment). This is to include: A description and an assessment of the proposed impact prevention, mitigation or offsetting measures to deal with the environmental impact of the proposal, along with which stage the mitigation measures will be adopted Any statutory or policy basis for the mitigation measure An outline of an environmental management plan (EMP) that sets out the framework for continuing management, mitigation and monitoring	

8.2.6 Materials and waste	Describe the nature, location and quantities of all materials (including hazardous wastes) to be handled on the site, including the assessment, storage, stockpiling, processing and disposal of materials and waste. Provide details of expected finished compost volumes and export rates. Outline management procedures in case of oversupply and/or stockpiling of waste and any consideration to the measures implemented when/if the facility ceases operation.	Chapter 10
	– Prepare an Operational Waste Management Plan in accordance with TCCS Waste Code.	Appendix I
	Describe any hazardous materials and dangerous chemicals to be used or stored on site during construction and operation. Identify any Schedule 11 hazardous chemical, as per Work Health and Safety Regulation 2011 (WHS Regulation). Provide details of maximum storage capacities for any hazardous chemicals. Provide safety data sheets for any hazardous chemicals. Identify whether any Schedule 11 hazardous chemicals meet the placard quantity as per the WHS Regulation.	Chapter 19 Appendix R
8.2.7 Landscape and visual	Undertake a visual assessment of the site and surrounds to describe the current landscape character of the area. Describe the predicted impacts the facility and its operations (such as incoming wastes, composting material, and potential stockpiling) may have on the landscape character of the site and surrounds. Provide perspectives and/or a visual analysis of the proposal from local vantage points. Consider visual impact to the Monaro Highway and consistency with Development Control Plan 171/09/0001. Consider lighting impacts in relation to pilot distraction.	Chapter 11 Appendix J
8.2.8 Soils and geology	Describe the soil and geology features of the area. Provide an environmental assessment of potential existing contamination from previous and adjacent land uses at the development site undertaken by a suitably qualified environmental consultant. An assessment of potential PFAS (per- and poly-fluoroalkyl substances) contamination for the site is required. Discuss any contamination impacts that are present at the site (soil and groundwater), and how the site will be remediated (if required). Describe the potential impacts of leachate/contaminant spills on the local soils.	Chapter 12 Appendix K
8.2.9 Water quality and hydrology	Describe the surface water and groundwater features of the area. Investigate the impact the proposal will have on erosion in the Dog Trap Creek and investigate the need for erosion and sediment control structures in the creek to mitigate this impact. Provide an assessment of peak stormwater discharge and stormwater discharge volume from the facility and consideration of the impact of stormwater discharges to the Dog Trap Creek. Describe how runoff from the development site will be treated before entering the receiving environment. Provide information on stormwater retention and reuse capabilities at the development site. Describe the potential impacts of leachate/contaminant spills on local groundwater and surface water. Provide information on measures to manage leachate/contaminants emanating from the facility to avoid impacts on groundwater and surface water.	Chapter 13 Appendix N

8.2.10 Air quality and climate change	Provide an air quality and odour impact assessment completed by a suitably qualified environmental consultant which considers the air discharges from the facility and their impact on the surrounding environment. The assessment must take into consideration cumulative impacts from surrounding land uses. The assessment must be carried out in accordance with the “NSW EPA Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales”. The assessment must consider dust impacts on the surrounding developments. The air quality and odour assessment must identify suitable mitigation measures. The assessment must include an Air Quality Management Plan which describes proposed mitigation and monitoring of air quality impacts and preventative controls such as maintenance measure and process management.	Chapter 14 Appendix O
	Provide evidence showing net emissions from the operation of the facility. Provide quantitative estimates of the Scope 1 and 2 greenhouse gas emissions that will be generated by the proposed development during operation.	Chapter 15 Appendix P
8.2.11 Socio-economic and health	Provide an assessment of impacts from the operation harbouring vermin and pest animals. Outline vermin and pest control measures encompassing both the transport and storage of organic waste on site.	Chapter 17
8.2.12 Noise and vibration	– Provide a noise and vibration impact assessment regarding the operation of the facility prepared in accordance with the “Guidelines for the preparation of Noise Management Plans for development applications Environment Protection Authority, February 2014”	Chapter 18 Appendix Q
8.2.13 Hazard and risk	Provide an assessment of the potential threat of fire occurring at the facility, such as risk in relation to fire in stockpiled material, any effect on the surrounding area that a fire may have, and the protection measures necessary to address the potential threat of fire. Outline management procedures to be followed should critical infrastructure failure occur. Describe any hazardous materials and dangerous chemicals to be used or stored on site during construction and operation. Provide assessment and mitigation measures against the requirements of the “National Airport Safeguarding Framework (NASF)” and airport operations including “Guideline C - Managing the Risk of Wildlife Strikes in the Vicinity of Airports.” Provide a Wildlife Management Program in accordance with the NASF Guidelines.	Chapter 19 Appendix R
	– A bushfire assessment must be undertaken by a suitably qualified person.	Chapter 20 Appendix S

Entity Requirements		
8.3.1 ACT Emergency Services Agency	ACTF&R has reviewed the Application for Environment Impact Statement Scoping documents. These documents acknowledge the proposed development is located within bushfire prone area, and that bushfire risk would be considered during the EIS process. ACTF&R require a bushfire assessment to be completed and submitted for review for this development. Due to the nature of the facility, ACTF&R recommend the assessment includes provision of shielding (non-combustible fencing) to the perimeter of the block to assist with prevention of fire travel into facility from grassland hazard in the event of a bushfire.	Chapter 20 Appendix S

8.3.2 Canberra Airport	We acknowledge the application document references the NASF Guidelines and the proponent will undertake a Bird and Wildlife Assessment (Guideline C). The site is just under 9km away from the airport and so it lies between the Area B and Area C of the NASF Guideline C, this details a Mitigate and Monitor action plan for dealing with birds and wildlife. A thorough investigation is required by the proponent. We are happy to provide contact details of preferred consultants if required. We also request that Guideline E- lighting and pilot distraction be regarded to, we acknowledge that this would be addressed under the NCA Outdoor Lighting policy.	Chapter 19
8.3.3 Climate Change and Energy (EPSDD)	The documentation provided suggests that there are overall environmental benefits of processing organic waste in a FOGO facility, compared to sending that waste to landfill. However, it is not clear from the available information whether the proposed development will result in an overall reduction in net greenhouse gas emissions. Climate Change and Energy Division recommends that the proponent is required to provide evidence that gives assurance there will be a reduction in net emissions by diverting waste from landfill. If the proposal has the potential to be a significant emitter and may impact on the ACT's greenhouse gas emissions targets, the proponent will need to provide quantitative estimates of the Scope 1 and 2 greenhouse gas emissions that will be generated by the proposed development during operation. Mitigation and/or offsetting measures proposed and the extent to which they reduce emissions must also be quantified. Estimates must be calculated in a way that is comparable to the greenhouse gas emissions targets in the Climate Change and Greenhouse Gas Reduction Act 2010. The Climate Change and Energy Division notes the proximity of the proposed development to the Mugga Lane Solar Park. The Division recommends the proponent is required to consider the potential impacts (e.g. dust) of the development on the solar facility. If the proponent is assessing flood, bushfire or extreme heat risk, the Division advises that the impacts of climate change also need to be considered in the EIS, ideally through a climate change risk assessment. The Division encourages the use of NARClm regional downscaled climate propositions for any reference to the ACT's future climate. More information can be found here: https://www.climatechange.environment.nsw.gov.au/climate-proposals-usedadaptsw?elqTrackId=f72f9814d12b4d16ba7df19f02bf31e5&elqaid=83&elqat=2	Chapter 14, Chapter 15 and Chapter 16 Appendix O Appendix P
8.3.4 Conservator of Flora and Fauna	Terrestrial biodiversity impacts of the development are likely to be negligible and additional assessment is not required. However, there are several major concerns regarding potential impacts to Dog Trap Creek which are required to be included in the Scoping Document and addressed in the EIS process. In particular, the EIS will need to incorporate potential impacts of the future operation of the facility in addition to the impacts during construction. The specific items for inclusion are: 1. Increased erosion The degraded state and active erosion of Dog Trap Creek is a major concern. Increased development adjacent to the creek will increase the hydrologic stress on this system, leading to further erosion. Ideally, creek stabilisation	Chapter 13 Appendix F Appendix N

	works are needed in conjunction with increasing development in the catchment. The EIS should consider the need for erosion and sediment control structures in the creek. 2. Stormwater control The EIS should include assessment of peak discharge and discharge volume and demonstrate that the facility will have no impact. In addition, the EIS should demonstrate how all runoff from the development site will be treated before entering the receiving environment and consider retention of stormwater and stormwater reuse on-site.	
	<u>Bushfire Risk</u> Whilst the proposal has identified that it will consider bushfire risk in the EIS, I suggest the following should be the minimum elements that should be considered: Risk of bushfire impacting the facility. Particularly addressing any required asset protection zones, the construction standards of any buildings, the siting of any stockpiles and windrows of flammable materials. Fire originating on the site affecting other lands. Construction, and Operational phases. Measures to reduce the likelihood of fire ignition and spread, including conditions around the safety of plant and equipment to minimise risk of ignition, and on when construction or operations should cease for safety. Asset protection zones. These must be located within the site boundary and maintained by the operator. Any impacts of APZ on the environment to be assessed as part of the EIS. Irrespective of the above the proponent should conduct a full risk assessment of potential natural hazards and risks, including flooding.	Chapter 20 Appendix S
	<u>Impacts to connectivity</u> The proposal is adjacent to undeveloped land and, as identified in the preliminary assessment, there are a range of potential conservation values present. The habitat connectivity mapping prepared by the ACT Government notes that the site is located in an area of Moderate to High value for its potential to improve habitat connectivity. As part of the biodiversity assessment, the proposal should assess the risk associated with the development from the perspective of habitat connectivity.	Chapter 8 Appendix F
	<u>Impacts to biodiversity</u> The type of facility being proposed for this development holds a risk for attracting vermin and associated predators, which can then impact on adjacent lands and biodiversity. The EIS should consider this risk in the operational phases.	Chapter 8 Appendix R
	<u>Potential presence of Striped Legless Lizard</u> The Scoping Document refers to an inspection performed by my team in 2020 that determined the vegetation on the site was too degraded to support Striped Legless Lizard (SLL). Prior to European settlement, this section of Dog Trap Creek was natural temperate grassland or open woodland which was primary habitat for this species. Recent surveys (post 2020) in the Jerrabomberra area have recorded SLL in degraded vegetation. Advice received from an expert in this species is that the site does have potential to support a population. Possible SLL habitat in this vicinity is subject to a number of development proposals which represent a cumulative threat to the conservation of this species. For this reason, I require a targeted SLL survey to be undertaken on the site as part of the EIS. This is required to ensure that the proposal does not pose a threat to SLL.	Chapter 8 Appendix G
8.3.5 Environmental Protection Authority (EPA)	Air Emissions: A quantitative assessment of the potential air quality and odour impacts on the surrounding area and details of all proposed mitigation, management and monitoring measures. This assessment must be carried out in accordance with the NSW EPA Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales.	Chapter 14 Appendix O

	Noise Emissions: A noise impact assessment prepared in accordance with the “Guidelines for the preparation of Noise Management Plans for development applications Environment Protection Authority, February 2014”	Chapter 18 Appendix Q
	Water: An assessment of surface water and leachate management must be included in the EIS documentation.	Chapter 13 Appendix N
	Contamination: An environmental assessment of the site to determine whether it is suitable for the proposed uses from a contamination perspective. Whilst the proponent can be made aware of this requirement it can be covered off in the DA process rather than the EIS. An assessment of potential PFAS (per-and poly-fluoroalkyl substances) contamination at the site and in the product is required, taking account of research undertaken by the Australian Packaging Covenant Organisation, Australia’s PFAS National Environmental Management Plan and ACT initiatives to ban single use plastic packaging.	Chapter 12 Appendix K
	Advice It should be noted that if approved, the proponent will be required to hold an Environmental Authorisation (EA) granted by the EPA. The EA will be required to be obtained following approval of a Development Application and prior to operations commencing on the site. The EPA will set a range of conditions in the EA including setting limits on emissions and managing and monitoring emissions and impacts on the environment.	Appendix C
8.3.6 ACT Health	Odour impacts associated with the facilities’ operation on surrounding receptors should be identified and assessed and mitigation measures should be discussed within the EIS. The applicant is advised that The HPS supports the implement standard mitigation measures, actions and studies in table 8 of the EIS scoping document (refer to page 45-49). The HPS supports that a contamination assessment should be undertaken as part of the EIS as indicated in the ACT FOGO waste facility EIS Scoping Document 4.5 Soils and contamination.	Chapter 12 and 14 Appendix O Appendix K
8.3.7 ACT Heritage	An expert assessment of the potential for Hume Site 1 to extend into the proposed development area, by a suitably qualified specialist. An expert assessment of the potential environmental impacts to Hume Site 1 arising from the proposal, such as but not limited to water quality, hydrology, erosion and vibration. A Cultural Heritage Assessment (CHA) of the potential Aboriginal heritage impacts of the proposal, which must: Be undertaken by a suitably qualified archaeologist; Be informed by consultation with Representative Aboriginal Organisations (RAOs) about: the cultural and heritage significance of any identified Aboriginal places and objects; the potential heritage impacts of proposed development; and proposed management outcomes; Meet the information requirements of the Council’s Cultural Heritage Reporting policy, which is available at https://www.environment.act.gov.au/heritage/publications-and-resources; If the CHA identifies that proposed works will cause damage or diminish the significance of heritage places, recommendations must be presented to comply with <i>Heritage Act 2004</i> provisions; and This CHA is to be submitted directly to the Council for review, and for advice on any additional <i>Heritage Act 2004</i> requirements. If testing or archaeological excavation is required to assess the extent of Hume Site 1, and/or to assess the Aboriginal heritage significance of the subject area, this investigation must be undertaken to inform the EIS. The investigation must include:	Chapter 9 Appendix H

	Preparation of an Excavation Permit application by suitability qualified specialists, and including a Research Design and Methodology; Where the application relates to Aboriginal places and objects, consultation with RAOs regarding the proposed investigation, its methods and the management of any objects recovered; Submission of the application to the Council under section 61E of the <i>Heritage Act 2004</i>; and Following approval of the application under section 61F of the <i>Heritage Act 2004</i>, completion of the investigation in accordance with the conditions of that approval. If the above assessment actions identify that the proposal may have detrimental heritage effects, all alternatives to heritage impacts must be considered and adopted where reasonably practicable. Where alternatives are not reasonably practicable, measures to minimise heritage impacts must also be considered and adopted. Note: The EIS must redact information on some heritage places and objects, including in attached heritage reports, as: It is an offence under section 55 of the <i>Heritage Act 2004</i> to make information on Hume Site 1 publicly available; and Information on Aboriginal places and objects is culturally sensitive and should not be made public in accordance with Traditional Custodians views. It is also an offence under section 55 of the <i>Heritage Act 2004</i> to make information on some Aboriginal places at Hume publicly available. The Council also advises that, if the above assessment demonstrates that the proposal would have a significant adverse impact on Hume Site 1, the proposed development of a FOGO facility may not be suitable at this location; and may not be supported by the Council in the future. The Council also notes that, in accordance with <i>Heritage Act 2004</i> provisions, approval from the Council will be required where the proposal may diminish the heritage significance of Hume Site 1 or damage Aboriginal places and objects; in addition to any approvals required under the Planning and Development Act 2007. Such approval is sought by making a Statement of Heritage Effect (SHE) application under section 61G of the <i>Heritage Act 2004</i>, which are approved by the Council where it is satisfied on reasonable grounds that: the proposed activity is justifiable; and that there are no other reasonably practicable alternatives to heritage impacts; and that measures to minimise the heritage impacts of the proposal have been adopted.	
8.3.8 Icon Water	<u>Trade Waste</u> All connections to sewer that are classified as Liquid Trade Waste (any non-domestic sewage) must apply to Icon Water's Liquid Trade Waste team for approval before connection to sewer. This will include any discharge to sewer from this facility. Further information on acceptance requirements for liquid trade waste can be found on the Icon Water website www.iconwater.con.au/tradewaste. In this circumstance at a minimum the ACT FOGO waste facility will need a current Icon Water Approval to discharge to sewer. A new trade waste application must be submitted. A consultation may be required to ascertain the likely discharge and discuss any pre-treatment requirements or if some waste must be collected for off-site disposal. The ACT FOGO waste facility will also need to consider how they are going to manage their liquid wastewater during construction and any potentially contaminated ground or surface water. This water must not be discharged to sewer without approval from Icon Water. Icon Water Liquid Trade Waste team contact information is Email: trade.waste@iconwater.com.au Phone 02 6248 3222. <u>Environment</u> The site is potentially contaminated with Heavy Metals / Hydrocarbons / Asbestos overlay. The EIS notes that a contamination study will be done. This will need to take into account Icon Water assets and ensuring that any	Chapter 7 and Chapter 13 Chapter 7 and Chapter 12 Appendix K

	connections and movement of pipelines done through the proposal are done ensuring contamination does not occur to the pipeline. The contamination study should be provided to Icon Water to help us future manage the infrastructure we have in the area as well.	
8.3.9 National Capital Authority (NCA)	The site is identified as an urban area in the National Capital Plan (the Plan) and the proposed land use is permitted under the Plan. Any future development application on this site will need to consider visual impact to the Monaro Highway and be consistent with Development Control Plan 171/09/0001.	Chapter 5
8.3.10 Transport Canberra and City Services (TCCS)	TCCS had no comments for the EIS scoping stage	NA
9. Community and stakeholder consultation	The intention of the consultation in this scoping document is to ensure significant proposals include meaningful engagement with the community in the early stages of the proposal and provide clear expectations and an understanding of the actual development proposed. Consultation also provides an opportunity for the community to contribute to the design of the proposal and to resolve any major concerns early in the planning stages.	Chapter 23 Appendix T
9.1 Consultation must be undertaken with:	Lease holders and land managers of land potentially impacted by the proposal. Any recreational groups which may be affected by the proposal. Any volunteer conservation, landscape management or land care groups active in the area to be affected by the proposal, such as the Molonglo Conservation Group and the Isaacs Ridge Mount Molonglo Conservation Group and the Isaacs Ridge Mount Mugga Mugga ParkCare Group. The local community and businesses owners and employees. This includes local community groups such as the Tuggeranong Community Council, the Jerrabomberra Residents Association and other community groups in the Southern Central Canberra area.	Chapter 23 Appendix T
9.2 Provide a consultation report that includes:	A description of the methodology and criteria for identifying stakeholders and how they were identified. Details and plans must be provided showing potential impacts on the local and wider community to justify how stakeholders were identified. An outline of the communication methods used. A variety of communication methods must be adopted to ensure all stakeholders are engaged appropriately, such as face to face, email/letters, community meetings and information sessions and website notifications. Details on the information provided during the community consultation process. Note: A plain English statement explaining the proposal and conceptual drawings must be made available to the community and stakeholders. A summary of the responses and the main comments raised. Evidence must be provided demonstrating that consultation has been undertaken with each relevant group/person and provide specific detail on how these concerns were addressed. A description on how any concerns have been considered and identify any changes that have been made to the proposal. Consultation must occur as early as possible and avoid, or make allowances for public holidays, school holidays and the summer holiday (Christmas) shutdown period. The level of engagement must be comparable with the size, location and nature of the development and potential impact on the wider community.	Chapter 23 Appendix T
9.3 Consideration of public representations from Draft EIS notification	The revised EIS must include a consultation report outlining the representations received, issues raised in the representations and a response to the issues and values identified. The summary response must clearly identify the representation(s) to which the responses relate.	Chapter 23
10. Recommendations	Provide a summary of any commitments to impact prevention, mitigation measures, offsetting measures and other actions within the EIS.	Chapter 22

	Describe the monitoring parameters, monitoring points, frequency, data interpretation and reporting proposals.	
11. Other relevant information	The proponent may wish to include issues outside the scope of the EIS as a separate section of the EIS. This allows the proponent to identify matters not required to be addressed in the EIS, but that would be subject to development assessment consideration and notification. This can provide additional context for members of the public regarding management of environmental issues, by ensuring that the public is aware that these issues will be addressed in the detailed design of the proposal.	Chapter 21
12. References	A reference list using standard referencing systems must be included.	Chapter 25
13. Required Appendices	All relevant additional documentation and specialist studies.	Appendices
13.1 Scoping document for the EIS	A copy of the scoping document should be included in the EIS. Where it is intended to bind appendices in a separate volume from the main body of the EIS, the scoping document should be bound with the main body of the EIS for ease of cross-referencing.	Appendix A
13.2 Scoping document reference	Include a table that cross-references the EIS to the scoping document. If the EIS addresses the scoping document in multiple places, then this must be also referenced.	Appendix B
13.3 Proponent's environmental history	Provide details of any proceedings under a Commonwealth or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against: The person proposing to take the action. For an action for which a person has applied for a permit, the person making the application. If the person proposing to take the action is a corporation, then provide details of the corporation's environmental policy and planning framework. Enough information is required to satisfy s136(4) of the EPBC Act.	Appendix C
13.4 Information Sources	For information given the following must be stated: The author or any reports or studies. The publication date. The source of the information. How recent the information is (i.e. when a study was conducted or when primary sources were produced). How the reliability of the information was tested. What uncertainties (if any) are in the information.	NA
13.5 Study team	The qualifications and experience of the study team and specialist sub-consultants and expert reviewers must be provided.	Appendix D
13.6 Specialist studies	All reports generated based on specialist studies undertaken as part of the EIS are to be included as appendices.	Appendix E to Appendix T
13.7 Research	Any proposals for researching alternative environmental management strategies or for obtaining any further necessary information should be outlined in an appendix.	NA

Appendix 3 – Section 224 notice



ACT
Government

Environment, Planning and
Sustainable Development

Mrs Nadia Chowdhury
Director
No Waste
City and Environment Directorate
nadia.chowdhury@act.gov.au

Dear Mrs Chowdhury

**Application 202200016 –Environmental Impact Statement (EIS)
Chance to Address Unaddressed Matters – Section 224 Notice**

I refer to the revised EIS submitted to the planning and land authority (the Authority) on 27 November 2025.

Enclosed are the following:

- the Authority's assessment summary of the revised EIS against the scoping document requirements (**Attachment A**); and
- comments from entities who were referred the application (**Attachment B and C**).

The Authority has performed an assessment of the revised EIS in accordance with section 222 of the *Planning and Development Act 2007* (PD Act). The Revised EIS has addressed some of the requirements as requested however requires further information to meet the requirements as described in the scoping document and satisfy entity comments.

Please review the Authorities comments at Section A and Entity comments at Section B and provide a revised version of the EIS addressing the outstanding matters as per section 224 of the PD Act.

Please ensure all changes are clearly cross-referenced in the revised EIS preferably is a separate document referencing where the changes can be found in the EIS. The revised EIS addressing the outstanding requirements is due to the Authority on or before the 1st February 2027 to meet legislative timeframes.

The Authority may provide up to two notices for a chance to address unaddressed matters. If the Authority remains unsatisfied after two notices are responded to, the Authority must reject the EIS.

If you have any questions, please contact CEDImpact@act.gov.au.

Yours sincerely,

Richard Davies
Senior Director, Impact Assessment, Statutory
Planning Division
City and Environment Directorate
12/02/2026

Application 202300023

Request for Revised Environmental Impact Statement (EIS)

Attachment A

Habitat Connectivity

Dog trap creek is an important resource providing habitat connectivity. The Conservator has recommended the land near dog trap creek be rehabilitated for the purpose of improving landscape connectivity. The EIS provides a mitigation measure at table 8.2, mitigation BC04 “the principles of Biodiversity Sensitive Urban Design (BSUD) will be integrated into the detailed design at the DA stage and include planting of native grasses in the undeveloped area to the west”

Please update the EIS to include a concept plan for proposed habitat connectivity treatment including planting of trees and native grasses. This update should be undertaken with consultation with the Conservator on suitable species for planting noting further detailed design will occur in any subsequent DA and BSUD response.

Other outstanding matters

The EIS requires attention to detail throughout the document. Tenses of “would” are required to be changed throughout the EIS to read “will” or “must” to indicate the future commitment.

In addition to the above please address the following:

Executive Summary

- The statement “All hazards rated medium or lower after mitigation” conflicts with Table E.1 which, shows: Materials and waste – Waste generated during construction as High residual risk.

Table E.1 Page III -

- Materials and Waste - Waste generated during construction - Remains “high” after mitigations
- Greenhouse Gas- inherent risk listed “low” yet mitigated risk remains “medium”.

Section 4 Risk Assessment

- Preliminary Risk Assessment (PRA) Table 4.1 – all listed risks not assessed. Please complete risk assessment for all risks listed in the PRA and provide reference to relevant chapter and residual risk tables
- Ensure missing residual entries are added in the relevant chapters.
- Residual Impact table 10.6 - Waste generated during construction - Remains “high” after mitigations

Section 5.2

- Please address the numbering of the sections in this chapter
- Please revise Table 5.3 to correct the division name - Block 1694 is in “Tuggeranong” not “Jerrabomberra”.

Viewpoint locations - Table 11.7 - page 126 of EIS

- Viewpoint location 6 - VP06 - The description section of the table refers to VP01

Spatial files

- Please provide relevant spatial files for the project in the correct projection.

Attachment B

CCEW's previous comments have been adequately addressed and no further information is required. This has been cleared by EGM Fiona Wright.

The EIS was referred to a number of entities who provided comments and requested further detail in relation to impacts. Comments from entities are provided below. These comments will need to be addressed in the revised EIS.

CONSERVATOR OF FLORA AND FAUNA

REVISED— ACT FOGO WASTE FACILITY – HUME - EIS-202200016

Thank you for the opportunity to provide comment on the revised Environmental Impact Statement (EIS) for the proposed ACT FOGO Waste Facility.

My office and I have reviewed the revised EIS with particular consideration to the comments previously provided by the Conservator during the Draft EIS process. That feedback has now been addressed and I thank the proponent for incorporating those comments into the Revised EIS.

I have taken the opportunity to describe matters that would benefit from being addressed at later stages at Attachment A for the project's early awareness and consideration.

Water Impact Assessment – Appendix N addresses erosion and stormwater. Section 5.2 (Construction phase erosion and sediment control) is supported with the following conditions: That the *Environment Protection Guidelines for Construction and Land Development in the ACT* references is the latest (2022) version. Remove reference to non-ACT ESC Guidelines (e. g. 'The Blue Book').

Habitat Connectivity - The only outstanding item is a recommendation to rehabilitate land near Dog Trap Creek for the purposes of improving landscape connectivity. *Table 8.2 Mitigation measures* provides a commitment to incorporate the principles of the Biodiversity Sensitive Urban Design into the detailed design at DA stage and will include planting of native grasses in the undeveloped area to the west (BC04). This approach is supported, and the proponent is expected to include commitments to undertake plantings of appropriate local native species within the Dog Trap Creek setback corridor in their BSUD response at DA stage. Please contact the Office of the Conservator for a list of potentially suitable species for planting within the site.

ENVIRONMENT PROTECTION AUTHORITY

Thank you for referring the attached revised Environmental Impact Statement (EIS) application EIS 202200016 ACT FOGO Waste Facility to the Office of the Environment Protection Authority (EPA) for review.

EPA would support the preparation of a revised EIS and advises the scoping document and draft EIS have adequately addressed EPA requirements.

JEMENA GAS AND ELECTRICAL SERVICES

Jemena has reviewed the location of the Development Application and the associated documentation provided. Please be advised that all works must comply with the ACT

Government regulations and development building approvals as outlined here:
<https://www.legislation.act.gov.au/View/a/2010-41/current/html/2010-41.html>

It is noted that there is a HIGH PRESSURE gas network in the vicinity. Therefore, all due care must be taken around our underground assets. Please ensure that the appropriate Before You Dig Australia (BYDA) processes are strictly followed during the construction phase.

If a meter relocation or service pipe relocation is required, you must comply with Evoenergy standards. Please note that only personnel accredited by Evoenergy are authorised to carry out such work.

Thank you for your attention to these requirements

EMERGENCY SERVICES AGENCY

ACT Fire and Rescue

1. Fire Station Response Area:

The proposed development's location indicates that ACTF&R will be able to respond operationally to the area and its surroundings.

2. Water Supplies:

Fire Risk Type (FRT) is designated based on land use zoning and a risk-based assessment considering building classification, occupancy, building size, and other factors that may demand specific water flow and hydrant spacing requirements.

The subject site is zoned IZ1 and the development is consistent Industrial Activity and has been assessed as FRT5, requiring a minimum firefighting flow provision of 150 l/s.

The proponents must seek clarification from ICON Water to determine the adequacy of existing infrastructure, including hydrant spacing, for the proposed development.

3. Bushfire Prone Areas

Bushfire Assessment Report:

ACTF&R has reviewed bushfire assessment report prepared by GHD Pty Ltd project number 12540460 and support its findings and recommendations including the provision and specifications of:

Recommendation 1: APZs are to be provided in accordance with Table 1, with the APZ to the north of the product storage and truck parking workshop to be trafficable for firefighting appliances.

Recommendation 2: Overhead electrical transmission lines are to be installed with short pole spacing (30 metres) and away from vegetation in line with BMS. Consultation with the electrical transmission line service provider is undertaken to ensure the overhead electrical transmission.

Recommendation 3: Construction requirements to be implemented in design and construction under NCC to the BAL presented in Table 2. Alternatively, the proposal site can be managed to the landscaping requirements of Appendix 4 of the BMS to the proposal site boundary to reduce the BAL exposure of the buildings thereby reducing the construction requirements of the primary composting and biofilter and ancillary infrastructure buildings.

Recommendation 4: APZ landscaping is to comply with the ACT BMS Appendix 4 and be guided by the fuel management principles. These will be managed by the proposal site operator.

Recommendation 5: Emergency and evacuation plans should be developed prior to construction, operation, and occupancy of the proposed facility as summarised in Section 3.8. A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to ACT ESA for its information prior to occupation of the development

Bushfire Protection Measures - During Construction:

Standard industry procedures are to be adhered to for hot works during construction and operation at the facility. Any high-risk activities, such as hot works on total fire ban days, require a fire permit. To obtain a permit to burn, you should contact ACTF&R by email actfr.riskplanning@act.gov.au.

4. Street Furniture, Landscaping and Tree Planting:

ACTF&R has the following requirements concerning the location of street furniture, landscaping, existing trees and tree planting with the following criteria applying:

- Street furniture, landscaping, and trees must not impede or cover in-ground and above-ground hydrants, other water supplies and all service shut-offs;
- Hydrants are identified, easily accessible and do not have vehicles parking over them, and
- Street furniture, landscaping, and trees must allow the progress of emergency service vehicles attending the facility.

The minimum height clearance for ACTF&R vehicles is 4.5 metres. Site maintenance should include pruning any overhanging branches over driveways and pathways.

5. ACTF&R Further Information:

Please email actfr.riskplanning@act.gov.au for further information regarding these comments.

ACT State Emergency Service

ACTSES has reviewed the subject DA and are unable to provide an assessment as no flood study/mapping is available. Flood mapping should be available through CED and/or SLA and should be sourced from them.

NATIONAL CAPITAL AUTHORITY

Thank you for referral for EIS 202200016, ACT FOGO Waste Facility. The NCA's requirements in the scoping document have been adequately addressed.

The NCA has no further comments for the draft EIS.

HERITAGE COUNCIL

Please refer to Attachment C for Heritage Advice



ACT Heritage Council

HERITAGE ADVICE

Environmental Impact Statement

TPA Reference: EIS202200016
Heritage Reference: Hume-S26-B5
Contact Officer: JM
Received by Council: 28 November 2025
Due date: 19 December 2025

TO: Territory Planning Authority
City and Environment Directorate
EPDImpact@act.gov.au

Block:	Section:	Division / District:	Heritage Place:
5	26	Hume	██████████ HFFPAD01, HFF01 and HFF02

Status of Place: Registered Heritage Place, recorded Aboriginal places
Description of Works: FOGO Facility and associated works
Council Advice provided by: A/g Director (Approvals and Advice)

Pursuant to Section 117 of the *Planning Act 2023*, the ACT Heritage Council advises that:

- ☒ **The Environmental Impact Statement has adequately addressed the requirements of the Scoping Document.**
 - ☒ **The Environmental Impact Statement does adequately describe the anticipated heritage impacts of the development, and how these will be avoided, minimised and mitigated, subject to conditions.**
-

Background:

On 28 November 2025, the Territory Planning Authority (TPA) referred the Revised Environmental Impact Statement (EIS202200016) to the ACT Heritage Council (the Council) for entity advice. EIS202200016 relates to a proposal to develop a new Food Organics Garden Organics (FOGO) facility in Block 5 Section 26 Hume.

Block 5 Section 26 Hume contains one extant recorded Aboriginal place ‘HFFPAD01’ ██████████

Additionally, heritage places are located in the immediate surrounding area and have the potential to be subject to inadvertent impacts. These include Aboriginal places ‘HFF01’ and ‘HFF02’ ██████████

The supporting information accompanying EIS202200016 includes the “*Cultural Heritage Assessment FOGO Facility, Hume ACT*” (Navin Officer Heritage Consultants, 2022) and the “*Hume Food Organics and Garden Organics Facility, Environmental Impact Statement* (GHD, 2025) (‘the EIS Report’).

The Council has additional reporting and correspondence in relation to this project, including the “*Statement of Heritage Effects Hume FOGO Facility – Results of HFFPAD01 Test Excavation and Hume 1 Auger Survey, Hume, ACT*” (Navin Officer Heritage Consultants, 2024) which has also been considered in providing this advice.

Assessment:

Council advice on the Draft EIS202200016, issued on 19 February 2024, noted several matters were outstanding from the scoping document and other matters for resolution. This included the following considerations:

1. Updates to the Water Impact Assessment to resolve identified matters. [REDACTED]
[REDACTED]
2. [REDACTED]
[REDACTED]; and
3. Further information on whether there were any other reasonably practicable ways to reduce impacts to HFFPAD01. The Draft EIS identified that there are no alternatives to impact, but had limited justification.

Since providing advice on the Draft EIS202200016, the Council has issued a conditional Statement of Heritage Effect (SHE) approval which approves damage to part of HFFPAD01. The conditions of this SHE approval also include management requirements to ensure that [REDACTED] HFF01, HFF02 and the remaining part of HFFPAD01 are not subject to inadvertent impacts.

The following is noted in relation to the outstanding matters from the Draft EIS202200016:

1. The EIS report includes a summary with consideration of the findings of the revised Water Impact Assessment (GHD, July 2024) [REDACTED]. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED];
2. The EIS report includes consideration of the findings of the Water Impact Assessment (GHD, July 2024) and the Noise and Vibration Assessment (GHD, April 2023), which were prepared by experts, and identifies that impact [REDACTED] from these activities is negligible in the case of vibration and highly unlikely in the case of flooding and associated impacts; and
3. The SHE application identified that partial conservation of HFFPAD01 would occur, and sufficiently demonstrated that there were no other reasonably practicable ways to reduce impacts to the remaining part of HFFPAD01. The conditions of SHE approval outline a range of measures to mitigate impacts and to reduce the risk of damage to the part of HFFPAD01 that would be conserved.

Advice:

Noting the above, and as a Council delegate, I advise that Revised EIS202200016 has adequately addressed the requirements of the Scoping Document, and adequately describe the anticipated heritage impacts of the development, and how these will be avoided, minimised and mitigated, subject to the below condition:

1. The Statement of Heritage Effect, including all conditions, approved by the Council on 9 July 2025 must be adhered to.

The Council will also provide advice on subsequent development applications, and any other relevant referrals in relation to this project.



Corinne Softley
**A/g Director (Approvals and Advice) (as delegate for),
ACT Heritage Council**

17 December 2025

Appendix 4 – Proponent response to Section 224 notice



ACT

Government

City and Environment

APPLICANT RESPONSE S224 – EIS202200016

The Authority performed an assessment of the revised EIS in accordance with section 222 of the *Planning and Development Act 2007* (PD Act).

As per section 224 of the PD Act, the applicant was issued an s224 notice 12 February 2026. The s224 notice requested changes to the Revised EIS202200016 to respond to entity comments and meet the requirements of the Scoping Document.

The applicant responded to the s224 request on 2 March 2026 with the submission of a final Revised EIS202200016.

To review the final Revised EIS202200016 please refer to the Planning Website.

[FOGO Waste Facility \(EIS202200016\) - City and Environment Directorate - Planning](#)

Appendix 5 – Public representations

Representation for EIS or Territory Plan Variation Notification - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference code

22 Feb 2024 11:13:10 AM

SQJ2CR4L

Thank you for your representation regarding application number: EIS202200016. A copy of your representation will be forwarded to the proponent of this proposal. The proponent must consider your representation when preparing a revised application for the planning and land authority's assessment.

Access Canberra

GPO Box 158
Canberra City ACT 2601

Phone: (02) 6207 1923
acepdcustomerservices@act.gov.au

Type of representation

About this form

Use this form to lodge a representation for a current amendment to the Territory Plan or a current Environment Impact Statement during the notification period.

Application type

Please select the application type: *

EIS

Representor details

Title

Given name *

Family name *

Organisation name

Icon Water

Enter at least one phone number: *

Home phone number

Work phone number

Mobile number

Email address *

Application details

EIS application number *

EIS202200016

Provide the details of your representation *

Please find attached Icon Water application

You may upload any additional supporting documentation or photos.

FOGO facility EIA and DA submission from IW 21-02-2024.pdf

Disclaimer

Please Note: Under Sections 502 or 503 of the *Planning Act 2023* ; The planning and land authority must (a) make a copy of the representation available on the authority website (b) give a copy of the representation to the proponent of the development proposal as soon as practicable after the public consultation period for the draft EIS ends.

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☒ Click here for more information on applying for exemption from the public register.

Exemption from the public register

To approve your request to exempt all or part of your representation from the public register the Territory Planning Authority must be satisfied that the part of the representation to which your exclusion application relates contains information that:

(a) the publication of which would disclose a trade secret; or

(b) the publication of which would, or could reasonably be expected to

(i) endanger the life or physical safety of any person; or

(ii) lead to damage to, or theft of, property.

Please note: Completing this section does not guarantee your application for exemption from the public register will be approved. A customer service officer will contact you to discuss any request for exemption from the public register.

Do you want to apply to have all or part of your representation excluded from the public register? *

☒ Yes ☐ No

Are you applying for a full or part exemption from the register? *

☐ Full ☒ Part

Provide details of your exemption request *

Personal identification including names and contact details

Please provide detail which parts you wish to make exempt *

Personal identification including names and contact details



21 February 2024

Environment, Planning and Sustainable Development
Directorate (EPSDD) Customer Service

[Redacted]
[Redacted]

Dear EPSDD Customer Service,

Proposed ACT Food Organics Garden Organics (FOGO) Waste Facility EIS202200016

This letter provides Icon Water's support for a FOGO facility for Canberra and identifies potential opportunities for enhancement of the approach for even greater benefits from circular economy.

Icon Water provides quality drinking water and wastewater services to the ACT and region. We own and operate assets and manage land across the ACT, comprising dams, water treatment plants, sewage treatment plants, reservoirs, water and sewage pumping stations, mains and other related infrastructure. Our water and sewerage network consists of over 6,800 kilometres of pipeline. Icon Water produces over 120 million litres a day of potable water and treats approximately 90 million litres a day of sewage. We also generate over 12,000 tonnes of solid waste and recycled products annually, including excavated soil, biosolids, sewage ash, and water treatment solids. Icon Water is therefore a manager of significant quantities of both liquid and solid materials that are too good to waste.

We support an increased circular economy locally and have suggested potential opportunities for more benefits in our submission. We have particularly highlighted the opportunity for biosolids-derived products rich in Phosphorus to be combined with FOGO compost, rich in Nitrogen and Potassium for a complete agricultural fertiliser product that might create a viable and sustainable substitute for superphosphate. This might be amplified further by incorporation of water treatment solids for product water holding properties that would improve resilience of plants under climate change conditions.

We appreciate the opportunity to contribute to this consultation. For further information on this submission please contact [Redacted], Sustainability and Resource Recovery Coordinator, at

[Redacted] or [Redacted].

Yours sincerely

[Redacted Signature]

Manager Environment and Sustainability

Attachment 1

An Environmental Impact Statement has been prepared for the proposed ACT FOGO Facility and is open for public consultation until 12 March 2024. As a referral entity in the planning process, Icon Water has provided separate feedback on water and wastewater network protection and serviceability relating to the proposal, including the need for trade waste approval for any non-domestic sewer discharges. This submission relates to synergies and potential opportunities for superior upcycled products from FOGO, biosolids-derived Agri-Ash and water treatment solids.

Icon Water is keen to continue appropriate resource recovery that provides environmental and human health protection, whilst maximising the pragmatic and valued reuse of waste as a resource.

Within this response, Icon Water outlines its general experience as a public corporation with extensive knowledge of waste management and resource recovery for liquid and solid wastes.

Specific feedback for the consultation is provided in subsequent sections (page 3).

An overview of Icon Water

Icon Water is an unlisted public company owned by the ACT Government, which undertakes two primary activities: delivery of water, sewerage and associated services; and managing the investment in the energy businesses, Evoenergy and ActewAGL.

Under the *Territory-owned Corporations Act 1990* (TOC Act), Icon Water must:

- operate at least as efficiently as any comparable business,
- maximise the sustainable return to the Territory on its investment in Icon Water, Evoenergy and ActewAGL,
- show a sense of social responsibility by having regard to the interests of the community in which we operate, and
- effectively integrate environmental and economic considerations into decision making processes.

We own and operate the ACT's network of dams, water treatment plants, sewage treatment plants, reservoirs, water and sewage pumping stations and other related infrastructure. We consistently deliver safe drinking water and reliable sewerage services to a community of over 400,000 people.

Icon Water' waste management and resource recovery approach

Icon Water recognises that there are benefits environmentally, socially and financially in avoiding waste generation and viewing all waste as potential resources. We are committed to resource recovery and are actively pursuing established and emerging opportunities through our Circular Economy Plan. Icon Water's Circular Economy Plan is driven by, and aligns with, local and national government waste and resource recovery policies. Most notably the waste hierarchy and objectives set out by the *ACT Waste Management Strategy: Towards a Sustainable Canberra 2011-2025* and the *National Waste Policy: Less Waste More Resources (2018)*.

Comments on the EIS for the proposed FOGO facility

During the earlier stages of ACT Government investigating a FOGO treatment facility, opportunity to consolidate waste biosolids and FOGO streams were assessed, and it was determined that the time frames, locations and drivers did not align for a consolidated facility. It is however possible that future developments in our wastewater system planning may allow for opportunities for collaboration beyond those suggested in this submission.

Potential for output product enhancement for improved regional resilience

The Waste Management Plan (Appendix I) for the proposed facility includes FOGO inputs and mulch, compost and soil conditioner outputs, with limited elaboration on the final landscaping and soil conditioner products and distribution to consumers.

It is possible that superior products might be generated with Icon Water inputs like biosolids-derived Agri-Ash which is a valuable source of Phosphorus and liming agent for pH correcting soils in our region, as well as water treatment solids which has desirable water holding potential properties favourable for plant resilience under more extreme climate change conditions. From ~2030 it is expected that Icon Water will replace the existing furnaces with gasifiers that will produce a biosolids-derived biochar product retaining more carbon than Agri-Ash, which will have a desirable carbon sequestration benefit when applied to soil.

It is uncertain if product refinement and optimisation with additional inputs would occur at this facility or offsite by a third party, such as landscaping material wholesalers.

Consideration of opportunities or provisions for incorporation of additional inputs for product optimisation would improve capability of the facility and products to provide superior value for the community.

Potential to highlight climate change benefits and opportunities

The Climate Change Risk Assessment (Appendix P) identifies risks associated with the proposed facility without identifying broader climate change mitigation and adaptation benefits that will be realised from the facility.

Section 15 of the Environmental Impact Statement (EIS) Report outlines the estimated greenhouse gas (GHG) emissions for the proposed facility. There is potential to highlight up front in the EIS Report summary that there may be a net positive GHG emission outcome compared with the existing approaches of garden organics composting and food organics landfill. Inclusion of the GHG emissions associated with the current situation (i.e. without the proposed facility) could help quantify the benefits associated with the proposal.

It is expected that increased recovery of scarce nutrient Potassium, together with Nitrogen and Carbon, in FOGO-derived products will improve living infrastructure condition for a greener and cooler Canberra region that is more resilient to climate change conditions. Inclusion of opportunities in the risk assessment would provide context for consideration of impacts, both positive and negative.

These benefits might be amplified with combination of Phosphorus from biosolids-derived Agri-Ash and water holding capacity from Water Treatment Solids as outlined above. Combination with a future biosolids-derived biochar from ~2030 may also fully offset operational GHG emissions associated with the facility. Icon Water has provided in-principle support for the current Australian Research Council bid submitted by the Australian National University for 'Upcycling organic waste into novel climate-friendly fertiliser products' towards realisation of this beneficial circular economy outcome.

Consideration of climate change benefits leveraged through this proposed facility would demonstrate a balanced management of risks and opportunities for improved regional sustainability overall.

Representation for EIS or Territory Plan Variation Notification - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference code

11 Mar 2024 10:25:24 AM

Z9XBWJXJ

Thank you for your representation regarding application number: EIS202200016. A copy of your representation will be forwarded to the proponent of this proposal. The proponent must consider your representation when preparing a revised application for the planning and land authority's assessment.

Access Canberra

GPO Box 158
Canberra City ACT 2601

Phone: (02) 6207 1923
acepdcustomerservices@act.gov.au

Type of representation

About this form

Use this form to lodge a representation for a current amendment to the Territory Plan or a current Environment Impact Statement during the notification period.

Application type

Please select the application type: *

EIS

Representor details

Title

Given name *

Family name *

Mr

Peter

Vincent

Organisation name

private

Enter at least one phone number: *

Home phone number

Work phone number

Mobile number

0262919351

0403856499

Email address *

peter.vincent@iinet.net.au

Application details

EIS application number *

EIS202200016

Provide the details of your representation *

Given the volume of the EIS I have put in significant time to analyze and understand the proposal as well as its benefits and impacts. Attached is my formal representation on the draft EIS202200016.

My representation consists of a 3 page Representation Covering letter, and an 8 page detailed Representation.

You may upload any additional supporting documentation or photos.

[Peter Vincent Representation COVERING LETTER to Draft EIS202200...](#)

[Peter Vincent Representation to Draft EIS202200016.docx](#)

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COVERING LETTER: RESPONSE TO DRAFT EIS202200016: P. Vincent

Attached is my detailed response to the draft EIS for the proposed Food Organics and Garden Organics (FOGO) processing facility intended for Block 5, Section 256 in Hume. I have a number of very serious concerns about the proposed facility. The main issues in summary are:

SIZE:

IS advises that the ACT produces 25,000 tonnes of fogo material a year. Why is the proposed facility sized at 70,000 tonnes capacity? It appears the facility is intended to meet more than the needs of the ACT. The bigger the facility the more emission pollutants etc have to be dealt with.

AIR QUALITY:

Monash meteorological site has been used as the primary source of weather and particulate data. This facility is around 6 kilometres from the intended site, well below it in height and separated by solid ridgelines from the site. These ridgelines can trap air flow and industrial pollutants from Hume.

There is no mention of the Tuggeranong valley inversion layer which traps fog/wood smoke etc in winter and would likely trap pollutants from the facility, slowing dispersal and increase ground level pollutant & odour spread. The 2008 power station proposal doubled planned chimney height to 30 metres to ensure effective emission spread.

The CALPUFF modelling tool has been used to forecast odour/ pollutant spread. This model has significant limitations in terms of inability to process data at the one second intervals which the human nose detects.

Input data used starts with a poorly justified and incorrect assumption that there is currently NO odour issue affecting nearby residents stating: *"it has been assumed the MLRMC (Mugga Lane Recycling Management Centre) does not impact nearby receptors"* (i.e. humans). It concludes that with the added emissions from 70,000 tonnes of composting fogo material, releasing likely 345,000 cubic metres of emissions an hour (7 days a week) there won't be any detectable pollutant beyond tolerable levels. Provided plume graphics show no significant emissions over surrounding residential areas. This is not valid.

It is made clear that modelling includes impact from the proposed facility and the MLRMC only. What about background pollution and the major impact of wood smoke etc in winter.

The ACT requirement is for 1 kilometre separation from compost processing facilities to residential areas. The EIS claims this facility should be treated as a transfer station, based on its use of enclosed facilities. As mentioned above 345,000 cubic metres of emissions an hour (24 x7) from up to 70,000 tonnes of food and organics is not a transfer station. If treated as a composting facility (as it should be) the facility would likely not be permitted in the proposed location.

The CALPUFF modelling tool has been set up to use Odour Units(OU) as an indicator of emission effect on humans. The EIS applies without justification OU units ranging from 2OU through to 7OU for different communities. This in effect is mandating how much impact a resident can expect/tolerate. No explanation of the impact (stench, impact on lifestyle & enjoyment of home etc) of these mandated ratings is supplied. Is a rate of 2OU a serious long term impact of odour stench or a non noticeable effect. Note that the major residential areas get a 2OU rating assumption while Hume, Rose Cottage, localised isolated housing etc get higher as it is assumed a smaller population base will likely have less humans who are strongly affected.

It is intended that facility will be built to maximum site height limit of 12 metres but will require a chimney stack 2.5 metres wide up to 3 metres above this height. As outlined above apart from being outside the permissible height I believe that design consideration for inversion layer effect will force this stack to be much higher. If the stack is not built (i.e. ground level emissions) the EIS clearly states emission levels will not meet required standards.

Particulate matter is dismissed as a significant issue based on data from the Monash meteorological site. This is not valid as the proposed facility is 6 klm away and just 300 metres west of Hume industrial estate and is ringed by ridgelines to the north west, west and south west. This would act to trap particulates etc around the industrial area , potentially leaking around the ridgelines to residential suburbs (e.g. MacArthur, Fadden, Tralee). The added impact of the proposed facility into this mix is not defined.

The provided risk assessment identifies Air Quality& Odour as a Medium risk even after all mitigations are added. This is not acceptable given the potential impacts that can and likely will ruin people's lives. I am very concerned that even this level of residual risk is based on a number of significantly questionable modelling and data inclusions that act to favour the supposedly positive EIS outcome.

NOISE:

The EIS explains that noise levels expected within the boundaries of the proposed facility and the overall MLRMC district will be within the ACT's mandated 65dba industrial area limit. This level is above the residential limits of 45dba in daytime and 35dba at night. Given semi-rural nature of suburbs like Macarthur, Fadden, Isaacs, Tralee etc, I suspect current levels may be well below these mandated limits. No analysis of the noise impact on the currently occurring and mandated noise levels of nearby residential areas is provided.

COST verses technology:

The EIS contains a number of recommended mitigations for noise and odour management etc. It emphasises very important mitigations including building design, chimney stack height (options of no stack or stack with height 12, 13 or 15 metres), use of wet scrubbers & biofilter, air exchange rates etc. Unfortunately assessment of the EIS is by necessity based on these assumptions included (and explained) within the EIS. However the EIS also advises that each of these mitigations will be subject to final design and the need for the design to be 'economically feasible". This is a major issue as these mitigations are key in getting pollution levels etc down to even the 'Medium' risk level. Removing or modifying these mitigations would have a potentially major impact on the surrounding communities. If this happens the community needs to be advised including updated pollutant outputs and varied risk profile outcomes.

Need for Proven Technology & Operations:

Given potentially major impacts of emissions on local businesses and residents, it is essential that this proposal provide evidence as to operational viability of comparable operational "closed composting" facilities of similar size and technical operation. Facilities offered for proof of viability should also operate on a similar basis and have geographical and climate characteristics similar to the proposed site. Offered sites should include use of core mitigations within a fully enclosed facility, wet scrubbers and chimney stack of similar height with turnover of total facility air volumes up to air three times an hour incorporating forced release to the outside air. Related findings and supporting data from a proof of concept facility should be published within the EIS. This proposal should not proceed if the proposed technology used to effectively manage high impacts cannot be absolutely proven to be viable in large volume fogo processing adjacent to residential and business locations.

Need for Effective Performance Reporting; Problem Reporting, Investigation and Feedback :

Currently the reporting process for tip related issues such as offensive odour impacting residents involves reporting to Access Canberra who eventually escalate to EPA for investigation, which often happens days later. Unsurprisingly, the feedback is typically “no problem identified” or a referral to the EIS related to the tip (which identified the risk of this as Moderate), advice is therefore basically ‘thanks for the call but its all approved’. Even when raised to MLA level the response is typically “it is not cannot proven to be the tip”.

This type of ineffective process destroys residents trust in the management of the facility and leaves residents feeling helpless and believing there is nothing they can do about an issue that potentially has a major impact on their lives. Such an approach is not fair to the community when significant harm to people’s lives and homes can result. Accordingly, if implemented the FOGO facility must be supported by effective operational monitoring and performance reporting. In addition it must include effective problem reporting, investigation and follow up. Closure of a problem should require agreement from the initial complainant. Readily available performance and problem management should be publically available.

Need for Demonstrably Independent Assessment Processes:

The ACT government has publically announced the implementation of an ACT wide FOGO facility. It is the proponent for the proposed facility and is directly facilitating both the EIS and DA processes. The developed EIS and DA will then be assessed by the ACT Government and a final decision as to the implementation will be made by the relevant government minister. Construction and operation of the facility will be directly controlled by the government. Finally, once commissioned, monitoring and reporting will be performed by an ACT Government entity. None of these processes appears to have any independence in terms of opinion or advice to Ministers (and departments). It is essential for both probity and public perception reasons that independent review and advice be provided to the relevant department or minister. Given the potentially very significant impact of this proposal on the lives of thousands of people and many businesses it is essential that independent advice is provided by suitable skilled and demonstrably independent personnel. In this way the public can be assured that they can trust the relevant impacts and effects have been fully, appropriately and independently considered.

My full 8 page response to the draft EIS for the FOGO Facility is attached.

Peter Vincent

8 March 2024

5 Bouchard Place
Fadden ACT 2904
02 62919351

I am responding to the draft EIS for the FOGO facility because I have serious concerns in relation to areas of the report dealing with odour and noise impacts. My feedback of issues is basically in the order they appeared within the draft EIS.

Whilst it is clear that significant effort and care was taken in preparing the EIS I believe that much on the findings in relation to odour, noise etc are based on invalid or unjustified assumptions.

1. AIR QUALITY AND ODOUR

1.1 In the Executive Summary it is stated that the ACT produces 26000 tonnes of FOGO type material per year and yet the proposal is for a facility to handle up to 70,000 tonnes per annum. Why is this the case.

It appears that FOGO materials external to the ACT may be brought in for processing. As a local likely to be significantly affected by the odours from the proposed facility, I am concerned that designing it to process volumes of material beyond that required to meet the needs of ACT residents will act to unnecessarily increase impacts on the surrounding communities.

1.2 Data from the Monash metrological site has been used for modelling purposes. This is a significant issue as that facility is around 6 kilometres away from the proposed facility location. The proposed location is significantly elevated above the Monash area and is ringed by ridges to the north west, west and south west. The proposed location is also to the west of the Hume industrial estate and thus has increased particulates etc trapped by the ridgelines surrounding the proposed facility area. Similarly winter ‘inversion’ layers combined with the surrounding raised ridge lines area will likely act to block dispersal of pollution.

1.3 The Tuggeranong Valley has a significant problem with wood smoke etc, partially because a cold air inversion layer forms well above the ground and acts to trap fog, smoke etc below it, until the inversion layer eventually ‘burns off’. This inversion layer can be in place for extended periods of time. I see no provision in the EIS of any inclusion of, nor analysis of the inversion layer. As the Monash monitoring station is at ground level some 6 kilometres away its data does NOT include information about the inversion layer.

The large volume of proposed emissions (up to 345,000 cubic metres an hour), combined with the site area being surrounded by ridge lines on the north west, west and south west, the impact of winter inversion layers will be significant and must be included in analysis.

1.4 In 2008 an EIS was produced for a proposed power station/ data centre to be located where the solar farm is now operating in Mugga Lane, directly adjacent to the proposed facility location. During the process the height of the main emissions release stack from the proposal was increased from around 15 metres in height to over 30 metres in height. It was stated in the EIS and design documents as being necessary to ensure pollution dispersance in winter. I see no such inclusion or analysis and resultant design variation within the draft FOGO EIS. This causes me significant concern in relation to validity of the odour and greenhouse gas plume analysis included in this EIS, especially given the planned emission release rate from the stacks of:

3 air changes per hour (345,000 m³/hr)	2 air changes per hour (230,000 m³/hr)	1 air change per hour (115,000 m³/hr)
--	--	---

Appropriate stack heights are critical to ensure appropriate odour dispersal.

1.5 The draft EIS advises that CALPUFF modelling was used for emission plume analysis. I have a number of serious concerns in relation to the inputs identified in the draft EIS as being used within the modelling:

1.5.1 The draft EIS uses Odour Units (OU) to specify the presumed odour tolerance level in relation to different communities of ‘sensitive receptors’ (i.e. humans). However the following chart from the EIS shows that an arbitrary impact acceptance was used in the modelling. With the unit of 2 being typically applied in larger urban areas (Fadden, Macarthur, Gilmore rated 2. While 3 would be used for nearby hotel (Rose Cottage) rated 3, Hume industrial area rated 3, and Tralee . Isolated nearby residences are rated 7. It is explained that the assumption is that the bigger the population of the area the more likely there will be some people strongly affected by the emission level.

Sensitive Receptors table from the draft EIS:

Commercial	Rose Cottage Canberra, corner of Isabella Dr and Monaro Hwy	1.4 km SW
Residence	Jerrabomberra, 2620	1.15 km NE
Residence	10171 Monaro Hwy, Hume	1.6 km NE
Residence	Woden Homestead, 10225 Monaro Hwy, Hume	1.65kmNE
Residence	Tralee, 2620	1.55kmS
Residential area	MacArthur	2km SW
Residential area	Tralee	1.1 km SE
Industrial area	Hume industrial area	0.25 km S

Table 14.3 From the draft EIS:

Population of affected community	Odour performance criteria (OU, nose response odour certainty units at 99th percentile)
Single Residence ($\leq \sim 2$)	7
~ 10	6
~ 30	5
~ 125	4
~ 500	3
Urban ($\geq \sim 2,000$)	2

From the draft EIS:

“The criteria assume that 7 OU at the 99th percentile would be acceptable to the average person, but as the number of exposed people increases, there is a chance that more sensitive individuals would be encountered. The criterion of 2 OU at the 99th percentile is considered to be acceptable for large populations (more than 2,000 people).

This is an entirely arbitrary data input. There is no explanation as to what an OU level of 2 would look like compared to a 3OU or a 7OU. Would an impact of 7OU mean that very unlikely someone could live with the stench? Similarly does 2OU mean there would be no noticeable odour for the vast majority of residents or does it mean you would smell it all the time but it would not be overpowering? What would the residents of these areas think if they had access to the necessary assumptions behind these numbers?

1.5.2 Use of a 99th percentile OU means that in effect for one hour in every hundred the anticipated OU figure may not apply. This could mean that in the modelling, for one hour in every 4 days the emissions may exceed the forecast level for that area. This is NOT an acceptable assumption. Residents can't have a solution where the risk of bad emissions outcomes is not fully included. A model allowing for an average of one bad hour every 4 days is not acceptable.

1.5.3 The EIS explains that the CALPUFF modelling used cannot handle a 1 second averaging times. It explains that:

"a the human nose has a response time of less than one second, so that modelling of odour impact should allow for the short-term concentration fluctuations in an odour plume due to turbulence."

"As the CALPUFF dispersion model (used in the assessment) cannot predict concentrations for a 1 second average, a ratio between the 1 second peak concentration and 60 minute average concentration has been applied in accordance with Section 6.6 of the Approved Methods."

This scenario means that odour levels may be significantly higher (and more offensive to the nose) for periods well over the one second that the nose can detect. But in the modelling this is averaged over a longer period. This is not the reality that people will be living with. Our noses don't average a smell over an extended period.

1.5.4 The draft EIS advises that:

"Four rounds of ambient odour field surveys were undertaken in 2021 and 2022 to assess the intensity of odours at the MLRMC and the historical Hume MRF (SLR Consulting Australia, 2021). The odour surveys revealed that odour intensities observed beyond the MLRMC boundary were at most 'distinct'. Stronger odours (ranging from 'strong' to 'extremely strong') were observed within the MLRMC and MRF boundaries. No 'distinct' odours were detected in the residential areas of Macarthur, Fadden or Chisholm. Based on the findings of the surveys, the MLRMC was identified as the most significant source of odour emissions."

Odours emitted from local industrial and rural facilities are identified as being of a different character to that from the proposed FOGO facility, so no cumulative impacts are anticipated."

A total of nine complaints regarding odour detected in suburbs around the MLRMC were recorded in 2020, however the precise cause of odour was not identified."

This is a misleading statement and requires qualification.

Odour emissions are a fact of life in the residential areas (Macarthur, Fadden, Gilmore etc) around the current tip area which is adjacent to where the FOGO facility is proposed. I live in central Fadden and can smell the current tip facility regularly although not frequently and not always of an overpowering strength. However on approximately 6 occasions I have found the stench so overpowering that I had to report it to Access Canberra (and sent copies to my local MLA). The response from ACT services has varied from nothing found (turns out the complaints were followed up either the next day or a couple of days later). On another occasion a manager rang and advised it was a fact of life and had been spelt out as a risk in the EIS for the MLRMC and had been accepted as an ongoing risk. The idea being that we have to live with it.

It is not realistic to assume that if an odour is around at a specific day in specific conditions that it will continue to be around for days. Thus to say that four 'odour surveys' were conducted in residential areas and found nothing is like saying that we monitored four times to see if it was raining, it was not, so it must not rain.

I am concerned that the issue of current odour impacts from the MLRMC area are being downplayed in this EIS.

- 1.6 Given the above concerns that I have about the modelling tool and the inputs used, I am not surprised that the predicted odour plumes show no impingement beyond the mandated OU acceptance in surrounding "sensitive receptors". Indeed the plume predictions show no odour levels exceeding the OU levels that the EIS "considered" as appropriate impacting the residential areas, Rose Cottage, Hume or the proposed Tralee suburb. Given a proposed emission release rate of up to 345,000 cubic metres an hour (24 hour day, 7 days a week) and 70000tonnes of FOGO being processed I find this impossible to believe.

In the EIS this prediction applies for both the proposed FOGO site on its own as well as the combined pollution plume from the FOGO facility and MLRCMC. (I note that the draft EIS advises that no other pollution impacts

The odour plume assessment in this report does not reflect current reality let alone the addition of major odour source and volumes from the FOGO facility. The analysis is flawed and does not reach valid conclusions. Indeed one stated assumption in Appendix 'O' is:

"Cumulative assessment has been undertaken based on assumptions about the MLRMC layout, odour concentrations and operations. No source odour sampling was provided and this was undertaken using representative odour data. Based on odour sampling survey results, it has been assumed the MLRMC does not impact the nearby sensitive receptors."

I see no evidence of a defensible systematic odour sampling having taken place nor of an effective survey process. The stated assumption is **dangerous and not appropriate**.

- 1.7 Appendix 'O' advises that ACT policy mandates separation distances between polluters and 'sensitive receivers' (people). It then explains that the distance from composting works is specified as a 1000m minimum. It then advises that this is intended for open composting as varied from this proposals' enclosed composting which would be more appropriate to consider the facility as you would a waste transfer station (mandated separation 300 metres).

- 1.8 This appears a deliberate downplay to ensure that the ‘sensitive receptors’ in Hume, localised isolated houses and Tralee come outside the mandated distance. This is not acceptable. The reality is that this facility is not a transfer station and it will process up to 345,000 tonnes of food waste a year with likely 345,000 cubic metres of emissions being pumped to air every hour, 365 days a year. That is not a transfer station and clearly a number of ‘sensitive receptors’ are too close to the intended site.
- 1.9 It is worth noting that in my experience in the current situation, when tip odour is offensive, it is typically in the morning when conditions are cool and calm. I note that the graphic wind direction charts supplied, show that for a significant period of time wind is from the east which would cause it to move odour over the suburbs such as Fadden, Gowrie, Chisholm, Isaacs. I am not sure that this scenario has been fully included in the plume dispersion charts provided.
- 1.10 The EIS advises that Particulate Matter levels as identified through the Monash meteorological station are not significant even when combined with those anticipated from the FOGO facility. This is an **invalid** assumption. As previously explained the proposed facility will in effect be directly west (about 1 klm) of the Hume Industrial area. The FOGO facility will be well down below ridgelines that go from the north west to the south. In effect this ridgeline acts to interrupt the movement of airborne odours, particulates etc from Hume across to the west. Thus the level of particulates detected at Monash meteorological station over the ridge and 6 kilometres away to the west would bear little similarity to those likely to be located around the FOGO facility. The particulate matter analysis within the report is not appropriate and needs to be reworked.
- 1.11 Given the EIS advises that the Product Storage Shed (to be used for storage of treated product before shipment or for additional storage) will not be fully enclosed. From an odour, pest and insect management perspective I would have thought this area should be fully enclosed.
- 1.12 Extract from Table E.1 Medium or Higher Risk summary (inherent and mitigated)

SUBJECT	HAZARD	INHERENT	MITIGATED
Air Quality and Odour	Increased odour emission from operation of FOGO facility	High	<u>Medium</u>
Greenhouse gas	Generation of greenhouse emissions	Low	<u>Medium</u>
Socioeconomic & Health	Increase in complaints from community for the FOGO facility (relating to noise, odour, visual).	High	Low

Given the issues I have raised above, and the MITIGATED risk identified in the draft EIS (table above), acceptance within the EIS acting to support the go ahead for the FOGO facility is not appropriate. Asking the community (potentially thousands of people) to accept a MEDIUM risk (based on seriously questionable assumptions and modelling) of unacceptable odour impacting their lives and enjoyment of their homes is not appropriate. As explained above, I do not accept the odour nature and dispersion modelling within this report is correct or valid.

Experience with the odour issues related to the current tip facility has demonstrated that residents complaining are treated as the problem and are typically ignored or fobbed off with minimal explanation. Bear in mind that typically locals no longer report odour issues as they have found, as I did that it is a waste of time. Perhaps that is the management strategy. This is demonstrated by the draft EIS advising that 9 complaints were made (within the year chosen to look at in the EIS) and of these a cause was NOT found for the odour triggering any of the complaints. Thus to show the Mitigated Risk of increased community complaints as LOW is not realistic. How can this rating be justified when we know that complaints already occur and will increase and are very unlikely to be treated seriously or that any viable fix will be available.

2 NOISE

2.1 The EIS explains that modelling shows that noise levels within the boundaries of the facility and the overall Hume Resource Recovery Estate district will not exceed the industrial area limit of 64dba. This is important as the site will be operational 24 hours a day. The key area of impact that is not included within the EIS is the additional noise impact that will occur in relation to the ‘sensitive receptors’. The ACT government web sites advises that Residential areas have a noise limit of:

Monday to Saturday: 7 am to 10 pm: 45 dB(A); 10 pm to 7 am: 35 dB(A)

Sunday and public holidays: 8 pm to 10 pm: 45 dB(A); All other hours: 35 dB(A)

Given the semi-rural nature of some Canberra residential areas, typical noise volumes currently occurring may be well below these standard. The EIS should include advice on any impact of FOGO processing noise (likely 345,000 cubic metres of air being pushed 24 hours, 7 days a week) in relation to ‘sensitive receptors’. This should clearly identify overall impact on current noise levels as well as any potential exceeding of ACT noise limits for residential areas as well as other sensitive receptors identified in the EIS.

2.2 Section 18 advises that Noise Modelling was based on a humidity level of 80% and a temp of 20 deg C. This is too simplistic. Canberra’s air temps go from -6C to 42C and humidity also varies wildly. I can’t see how the modelling of such restricted parameters can produce a meaningful and appropriately applicable result.

3 GENERAL ISSUES

3.1 Cost v Technology:

The EIS contains a number of assumptions (together with reasons) for additional steps to ensure that particularly odour emissions will be reduced to acceptable levels. These include use of wet scrubbers with bio-filter and a chimney stacks of 12, 13 or 15 metres height, as well as high rates of air exchange throughout the facility. The EIS advises that final decisions about use of these important controls will be made at the design stage and emphasises that the design will provide an “economically feasible” design. Yet the already questionable odour analysis, in effect relies on these controls to reach the standard that the EIS believes is acceptable. There is a serious risk that design cost for the enhanced pollution controls contained in (and recommended) within the EIS will be ruled out for cost reasons and as such, cost trade-offs may play a role in seriously increasing odour pollution levels and their impact on the communities located nearby the facility.

3.2 Need for Proven Technology:

The EIS makes it absolutely clear that a fogo facility using “open” composting cannot meet the necessary requirement to process very large scale fogo volumes in a location impacted by undesirable weather and geographical characteristics and near to residents and businesses. Accordingly, a technically sophisticated ‘closed composting’ solution is necessary. Given the potential for very significant impact on surrounding businesses and residents it is essential that the technology is proven. In a number of cases in recent years (e.g. Cranbourne in Victoria) major impacts from open composting facilities have resulted in nightmare conditions for residents, followed by years of legal action and finally EPA ordered closure of the offending facilities. Accordingly, information related to “closed composting” facilities comparable with that proposed should be provided, these should by necessity include key mitigations such as wet scrubbers, chimney stacks, high air turnover (likely 345,000 cubic metres an hour). Similarly data relating to emission impacts from such a facility should also be provided. If the technology proposed cannot be adequately demonstrated this proposal is too risky to proceed at this time.

3.3 Lack of independence of proposal, assessment:

The FOGO project is owned by the ACT Government. Thus the proponent is the ACT Government (which has already publically committed to a large scale FOGO facility), the EIS and Development Applications are being prepared for the ACT Government, to be assessed by the ACT Government. If it proceeds, construction, operation, ongoing monitoring etc will all be done through the ACT Government. I can see no trusted independent assessment/ review or monitoring process here.

I believe that this proposal should be reviewed (for both probity and public perception reasons) by a demonstrably independent advisory entity who can independently advise the relevant government department and minister, and in whose recommendations/advice the community can trust.

3.4 Operational and problem based reporting, monitoring, management and public advice:

My ongoing experience related to the current tip operation has served to show that once operational, complaints are typically fobbed off or a token investigation occurs. The current process involves reporting to Access Canberra for eventual referral to the EPA with investigation typically occurring days after the offending odour has impacted residents. Formal responses vary from “cannot identify the cause” to the “approved EIS advised a MEDIUM risk of offending odour in residential areas”. Even involvement of local MLA’s has received responses along the line of “there is no evidence it was caused by the tip”.

This type of ineffective process destroys residents trust in the management of the facility and leaves residents feeling helpless and believing there is nothing they can do about an issue that potentially has a major impact on their lives. Typically they will become frustrated and give up reporting problems. Such an approach is not fair to the community when significant harm to people’s lives and homes can result. Accordingly, if implemented the FOGO facility must be supported by effective operational monitoring and performance reporting. In addition it must include effective problem management, incorporating reporting with timely escalation of investigation and subsequent follow up reporting. Complaints should not be able to be closed unless the individual reporting the issue is in agreement that the problem is resolved. Readily available performance data as well as individual and integrated problem reports, investigations and actions should be made readily available to the public .

3.5 Further pollution controls:

The EIS states at Section 15:

‘FOGO facilities play a large role in reaching emission reduction targets. However, for the ACT to reach its net zero target, the emissions that are released during the operation of FOGO facilities are to be eliminated. In doing so, emission capturing techniques and Carbon Capture Utilization and Storage (CCUS) measures should be considered.’ This indicates that further pollution controls are potentially available yet have not been included in this EIS. Given the likelihood that this facility will present significant impact on the surrounding communities should these not have been considered within the EIS?

3.6 Odour Emission Guarantee:

Section 14 of the report includes the statement: “The odour control system would have an emissions guarantee from the supplier.” This is a very generic statement and is not supported by further explanation as to what the guarantee would cover, what monitoring & reporting will be required and what controls or penalties would apply if the required outcomes are not maintained effectively. This is a significant issue as this facility has the potential to seriously impact residents and their lifestyles.

(Page 8)

3.7 Visual amenity

- 3.7.1 Chimney stack visual appearance. The EIS discusses the potential colours and materials as well as the likely height and overall dimensions of the proposed facility. There appears to be no descriptive information about the design and visual appearance of the proposed chimney stack(s). As it is likely to be 2.5 metres in diameter and extend well above the building, it will certainly have significant visual impact. How will this be minimised/ blended into the environment?
- 3.7.2 The EIS explains that the building will likely be 12 metres high with a chimney stack of up to 3 metres above that. It also explains that materials, colours etc would be determined at the development application stage. It is hard to assess an EIS where none of this information, not even an artist’s rendition is available.
- 3.7.3 With the NCA requirements identified and the need for sympathetic fencing and appropriate landscaping included. Visual impact from likely local viewing areas has been considered. However, the visual impact from the Fadden ridge area on the ridgeline above, and just to the north of Fadden has not been considered. This area is used by a number of walkers including myself and I believe that due to its height, the visual impact of the proposed facility on the amenity of this walking area should be considered.

3.8 Asbestos:

Given the recent major problems with asbestos being somehow incorporated into mulch. How will this risk be managed at the FOGO facility, what risk would be imposed on the community (given likely 345,000 cubic metres of air being pumped through the facility per hour)? How will a breach of controls be handled.

Peter Vincent
5 Bouchard Place
Fadden ACT 2904

8 March, 2024
Phone 02 62919351

Representation for EIS or Territory Plan Variation Notification - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference code

12 Mar 2024 2:10:10 PM

XTJGLRP8

Thank you for your representation regarding application number: EIS202200016. A copy of your representation will be forwarded to the proponent of this proposal. The proponent must consider your representation when preparing a revised application for the planning and land authority's assessment.

Access Canberra

GPO Box 158
Canberra City ACT 2601

Phone: (02) 6207 1923
acepdcustomerservices@act.gov.au

Type of representation

About this form

Use this form to lodge a representation for a current amendment to the Territory Plan or a current Environment Impact Statement during the notification period.

Application type

Please select the application type: *

EIS

Representor details

Title

Given name *

Family name *

Mrs

Suzanne

Vincent

Organisation name

none

Enter at least one phone number: *

Home phone number

Work phone number

Mobile number

0406776000

Email address *

sue.vincent@inet.net.au

Application details

EIS application number *

EIS202200016

Provide the details of your representation *

I am concerned that odor plume modeling appears to be partly based on 50th percentiles and averaged mean monthly temps, in winter in Tuggeranong. These averaged and 50th percentiles do not remotely reflect the reality of temperature conditions that occur daily or even regularly. These temperatures significantly impact air/emissions dispersal in the area in winter. The attached document details my concerns.

You may upload any additional supporting documentation or photos.

Sue Vincent - Represent Draft EIS202200016 .docx

Disclaimer

Please Note: Under Sections 502 or 503 of the *Planning Act 2023* ; The planning and land authority must— (a) make a copy of the representation available on the authority website (b) give a copy of the representation to the proponent of the development proposal as soon as practicable after the public consultation period for the draft EIS ends.

In complying with the obligation under section 220(2), the authority discloses the representations, which may include personal information on its website and to the proponent. You may request to have part or all of your representation excluded from the public register under Sections 502 or 503 of the *Planning Act 2023*. The request for exclusion must be in writing and clearly identify what you are seeking to exclude and how the request satisfies the exclusion criteria.



Click here for more information on applying for exemption from the public register.

Representation for Draft EIS

Suzanne Vincent

I wish to raise an area of concern about the analysis and findings in relation to the odour issue related to the FOGO draft EIS.

I am concerned that the modelling used to predict odour emissions and plume spread are not a reflection of the true “on the ground” situation. In particular I am concerned about the use of averaged and mean figures that have been used in relation to temperature “observation” data which I assume were fed into the plume model.

The EIS in Appendix ‘O’ states:

“Temperature

Figure 5.3 shows monthly mean temperature statistics for data measured at BoM Tuggeranong AWS for the period 2017 through 2021. The 50th percentile monthly maximum and minimum temperatures are used to show the typical temperature range for each month of the year, as well as the average monthly maximum and minimum temperatures. These are shown along with the monthly average temperature.

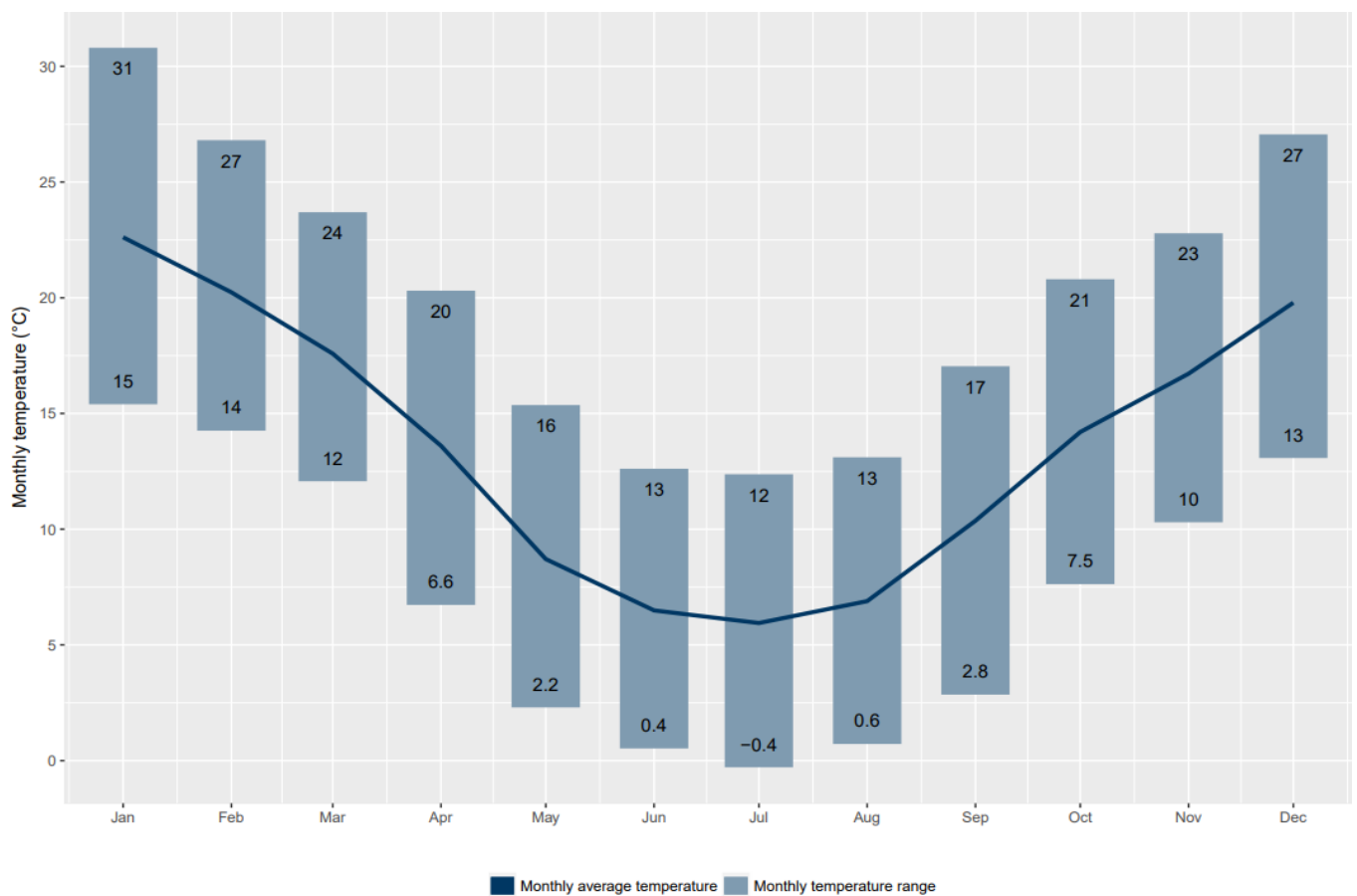


Figure 5.3 Monthly climate temperature statistics from BoM Tuggeranong (2017-2021)”

Use of 50th percentiles monthly minimum and maximum temps is not the reality of what occurs. The chart in the EIS (shown above) shows minimum averages in June and July of 0.4 and -0.4. In truth these temps are rarely if ever experienced.

To demonstrate my concern, the following is the Bureau of Meteorology chart for Tuggeranong for June 2023:

July 2023 Daily Weather Observations

Date	Day	Temps		Max wind gust		
		Min	Max	Dir	Spd	Time
		°C	°C		km/h	local
1	Sa	-2.9	14.2	W	26	11:20
2	Su	-3.6	15.4	S	20	14:07
3	Mo	-3.1	13.2	N	13	12:32
4	Tu	2.7	12.4	N	11	14:01
5	We	7.1	15.9	NW	35	16:31
6	Th	0.6	13	NW	35	15:27
7	Fr	4.7	12.2	NW	39	13:41
8	Sa	6.2	10.4	WNW	56	4:49
9	Su	5.8	13.1	NNW	46	19:21
10	Mo	2.6	12.7	WNW	33	13:32
11	Tu	-2.8	16.3	W	28	14:31
12	We	-2.1	15	N	22	13:08
13	Th	-0.8	14	NNW	20	15:18
14	Fr	0.9	15.3	NW	44	13:35
15	Sa	6.2	17.6	W	48	13:52
16	Su	-2	16.1	NNE	19	13:15
17	Mo	-3.2	16.2	NW	20	14:26
18	Tu	-1.5	15.1	WNW	44	14:11
19	We	-5.2	12.4	WNW	19	12:12
20	Th	-5.3	12.7	N	31	16:46
21	Fr	-1.3	15	S	35	19:19
22	Sa	-4.7	13.3	N	24	15:12
23	Su	-4.4	14	SSE	31	10:23
24	Mo	-4.7	15	N	15	14:06
25	Tu	-4.4	16.9	N	17	14:53
26	We	-5.4	16.5	N	20	14:10
27	Th	-5.3	15.8	NNE	28	16:40
28	Fr	1.6	13.8	NW	37	9:47
29	Sa	7	17.2	NW	30	13:27
30	Su	3	17.4	NW	43	14:05
31	Mo	4.1	16.7	NW	37	15:05

This chart shows that in June 2023 there were 17 days where the daily minimum temp was in the negative range from -1.3 Celsius to -5.45 Celsius. With one sequence of 12 days in a row well into the minus temps. These days were also typically days of very low winds.

It is the winter days with cold and still mornings that typically are the most likely to have the odour issue related to the current tip. I believe this is due to cold air at ground level combined with a lack of wind.

I believe that the fact that the area likely to be impacted by the odour emitted from the planned FOGO site gets sequences of 12 days or more of minimum temps, in a row, with these temps well into the negative means that the use of 50th percentiles and monthly averages does not reflect the reality of the climate in the affected area.

I believe that the modelling, if based on 50th percentiles of monthly averages is not valid and will not adequately reflect the true behaviour of emission spread from the FOGO site over the Tuggeranong Valley.

What for example would the plume chart look like if modelled on the reality of 12 days in a row of temps well into minus's and low winds.

Suzanne Vincent

5 Bouchard Place

Fadden ACT 2904

Phone 040776000

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12 Mar 2024 5:18:27 PM

JF4BQFSL

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Access Canberra

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Type of representation

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Application type

Please select the application type: *

EIS

Representor details

Title

Given name *

Family name *

Dr

Jane

Aitjen

Organisation name

Enter at least one phone number: *

Home phone number

Work phone number

Mobile number

0420430135

Email address *

jasikatoz@gmail.com

Application details

EIS application number *

202200016

Provide the details of your representation *

This is a long awaited, but sadly overdue initiative to reduce food and green waste going to landfill. I urge the Government to accelerate this initiative as fast as possible concentrating on food waste over green waste for which there are currently mechanisms in place. We already have a fantastic food composting model developed by Dr Brook Clinton here in the ACT which can be readily scaled up at multiple, purpose built FOGO sites. An ideal starting point would be to target apartment blocks through harnessing volunteer apartment block champions who can foster and educate their fellow residents to engage in diverting their food waste from landfill. It will be critical to ensure the proposed FOGO is overseen by experienced, scientifically qualified personnel to ensure the facility meets hygiene and odour control standards as well as producing high quality end products. This initiative has the potential to dramatically reduce methane production as well as achieving other climate action goals. We cannot delay in establishing at least one FOGO site as a start in addressing the enormous problem of food waste going to landfill

You may upload any additional supporting documentation or photos.

Disclaimer

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