

Email to State Government from Yatala Residents Alliance

Dear Mr Garred,

We appreciate your efforts in meeting with the YRA Committee and providing responses to our questions, but we feel that we really must point out that we are not satisfied with the nebulous answers and are still extremely concerned with the State Government's approach to / handling of Industry Separation distances in the State Planning Policy 2015. We have very real and quite extreme grounds for our concerns - case in point being the handling of the Phoenix Power Recyclers' site redevelopment application. Even with the Industry Separation distances being effective at the time and the application receiving a unanimous refusal by Council, the development application consisting of a Biomass burning electricity generating plant was finally approved by the Planning and Environment Court. Approved, despite it being directly across the road from 3 residences and only some 600-700 metres from other downwind and elevated residences along Stanmore Road some of which will be at eye level to the smoke coming directly at them from the 30 metre tall chimney.

While the houses across the road from the site are in "Industrial" zoned land, the residences along Stanmore Road are within a "Residential" zoning area, and should have been granted the protection intended by the existence of the Industry Separation Distances in the various planning tools of the time. The Biomass Plant is a Hazardous Industry and under current QLD Industry Separation Distances, should be at least 1.5 Km from "Residential" zoned land. That same Plant, according to WA EPA separation distances, should be 3-5 Km away from residences.

Additionally, along with the Biomass Plant itself, there are 6 other Hazardous Industry and / or High Impact Industry ERA's which have also been approved simultaneously on that one site - these have also passed the "based on its' merits test". It is absolutely astounding that our system is so flawed that it would result in the Planning and Environment Court finding that it is acceptable to shove this monstrosity so close to residents' homes.

As detailed in our list of questions to the "best planning team" on the 16th of September 2015, the permitted levels of pollutant emissions in QLD are considerably higher than the European standards. We would expect that the government departments, whose role it is to revise, update and enforce the planning tools (Acts, Policies and Plans) under which development is supposed to be controlled, would be seeking to be providing recognised best-practice standards.

As we said, this was allowed to develop despite the zoning requirements set out in the local area plan and the separation distances introduced by the State Government in 2010. If our State Government indeed allows the separation distances to be deleted (instead of being reinforced) and replaced with a merits based system, the gloomy scenario outlined by Council in the 11th of June 2014 Gold Coast Sun article will most certainly eventuate. To those in the best planning team who still are not convinced that we are right, you may be interested to know that one of the reasons Council rejected the above application was the risk of spontaneous fires in the mulch heaps - guess what? There have been at least 2-3 fires at that site during and since the application approval. Additionally, an extremely strict EPO environment protection order was issued to the site's operator (Phoenix Power Recyclers) just recently by the DEHP and the Planning and Environment Court, which if you bother to read it, tells the operator exactly how to execute the operation of his

business. Therefore, finally proving he has been doing it all wrong for all these years to the detriment of nearby resident's health and amenity!

As you are finalising the conditions in the Draft State Planning Bill we hope that you and our Government take ownership of the health and wellbeing of residents around all industrial developments and exercise due diligence instead of cleverly manoeuvring the responsibility onto other bodies (including the Local Councils) / Government departments / the Planning and Environment Court.

This email will also be placed online at www.yatala.info so all our Members and others interested can have access it's contents.

Yours sincerely,

Roslyn Burgess – YRA Coordinator on behalf of the YRA Committee and Members