



JESSICA GOODALL

OBJECT

Submission ID: 210844

Organisation: N/A	Key issues: <i>Social impacts, Land use compatibility (surrounding land uses), Traffic, Other issues</i>
Location: New South Wales 2576	
Attachment: N/A	

Submission date: 11/1/2024 8:42:43 AM

*I am writing to formally object to the proposed Plas Refine development in Moss Vale, and I urge you to reject the proposal on several grounds. This submission outlines the significant environmental, social, and economic concerns raised by the development and its potential impact on our community.*

#### *1. Environmental Impact*

*The proposed development poses considerable risks to the local environment. Specifically:*

*2 Air and Water Quality - The refinement process is likely to produce pollutants that could negatively affect both air and water quality in Moss Vale. Contaminants and emissions from industrial activities pose a threat to public health and local ecosystems.*

#### *3. Waste Management*

*Industrial operations often produce hazardous waste. Unless proper waste disposal measures are strictly enforced, there is a risk of pollution that could impact nearby natural habitats.*

#### *4. Biodiversity*

*The area surrounding Moss Vale is home to a diverse array of flora and fauna. Introducing an industrial development of this scale could disrupt local wildlife, including endangered species.*

#### *5. Community Health and Safety*

*This development could have serious implications for public health:*

*Airborne Toxins and Odors Refine processes typically release toxic emissions that could compromise air quality, which may lead to or worsen respiratory issues for nearby residents.*

#### *6. Noise Pollution*

*The site is likely to generate noise from industrial activities and increased traffic, which could be disruptive to residents, particularly in residential areas close to the site.*

#### *7. Economic and Social Consequences*

*While economic benefits are often cited as reasons for development, the Plas Refine project may not provide a net positive impact for our community:*

*8. Property Values Industrial developments near residential areas are known to decrease property values, making it harder for residents to maintain their investment in their homes.*

*9. Local Employment It is unclear whether the Plas Refine facility will offer significant employment opportunities for Moss Vale residents. Large-scale developments like this often bring in external contractors and skilled workers from outside the area, limiting job opportunities for locals.*

#### *10. Infrastructure Strain and Traffic Concerns*

*The increased industrial activity will place additional strain on Moss Vale's existing infrastructure:*



### 11. Road Safety and Traffic

*The development will likely increase heavy vehicle traffic on local roads, raising concerns about safety for residents and commuters.*

### 12. Water and Energy Demand

*Industrial sites typically require substantial water and energy resources, which could place strain on the local infrastructure, potentially leading to shortages or increased costs for residents.*

### 13. Lack of Adequate Community Consultation

*It is concerning that many residents feel uninformed or inadequately consulted about the project. Community input is vital, as this development will significantly impact the people who live in Moss Vale and the surrounding areas. Greater transparency and meaningful engagement are necessary to ensure that all voices are heard.*

*I understand that my objection is supported by the following legislation and regulations*

#### *Environmental Protection Laws\*\**

*- \*\*Environmental Planning and Assessment Act (EPA Act) 1979 (NSW)\*\*: This act is central to planning in New South Wales and requires all developments to assess their environmental impact. Under this law, any major development must undergo an Environmental Impact Assessment (EIA) to consider air and water pollution, waste management, and biodiversity impacts.*

*Protection of the Environment Operations Act (POEO Act) 1997 (NSW)\*\*: This act governs pollution control in NSW. It mandates that industries control and manage emissions and waste to minimize environmental harm. If the Plas Refine development has potential emissions or waste disposal issues, it may be in conflict with POEO regulations.*

*Biodiversity Conservation Act 2016 (NSW)\*\*: This act requires that developments assess and mitigate impacts on local biodiversity, particularly on endangered species and habitats. If the proposed site affects protected flora and fauna, the development may be legally challenged on biodiversity grounds.*

#### *Public Health and Safety Legislation\*\**

*- \*\*Public Health Act 2010 (NSW)\*\*: This act seeks to protect public health from environmental hazards, including air and water pollution. If the Plas Refine development poses a risk to public health, such as through pollution or toxins, it may violate the act.*

*Work Health and Safety Act 2011 (NSW)\*\*: Although this act primarily concerns workplace safety, its principles extend to safeguarding the broader community, especially if industrial activities create significant risk factors like increased heavy vehicle traffic, toxic emissions, or noise.*

#### *Community Rights and Consultation Requirements*

*EPA Act (Public Participation)\*\*: The EPA Act encourages public participation and requires community consultation for major developments. If residents feel that they were not adequately consulted or that the process lacked transparency, there may be grounds to argue that community rights under the EPA Act were not met. Courts have supported that genuine community consultation is a legal requirement in the planning process.*

*- \*\*Local Government Act 1993 (NSW)\*\*: This act requires that councils consider community well-being and protect local interests when planning or approving developments. Councils are obligated to act in the community's best interests, particularly if there are risks to public health, safety, or local amenities.*



### 4. **Property and Economic Rights**

- **Common Law Nuisance**: Common law (i.e., judge-made law) provides that industrial activities that result in unreasonable noise, odors, or pollution could be considered a private nuisance if they interfere with residents' enjoyment of their property. The nuisance law gives residents a basis to object if the proposed development is likely to create ongoing disturbance.

- **Real Property Protections**: While not a statute, property devaluation due to nearby industrial development can lead to legal challenges if it substantially impacts residents' rights to quiet enjoyment and the economic value of their property.

### 5. **Infrastructure and Planning Regulations**

- **Roads Act 1993 (NSW)**: Increased traffic, particularly heavy vehicles, must be planned for to prevent infrastructure strain and maintain safety standards. If the Plas Refine development leads to unsafe or congested conditions, this act may provide grounds for objection.

- **Water Management Act 2000 (NSW)**: This act regulates the sustainable use of water resources. Given that industrial facilities often require significant water resources, excessive demand on Moss Vale's water infrastructure might raise legal concerns under this act.

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**Conclusion**

For the reasons outlined above, I strongly urge the authorities to reject the Plas Refine development proposal. The environmental risks, potential harm to public health, negative economic impacts, and lack of proper community engagement make this development unsuitable for Moss Vale. Our community deserves development that promotes sustainability, safety, and well-being.

Thank you for considering this objection. I hope you will prioritise the health, safety, and quality of life of Southern Highlands residents in your decision.

Sincerely,

Jessica Goodall

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