



DAVID COCHRAN

OBJECT

Submission ID: 211799

Organisation: <i>Harbison Memorial Retirement Village</i>	Key issues: <i>Other issues</i>
Location: <i>New South Wales 2576</i>	
Attachment: <i>Attached overleaf</i>	

Submission date: 11/5/2024 3:43:28 PM

See attached document

5 November 2024

NSW Independent Planning Commission
Suite 15.02
135 King Street
Sydney BSW 2000
ipcn@ipcn.nsw.gov.au

Dear Commissioners,

Moss Vale Plastics Recycling Facility – Objection on grounds of unacceptable fire risk

Harbison operates two residential aged care facilities at Moss Vale and Burradoo located 3.8km and 4.0km from the site of the proposed plastics recycling facility. We represent a community of more than 500 residents, staff and company members and have operated in the Southern Highlands for the past 65 years.

The purpose of this submission is to strongly object to the proposed development. We understand a range of issues have been identified in other submissions as grounds for refusing the proposed development. While we agree generally with those objections, this submission is focused on the peak risk of fire at the proposed facility. **The proposed development should be refused as the only effective means of avoiding an unacceptable risk.**

In our view, inadequate attention has been given to effective mitigation of fire risk. In “Appendix C” of the *Moss Vale Plastics Recycling and Reprocessing Facility Response to Submissions Report Plasrefine Recycling Pty Ltd* dated 10 March 2023 by GHD (“Response”), fire and incident management is limited to an intention to refine the fire safety system during detailed design and to comply with the building code (p.C-2). These are not effective controls for an incident that is foreseeable (based on precedent e.g., Woodpark Rd, Smithfield, September 2023¹) and likely to have catastrophic consequences. The Response lacks sufficient detail, consultation, and expertise and amounts to a gamble on fire safety.

In this case, fire safety management needs to be assessed in the context of comprehensive, *rapid* emergency response plans specifically developed *and resourced* to address the risks of the proposed facility. These include the risks of mass evacuation of vulnerable people and acute and chronic health problems from exposure to toxic smoke.

¹ Fire and Rescue NSW reported a ‘10 alarm blaze’ involving 25 appliances and >100 firefighters. The proposed facility appears to be at least 5x larger than the Smithfield site, which has >10 brigades in the vicinity compared to 2 brigades within 5km of the proposed facility.

<https://www.fire.nsw.gov.au/incident.php?record=recdHZ9ilqsBJ9Mad>

Harbison
Gundungurra Country



Registered NDIS Provider

Burradoo



Moss Vale



Fire and Rescue NSW have described the “unique challenges” of waste recycling facilities that “significantly impact” safe and effective firefighting operations². There is no available firefighting resource capable of effectively responding to a fire at a plant of the proposed size. Any fire will pose severe health risks to the local community.

In the event of fire at the proposed plant, aged care residents and staff of Harbison are likely to be downwind of the toxic plume. It is unlikely that there will be time to evacuate, and if there is time then it is likely that residents will be injured and/or die. Residential aged care facilities are designed to shelter in place during a fire because evacuation is an extreme risk. Residential aged care facilities are not designed to protect residents and staff from toxic smoke.

Local fire brigade resources are not sufficient to respond effectively to an incident of this kind. During the bushfires in 2019, it was very clear that emergency services could not handle simultaneous large-scale evacuations of residential aged care facilities. It was also very clear that smoke, not direct attack from fire, was the highest risk.

Preparation of a Fire Safety Study *after* approval is granted, as proposed in section 5.5 (p.90) of the Response, assumes that fire safety can be achieved. We respectfully submit that it cannot, and that the onus is on the applicant to prove otherwise prior to consent. More concerning, the applicant says that “an *adequate* level” of fire safety “would be *considered* during future stages of the project, should the proposal receive planning approval” (emphasis added).

The applicant has not made any binding commitment (e.g., performance bonds) to address fire risk, and the community is likely to carry the burden in the likely event of a fire. If approval is granted, a very high, not *adequate*, level of fire safety should be the required standard.

The Response states anecdotally that Fire and Rescue NSW broadly endorsed the applicant’s approach (p.90). This is not consistent with the submissions from Fire and Rescue NSW (cited above), but if true, a “generally happy” approach is not effective risk management of a foreseeable catastrophic incident. *Moss Vale Plastics Recycling and Reprocessing Facility Technical Report 5 - Fire and Incident Management Review* by Plasrefine Recycling Pty Ltd dated 1 November 2021 (“Technical Report #5”), cited in the Response, is silent on managing risks to the community from a fire at the facility. It falls short of the comprehensive emergency response plan recommended by Fire and Rescue NSW.

Detailed emergency response planning in consultation with community stakeholders, including emergency services, is required. The Response includes the vague and uncertain intention to “document and provide an Emergency Services Information Package, which would include an Emergency Response Procedure” (p.90). Again, if it is possible to effectively manage a fire at the proposed facility, the detail should be presented **now**, not “prior to commencement of operation” (Technical Report #5, p.20). The community has a right to know exactly how a fire would be managed.

The location of the proposed facility is upwind from nearby vulnerable populations including residential aged care, schools, the local hospital, and a super-ageing community. There is no

² Agency advice: email from Fire and Rescue NSW dated 30/9/20; letter from Fire and Rescue NSW dated 16/3/22 (ref: FRN20/3014 BFS22/792 8000019870)

comprehensive emergency response plan capable of mitigating the catastrophic consequences of a fire at the proposed facility. Due to limited firefighting capacity, any response to a fire would be too little, too late.

In any risk assessment, a catastrophic outcome combined with likelihood (it has happened before and will almost certainly happen again – it is just a question of when, and the risk probably increases as the facility ages) results in an extreme risk. We respectfully submit that the proposal is outside the risk appetite and tolerance of the community (and we assume the NSW Government). We expect that fire is an uninsurable risk for a development of this type. Approval of the proposed development would amount to approval of an unmanaged critical risk, and transfer of that risk onto the community. Failure to manage the risk prior to approval should disqualify the application. A risk of this magnitude should not be left to conditions of consent. The health and safety of the community is at stake.

Yours sincerely,


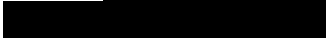
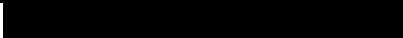





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The Hon Stephen Jones MP, Member for Whitlam – 
Judy Hannan MP, Member for Wollondilly - 
Wendy Tuckerman MP, Member for Goulburn - 
 Fitzpatrick, Wingecarribee Shire Council - 
Janet Anderson PSM, Aged Care Quality and Safety Commissioner 
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