ASSESSMENT REPORT

SECTION 75W MODIFICATION
LUCAS HEIGHTS WASTE RECYCLING CENTRE
ADMINISTRATIVE (DA 11-01-99 MOD 7)

1. BACKGROUND

In 1985, Sutherland Shire Council (Council) granted consent for the operation of the Lucas Heights Waste and Recycling Centre (LHWRC) at Lucas Heights (Consent No. 5482/85), in the Sutherland Shire Local Government Area (LGA). The consent was for the continued operation of the Lucas Heights Regional Landfill Depot (Lucas Heights 1) and Stage 2 extending into Mill Creek Valley.

In November 1999, the then Minister for Planning granted approval for a major expansion of the waste facility and the inclusion of additional waste related operations (DA 11-01-99).

Since development consent was granted in 1999, the consent has been modified six times. The most recent modification, for the Lucas Heights Truck Parking Area was approved 28 July 2010. The modification included the construction and operation a waste collection truck parking area with associated administrative office, workshop and utilities. The truck parking area would be utilised by 32 waste collection trucks which would service council kurbside collection contracts within the St George Region of Councils which currently dispose waste at LHWRC.

2. PROPOSED MODIFICATION

The proposed modification is purely administrative to correct the land (Lot and DP) to which the truck parking modification applies to. The correct reference is Lot 101 DP 1009354. A spelling error in the consent would also be corrected.

3. STATUTORY CONSIDERATION

Approval Authority

The Minister was the approval authority for the original development consent and is consequently the approval authority for this application. However, on 25 January 2010, the Minister's powers and functions as an approval authority to modify certain project approvals under section 75W of the EP&A Act were delegated to the Executive Director, Major Projects Assessment. This modification application meets the terms of this delegation. Under these circumstances, the Executive Director, Major Projects Assessment may determine the application under delegated authority.

Given the modification application is purely to correct an administrative error, the proposal has not been exhibited or referred to agencies.

The Department notes that:

- the proposed modification does not seek approval for a new and different project and would not change the essential function for which approval was granted; and
- there would be no environmental impacts associated with the modification.

It is therefore recommended that the Executive Director, Major Projects Assessment, as delegate of the Minister, agree that the modification request falls within section 75W.

Exhibition and Notification

Under Section 75W of the EP&A Act, the Department is not required to notify or exhibit the application. Given the minor nature of the proposed modification, the Department did not consider it necessary to consult with other agencies or members of the general public.

6. ASSESSMENT

The modification is purely administrative to correct the land (Lot and DP) to which the truck parking modification applies to. The Department considers this to be a minor, administrative modification with no environmental impact.

7. CONCLUSION

The Department has assessed the proposed modification in accordance with the requirements in Clause 8B of the EP&A Regulation. This assessment has found that the proposed modification will not have any environmental impacts.

Consequentially, the Department is satisfied that the modification should be approved.

8. RECOMMENDATION

Under delegation of the Minister, it is RECOMMENDED that the Executive Director, Major Projects Assessment:

- approve of the proposed modification under Section 75W of the EP&A Act; and
- sign the attached instrument **(tagged A)**.

Felicity Greenway
28/9/10

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29.9.10

Chris Wilson
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