Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD-10401 Chullora Materials Recovery Facility
Applicant	SUEZ Recycling & Recovery Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**) granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available here.

A copy of the Department of Planning, Industry and Environment's Assessment Report is available here.

Date of decision

12 August 2021

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the development would provide a range of benefits for the region and the State as a whole, including 45 operational jobs, a capital investment of $36.7 million and financial contributions towards local infrastructure;
- the development would increase recycling capacity in Sydney, diverting waste from landfill and would contribute to the NSW Government's waste recycling targets set out in the *Waste Avoidance and Resource Recovery Strategy 2014-21*;
- the development optimises the use of existing industrial land to provide best practice waste recycling technology and to generate employment, consistent with local planning strategies for the Canterbury-Bankstown local government area;
- the impacts on the community and the environment would be minimal and can be appropriately minimised and managed to an acceptable level, in accordance with applicable NSW Government policies and standards, including:
    - no upstream or downstream impacts on flooding, with approved flood mitigation works providing adequate protection for the materials recycling facility;
    - stormwater would meet relevant pollutant reduction criteria;
    - traffic would be safely accommodated on the road network and would be managed via construction and operational traffic management plans;
    - the facility has been designed in accordance with the latest fire safety standards for waste facilities;
    - air quality and noise impacts would be negligible and managed through standard conditions.
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the recommended conditions of consent.
- weighing all relevant considerations, the development is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 20 August 2020 until 16 September 2020 (28 days) and received 3 submissions and advice from 7 government agencies. Of the public submissions, 1 objected to the development and 1 supported the development.

The Department also undertook the following consultation activities:

- a site visit in August 2020; and
- discussions with Canterbury-Bankstown Council on the recommended conditions.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include air quality, noise and traffic impacts. Other issues are addressed in detail in the Department's Assessment Report.

Issue	***Consideration***
Air Quality • consideration of air quality impacts on neighbouring commercial, food and drink premises and future receptors	*Assessment* • The development would comply with impact assessment criteria for all air quality pollutants at off-site receivers including neighbouring commercial and industrial premises. Enclosure of the MRF would minimise particulate and combustion emissions from the receival, processing and storage areas. The development is located in an industrial area, minimising impacts on sensitive receivers. *Conditions* • The Department has recommended the Applicant implement dust minimisation measures and has adopted the EPA's recommendation for a dust and odour audit, 6 months after commencing operation.
Noise • Consideration of noise impacts on neighbouring commercial premises and future receptors	*Assessment* • The development would comply with noise criteria at all residential and industrial receivers, including sleep disturbance and road noise criteria. Construction works would have negligible noise impacts at residential receivers and would be limited to day-time hours for a 12-month period. *Conditions* • The Department has recommended noise limits for operation, day-time construction working hours and a noise management plan for construction.
Traffic • Impacts of increased traffic on Muir Road on neighbouring premises, including queuing, congestion, emissions and road noise	*Assessment* • The development would generate up to 264 vehicle trips per day, which would be adequately accommodated on the road network with minimal increased intersection delays or queuing. There would be adequate queuing lanes for trucks within the site and adequate on-site parking for employees. *Conditions* • The Department has recommended construction and operational traffic management plans detailing transport routes, speed limits, site inductions and internal pedestrian routes. Standard operating conditions for traffic management are also recommended.