

Notice of decision SSD 6236

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 6236 Eastern Creek Energy from Waste Facility
Applicant	The Next Generation (NSW) Pty Ltd
Consent Authority	Independent Planning Commission of NSW

Decision

The Independent Planning Commission of NSW (the Commission) has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)*, refused consent to the development application.

A copy of the instrument of refusal is available [here](#)

A copy of the Department of Planning and Environment's assessment report is available [here](#)

Date of decision

19 July 2018

Reasons for decision

The Commission's published Statement of Reasons for decision is available [here](#)

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
- the views of the community about the project (see Attachment 1)
- the material identified in Section 5, Paragraph 50, of the Statement of Reasons
- the Environment Protection Authority's *Energy from Waste Policy Statement (2015)*.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement (EIS) for the proposal from 27 May 2015 until 27 July 2015 (62 days) and received 44 submissions, including 32 objections, 10 comments and two in support of the proposed development.

The Department exhibited the Amended EIS for the proposal from 9 December 2016 until 1 March 2017 (83 days) and received 990 submissions, including 967 objections, 21 comments and two in support of the proposed development.

The Department also undertook the following consultation activities:

- attended one site visit
- co-ordinated and facilitated a Planning Focus Meeting with key government authorities and the Applicant to assist the Department in formulating the Secretary's Environmental Assessment Requirements for the proposed development
- met with the Mayor of Blacktown City Council and senior Council staff to discuss their concerns with the proposal
- offered to meet with key residents and resident groups to discuss their concerns. All residents declined to meet with the Department
- met with a local school to discuss the school community's concerns with the proposal. Key concerns related to the potential impacts of the proposed development on air quality and human health.

In addition, the Commission held a public meeting to hear the community's views on the proposed development.

The key issues raised by the community (including in submissions and during public meetings) that were included in the Department's Assessment Report and in the Commission's Statement of Reasons, and were considered by the decision maker include air quality, human health risks, water quality, greenhouse gas emissions, visual impacts, economic impacts, site suitability, waste by-products, transport and the public interest. Other issues are addressed in detail in the Department's Assessment Report and in the Commission's Statement of Reasons.