

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 7462, Minto Resource Recovery Facility
Applicant	Bingo Recycling Pty Ltd
Consent Authority	Minister for Planning

Decision

The Executive Director, Key Sites and Industry Assessments, under delegation from the Minister for Planning 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 and Environment's Assessment Report is available [here](#).

Date of decision

2 July 2018

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 and the information considered in the Department's Assessment Report;
- 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. Additional reasons for making the decision are also recorded in the Department's Assessment Report.

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

- The project would benefit the region and the State by diverting construction and demolition waste and commercial and industrial waste from landfill, injecting \$4,187,000 of capital investment and generating 30 new operational jobs;
- The project is permissible with development consent and is consistent with NSW Government policies, and would contribute to achieving the State's waste recovery targets outlined in the *Waste and Avoidance and Resource Recovery Strategy 2014-2021*;
- The impacts on the community and the environment can be appropriately minimised and managed through the Applicant's mitigation measures and the conditions of consent, in accordance with applicable NSW Government policies and standards;
- The issues raised by the community during consultation and in submissions have been considered and adequately addressed through project changes, mitigation measures and the recommended conditions of consent, to ensure an acceptable level of environmental performance; and
- Weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from Thursday 29 June 2017 until Monday 14 August 2017 (47 days to account for school holidays). A total of 17 submissions were received, including 6 from NSW Government agencies and Campbelltown City Council (Council) and 11 from members of the public. Of the 17 submissions, 10 members of the public objected to the development.

The Department also visited the site and met with a nearby business owner who made a submission.

The Department's assessment includes a detailed review of the Environmental Impact Statement, the submissions, the Applicant's amended application and response to submissions. The key issues raised by submissions from the community, Council and the NSW Environment Protection Authority, and considered in the Department's Assessment Report, include traffic and parking, site and operational management and air quality impacts. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<i>Traffic and Parking</i> - Increased traffic on Pembury Road and associated congestion and safety impacts - Heavy vehicles queuing on Pembury Road - Vehicles associated with the site parking on Pembury Road	<i>Assessment</i> - Site access was reconfigured to improve the efficiency of on-site vehicle movements and avoid queuing on Pembury Road - The peak operating period of the site (6 am to 7 am) will be outside the peak periods on the adjoining road network, to minimise traffic impacts - All vehicles associated with construction and operation will park on site - A conservative assessment demonstrates the site has sufficient capacity to accommodate 21 stacked vehicles on-site during typical and atypical operations at any one time, without resulting in queuing on Pembury Road <i>Conditions</i> - Conditions include the implementation of a vehicle stacking plan, a Driver Code of Conduct and Operational Traffic Management Plan, prohibiting vehicles from queuing or parking on Pembury Road and scheduling the collection of waste outside peak operational hours, to avoid times when vehicle stacking spaces are needed on-site to address these issues of community concern.
<i>Site and Operational Management</i> - The size and suitability of the site to cater for the proposed increase in processing capacity, including in the event of a machinery breakdown - The effectiveness of waste quality controls and identification of non-conforming wastes given the proposed increase in processing capacity	<i>Assessment</i> - The application was amended to maximise the space available for use on-site, by enclosing the proposed operations - The Department has undertaken an assessment to ensure the capacity of the facility is sufficient to process up to 220,000 tonnes of waste per annum and to ensure there is sufficient storage capacity on site in the event of a machinery breakdown - The Department is satisfied that the Applicant can implement procedures to manage unexpected finds and to ensure waste is appropriately inspected and sorted, and has imposed conditions requiring the preparation and implementation of management plans to achieve this <i>Conditions</i> - Conditions include the preparation and implementation of a Waste Quality Control Plan to ensure waste is appropriately inspected and sorted and the preparation and implementation of a Waste Management Plan to ensure waste is diverted from the site during machinery breakdown to address these issues of community concern.
<i>Air quality</i> Dust generated by waste handling and processing activities impacting health and nearby businesses	<i>Assessment</i> - The Applicant amended the application to ensure all waste processing activities are undertaken in an enclosed shed - An Air Quality Impact Assessment (AQIA) for the amended application demonstrates the revised design eliminates potential windblown dust impacts - The AQIA concluded that the operation of the facility would comply with air quality criteria at all residential and industrial receivers <i>Conditions</i> - Conditions include the implementation of air quality control measures and the preparation and implementation of an Air Quality Management Plan to address this issue of community concern.