

# Notice of decision – St Marys Resource Recovery Facility SSD 8200

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 8200<br>St Marys 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

6 November, 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 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.

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

- the project will provide a range of benefits for the region and the State as a whole, including increasing resource recovery, the provision of 30 new long term operational jobs, and positively contributing to the State's performance regarding the WARR Strategy in both the C&I and C&D sectors;
- the project is permissible with development consent, and is consistent with NSW Government policies including the A Metropolis of Three Cities - Greater Sydney Region Plan and the Western City District Plan, 2018;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards as identified in the Department's Assessment Report. The consent authority has imposed conditions relating to the waste throughput limit, traffic, noise, water and air quality;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed; 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 13 September 2017 until 13 October 2017 (31 days) and received 13 submissions, including 3 objections.

The Department also undertook a site visit on 1 February 2018.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include:

- operational traffic impacts
- air quality

Other issues are addressed in detail in the Department's Assessment Report.

| Issue                                                                                                                                                                                                                                                                                                                                             | Consideration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <p><i>Operational traffic</i></p> <ul style="list-style-type: none"> <li>• increased number of heavy vehicle movements and existing traffic congestion</li> <li>• deteriorating road conditions</li> <li>• safety of the road network surrounding the site</li> <li>• restricted vehicle access to and from the Dunheved Business Park</li> </ul> | <p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• Traffic modelling indicates the overall Level of Service of the intersection at Forrester Road, Links Road and Ropes Crossing Boulevard (the most affected intersection) would not change as a result of the proposed development during both the AM and PM peak periods. The additional traffic generated by the development represents less than 1% of all vehicles using this intersection during the peak periods.</li> <li>• Neither Council nor RMS had any concerns regarding operational traffic generation.</li> <li>• Noting that the site is located in an established industrial estate, the Department is satisfied traffic generated by the development would have minimal impact on the safety and efficiency of the surrounding road network.</li> <li>• In order to facilitate safe right turning movements by B-double trucks into both the northern and southern legs of Dunheved Circuit Loop, the proposed development includes minor road widening and upgrades at the intersections of Dunheved Circuit Loop and Dunheved Circuit.</li> </ul> <p><i>Conditions</i></p> <p>To ensure any potential traffic impacts are effectively managed, the Department requires:</p> <ul style="list-style-type: none"> <li>• preparation of a Driver Code of Conduct, Traffic Control Plan, Employee Transport Plan and Operational Traffic Management Plan</li> <li>• that any vehicles associated with the development are prohibited from queuing or parking in Dunheved Circuit or the surrounding road network</li> <li>• all road upgrade works be designed in accordance with Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineer Construction Specification for Civil Works.</li> <li>• prior to the commencement of construction, a Stage 3 (detailed design) Road Safety Audit (RSA) be undertaken in accordance with the Austroads Guide to Safety part 6: Road Safety Audit by an accredited auditor who is independent of the design consultant.</li> </ul> |
| <p><i>Air quality</i></p> <ul style="list-style-type: none"> <li>• deposited dust generated from the site</li> <li>• human health risks from particulate matter brought to the site</li> </ul>                                                                                                                                                    | <p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The Air Quality Impact Assessment demonstrated the air quality impact assessment criteria for residential receivers were met for all emission types.</li> <li>• Minor exceedances for PM<sub>10</sub> and PM<sub>2.5</sub> (cumulative) were predicted at the adjacent industrial receiver (I3)</li> <li>• These exceedances were discussed in detail with the EPA and the Applicant, and additional mitigation measures were identified which would resolve this issue.</li> <li>• The Department's assessment concludes that with appropriate measures in place, the development would have minimal air quality impacts on surrounding receivers and meet all health and amenity criteria.</li> </ul> <p><i>Conditions</i></p> <p>To ensure any potential air and dust impacts are effectively managed, the Department requires:</p> <ul style="list-style-type: none"> <li>• preparation and implementation of an Air Quality Management Plan</li> <li>• installation of a fast-closing roller door at Door C to minimise dust impacts at the adjacent industrial receiver</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |