

# Notice of decision

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

<b>Application type</b>	State significant development
<b>Application number and project name</b>	SSD-8593 Ingleburn Resource Recovery Facility
<b>Applicant</b>	Bulk Recovery Solutions Pty Ltd
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

The Director, Industry Assessments 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

26 May 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 project would provide a range of benefits for the region and the State as a whole, including a capital investment of \$1.8 million and the generation of 15 construction jobs and 8 operational jobs
- the project is permissible with development consent, and is consistent with NSW Government policies including the *A Metropolis of Three Cities* and the *Western City District Plan*
- 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.
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent.
- 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 12 June 2019 until 10 July 2019 (29 days) and received 12 public submissions, including 10 objections.

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

<i>Issue</i>	<i>Consideration</i>
<p><b>Site suitability</b></p> <ul style="list-style-type: none"> <li>• Zoning</li> <li>• Proximity to residential development</li> </ul>	<p><b>Assessment</b></p> <ul style="list-style-type: none"> <li>• The development is permissible with development consent in the IN1 General Industrial zone, pursuant to State Environmental Planning Policy (Infrastructure) 2007 and is located within an existing industrial area.</li> <li>• The development would be fully enclosed within a building or covered by awnings. The Applicant was able to demonstrate the site can accommodate the proposed development.</li> <li>• The Department's assessment concluded the site is suitable for the development and the Department is satisfied that, subject to the imposition of conditions of consent, the impacts of the development can be appropriately managed to avoid unacceptable impacts on residents.</li> </ul>
<p><b>Traffic</b></p> <ul style="list-style-type: none"> <li>• Increased traffic on local road network</li> <li>• Number of heavy vehicles on local road network</li> </ul>	<p><b>Assessment</b></p> <ul style="list-style-type: none"> <li>• The Applicant provided a Traffic Impact Assessment that demonstrated there is sufficient capacity within the local road network to accommodate additional traffic caused by the development.</li> <li>• The Applicant identified designated haulage routes for heavy vehicles that do not travel through residential areas and demonstrated all onsite truck movements could be carried out safely.</li> <li>• The Department's assessment concluded that, subject to recommended conditions and the Applicant's mitigation measures, site access and manoeuvring arrangements are satisfactory, and traffic generated by the development can be accommodated on the local and regional road network without any significant impacts on safety or level of service.</li> </ul> <p><b>Conditions</b></p> <ul style="list-style-type: none"> <li>• A requirement for a traffic management plan to be prepared to ensure trucks follow specific haulage routes and manoeuvre safely onsite.</li> </ul>
<p><b>Air quality</b></p> <ul style="list-style-type: none"> <li>• Dust</li> <li>• Odour</li> </ul>	<p><b>Assessment</b></p> <ul style="list-style-type: none"> <li>• The proposed development would be mostly fully enclosed within a building with some processing occurring under awnings.</li> <li>• The Applicant demonstrated the predicted incremental concentrations for all pollutants, particularly odour would meet impact assessment criteria at all receptors for the enclosed facility.</li> <li>• The application was amended to remove the solid waste processing component which removed the potential for significant dust impacts during operation.</li> <li>• The Department's assessment concluded with appropriate measures in place, including conditions requiring the preparation and implementation of an Odour Management Plan and Odour Audit, the proposal would have minimal air quality impacts on surrounding receivers and meet all applicable NSW EPA impact assessment criteria.</li> </ul> <p><b>Conditions</b></p> <ul style="list-style-type: none"> <li>• A requirement to prepare and implement an Odour Management Plan and undertake an Odour Audit to evaluate the performance of the development and determine compliance with key performance indicators.</li> <li>• A requirement to take all reasonable steps to minimise dust generated by the development during construction and operation.</li> </ul>
<p><b>Noise</b></p> <ul style="list-style-type: none"> <li>• Operating hours</li> </ul>	<p><b>Assessment</b></p> <ul style="list-style-type: none"> <li>• Predicted operational noise was assessed against intrusiveness noise levels and the sleep disturbance trigger levels established in general accordance with EPA's Noise Policy for Industry. The noise impact assessment reported predicted compliance with relevant operational noise criteria.</li> <li>• Given the reduced scope of the proposal, the Department considers the predicted operational noise impacts associated with the development would be acceptable.</li> </ul> <p><b>Conditions</b></p> <ul style="list-style-type: none"> <li>• Undertake construction during standard hours.</li> <li>• Comply with noise limits.</li> <li>• Undertake a noise verification study.</li> </ul>

