

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-9887 West Nowra Resource Recovery Park Stage 2
Applicant	Bioelektra Australia Pty Ltd
Consent Authority	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 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

23 December 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;
- the considerations under s 7.9(2) of the Biodiversity Conservation Act 2016 (NSW);
- all information submitted to the Department during the assessment of the development application and any additional 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 would provide a range of benefits for the region and the State as a whole through a capital investment value of \$88 million in the Shoalhaven local government area;
- the project would provide 200 construction jobs and 34 operational jobs;
- the project would divert up to approximately 123,500 tonnes per annum of waste from Council's landfill which would contribute to the NSW Government's resource recovery targets, including the targets within the *NSW Waste Avoidance and Sustainable Materials Strategy 2041*;
- the odour and air quality and transport, access and parking impacts can be appropriately minimised, managed or offset to an acceptable level in accordance with applicable NSW Government policies and standards;
- the issues raised by Council and public authorities during consultation have been considered and adequately addressed through the recommended conditions of consent; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department publicly exhibited the Environmental Impact Statement (EIS) for the development from 15 June 2021 until 12 July 2021 (28 days). Advice was received from eight government authorities and two submissions were received, one from an organisation and one from the community. There were no objections to the development.

The community submission did not raise any concerns with the development but sought to clarify whether a local recycling facility could be provided within the West Nowra Resource Recovery Park. The Department considered the submission in its assessment of the development and has not recommended any conditions of consent in this regard. The Department notes the development is permissible with development consent and will assist with meeting the resource recovery targets within the *NSW Waste Avoidance and Sustainable Materials Strategy 2041*.