

# Notice of decision – Cairncross Waste Management Facility Expansion SSD 5792

## 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 5792 Cairncross Waste Management Facility Expansion
<b>Applicant</b>	Port Macquarie-Hastings Council
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

The Executive Director, Compliance, Industry and Key Sites 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 at <https://www.planningportal.nsw.gov.au/major-projects/project/11336>

A copy of the Department of Planning, Industry and Environment's Assessment Report is available at <https://www.planningportal.nsw.gov.au/major-projects/project/11336>

### Date of decision

5 November 2019

### 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 the *Environment Protection and Conservation Act 1999* (Cth);
- 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. 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 development would extend the life of the existing landfill to provide adequate capacity to meet the waste disposal needs of the Port Macquarie-Hastings local government area for a further 36 years
- the development would utilise an existing waste disposal facility that is co-located with other waste diversion facilities, ensuring a coordinated and efficient waste management solution
- the development is permissible with development consent, and is consistent with NSW Government policies including the Waste Avoidance and Resource Recovery Strategy 2014-21 and the Port Macquarie-Hastings Council Waste Strategy 2017-24;
- 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; and
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the recommended conditions of consent;
- weighing all relevant considerations, the development is in the public interest.

## Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 15 February 2018 until 16 March 2018 (30 days) and received six submissions, with no objections to the development.

The key issues raised by the community and considered in the Department's Assessment Report and by the decision maker include noise, odour and access. Other issues are addressed in detail in the Department's Assessment Report.

<b>Issue</b>	<b>Consideration</b>
<b>Noise</b> <ul style="list-style-type: none"> <li>minor noise disturbance from reversing beacons at existing CWMF</li> </ul>	<b>Assessment and Recommendations</b> <ul style="list-style-type: none"> <li>the noise and vibration assessment predicted noise impacts from the expanded landfill would be below relevant noise criteria at the nearest sensitive receivers.</li> <li>the Applicant has committed to investigate replacing tonal reversing alarms with broadband devices on all site-owned plant.</li> <li>the EPA has recommended stringent noise limits of 35dB(A) for the development.</li> </ul> <p>With these measures in place, the Department considers the noise impacts of the development would be minimal.</p>
<b>Odour</b> <ul style="list-style-type: none"> <li>detectable odour from existing facility, requested pro-active management of green waste/compost stockpiles</li> </ul>	<b>Assessment and Recommendations</b> <ul style="list-style-type: none"> <li>the air quality assessment predicted the development would be well below the odour criteria of 7 OU at the nearest receivers.</li> <li>the organics recovery facility is part of the existing landfill and is managed in accordance with the EPL. The EPL requires the Applicant to ensure the facility does not cause offensive odour.</li> <li>the Department has replicated this requirement as a condition for the expanded landfill. The Department considers the odour impacts of the development would be minimal.</li> </ul>
<b>Access</b> <ul style="list-style-type: none"> <li>request for an extension of the access road to reduce the trip length for rural residences traveling around the site to get to Port Macquarie</li> </ul>	<b>Assessment and Recommendations</b> <ul style="list-style-type: none"> <li>the traffic impact assessment noted the development would not significantly increase traffic from the site and would not require any upgrade to access roads or intersections to maintain safe and efficient operation of the surround road network.</li> </ul>