

Notice of decision – Kooragang Island Resource Recovery Facility [SSD 7038]

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 7038 Kooragang Island Resource Recovery Facility
Applicant	Boral Recycling (NSW/ACT) Pty Ltd
Consent Authority	Minister for Planning

Decision

The Executive Director 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

10 July 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;
- all information submitted to the Department during the assessment of the development application and any additional information considered in the Department's Assessment Report; and
- the findings and recommendations in the Department's Assessment Report.

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 resource recovery for the Newcastle and Hunter region, the provision of one new long term operational job and positively contributing to the State's performance regarding the WARR Strategy in the C&D sector
- the project is permissible with consent and is consistent with NSW Government policies including the Greater Newcastle Metropolitan Plan 2036, Hunter Regional Plan 2036, the NSW Waste Avoidance and Resource Recovery Strategy 2014-2021
- the impacts on the community and 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 waste throughput and storage limit, stormwater and groundwater management, air, traffic and noise
- 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 8 February 2016 until 9 March 2016 and received a total of eight submissions, comprising of seven submissions from public authorities and one submission from industry (Newcastle Coal Infrastructure Group (NCIG)). None of the submissions received objected to the development and no public submissions were received.

The Department also undertook a site visit on 31 March 2016.

The key issues raised by Industry and considered in the Department's Assessment report and by the decision maker include:

- air quality impacts
- traffic management

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

Issue	Consideration
<i>Air Quality</i>	<i>Assessment</i>
<ul style="list-style-type: none">• localised air quality impacts due to the proposed increase in waste stockpile heights• adequate management of dust during adverse weather conditions	<ul style="list-style-type: none">• the Air Quality Impacts Assessment demonstrated the air quality impacts assessment criteria for residential receivers were met for all emission types.• minor exceedances for PM₁₀ and PM_{2.5} (cumulative) were predicted due to high background levels (industry and bushfires)• the EPA was concerned that the dust mitigation measures proposed by the Applicant did not consider the increased dust emissions that may occur from 20 m high waste stockpiles. The EPA requested that the waste stockpiles be reduced from 20 m to 15 m• the Applicant agreed to reduce stockpile heights from 20 m to 15 m.• the Applicant has proposed management measures to mitigate dust impacts from processing activity• the Department's assessment concludes that with appropriate measures in place the development would have minimal air quality impacts on surrounding receivers.
	<i>Conditions</i>
	To ensure any potential dust impacts are effectively managed, the Department requires: <ul style="list-style-type: none">• waste stockpile height to be limited to no greater than 15 m in height• the preparation of an AQMP undertaken to manage emission sources• the implementation of dust management and mitigation measures
<i>Traffic Management</i>	<i>Assessment</i>
<ul style="list-style-type: none">• traffic congestion on Egret Street and Ravens Street• management of heavy vehicles	<ul style="list-style-type: none">• the TIA estimated that expansion of the RRF and the increased operating hours would generate an additional 226 heavy vehicle trips per day (vpd) at maximum capacity, which, when added to existing movements, totals 326 vpd (heavy vehicles) and 30 vpd (light vehicles)• Council and PON raised concerns regarding queuing and heavy vehicle management at the site• noting that the site is located within an established industrial estate, the Department is satisfied that the traffic generated by the development would have minimal impact on the safety and efficiency of the surrounding road network
	<i>Conditions</i>
	To ensure traffic impacts are effectively managed, the Department requires: <ul style="list-style-type: none">• the preparation of OTMP which also requires a Driver Code of Conduct be prepared• the Applicant to review the waste screening procedures to ensure that it does not cause vehicles to queue on the carriageway• prohibits any vehicles accessing the site from queuing or parking within Egret Street and Lot 2 in DP 1195449.