

APPENDIX B: CONSIDERATIONS UNDER SECTION 79C

Section 79C of the EP&A Act requires that the consent authority, when determining a development application, must take into consideration the following matters:

<p>(a) the provisions of:</p> <ul style="list-style-type: none"> (i) any environmental planning instrument, and (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and (iii) any development control plan, and (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and (v) any coastal zone management plan (within the meaning of the <i>Coastal Protection Act 1979</i>) that apply to the land to which the development application relates, 	<p>Detailed consideration of the provisions of all environmental planning instruments (including draft instruments subject to public consultation under this Act) that apply to the proposed development is provided in Appendix C of this report.</p> <p>The Applicant has committed to entering into a planning agreement with Council under section 93F. The planning agreement includes a monetary contribution to local services and provisions for long-term management of the landfill cap, landscaping and public amenities.</p> <p>The Department has undertaken its assessment of the proposed development in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.</p> <p>The development is not located within the coastal zone.</p>
<p>(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</p>	<p>The Department has considered the likely impacts of the development in detail in Section 5 of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.</p>
<p>(c) the suitability of the site for the development,</p>	<p>The development involves extension of an existing landfill without increasing its footprint, through landfilling on top of existing waste. The co-location of resource recovery and composting facilities would reduce transport impacts by locating these facilities adjacent to the landfill.</p>
<p>(d) any submissions made in accordance with this Act or the regulations,</p>	<p>All matters raised in submissions have been summarised in Section 4 of this report and given due consideration as part of the assessment of the proposed development in Section 5 of this report.</p>
<p>(e) the public interest.</p>	<p>Continued landfilling and resource recovery operations would provide an on-going disposal and processing location for municipal and construction waste from the Sydney metropolitan area. Landfilling and resource recovery operations would be undertaken without unacceptable risks to human health. The landfill would be rehabilitated following closure with the land made available for public recreational use.</p> <p>On balance, the proposed development is considered to be in the public interest.</p>