

APPENDIX A: INSTRUMENT OF REFUSAL

State Significant Development Notice of Refusal of Development Application

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

The Independent Planning Commission, as the declared consent authority under clause 8A of the State Environmental Planning Policy (State and Regional Development) 2011 and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, refuses the development application referred to in Schedule 1, for the reasons set out in Schedule 2.

Member of the Commission

Member of the Commission

Member of the Commission

Sydney

2018

SCHEDULE 1

Application No.:	SSD 6236
Applicant:	The Next Generation (NSW) Pty Ltd
Land:	Part Lot 1, Part Lot 2 and Lot 3 in DP1145808 Honeycomb Drive, Eastern Creek Blacktown local government area
Development:	The construction and operation of an energy from waste facility

SCHEDULE 2

The reasons for refusing the development application are:

- (a) the development is inconsistent with key requirements of the NSW Energy from Waste Policy Statement (EPA 2015)
- (b) the impacts to air quality and risk to human health are unknown
- (c) the Applicant has not adequately justified the scale of the facility
- (d) the development has the potential to result in waste being used for energy recovery rather than higher order resource recovery outcomes directly contravening the overarching principles of waste avoidance and recovery enshrined in the waste hierarchy
- (e) the development is inconsistent with State and regional strategic planning for waste infrastructure needs
- (f) the development is not supported by the local community, local councils, special interest groups and local businesses
- (g) the Applicant has not obtained community acceptance for the proposal
- (h) the development is not in the public interest.