



New South Wales

# **State Environmental Planning Policy (Infrastructure) Amendment (Landfill) 2010**

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

TONY KELLY, MLC  
Minister for Planning

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### **1 Name of Policy**

This Policy is *State Environmental Planning Policy (Infrastructure) Amendment (Landfill) 2010*.

### **2 Commencement**

This Policy commences on the day on which it is published on the NSW legislation website.

### **3 Repeal of Policy**

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

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## Schedule 1      Amendment of State Environmental Planning Policy (Infrastructure) 2007

### [1] Clause 123 Determination of development applications

Omit clause 123 (a)–(c). Insert instead:

- (a) whether there is a suitable level of recovery of waste, such as by using alternative waste treatment or the composting of food and garden waste, so that the amount of waste is minimised before it is placed in the landfill, and
- (b) whether the development:
  - (i) adopts best practice landfill design and operation, and
  - (ii) reduces the long term impacts of the disposal of waste, such as greenhouse gas emissions or the offsite impact of odours, by maximising landfill gas capture and energy recovery, and
- (c) if the development relates to a new or expanded landfill:
  - (i) whether the land on which the development is located is degraded land such as a disused mine site, and
  - (ii) whether the development is located so as to avoid land use conflicts, including whether it is consistent with any regional planning strategies or locational principles included in the publication *EIS Guideline: Landfilling* (Department of Planning, 1996), as in force from time to time, and
- (d) whether transport links to the landfill are optimised to reduce the environmental and social impacts associated with transporting waste to the landfill.

### [2] Clause 123 (2)

Insert at the end of clause 123:

- (2) In this clause:  
*putrescible waste* means general solid waste (putrescible) within the meaning of clause 49 of Schedule 1 to the *Protection of the Environment Operations Act 1997*.