

Clyde Waste Transfer Terminal (Special Provisions) Bill 2003

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to enable the carrying out of development on certain land at the Clyde Rail Marshalling Yards for the purposes of a waste transfer terminal. The development is necessary because the development consent for the Woodlawn landfill facility requires that waste sourced from the Sydney region must be transported by rail to an intermodal terminal near the landfill facility. This requirement was imposed to mitigate the environmental impacts of the transport of waste to Woodlawn by road.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 defines certain words and expressions used in the proposed Act. In particular, words and expressions used in the proposed Act that are defined in the *Environmental Planning and Assessment Act 1979 (the Planning Act)* have the same meanings as in that Act.

Clause 4 provides that development consent is taken to have been granted under the Planning Act to carry out development on the land at the Clyde Rail Marshalling Yards for the purposes of a waste transfer terminal, subject to certain conditions which were settled at the time of proceedings in the Land and Environment Court concerning the development. The conditions are set out in a document to be tabled in the Legislative Council on the introduction of this Bill.

Clause 5 provides that the development that may be carried out under the development consent is taken to be State significant development that is integrated development, subject to clause 9. The clause specifies the approvals that are required in relation to the integrated development and the approval bodies for those approvals.

Clause 6 provides that the development consent is taken to become effective and operate from the date of assent to the proposed Act.

Clause 7 provides that the Minister is taken to be the consent authority in respect of the development consent.

Clause 8 specifies the classification of buildings within the development.

Clause 9 provides that certain specified provisions of the Planning Act are not to apply to or in respect of the development consent or the development that may be carried out in accordance with it.

Clause 10 makes ineffective the provisions of any environmental planning instrument applying to the land to the extent to which they are inconsistent with the provisions of the proposed Act.