

# Notice of decision

## Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

<b>Application type</b>	State significant development
<b>Application number</b>	SSD 10313
<b>Project name</b>	Western Sydney Green Gas
<b>Applicant</b>	Jemena Gas Networks (NSW) Limited
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

The Executive Director Energy, Resources and Compliance has granted consent to the development application for the Western Sydney Green Gas Project (the Project), under delegation from the Minister for Planning and Public Spaces and section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**), subject to the recommended conditions.

A copy of the Department of Planning, Industry and Environment's Assessment Report and development consent are available [here](#).

### Date of decision

10 August 2020

### Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in Section 4.15 and Section 4.55(2) 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*;
- s7.9 of the *Biodiversity Conservation Act 2016 (NSW)*, in that a BDAR was not required as it was determined through a BDAR waiver request that the proposed development is not likely to have any significant impact on biodiversity values;
- all information submitted to the Department during the assessment of the development application, and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see **Attachment 1**).

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 would provide a range of benefits for the region and the State as a whole by enhancing Australia's renewable energy capability, as it would:
  - assist in transitioning the electricity sector to renewable energy technologies and contribute to the development of commercially viable green hydrogen production facilities;
  - facilitate ensuring homes and businesses in Australia could be powered by clean, green renewable energy; and
  - create up to 30 full time construction jobs and 2 full time jobs during operation and has a capital investment value of \$18 million.
- the Project is permissible with development consent under the *State Environmental Planning Policy (Western Sydney Parklands) 2009*.
- the Project is consistent with NSW Government policies;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, subject to the recommended conditions of consent;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed in the Department's Assessment Report;
- there were no objections from government agencies or from the general public to the development application; and
- 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 Wednesday 15 January 2020 until Friday 21 February 2020 (38 days) and received 14 submissions. This includes advice from 10 government agencies, two from local councils (Fairfield City and Blacktown Councils), and 2 from corporations – Sydney Water and an adjoining landowner Austral Bricks. No submissions or objections were received from the general public.

The key issues raised in the two community submissions and considered in the Department's Assessment Report and by the decision maker include potential air quality, water, heritage and downstream impacts on users of the hydrogen gas. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<i>Downstream Impacts of hydrogen blend fuel</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>Potential downstream impacts to medium and low-pressure gas mains and industrial and domestic users from the injection of hydrogen concentrations of up to 2% by volume and the shutdown limit of 10% to the network would be compliant and safe for both transportation through the pipeline network and general-purpose use, in accordance with <i>Australian Standard - Specification for general purpose natural gas (AS 4564-2011)</i>.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>Recommended conditions include requiring the Applicant to prepare a revised Safety and Operating Plan (SAOP) at least one month prior to commencing construction of the development to the satisfaction of the Secretary administering the <i>Gas Supply Act 1996</i> in relation to all the assets and equipment located within the development footprint.</li> </ul>
<i>Air Quality (other than greenhouse emissions)</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>Dust generation would be associated with construction activities and vehicle movements on-site during operation. The existing access road would be sealed, resulting in negligible dust generation.</li> <li>Use of natural gas for on-site power supply would generate nitrogen oxides, which were found to have minimal impacts on sensitive receivers.</li> <li>Odour impacts from natural gas and fugitive emissions were found to be negligible</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>Recommended conditions include requiring the Applicant to minimise dust and any other air emissions from the development and ensure that no offensive odours are emitted from the development, as defined under the <i>Protection of the Environment Operations Act 1997 (POEO Act)</i>.</li> </ul>
<i>Water</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Project would generate a saline wastewater product. Jemena proposes to store the liquid waste on site prior to off-site waste disposal to a licensed facility on an indicative fortnightly cycle, requiring storage of around 5 to 10,000 litres.</li> <li>Jemena would also investigate options for reuse of the wastewater on-site or opportunities with adjoining properties, subject to required approvals.</li> <li>It is noted that the detailed design of the project would consider further options related to water treatment and reuse in consultation with Sydney Water and WSPT.</li> <li>The project infrastructure would be elevated from the ground level and the project site would be unlikely to be inundated by significant flooding. Only the north west area of the site would be prone to inundation during a peak maximum flood and the project infrastructure is outside this area.</li> <li>The project would introduce a minor increase to impermeable surfaces at the site.</li> </ul> <p><i>Conditions</i></p> <p>Recommended conditions include requiring the Applicant to ensure that:</p> <ul style="list-style-type: none"> <li>the development does not cause any water pollution, as defined under section 120 of the POEO Act;</li> <li>stormwater runoff from the development is managed using Waster Sensitive Urban Design (WSUD) techniques consistent with the Western Sydney Parklands Design Manual and considers the Fairfield City Council Stormwater Management Policy.</li> </ul>

<i>Issue</i>	<i>Consideration</i>
	<ul style="list-style-type: none"> <li>• an Environmental Management Strategy is prepared and implemented incorporating a stormwater management sub plan to manage sediment erosion during construction and WSUD principles to manage stormwater runoff.</li> </ul>
<i>Heritage</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The potential for intact archaeological deposits at the site is low due to previous disturbance.</li> <li>• The nearest Aboriginal heritage site recorded in the Aboriginal Heritage Information Management System (AHIMS) database is located around 20 metres to the west of the site and consists of two silcrete items. The project would not impact this item.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>• Recommended conditions include requiring the Applicant to cease works and engage an archaeologist to assess the find, in the event of the discovery of an unexpected Aboriginal artefact.</li> </ul>