

Notice of decision

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

Application type	State significant development
Application number and project name	SSD-10407 Yennora Liquid Waste Treatment Plant
Applicant	ENVIRO WASTE SERVICES GROUP PTY LTD
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director, Industry Assessments under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**) granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

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

Date of decision

26 November 2021

Reasons for decision

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

- the relevant matters listed in section 4.15 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*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application;
- 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, including a total capital investment of \$404,992 and five full-time operational jobs in the Cumberland local government area;
- the project is permissible with development consent, and is consistent with NSW Government policies including the Waste and Sustainable Materials Strategy 2041 and the NSW Circular Economy Policy Statement 2019;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. The number of heavy vehicles accessing the site will be limited to three per hour and a Parking Strategy, an operational traffic management plan and a waste management plan will be prepared for the site to manage traffic and waste impacts associated with the project;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the recommended conditions of consent; 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 13 November 2020 until 10 December 2020 (28 days) and received three submissions, including one objection and one in support of the project.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include traffic and odour. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Traffic</i></p> <ul style="list-style-type: none"> Vehicles queuing in local road network 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The largest vehicle could access and egress the site safely and without encroaching on Council land. During a worst-case scenario there would three heavy vehicle movements per hour which could be accommodated in the local road network without impacting the existing LoS. Parking arrangements could be provided either off-site or within the site if needed. Council and Transport for NSW have reviewed the additional information provided in the Response to Submissions report and have raised no concerns in relation to traffic impacts. <p><i>Conditions</i></p> <ul style="list-style-type: none"> The Department's recommended conditions limit the site to receiving no more than three heavy vehicles per hour in accordance with the Applicant's TIA. The Department's recommended conditions also require the Applicant to prepare and implement an operational traffic management plan including a parking strategy to ensure that vehicles do not queue and are not parked on the public road network.
<p><i>Odour</i></p> <ul style="list-style-type: none"> Additional odour impacts from increased throughput 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The odour impacts would be below the 2OU criterion at all off-site receiver locations and out of date dairy products would not be received at the site. A number of management and mitigation measures to control odour impacts are proposed including enclosed operations, a biotrickling filter system and deodoriser sprays. EPA has reviewed the additional information provided in the Response to Submissions report and has raised no concerns with the information provided in relation to odour impacts. <p><i>Conditions</i></p> <ul style="list-style-type: none"> The Department's recommended conditions include limiting the type of waste received to exclude out-of-date dairy products and requiring the Applicant to prepare and implement an Air Quality and Odour Management Plan (AQOMP) and carry out an odour audit to confirm odour impacts could be managed appropriately.