



Prestons Waste Treatment Facility
Amendment Report

Appendix A

Statutory compliance table

Statutory reference	Mandatory consideration	Section in the EIS	Amendment compliance
Considerations under the EP&A Act and Regulations			
Section 1.3	<p data-bbox="481 300 763 327">Relevant objects of the Act</p> <ul data-bbox="495 352 1249 703" style="list-style-type: none"> <li data-bbox="495 352 1249 448">• to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources <li data-bbox="495 459 1249 555">• to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision making about environmental planning and assessment <li data-bbox="495 566 1249 593">• to promote the orderly and economic use and development of land <li data-bbox="495 604 1249 703">• to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats 	Section 17.1	Consistent with EIS
Section 4.15	<p data-bbox="481 727 1218 791">Relevant environmental planning instruments (as in force at the time of exhibition of the EIS):</p> <ul data-bbox="495 817 1218 1062" style="list-style-type: none"> <li data-bbox="495 817 1133 844">• <i>State Environmental Planning Policy (Infrastructure) 2007</i> <li data-bbox="495 855 1122 919">• <i>State Environmental Planning Policy (State and Regional Development) 2011</i> <li data-bbox="495 930 1167 994">• <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i> <li data-bbox="495 1005 1218 1032">• <i>State Environmental Planning Policy No. 55 – Remediation of land</i> <li data-bbox="495 1043 947 1062">• <i>Liverpool Local Environment Plan 2008</i> 	Section 3.2.1	<p data-bbox="1655 727 1984 863">Consistent with EIS with updated references to the State Environmental Planning Policy’s:</p> <ul data-bbox="1668 888 1984 1238" style="list-style-type: none"> <li data-bbox="1668 888 1928 1024">• <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> <li data-bbox="1668 1035 1984 1131">• <i>State Environmental Planning Policy (Planning Systems) 2021</i> <li data-bbox="1668 1142 1984 1238">• <i>State Environmental Planning Policy (Hazards and Resilience) 2021</i>

Statutory reference	Mandatory consideration	Section in the EIS	Amendment compliance
Mandatory considerations under EPIs			
Hazards and Resilience SEPP 2021 (formerly SEPP No. 55)	As the development will involve a change of use within an investigation area a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.	Chapter 11	Consistent with EIS with updated references to the State Environmental Planning Policy's
Hazards and Resilience SEPP 2021 (formerly SEPP No. 33)	Departmental guidelines: Applying SEPP 33 HIPAP No.3 – Risk Assessment	Chapter 12 and Appendix E	<p>Consistent with EIS with updated references to the State Environmental Planning Policy's</p> <p>Some packaged waste and wastewater that may be brought to Site may meet the classification of Dangerous Goods Code Class 8, Packing Groups II and III and Class 9 Packing Group III, but will be below the screening thresholds prescribed in Applying SEPP 33 (DPE, 2011) (see Section 5.3.5 of the Amendment Report). As such, the findings of the Preliminary Screening Assessment completed by Golder (2021) remains valid. (see Appendix I to the EIS)</p>
Liverpool LEP 2008	The Site is zoned IN3 Heavy Industrial under the provisions of the <i>Liverpool Local Environmental Plan 2008</i> . The Proposal, which is defined as a resource recovery facility, is permissible with consent within the IN3 Heavy Industrial zoning.	Section 3.2 and Section 3.4	Consistent with EIS

Statutory reference	Mandatory consideration	Section in the EIS	Amendment compliance
Considerations under other legislation			
<i>Protection of the Environment Operations Act 1997</i> (POEO Act)	<p>The Proposal involves scheduled activities under Schedule 1 of the PEOE Act an Environment Protection Licence (EPL) would be required from the EPA.</p> <p>In accordance with Section 4.42(e) of the EP&A Act the EPL is to be is to be substantially consistent with the development approval.</p>	Section 3.3	Consistent with EIS
<i>Protection of the Environment Operations (Waste) Regulation 2014</i>	<p>Hi-Quality will obtain and implement general and specific immobilisation approvals for the treatment, immobilisation, testing and validation, and disposal of waste streams where it is not possible to reuse, recycle or reprocess the waste (i.e. where there is no alternative to immobilisation).</p> <p>SIAs sought would be sought for proven immobilisation technologies, processes and reagents that have already been previously approved by EPA under previous SIAs.</p>	Section 2.5	<p>No change to compliance</p> <p>Clarification provided in Section 5.3.3 of the Amendment Report</p>
<i>Sydney Water Act 1994</i>	A compliance certificate will be required for the Proposal under Section 73 of the <i>Sydney Water Act 1994</i>	Section 4.6.2 of the RtS Report	A Section 73 application has commenced and will be completed following Project Approval
<i>Roads Act 1993</i>	Consent will be required under section 138 of the Roads Act for works on a public road associated with construction of the new driveway entry.	Not included	Noted that a s138 approval may be required from Liverpool City Council as the road authority
Development control plans			
Liverpool DCP	Part 1 – General controls for all development	Section 3.6	No change to compliance
	Part 7 – Development in industrial zones	Section 3.6	No change to compliance