Department of Planning, Housing and Infrastructure

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Prestons Waste Treatment Facility

State Significant Development Assessment Report (SSD-9346594)

April 2026

Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Cover image: Hi Quality Worker (Source: Applicant's RTS)

Preface

This report details the Department of Planning, Housing and Infrastructure's (the Department) assessment of the State significant development (SSD) application for the Prestons Waste Treatment Facility (the development).

The Department's assessment considers all documents submitted by Hi-Quality Waste Treatment Services Pty Ltd (the Applicant), including the Environmental Impact Statement (EIS) and Submissions Report, submissions received from the public and Liverpool City Council, advice from government authorities, and all legislation and planning instruments relevant to the site and the development.

The report includes:

- a description of the development and the surrounding environment
- an assessment of the development against government policy and statutory requirements, including mandatory considerations
- an explanation of why the development is SSD and who the consent authority is
- consideration of matters raised by the community and other stakeholders
- an assessment of the likely environmental, social and economic impacts of the development and recommendations for managing any impacts during construction and operation
- an evaluation which weighs up the likely impacts and benefits of the development, having regard to the proposed mitigation measures, community views and government advice, and provides a view on whether the impacts are, on balance, acceptable
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether development consent for the development should be granted and any conditions that should be imposed.

Executive Summary

Hi-Quality Waste Treatment Services Pty Ltd (the Applicant) is seeking development consent to construct and operate a waste treatment facility on Whyalla Place, Prestons in the Liverpool local government area (LGA). The development would accept 210,500 tonnes per annum of a range of contaminated liquid wastes, solid wastes, soils and sludges in both packaged and bulk form. Some wastes would be consolidated and stored before removal offsite, while others would be treated or immobilised to enable disposal or further treatment. Wastewater unsuitable for reuse would be discharged to sewer under a Trade Waste Agreement.

The site occupies 0.91 hectares in an established industrial area in Prestons, 18 kilometres south-west of Parramatta. The existing industrial building would be expanded to contain three distinct, fully bunded areas (compartments) for treating and storing waste and equipment.

The Department publicly exhibited the development application and Environmental Impact Statement (EIS) from 19 November 2021 to 16 December 2021, receiving 14 unique submissions from the public, one submission each from Liverpool City Council and Sydney Water, and advice from four government agencies. Twelve public submissions objected to the proposal and one provided comments.

In May 2023, the Applicant provided a Submissions Report addressing submissions and advice. However, to address residual concerns from the Environment Protection Authority (EPA), primarily regarding management of the quantity and range of wastes to be accepted on the site, the Applicant amended the development in September 2025. The main operational changes included the reduction of the originally proposed waste throughput, reduction in number of waste codes to be accepted, removal of chemical oxidation as a treatment process for soils and liquid waste, and reduction of total waste storage volume of recovered recyclable material.

The Department identified appropriate management of the range and volumes of waste as the key assessment issue and determined this could be managed to ensure no adverse impacts to receiving environments, subject to conditions. The Department's assessment also considered water management, noise, air quality, traffic and access, and hazards and risks and found that these impacts could all be appropriately managed.

Overall, the Department's assessment concludes the development would:

- increase NSW's capacity for managing hazardous and complex wastes
- support the NSW Waste and Sustainable Materials Strategy 2041 by recovering materials for reuse and diverting waste from landfill
- deliver regional economic benefits, with a $6 million investment, 10 construction jobs, and 39 operational jobs.

The Department considers the development is in the public interest and is recommended for approval, subject to conditions.

Contents

1 Introduction

1.1 Development Background

Hi-Quality Waste Treatment Services Pty Ltd (the Applicant) is seeking development consent for the upgrade and use of an existing industrial site at Whyalla Place in Prestons (the site) as a waste treatment facility. The proposed development (the development) would accept 210,500 tonnes per annum (tpa) of a range of contaminated liquid wastes, solid wastes, soils and sludges in both packaged and bulk form. Some incoming waste would be classified as hazardous waste. Hazardous waste is defined in the *Protection of Environment Operations Act 1997* (POEO Act) and includes certain classes of Dangerous Goods (DG) and any other wastes classified as hazardous by a NSW Environment Protection Authority (EPA) Gazettal Notice or under the NSW Waste Classification Guidelines (WCG).

A detailed description of the development is provided in **Section 2**.

The Applicant is a well-established waste management company which operates 14 waste facilities in NSW, Victoria, ACT and Queensland, including a facility in Yatala, Queensland operating since 2021 which specialises in the treatment of contaminated soils, sludges and liquid wastes. The Applicant is now seeking to further expand its presence in NSW and promote circular principles by providing specialist treatment of complex wastes to a level where they can be reused, where feasible, or to enable their disposal to landfill.

1.2 Site Description

The site is located at 9-13 Whyalla Place in Prestons in south-western Sydney, 18 kilometres (km) south-west of the Parramatta central business district (CBD) and 30 km west of Sydney's CBD. It is located in the Liverpool local government area (LGA) on E5 – Heavy Industrial zoned land (see **Figure 1**).

The site has an area of 9,100 square metres (m^2) and is legally described as Lot 103 DP 866530. The entire site is already fully developed on hardstand and includes a 4,097 m^2 single-story industrial building with adjoining two storey offices (650 m^2), parking for 52 light vehicles, some landscaping at the front boundary and a water tank. The industrial building features two roller shutter access doors at its northern end and one at its southern end. Two site access driveways are located on the 128.8 metre (m) street frontage with Whyalla Place (see **Figure 2**).

Figure 1 | Regional Context

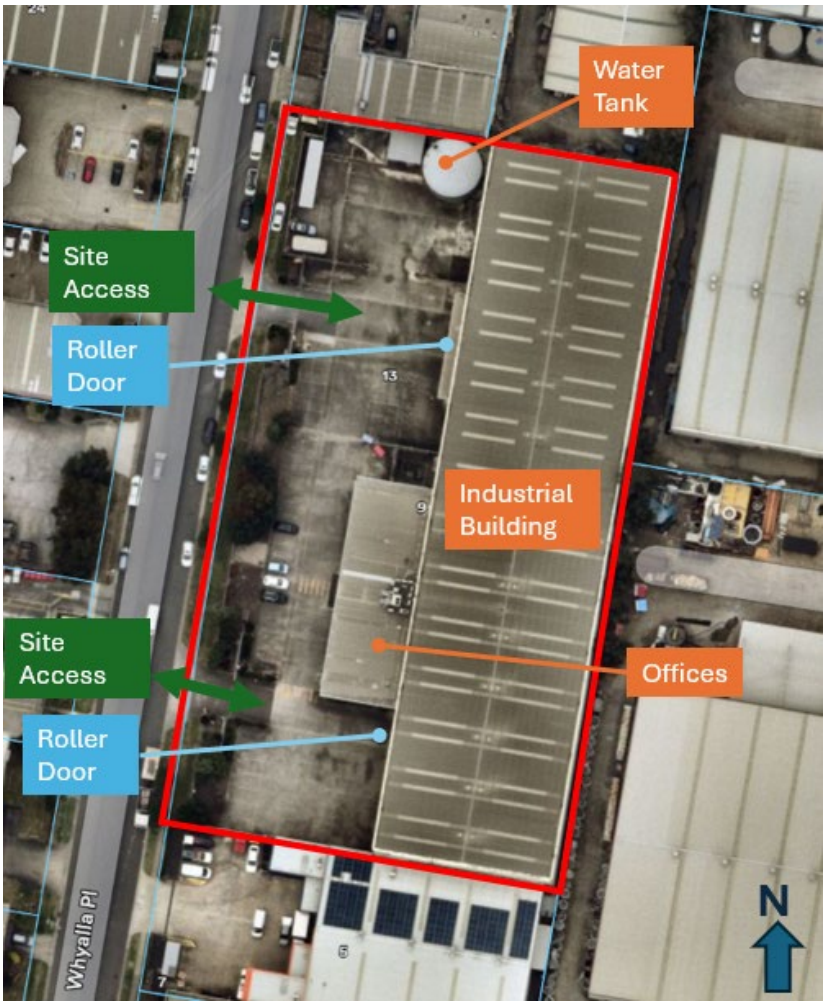

Figure 2 | Layout of existing site

1.3 Surrounding Land Uses

The site is located within the established Prestons industrial estate and is surrounded by a range of existing commercial, industrial and recreation uses including:

- a warehouse and distribution building to the immediate south
- a factory producing products for the mining sector to the immediate east
- various commercial and light industrial uses in small tenancies to the north and west across Whyalla Place
- the Liverpool Catholic Club is located around 280 m to the north-west

The nearest sensitive receiver to the site is a church around 350 m to the north. The nearest residential suburb is Cartwright, 427 m to the north (see **Figure 3**).

Figure 3 | Local Context and surrounding land uses

Whyalla Place is a cul-de-sac and has access to the broader regional road network via Jedda Road to the M7 Motorway to the south. To the north, Jedda Road joins Joadja Road which connects to Hoxton Park Road.

1.4 Other Development Approvals

The site is owned by the Applicant and is currently used for industrial warehousing under several development consents granted by Liverpool City Council in 2014:

- DA 1387/2013 – change of use for a warehouse and distribution of media products and internal fit out involving pallet racking
- DA 1148/2013 – construction of a water tank and pump room for installation of sprinklers

1.5 Categorisation of Waste

The development proposes to accept a wide range of complex wastes, each with its own treatment and/or storage requirements linked to its classification and/or waste code. The category of each incoming waste (e.g. its nature, waste code and/or classification) is of importance as it defines the waste's handling and treatment methods. As clarity on waste categorisation was of significant concern to the Environment Protection Authority (EPA) during assessment of this SSD application (see Sections 5 and 6), a brief explanation of waste categorisation is provided below.

Waste can be categorised in several different ways, depending on the purpose of the categorisation. The Applicant has noted that waste accepted at the development may be categorised under some or all of the categorisation methods discussed below.

- The nature/type of the waste – categorisation according to general characteristics as either soil, liquid waste, packaged waste, drill muds and /or sludges.
- Waste code - waste codes (from National Environment Protection Measures (NEPM)) are used for the purpose of tracking waste for transportation. These waste codes categorise waste by source or contaminants but, importantly, do not indicate contaminant concentrations.
- Waste classification under the POEO Act and WCG groups and classifies wastes based on environmental and health risks. Wastes can be categorised as either 'pre-classified' (i.e. pre-determined) or (after testing) categorised based on their contaminant concentrations using Specific Contaminant Concentration (SCC) and Toxicity Characteristics Leaching Procedure (TCLP) thresholds. The classifications include:
  - *Liquid Waste* – waste in liquid form (pre-classified). *Note*: the suspended solid component of liquid waste, once extracted, may be reclassified as a different waste under the WCG.
  - *General Solid Waste* (GSW) - solid waste (pre-classified or can be shown to have contaminant concentrations below the GSW SCC/TCLP thresholds)
  - *Restricted Solid Waste* (RSW) – solid waste that has contaminant concentrations exceeding the GSW SCC/TCLP thresholds

- *Hazardous Waste* – waste with contaminant concentrations that exceed the RSW SCC/TCLP thresholds or meets DG criteria. *Note*: Hazardous waste cannot be landfilled in NSW but can sometimes be treated through 'immobilisation' (chemical fixation or micro-encapsulation) to prevent contaminant release. The EPA may grant General or Specific Immobilisation Approvals (GIAs or SIAs) for non-liquid hazardous waste, allowing its reclassification for landfill disposal.

- Dangerous Goods classification – wastes that meet the classification of Dangerous Goods under the Australian Dangerous Goods Code (2022).

2 Development

2.1 Original Application

The original development application, which was lodged and publicly exhibited in late 2021, sought consent to accept 270,000 tpa of a large range of wastes which included Class 5.1 DG and an extensive range of waste codes for treatment and/or storage. The EPA raised concerns about the number of waste types, their compatibility and the ability of the site to safely store and treat the proposed wastes. As a result, in consultation with the EPA and the Department, the Applicant made some changes to the development during 2024 and 2025, including decreasing the site's waste throughput to 210,500 tpa, reconfiguring some storage bays and reducing the range of wastes accepted.

On 3 September 2025 the Applicant sought, and on 12 September 2025, obtained the agreement of the Acting Director, Industry Assessments, as delegate of the Planning Secretary, to amend the application in accordance with section 37 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation).

2.2 Amended Development (final version)

The major aspects of the amended development are summarised in **Table 1,** shown in **Figure 4**, and described in full in the final Amended Development Report (final ADR) included in **Appendix A.** The amended development forms the basis of the Department's assessment in this report.

Table 1 | Key Aspects of the Development (as amended)

Aspect	Description
Development Summary	**Extension and use of an existing industrial building as a waste treatment facility accepting up to 210,500 tpa of waste**
Site area and development footprint	0.91 hectares

Aspect	Description
Physical layout and design (Proposed layout is shown in **Figure 4**, with an image of the proposed building shown in **Figure 5**)	• The existing industrial building to be extended to the west, increasing its floor area by 1,300 m^2 to a total of 6,400 m^2 • The extended industrial building to contain: – three waste management areas (Compartment 1, Compartment 2 and Compartment 3). Further details of equipment in the waste management areas are provided in Section 2.3. – inbound dual weighbridges and a control office – offices and a laboratory – wheel wash (at outbound roller door) • The existing industrial building and extensions to have minimum finished floor levels of 23.6 m AHD (1% Annual Exceedance Probability (AEP) flood level plus 0.5 m freeboard allowance) • The industrial building to be maintained under negative air pressure • Outbound weighbridge to be located external to the industrial building after the building exit • Existing concrete and steel site boundary fencing to be retained
Ancillary works and structures	• Construction of a new light vehicle entry and exit driveway with access to the carpark only • Reconfiguration of the existing carpark -to a total of 36 car parking spaces (down from 52 existing) • Removal of up to 0.04 ha of urban native and exotic vegetation and 0.03 ha of exotic grassland along street frontage to accommodate the amended car park layout and new light vehicle access. • Installation of: – separate stormwater and leachate management systems – air quality management infrastructure – acoustic barrier adjacent to the strobic ventilation fans – fire protection and suppression infrastructure – landscaping at the northern site frontage

Aspect	Description
Incoming waste material types Total = 210,500 tpa (see Table 2 for details)	• Contaminated soils (various contaminants) • Acid sulfate soils (ASS) and potential acid sulfate soils (PASS) • Per- and polyfluoroalkyl substances (PFAS) contaminated soils • Packaged waste (liquid and solid) – includes consumer products that do not pass quality control and chemical waste in Intermediate Bulk Containers (IBC) or drums • Drill muds – from hydro excavation activities • Sediments and sludges • Liquid waste
Waste operations	• Classification, storage, transfer and/or treatment of incoming waste material (see Section 2.4 and Table 2) • Operation of a Liquid Waste Treatment Plant (LWTP)
Waste storage	• Storage of up to 8,090 tonnes of waste at any one time
Operational traffic	• Up to 84 heavy vehicles per day (84 in, 84 out) • Up to 39 light vehicles per day (39 in, 39 out)
Operational Heavy Vehicle access	• Use of the existing northern driveway for heavy vehicle entry • Use of the existing southern driveway for heavy vehicle exit
Hours of operation	• 24 hours, 7 days per week (receipt of waste) • 7 am – 6 pm Monday to Saturday, 8 am – 6 pm Sunday and public holidays (waste processing and dispatch)
Construction	• 12 months • 10 full-time construction jobs
Capital Investment Value	$6,376,000
Employment	39 operational jobs

2.3 Physical Layout and Design

The extension to the industrial building would be constructed of precast panels with metal cladding and would maintain a 10 m setback from Whyalla Place (see **Figure 4**).

Figure 4 | Proposed View from Whyalla Place

The expanded industrial building would contain three distinct fully bunded areas (compartments) for treating and storing waste and equipment (see **Figure 5**):

- Compartment 1: waste treatment, storage and transfer bays with push walls, dewatering plant, water tanks, wheel wash, weighbridge, reagent storage and leachate collection pits
- Compartment 2: two LWTPs, one for regular liquid waste and one for PFAS-contaminated liquid waste (tanks, silos, filters, pumping and dosing systems) and reagent storage area
- Compartment 3: mobile plant and equipment, cement silo, and packaged waste and recovered recyclable materials storage area

The industrial building would contain 28 waste storage bays and 4 pits which would not be fully dedicated to a particular waste type. However, at any one time, each bay/pit would contain a single waste batch only, and no waste mixing would occur. An exception to this would be the PFAS soil bays (Bay E) which would remain separate and fully dedicated to PFAS soils only, at all times, due to the risk of cross-contamination.

Air quality management infrastructure (a heating, ventilation and air conditioning (HVAC) system and an emissions control system (ECS)) would be installed in the industrial building. These would include internal exhaust intakes, external air intakes, and exhaust hoods and fabric curtains to capture fugitive dust and vapours. Particulate Matter (PM) filters and Activated Carbon (AC) filters would remove VOCs and odours before treated air is discharged via vertical strobic fans at 11.7 m above ground level (stacks 3 m above roof height). The HVAC system would maintain the industrial building under negative pressure to prevent fugitive emissions escaping when doors are opened.

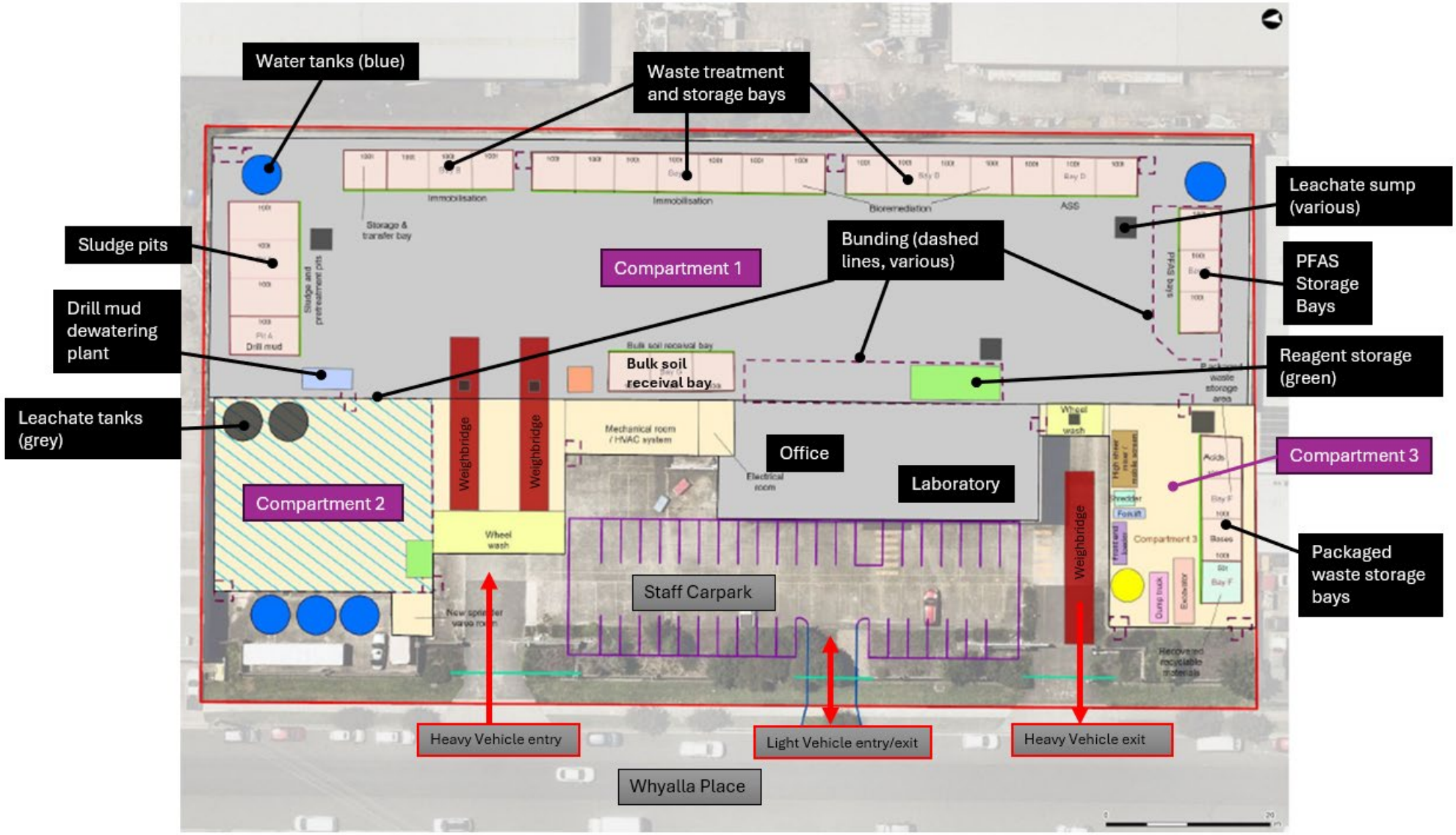

Figure 5 | Site Layout

2.4 Waste Handling, Storage and Treatment

2.4.1 Incoming Wastes (Feedstock)

Waste feedstock would be sourced from industrial processes and contaminated sites. Incoming wastes would be characterised and classified prior to acceptance onsite (see Section 2.4.2 for further details). The Applicant proposes to accept, treat and/or store waste solids and/or liquids that fall under 33 different waste codes. Examples of the wastes to be accepted include:

- waste pharmaceuticals, drugs and medicines
- waste from the production, formulation and use of dyes, resins, photographic chemicals, glues, and wood preserving chemicals
- metal and chemical compounds
- mineral oils, tarry residues, fly ash
- acids
- PFAS-contaminated liquid waste, materials and containers
- cyanides
- highly odorous organic chemicals

Full details of the waste codes proposed to be accepted can be found in Table 1.6 of Appendix B (Amended Proposal Description) of the Applicant's final ADR. Table 1.6 is structured to align with the descriptions and limits as they would appear in the site's future EPL, with the activities as scheduled under the POEO Act. The bulk soils (which comprise the majority of the waste to be received) would fall under the N120 waste code, with the remaining waste codes in the form of liquid waste or packaged goods.

Some incoming liquid waste and packaged waste may meet the classification of a DG, and these would be transported, stored and treated in accordance with the relevant guidelines, such as Australian Dangerous Goods Code (ADG Code) and AS 3780-2008: The storage and handling of corrosive substances.

Non-acceptable Wastes

The following wastes would not be accepted:

- Polychlorinated biphenyl (PCB) waste contaminated above the scheduled waste criteria of 50 mg/kg (as defined in the PCB Chemical Control Order 1997)
- soil contaminated with PFAS above the RSW criteria
- asbestos containing material (ACM)

- wastes classified as Dangerous Goods, other than:
  - liquid waste or packaged waste classified as Dangerous Goods Code Class 8, Packing Groups II and III, and
  - PFAS contaminated materials classified as Dangerous Goods Class 9 Packing Group III due to the potential to be an "environmentally hazardous substance".

2.4.2 Overview of Waste Operations

All incoming waste would be sampled, screened and characterised (physical and chemical) by the waste generator before it is sent to the site. Parallel to waste screening, the waste generator would also complete the Batch Control Procedure for each waste load which would record a wide range of details of the waste. Importantly, this would ensure the nature of the waste is known and the appropriate treatment method is determined before the waste is accepted onsite see **Figure 6.**

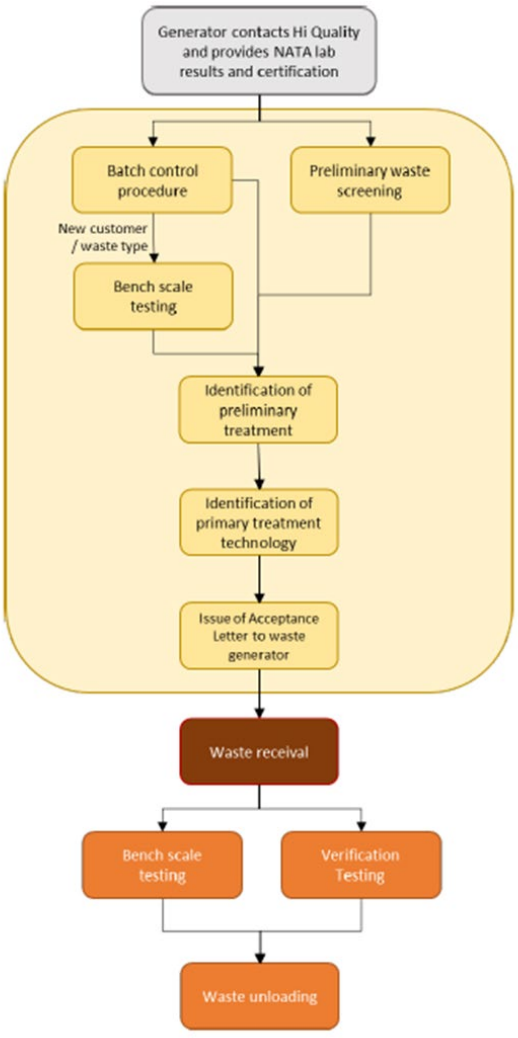

Figure 6 | Waste Receival Process

Once a waste batch is accepted it would be directed to a designated bay, tank or unloading area. The Applicant would then test, categorise and handle each waste in line with its nature (type/form), waste classification, and appropriate treatment method. Some waste types/classifications received would only be consolidated and stored before removal offsite, while others would be treated or immobilised to enable disposal or further treatment (see **Table 2** and **Figure 7**).

In general:

- liquid waste would be treated in the LWTP (with the exception of packaged liquid waste) to meet the requirements for discharge to sewer under a Trade Waste Agreement (TWA) with Sydney Water. PFAS contaminated liquid waste would be stored in a separate holding tank and be processed through a separate LWTP before discharge to sewer.
- RSW would be treated until it meets the classification as GSW (non-putrescible) to enable disposal in landfill, further treatment or reuse
- where possible, hazardous waste would be treated until it meets the classification as RSW.

Following treatment, wastes would undergo validation testing, final waste classification and reporting before being removed from the site to an appropriately licensed facility.

PFAS contaminated soil below the RSW criteria would be accepted for temporary storage in a dedicated, separated and controlled PFAS soil storage area to prevent cross contamination with other materials at the facility. All PFAS material would be transported offsite to either HiQ's Yatala facility for treatment or disposal at an appropriately licensed landfill.

Table 2 Details of waste treatment, storage and maximum tpa

Type of Waste	Management/Treatment/Storage	Tonnes Per Annum (tpa) (maximum permitted for each waste type per year)
Packaged waste – liquid	• Contaminated packaged waste: no treatment, storage only • Non-contaminated packaged waste: shredding and removal for disposal	40,000
Packaged waste – solid	• Contaminated packaged waste: no treatment, storage only • Non-contaminated packaged waste: shredding and removal for disposal	
PFAS contaminated soils	Storage only	7,500

Type of Waste	Management/Treatment/Storage	Tonnes Per Annum (tpa) (maximum permitted for each waste type per year)
Acid sulfate soils	Neutralisation in batches	26,000
Other contaminated soils (bulk soils)	• Physical screening • Chemical separation • Immobilisation • Bioremediation	58,000
Sediments and sludges	Dependent on moisture content of sludges: • dewatering • liquid waste treatment in LWTP and soil decontamination	7,000
Drill muds	Separation of soil particles from liquid in the dewatering plant	2,000
Liquid waste (bulk)	Treated and validated in batches through the two LWTPs (one for regular liquid waste and one for PFAS-contaminated liquid waste)	70 megalitres (ML) = 70,000 tonnes
TOTAL		210,500 tpa

2.4.3 Operational Contingencies

The Applicant has advised the site would accept waste materials on a case-by-case basis only, with strict adherence to storage limits for each type of waste based on the capacity of the relevant bay or tank (upper storage limits at any one time are provided in Table 1.10 of Appendix B of the final ADR). Therefore, additional space provision for contingency would not be required. In the event of machinery downtime, new waste loads would not be accepted until operational capacity has been restored. Nevertheless, one bay has been designated as a 'transfer and storage' bay and could be used to provide additional storage capacity in the unlikely event it is required.

The development includes discharge of up to 60.8 ML per year of water to sewer via a TWA. In the event that a TWA cannot be obtained (either for part or all of the proposed discharge volumes) or not

all water can be discharged to sewer, treated liquid waste could be collected within tanker trucks and removed offsite for disposal in accordance with the procedures recorded in the draft OWMP.

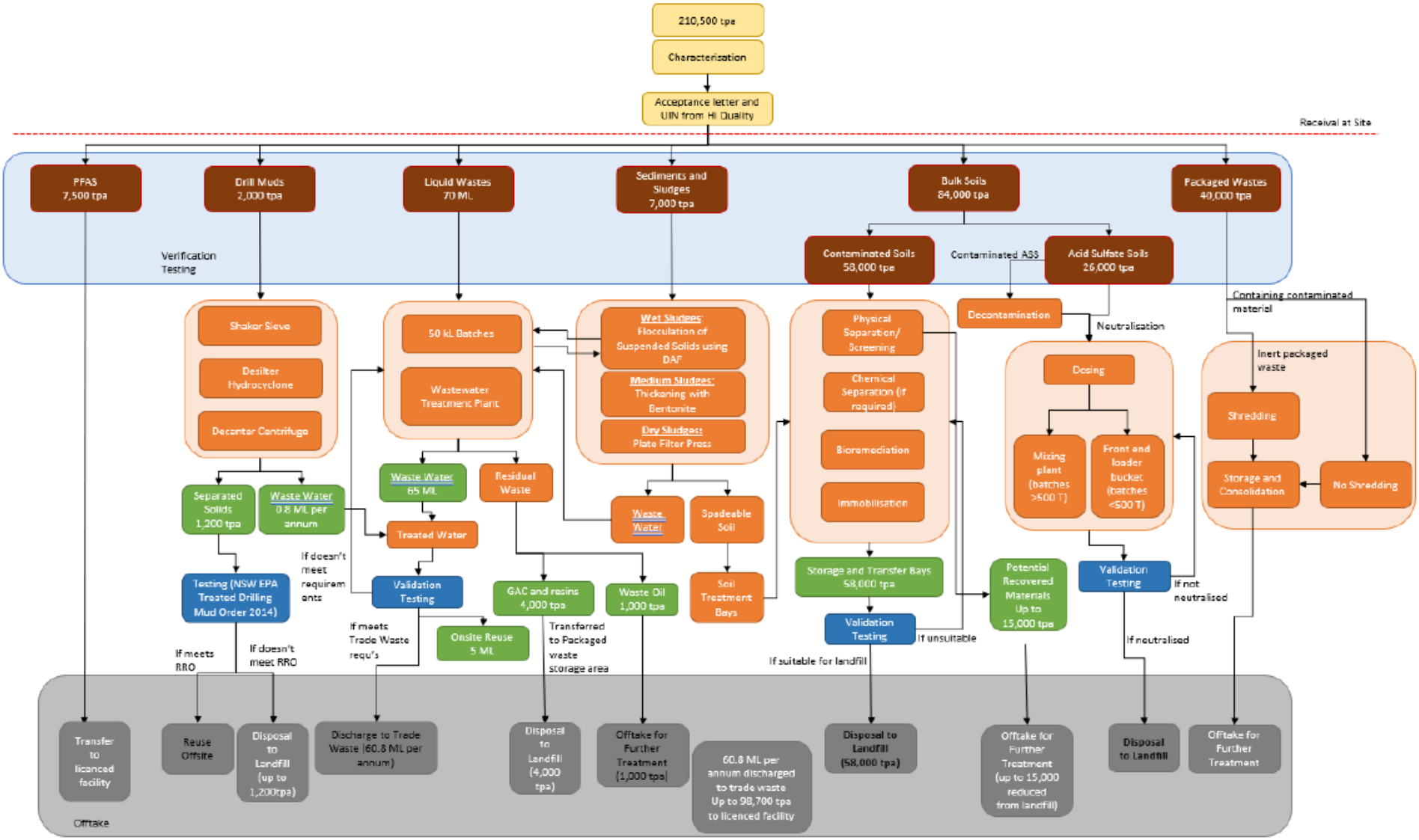

Figure 7 | Facility flowchart

2.5 Applicant's Justification for the Development

The Applicant has justified the need for the development by highlighting the demand for waste treatment services in western Sydney considering the number of large-scale construction operations including the M12, the Western Sydney Airport and broader Aerotropolis.

There is a need for a facility within Sydney to temporarily store PFAS contaminated soil as there are no approved treatment facilities within NSW for PFAS contaminated soil and only one landfill that can accept it. PFAS contaminated material therefore typically requires transport to either Queensland or Victoria. As PFAS waiting periods for interstate facilities range from two weeks to three months, an interim solution is required for the safe storage of PFAS contaminated material to minimise risk of harm to human health or the environment.

The Applicant suggests the development is also justified for the following reasons:

- the site is appropriately zoned and located in close proximity to the regional road network
- the proposal is compatible with surrounding development which is industrial in nature
- subject to the implementation of recommended mitigation measures, the development would not have unacceptable impacts on adjoining or surrounding properties
- the development supports state, regional and local waste management directions and strategies.

3 Strategic Context

3.1 Key Strategic Issues

The consistency of the development with key relevant strategies, plans and policies relevant to the assessment of the development are outlined in **Table 2** below.

Table 3 | Summary of Key Government Strategies, Plans and Policies

Strategy, Plan or Policy	Comments
National Waste Policy: Less Waste, More Resources (2018)	The National Waste Policy (NWP) outlines the Federal Government's objectives for improving the management of waste resources and promoting sustainable and innovative solutions to challenges in Australia's waste management industry. The development would assist in achieving a key outcome of the NWP, to ensure waste streams are routinely managed as a resource to achieve better environmental, social and economic outcomes. The development would assist in achieving Strategy 7: Increasing industry capacity, by constructing and operating waste recycling infrastructure that would utilise best practice recycling methods to treat wastes for reuse or disposal.
Waste and Sustainable Materials Strategy 2041	In June 2021, the "Waste and Sustainable Materials Strategy 2041: Stage 1 2021-2027" (the Strategy) was released, which outlines actions to deliver long-term objectives of the NSW Waste Avoidance and Resource Recovery Act 2001. The Strategy updates the former NSW Waste Avoidance and Resource Recovery Strategy 2014-2021 and seeks to address resource recovery targets through emphasising the circular economy, aimed at minimising waste and promoting the continual; reuse of resources to keep products, equipment and infrastructure in use for longer, thus improving the productivity of resources. The development would meet the objective of the Strategy by providing capacity for waste treatment in western Sydney, promoting a circular economy through increasing resource recovery and resource efficiencies and treating wastes to reduce the potential impact on the environment and human health.

Strategy, Plan or Policy	Comments
Connected Liverpool 2040 Liverpool City Council Local Strategic Planning Statement (Liverpool LSPS)	The Liverpool LSPS sets out the 20-year land use planning strategy for the Liverpool LGA. The LSPS seeks to make an attractive environment for local jobs, business, tourism and investments (Priority 11). The development aligns with the Liverpool LSPS because it is helping provide 10 local jobs during construction and 39 during operation.
Towards a Circular Economy: Enhancing the NSW Resource Recovery Framework	The NSW Resource Recovery Framework sets out the actions the EPA will take to implement the recommendations of the Independent Review of the Resource Recovery Framework to improve recovery, reuse, and circularity of resources. The Resource Recovery Framework groups the 22 recommendations into seven themes. The development seeks to promote circular principles by treating soils to a level where they would be appropriate for reuse where feasible.

4 Statutory Context

4.1 Permissibility and Assessment Pathway

Details of the permissibility of the development and the assessment pathway under which consent is sought are provided in **Table 3** below.

Table 4 | Permissibility and Assessment pathway

Consideration	Description
Permissibility	**Permissible with consent** • Waste treatment facilities are permissible with consent in the E5 – Heavy Industrial zone of the Liverpool Local Environmental Plan 2008.
Assessment pathway	**State significant development** • The development is SSD under section 4.36 of the EP&A Act as it satisfies the criteria under section 2.6(1) of the Planning Systems SEPP: – the development on the land concerned is not permissible without development consent, and – the development is specified in clause 23(3) of Schedule 1 of the Planning Systems SEPP, being for the purpose of resource recovery or recycling facility that handles more than 100,000 tonnes per year of waste.
Consent authority	**Minister for Planning and Public Spaces (Minister)** • The Minister is the consent authority under section 4.5(a) of the EP&A Act.
Decision-maker	**Executive Director** • On 9 March 2022, the Minister delegated the functions to determine SSD applications to the Director, where: – the relevant local council has not made an objection and – there are fewer than 15 unique public submissions in the nature of objections and – a political disclosure statement has not been made by the Applicant. In total, the Department received 14 unique submissions from members of the community and one submission from the local council. Of the 14 public submissions received, 12 objected to the development. Council did not object to the development. No reportable political donations were made by the Applicant in the last two years.

Consideration	Description
	Accordingly, the application can be determined by the A/Director, Industry Assessments, under delegation.

4.2 Other Approvals and Authorisations

Should development consent by granted, other approvals may be required in order to carry out the development. Section 4.42 of the EP&A Act lists a number of approvals that cannot be refused if required to carry out the development and must be approved in a manner that is consistent with any SSD consent granted under the EP&A Act.

The development will require an environment protection licence (EPL) issued by the NSW EPA under section 42 of the POEO Act

The Department has consulted with and considered the advice of the EPA in its assessment of the development (see **Section 5** and **Section 6**) and has included the EPA's recommended conditions in the conditions of consent (see **Appendix E**).

Further, the development would also require the following approvals:

- General and Specific Immobilisation Approvals (GIA, SIA), in accordance with Part 10 of the *Protection of the Environment Operations (Waste) Regulation 2014* 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)
- Trade Waste Agreement - liquid waste to be treated to meet Sydney Water trade wastewater standards before discharge to sewer
- Section 73 Compliance Certificate under the *Sydney Water Act 1994.*

4.3 Mandatory Matters for Consideration

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application (DA). The Department's consideration of these matters is set out in **Section 6** and **Appendix D** of this report. The Department is satisfied the proposed development is consistent with the requirements of section 4.15 of the EP&A Act.

4.4 Public Exhibition and Notification

In accordance with section 2.22 and Schedule 1 to the EP&A Act, the DA and any accompanying information of an SSD application are required to be publicly exhibited for at least 28 days. The application was placed on public exhibition from 19 November 2021 to 16 December 2021. Details of the exhibition process and notifications are provided in **Section 5.**

4.5 Objects of the EP&A Act

In determining the application, the consent authority should consider whether the development is consistent with the relevant objects of the EP&A Act (section 1.3), including the principles of ecologically sustainable development (ESD). The Department has fully considered these matters in Appendix D.

The Department is satisfied that the development is consistent with the objects of the EP&A Act and the principles of ESD.

4.6 Biodiversity Development Assessment Report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the development is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

A BDAR waiver request was submitted to the Department on 16 September 2020. The Environment Agency Head and the Team Leader Industry Assessments as delegate of the Planning Secretary, determined that the development is not likely to have any significant impact on biodiversity values. A BDAR waiver was granted on 11 November 2020.

4.7 Matters of National Environmental Significance

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), assessment and approval are required from the Australian Government if a development is likely to impact on a Matter of National Environmental Significance (MNES), as it is considered to be a 'controlled action'.

The Applicant determined a referral to the Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW) was not required.

5 Engagement

5.1 Application Timeframe

A brief overview of the application timeframe is provided below, noting the original DA was submitted in late 2021.

Due to the concerns raised by the Department, government agencies, and the public following exhibition of the original application, the Applicant was required to provide a substantial amount of additional information in a Submissions Report. The Submissions report was provided in May 2023.

In order to address residual concerns from the EPA, primarily regarding management of the quantity and range of wastes to be accepted on the site, the Applicant decided to amend the development. In September 2024, an initial Amended Development Report (ADR) was submitted which included a range of operational changes including the reduction of waste throughput and the number of waste types. Subsequently, the Applicant proposed some further changes, and a final ADR was provided in September 2025.

Throughout the period 2022 to 2025, the Department consulted extensively with the Applicant and the EPA to ensure all concerns were fully addressed and appropriate information was provided to demonstrate impacts could be managed to an appropriate level. Ultimately, the outstanding advice required to finalise the Department's assessment was provided in late 2025.

5.2 Consultation by the Applicant

The Applicant undertook a range of consultation activities throughout preparation of the EIS including:

- letters, mails and/or phone conversations with nearby property owners and occupiers, and government agencies
- provision of a dedicated email address and website, which include project details and further contact information.

5.3 Consultation by the Department

5.3.1 **Public Exhibition of the EIS**

After accepting the DA and EIS, the Department:

- publicly exhibited the DA and EIS from 19 November 2021 until 16 December 2021 on the NSW planning portal
- notified occupiers and landowners in the vicinity of the site about the public exhibition
- notified and invited comment from relevant government agencies and Liverpool City Council

5.4 Submissions and Advice (Original Application 2021)

During the public exhibition period, the Department received 14 unique submissions from the public, a submission from Liverpool City Council and advice from four government agencies and one State-owned corporation. 12 public submissions objected to the proposal and one provided comments.

A summary of the submissions and government advice is provided below. A link to the full copy of the submissions and advice is provided in **Appendix C.**

5.4.1 Government Agency Advice

A summary of the government agency advice is provided in **Table 5.**

Table 5 | Summary of Government Agency Advice

Agency	Advice summary
EPA	EPA advised the development would require an EPL and the Applicant must apply for specific immobilisation approvals in accordance with the Waste Immobilisation Framework. Also advised there were inconsistencies in the document and insufficient information to enable assessment. EPA requested further details of wastes and waste management, air and odour, and noise impact, and advised that PFAS contaminated soil and asbestos must not be treated or stored at the facility due to the risk of exposure and cross contamination through handling.
CPHR (former Environment and Heritage Group)	Noted a BDAR waiver had been granted on 11 November 2020. Advised the site would not be impacted by flooding events up to the 1% AEP, with the carpark impacted under a probable maximum flood (PMF) event. Shelter-in-place arrangements and emergency backups were recommended to mitigate any adverse work, health and safety risks during major flooding events.
Fire and Rescue NSW (FRNSW)	Advised the guidelines *Fire Safety in Waste Facilities* and *Access for Fire Brigade Vehicles and Firefighters* are to be utilised for the development. A comprehensive Emergency Response Plan and an Emergency Services Information Package (ESIP) must be prepared.
Transport for New South Wales (TfNSW)	Raised concerns over queue lengths at intersections and lack of mitigation options to resolve this. TfNSW also sought confirmation of what future year was modelled.

5.4.2 Sydney Water Advice

Sydney Water advised that potable water may be supplied via an existing 150 mm watermain in Whyalla Place and some upgrades or extensions may be required. Wastewater may be discharged into an existing 225 mm wastewater main within the property, noting approximately 65,000 kL/year

would be discharged under a future TWA. Due to the significant proposed wastewater discharge, Sydney Water advised the Applicant to lodge a feasibility application to assess water needs and disposal demands and confirmed a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained for the development, if approved.

5.4.3 Key Issues – Council

Liverpool City Council did not object to the development but requested further information or assessment on several issues including flooding, traffic, environmental health, noise and potential contamination.

5.4.4 Key Issues - Public Submissions

The key issues raised by the public relate to increased congestion in the local area, potential for queuing of trucks on the road, air, odour and noise impacts, health risks from spillages, impacts to stormwater quality, impacts from flooding and fire, the Applicant's environmental track record, and the scale of the development.

5.5 Submissions Report (2023)

Following the public exhibition period, the Department requested the Applicant to respond to the issues raised in submissions and the advice received from government agencies. The Applicant provided a Submissions Report to the Department in May 2023 (see Appendix A).

The Submissions Report included an updated project description, a draft Operational Environmental Management Plan (OEMP), a flooding memo, addendum Traffic Impact Assessment, revised Noise Impact Assessment, and revised Air Quality Impact Assessment.

The Department published the Submissions Report on the NSW planning portal and forwarded the Submissions Report to relevant government authorities and Council for comment on 15 May 2023.

A summary of the responses is provided below:

- EPA advised that a substantial portion of the information requested on waste management in its advice on the EIS had not been provided. For this reason, it could not assess the development's impacts and could not support the development in its current form. The EPA specifically raised its concerns that the Applicant had not demonstrated the proposed treatment technologies can be applied at the facility taking into consideration:
  - the contaminants of concern
  - treatment stoichiometry (the relationship between the quantities of reactants and products in a chemical reaction)
  - the constraints of the facility including its size and time for waste treatment/storage

- available treatment technology, emissions, and the disposal/reuse criteria
- the number of samples to be taken for post-treatment validation, the suite of analytes that will be tested for and the validation process proposed to be adopted.

Further information was also required regarding air and odour impacts. However, the EPA was satisfied with the information provided on noise impacts.

- CPHR recommended a Landscape Plan be prepared including use of indigenous species to address the loss of existing landscape works.
- FRNSW noted the responses in the Submissions Report, when implemented, would satisfy its recommendations and had no further comments or recommendations for consideration.
- TfNSW noted the addendum TIA demonstrates that signalised intersections on the state road network will not be significantly impacted. TfNSW recommended a Construction Pedestrian Management Plan be prepared, parking design be in accordance with Australian Standards, and parking provision to Council's satisfaction.
- Sydney Water advised the Applicant was yet to submit a feasibility application. It was recommended that a Water Servicing Coordinator be engaged and a feasibility application lodged as soon as possible, noting that if impacts on the Sydney Water wastewater network are anticipated, further investigation may be required to determine the servicing requirements for the site.
- Liverpool City Council advised its concerns were adequately addressed, subject to a range of conditions related to traffic and flooding considerations.

5.6 Amended Development (2024 and 2025)

To address residual concerns from the EPA, primarily regarding management of the quantity and range of wastes to be accepted on the site, the Applicant amended the development. The Amended Development was provided in September 2024 in an initial ADR which included a wide range of updated appendices, including hazard reports, draft operational management plans and site plans.

The main operational changes included the reduction of waste throughput to 210,500 tpa, reduction in number of waste codes to be accepted, removal of acceptance of hazardous soils, removal of chemical oxidation as a treatment process for soils and liquid waste, and reduction of total waste storage volume.

Information was also included on the status of the TWA application, noting that a draft feasibility application was prepared and submitted to Sydney Water in July 2024, with further information provided in October 2024. The Applicant advised that further information to complete the application

would not be available until after completion of detailed design (following approval of the development). As such the application was placed on hold until more project detail was available.

On review of the initial ADR documents, the following advice was provided:

- EPA advised it did not support the staging of construction and recommended finalising all construction before operation commences. The EPA also noted the Applicant had provided a list of waste transport codes for wastes proposed to be received at the premises. The EPA noted that, while these codes and the associated descriptions provide an indication of the waste types intended to be received, waste transport requirements and the NSW Waste Classification requirements serve different purposes. The EPA therefore requested clearly defined information on the types of waste, characteristics of the waste, treatment processes, and management plans for all outputs so it could evaluate the plant's capability to handle specific pollutants effectively. The EPA was of the view that detailed information at this stage is crucial for the plant's operational success and regulatory compliance. The EPA also provided advice, requirements and a range of strict conditions related to waste acceptance, storage, treatment and management and advised it did not support acceptance of waste types M260, M180 and N100.
- FRNSW requested preparation of a Fire Safety Study prior to construction of the development in addition to its earlier requirements.
- TfNSW had no further comments.
- Liverpool City Council – raised no objections to the development subject to a range of recommended conditions relating to traffic and parking and its existing recommendations on environmental health.

Following the EPA's advice above, the Department facilitated meetings between the Applicant and the EPA during late 2024 and early 2025 to assist with resolving outstanding issues regarding the waste types to be accepted at the site and incompatibilities between wastes to be stored. The EPA particularly noted that the proposed waste codes correspond to transport requirements, which may differ from a waste's classification (see Section 1.5). The Applicant provided further information for the EPA's consideration.

In March 2025, the Applicant advised that, due to a change in market conditions, it wished to reinstate the acceptance of hazardous soils to the development (which was removed in the initial ADR). As such, a final ADR was submitted in September 2025 to supersede the initial ADR of September 2024. The final ADR included an updated project description and updated appendices, as required to reflect changes since the initial ADR. The final ADR incorporated the following (final) changes versus the original development described in the EIS:

- changes to operations (compared to original development):

  - reduction in waste throughput from 270,000 tpa to 210,500 tpa
  - removal of chemical oxidation as a treatment process for soils and liquid waste
  - reduction in number of waste codes to be accepted onsite
  - reduction in total storage volume of recovered recyclable material
  - reduction in number of office staff from 30 to 21
  - removal of construction staging - Stage 1 and Stage 2 operations now to commence concurrently
- design refinements:
  - changes to arrangement of bays and pits to maximise potential capacity
  - updates to water management and fire services infrastructure
  - reduction in car parking spaces from 40 to 36
  - change of flooring of Compartment 2 to an epoxy lining

The final ADR was accepted on 12 September 2025 in accordance with section 37 of the EP&A Regulation.

The final ADR was only provided to the EPA for advice as none of the changes in the final ADR were relevant to the advice from other government agencies. Following review of the final ADR, in October 2025 EPA advised its residual issues could be resolved via a range of strict conditions of consent, including restrictions on some waste codes, post-commissioning air emission verification, requirements for waste treatment, and post-commissioning reporting and auditing.

A summary of the Department's consideration of community views is provided in Appendix C.

6 Assessment

The Department has considered the issues raised in submissions and government advice provided on the original EIS, Submissions Report, initial ADR and final ADR in its assessment of the development. The Department considers the key assessment issue relates to the management of waste at the site. A range of other issues have also been considered. These issues are considered relatively minor and are assessed in **Table 6** and **Section 6.2** below.

6.1 Waste Management

Introduction

The Applicant proposes to accept up to 210,500 tpa of a complex mix of wastes, including waste pharmaceuticals, drugs and medicines, chemical compounds, acids, PFAS materials, soils and highly odorous organic chemicals. The EPA has advised that inappropriate management of these types of wastes onsite has the potential to cause a range of adverse impacts and had considerable concerns throughout is review of the application regarding the wastes to be received, the proposed treatment technologies and storage arrangements (see Section 5). It is therefore critical to ensure there is sufficient space, safeguards, and procedures in place to safely manage the facility.

The proposed waste receipt, storage and handling procedures have been detailed in Section 2.4 of this report.

Applicant's Assessment

The Applicant has advised that waste would be sourced from industrial and contaminated sites and each type of waste would be tracked in accordance with the EPA's requirements and arrive in accordance with storage, packaging, and labelling requirements of the relevant codes and guidelines.

As discussed in Section 2.4.1, the Applicant has advised that all waste would be sampled, screened and characterised (physical and chemical) by the waste generator to determine the appropriate treatment method before it is accepted at the site. These procedures would ensure the exact composition of each waste load is known and its storage and treatment method is appropriate. Any waste arriving without the required paperwork would be rejected.

In response to EPA concerns, in the initial and final ADR the Applicant provided extensive information on storage times and limits for different wastes, both before and after treatment (where applicable). This included flow diagrams for each process (see **Figure 7**) and an overview of treatment methodologies to aid understanding of waste handling and processing. Updated information was also provided on the TWA application, which has been progressed with Sydney Water but cannot be completed until after approval of the development.

Further details of each waste treatment process were also provided in a draft Operational Waste Management Plan (OWMP). The Applicant states that, once finalised, the OWMP would provide the overarching framework and guidance to ensure that all waste-related activities, including storage of PFAS contaminated material, are undertaken with appropriate control measures in place, thereby minimising potential environmental impacts and ensuring compliance with relevant approvals and licence requirements.

As the EPA had requested additional hazard identification to provide a clearer understanding of the potential hazards and associated risks from operation of the development, in 2024 the Applicant conducted a hazard identification (HAZID) process through a facilitated workshop. The outcomes of the workshop were documented in a Hazard Identification Word Diagram consistent with Hazardous Industry Planning Advisory Paper No. 6 – Hazard Analysis.

A qualitative risk assessment was then undertaken using the Applicant's quantitative risk matrix to determine whether the risks associated with each hazard had been reduced to a So Far as Reasonably Practicable (SFARP) level. The HAZID process identified 106 potentially hazardous events and 31 improvement actions. The most significant potential environmental impact related to a loss of containment for incoming waste within the external receival area of the LWTP. However, the consequences of such an event would be mitigated by the enclosed building design, bunding, and the collection and retrieval system. Overall, the qualitative assessment found no activities to be high risk prior to the application of controls, and additional controls were identified to further reduce residual risk.

The EPA also requested information regarding the potential for, and risks from, unplanned releases of hazardous chemicals and wastes, identification of the relevant guidelines and standards, an evaluation of the development against those standards, and a description of the strategies to be implemented to reduce risks. Finally, the EPA asked for the preferred options to be adopted to minimise environmental impacts associated with storing and handling hazardous chemicals and wastes during operations.

The Applicant prepared a Liquid and Hazardous Waste Risk Identification and Minimisation Report (LHWRIM Report) which summarised and clarified the hazard identification and controls appropriate for the handling and treatment of hazardous wastes. The LHWRIM Report drew on the hazard identification undertaken during the HAZID process and identified 46 hazards associated with operations. The report then identified a range of hardware design controls to manage these hazards including scrubbing and ventilation systems, negative pressure operation in warehouse areas, bunding of the facility to contain 110 percent of the largest tank consistent with AS3780 2023 and AS4681 2000, physical separation of reagent storage areas, fire compartment separation, and fire sprinkler systems. These controls were complemented by other controls such as waste tracking, emergency planning, personal protective clothing, and specific training.

The LHWRIM report also identified the relevant standards and guidelines, including the IChEMS Minimum Standards (DCCEEW 2022), the Waste Classification Guidelines Part 1 Classifying Waste (EPA 2014), Hazardous Waste Storage and Processing Guidance for the Liquid Waste Industry (EPA 2017), the Liquid Waste Fact Sheet Protecting the Environment and Your Business Responding to Spills (DEC 2005), the Australian Dangerous Goods Code (NTC 2024), Managing Risks of Hazardous Chemicals in the Workplace Code of Practice (Safe Work Australia 2023), and AS3780 The Storage and Handling of Corrosive Substances.

Department's Consideration

The Department notes that throughout the assessment of the development, the EPA consistently raised concerns about how the quantities and combinations of waste would be safely handled and stored, especially given the very large number of waste types/codes proposed to be accepted as part of the original application. To allay the EPA's concerns, in the final ADR the Applicant reduced the total amount and range of wastes to be received and provided a large amount of additional technical information, including a draft OWMP and the hazardous waste studies discussed above.

Following review of this information, in October 2025 the EPA advised it still retained some concerns around the compatibility of the restricted wastes, hazardous wastes and dangerous goods to be stored and handled at the site. Also, it was not fully confident of the ability of the HVAC air control system to sufficiently control highly odorous organic wastes and had concerns about environmental impacts in the event of an accident or spills. However, the EPA advised that, on balance, these issues could be dealt with via conditions in the EPL and the development consent. The EPA therefore recommended a wide range of strict conditions related to waste management, including:

- not permitting acceptance of the following wastes:
  - M260 – highly odorous organic chemicals (including mercaptans and acrylates)
  - M180 – Polychlorinated dibenzo-p-dioxin
- requiring initial characterisation of all incoming waste and classification of outgoing waste in accordance with the relevant guidelines
- ensuring incompatible wastes are stored and treated separately to prevent cross contamination
- not permitting blending or dilution of wastes to achieve waste disposal or resource recovery criteria and ensuring immobilisation of waste only occurs under an EPA issued immobilisation approval
- only permitting acceptance and processing of liquid waste where a TWA allows disposal of these wastes or transportation offsite to a licensed facility
- preparing a verification report after 12 months of operation to demonstrate effective treatment and management of all wastes

- preparing a report for liquid waste after 12 months of operation detailing liquid waste received and compliance with the TWA.

The Department finds that waste onsite would be highly controlled, with strict waste acceptance protocols ensuring all waste is characterised before its arrival. Also, there would be sub-limits on the amount of each type of waste to be received per year and strict limits for storage at any one time.

The Department finds the Applicant's facilitated HAZID workshop was undertaken by an experienced team and informed with sufficient detail of the development, including overall site and plant layout, process descriptions, and descriptions and quantities of incoming hazardous materials, as well as consideration of existing safeguards. Having reviewed the HAZID information, the Department is satisfied the level of analysis undertaken is appropriate and considers the findings consistent with the nature and scale of the proposed activities.

The Department is therefore satisfied that, given implementation of the risk controls described and the Applicant's detailed range of waste management controls and procedures, the development presents a low risk to the surrounding environment. However, to ensure all the proposed procedures and controls are followed and effective, the Department has recommended a range of conditions in line with those recommended by the EPA (see above).

Importantly, in terms of the TWA, the Department has recommended the requirement for a TWA to be in place before operations commence. While the Applicant has proposed to remove treated liquid waste by tanker truck in the event a TWA cannot be obtained or not all water can be discharged to sewer (see Section 2.4.3), discharge to sewer is the Department's preferred option. Tankering offsite would be permitted as a contingency measure where treated wastewater temporarily cannot be discharged to sewer, however the circumstances for this would need to be agreed with the Planning Secretary.

In terms of the verification report, the Department has recommended verification be undertaken on three separate occasions at 6 months, 12 months and 'full operation' (when the maximum permitted waste throughput is being received). Given the EPA still maintained some concerns about the development, this would ensure that verification of operations and rectification of any impacts occurs over early, intermediate and long term (worst case) timeframes.

Other recommended conditions include unloading all waste in the designated areas, restricting the amounts of each waste type, monitoring waste, and managing it to ensure proper storage and processing in designated zones according to documented techniques.

Conclusion

The Department's assessment concludes that waste would be managed appropriately on the site, subject to the recommended conditions.

6.2 Other Issues

The Department's consideration of other issues is summarised in **Table 6** below.

Table 6 | Assessment of other issues

Findings and conclusions	Recommended conditions
Air	
• The acceptance and processing of the proposed waste streams could emit particulates, Volatile Organic Compounds (VOCs), PFAS and metals in dust. Public submissions raised concerns about the impacts on air quality. • The nearest residents are located approximately 427 m north of the site. • The EIS included an Air Quality Impact Assessment (AQIA) prepared in accordance with the EPA's *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales*, which assessed the potential impacts of handling and treating the proposed waste materials. • As NSW and Australia have no ambient PFAS criteria, the assessment adopted the Michigan Department of Environment's screening level of 0.07 ug/m^3 (24-hour average) as this is considered representative for heath-derived screening. • A revised AQIA was provided with the Submissions Report following EPA concerns. A draft Operational Air Quality Management Plan (OAQMP) and additional information were also provided in the ADR. <u>Construction</u> • Construction has the potential to emit dust, but impacts are expected to be short-term and with most works undertaken indoors. • To minimise impacts, the Applicant would prepare a Construction Air Quality Management Plan (CAQMP) including complaints management and dust controls protocol (weather-based scheduling, water spraying and covering stockpiles). <u>Operation</u> • Air quality engineering controls include the HVAC and ECS which would collect and treat contaminated air via two filter boxes, particulate matter filters and activated carbon filters to remove VOCs and odours. Additional measures include curtained bioremediation bays, fogging suppression (Compartment 3), and maintaining negative building pressure to reduce fugitive emissions. • Treated emissions would be discharged via three vertical exhaust fans and stacks at approximately 3 m above the roofline.	Require the Applicant to: • install the HVAC and air emission control system • install and operate equipment in line with best practice to meet load limits, air quality criteria specified in the EPL • prepare and implement an OAQMP including an active carbon breakthrough procedure • ensure the development does not cause offensive odours • ensure the building is maintained under negative pressure • prepare an air emissions verification report in consultation with the EPA 6 and 12 months following the commencement of operation and at 'full operations'

Findings and conclusions	Recommended conditions
• The original AQIA predicted VOCs, Benzene, and PFAS would meet the relevant ground-level criteria. The revised AQIA, responding to EPA, Council and the Department's comments, concluded that, with the OAQMP and controls such as keeping roller doors shut during handling and avoiding plant idling, there would be no new particulate exceedances and metals would stay below ground-level criteria. • Following review of the revised AQIA, the EPA requested further detail on predicted impacts of toxic air pollutants, sensitivity analysis, differences between the two AQIAs, and carbon bed performance (in the filters). • Upon review of the ADR, the EPA's remaining concern related to managing odours from highly odorous organic chemicals (M260) during a spill and it recommended that M260 not be accepted. • Further, the EPA recommended conditions, including requiring installing the ECS, maintaining negative pressure, and conducting all waste storage, handling, and processing indoors. It also required an OAQMP with monitoring and an active carbon breakthrough procedure plus emissions sampling, reporting, and an air quality verification report. • Based on the predicted compliance with the relevant criteria and the EPA's advice, the Department considers the proposed operational and engineering controls are suitable for managing air impacts. • While most of the EPA's recommendations were already proposed, the Department has adopted the EPA's recommendations as conditions. To ensure air quality performance aligns with predictions the recommended conditions include validation monitoring at six and twelve months after operation commences and at 'full operations' (when the maximum waste throughput is accepted). • The Department's assessment concludes the recommended conditions would ensure air quality impacts are acceptable and can be adequately managed by the Applicant. If verification identifies any exceedances, appropriate contingency measures would be required to maintain compliance with the EPL.	
Water Management	
<u>Waste process water</u> • The Applicant proposes to discharge up to 60.8 ML/pa of treated water from the LWTP to sewer subject to a Sydney Water TWA. Quality verification testing	Require the Applicant to: • only accept and process liquid waste where a

Findings and conclusions	Recommended conditions
(as described in Section 6.5 of the draft OWMP) would be undertaken prior to discharge and a section 73 compliance certificate would be obtained. • The TWA is not yet in place (see Section 5.6), however, contingencies have been proposed for offtake of treated liquid waste via tanker truck in the event it cannot be discharged to sewer. Tanker truck movements were included in total traffic in the revised TIA and were found to be acceptable. • Sydney Water raised no concerns. • The EPA recommended only permitting the acceptance and processing of liquid waste where a TWA is in place and allows disposal of these wastes. Alternatively, transport of treated liquid waste offsite to a licensed facility could be permitted. • However, the Department finds discharge to sewer to be the preferred option for liquid waste facilities, with tankering offsite only occurring in circumstances where treated wastewater temporarily cannot be discharged. The requirement for a TWA has been included as a condition of consent, with the option to agree on circumstances for tankering with the Planning Secretary in the case of unforeseen circumstances. • With a TWA in place and verification testing prior to discharge, the Department considers that waste process water would be appropriately managed. <u>Stormwater and Leachate</u> • The site is located within the Maxwell Creek catchment. Construction and operation of the development have the potential to affect the quality and quantity of stormwater, and, in turn, Maxwell and Cabramatta Creeks. • Currently, a series of pipes convey stormwater runoff from the western warehouse, office roof and hardstand via existing 150 mm drains to Council's drain. The remainder of the building roof drains directly to Council's drainage network, with minor flows to Whyalla Place. • The drainage layout would remain largely unchanged, however, some roof water would be captured in a tank for reuse in waste processing and an interceptor pit would be installed with a manually closable valve to prevent spills going off-site. There would be complete segregation of stormwater runoff, leachate and treated water. As impervious areas would only increase by 6 m^2 (for the driveway), the Applicant did not provide stormwater modelling in its application. • Leachate generation is expected to be low as all waste would be handled indoors within a bunded building. Bays and pits would slope towards leachate	TWA is in place permitting disposal of treated liquid waste, unless otherwise agreed by the Planning Secretary • obtain a Section 73 compliance certificate • prepare and implement a stormwater and leachate management plan including details of the wheel wash and stormwater sampling • construct all new structures above the 1 % AEP • ensure the building is constructed of flood compatible building components below the PMF level • store Class 8 DG waste above the PMF • prepare and implement a FMP including actions to be undertaken in a PMF event.

Findings and conclusions	Recommended conditions
collection points. Bunding would be installed around the building at the entry and exit points to contain any leachate, firefighting water, spills and other liquids. Leachate from pits and wheel washes would be pumped for treatment in the LWTP and disposed to sewer as trade waste. • Council advised the stormwater system must include on-site water treatment to meet Council's water quality standards from the DCP. • The Applicant submitted Council's controls do not apply given the negligible increase to the impervious area. Council reiterated the site must comply. • The Department notes the stormwater system would remain very similar to existing, with only a minimal increase in hardstand. Leachate would not come into contact with stormwater as waste would be handled indoors. However, given Council's concerns, the Department considers it appropriate for the quality of the site's stormwater to be determined to ensure it complies with Council's requirements. Therefore, the Department recommends the Applicant undertake a series of sampling events following commencement of operation to ensure stormwater discharged from the site is of the required quality. If not, contingency measures, such as installing gross pollutant traps, would be required. • The EPA recommended conditions requiring stormwater and leachate separation, appropriate emergency protocols, bunding for spills or extreme weather events, and a stormwater and leachate management plan with details of the wheel wash inside the building. The Department notes these measures are proposed and committed to by the Applicant. • The EPA also requested preparation of a groundwater management plan, noting the potential for the integrity of the building slab to deteriorate over time allowing chemicals to leach into groundwater. • The stormwater management system has been designed to prevent offsite discharges contacting waste. The Department has reviewed the stormwater and leachate measures and the advice of the EPA and considers the system proposed is suitable for managing both stormwater and leachate. However, to ensure the system operates as designed, the Department recommends a condition requiring a stormwater and leachate management plan. • The Department's assessment concludes potential water impacts can be minimised and managed through implementation of the proposed measures and consent conditions.	

Findings and conclusions	Recommended conditions
Flood • The site is located within the Maxwell Creek floodplain; flood waters have the potential to mobilise hazardous waste. • The EIS included a flood impact assessment (FIA) based on Council's 2004 study, modelling events from 1 % Annual Exceedance Probability (AEP) up to the probable maximum flood (PMF) for the existing and proposed developments. • The FIA found the pre- and post-development flood behaviour is largely similar, and the development would not lead to increased off-site flooding. Only minor differences were predicted during a PMF. • The FIA indicated the site is not inundated in storms up to the 0.2% AEP, and the existing and proposed buildings would comply with the flood planning level of 23.6 m AHD, which is 1 % AEP plus 0.5 m freeboard. • CPHR recommended shelter-in-place requirements during a PMF and raised no further concerns. • Council recommended conditions to store potentially hazardous material above the PMF level and use of flood-compatible building components below the PMF level. • The Applicant agreed to most conditions and committed to storing all reagents and Class 8 DG above the PMF on racking However, the remaining hazardous waste (soils) would be stored in a bunker. • While flood impacts would be avoided for events up to 0.2 % AEP, the Department notes some off-site impacts could occur during a PMF event. The Department has considered the information received and advice from Council and considers it appropriate to only store Class 8 DG (other than soils) above the PMF, given the event's rarity. The Department also recommends storage of reagents classed as DG above the PMF level as recommended by the EPA and a Flood Management Plan (FMP) to manage safety in flood events. • To minimise downstream impacts from hazardous soils, the FMP should include emergency actions, such as ceasing waste deliveries and operations and removing hazardous waste, if a PMF event is predicted. • The Department's assessment concludes that with these measures in place flood risks would be significantly reduced.	

Findings and conclusions	Recommended conditions
Human Health	
• Operation of the development has the potential to generate emissions that may be harmful to human health. A number of public submissions raised concerns about human health. • The EIS included a Screening Level Health Impact Assessment (SHIA) undertaken in accordance with the EnHealth guidelines. • The SHIA, which was primarily qualitative, assessed the potential health risks to the community from migration of contaminants from the development. Air and noise modelling results were compared against relevant health-based standards or guidelines. • The SHIA identified that, with the proposed design and operational management measures, including the emissions control system and associated stacks, separation of leachate and stormwater, and all waste being accepted and processed in an enclosed building, risks to the community would be low. • The Applicant has also committed to post-commissioning stack testing for particulate matter, metals and odour, to be undertaken to determine whether the development is operating as proposed. • Worker exposure would be managed via a hierarchy of controls consistent with the requirements of the *Work Health and Safety Regulation*. This includes operation of the HVAC and ECS systems, maintaining the building under negative pressure, dust collection systems, quarterly personnel and ambient monitoring, PPE, the use of plant to minimise contact with the waste and training. In addition, the Applicant has proposed the implementation of a safety management system, like those used at its other sites. • The EPA reviewed the EIS and advised that wastes, such as PCBs, PFAS, and asbestos, should not be accepted due to potential exposure risks. • The Department notes the Applicant no longer proposes to accept scheduled PCB contaminated material or asbestos and would only store, not treat, PFAS contaminated soils below the RSW criteria. • Following its review of the SHIA, public submissions, and EPA advice, the Department finds that emissions from the development can be managed effectively. As discussed elsewhere in this section, to ensure impacts are managed appropriately and any exceedances addressed, a range of conditions has already been recommended to manage potential impacts, including noise, air, and water.	No conditions are recommended.

Findings and conclusions	Recommended conditions
• The Department's assessment concludes that with these measures in place risks to human health are low and acceptable.	
Traffic	
• Additional vehicles during construction and operation have the potential to impact the safety and efficiency of the surrounding road network. Public submissions raised concerns over the proposed increase in traffic. • The EIS included a traffic impact assessment (TIA) prepared in accordance with the RMS *Guide to Traffic Generating Development*. • During operation, the site would be accessed by a range of heavy vehicles including 12.5 m rigid trucks, 19 m semi-trailers and 22 m truck and dogs. • The proposed heavy vehicles (HV) route would be to/from the M7, via Jedda Road and Bernera Road to the north and Jedda Road onto the M7 Motorway to the south. <u>Construction</u> • The TIA identified that construction would be carried out over a period of 12 months by up to 10 staff. • The Applicant advised that the maximum number of vehicles per day would be 20 light and 5 heavy vehicles with an additional 1-2 HV during concrete pours. • Although an intersection analysis was not performed, the TIA advised the traffic impacts would be managed via a construction traffic management plan (CTMP). <u>Operation</u> • The TIA was based on traffic numbers for the originally proposed waste throughput. The ADR included a draft Operational Traffic Management Plan (OTMP) with updated traffic volumes reflecting the reduced waste intake, however, did not update the traffic modelling in the TIA. • The development would involve up to 84 heavy vehicles (84 in, 84 out) on the busiest day, plus 39 light vehicles per day (39 staff across three shifts), with up to 16 HV movements (8 in 8 out) in the busiest hours. This equates to 6 HV movements in the AM peak (8–9 am) and 12 in the PM peak (3–4 pm), including contingency tanker trucks to remove treated liquid waste if it cannot be discharged to sewer. • The development would include 36 parking spaces, 11 parking spaces fewer than the DCP requirements. However, the proposed spaces would cater for the	Require the Applicant to: • prepare and implement a CTMP including a CTPMP to Council's satisfaction including consideration of the need for a Road Occupancy Permit, and a construction pedestrian management plan. • construct parking spaces in accordance with Australian Standards. • obtain a Section 138 approval • prepare and implement an OTMP in consultation with Council, including required parking restriction requirements to provide appropriate sight distances. • undertake verification of the Jedda Road/ Whyalla Place intersection 12 months from the commencement of operations in consultation with Council.

Findings and conclusions	Recommended conditions

maximum number of employees (39 across three shifts) expected on site at any one time.

- The TIA modelled the potential Level of Service (LoS) of the key intersections, determining these would only minimally change at full operations, with the majority remaining at LoS A and all remaining above LoS D both now and in the future.
- Council raised some concerns about the traffic modelling and advised that consideration should be given to providing intersection treatments at the Jedda Road/Whyalla Road intersection.
- TfNSW raised concerns over queue lengths at Joadja Road/Jedda Road (south-west) approaches and Hoxton Park Road/Joadja Road and the lack of proposed mitigation.
- The Submissions Report included an addendum TIA which remodelled the Joadja Road/Jedda Road, Hoxton Park/Joadja Road and Jedda Road/Whyalla Place intersections using updated traffic counts. The model demonstrated that although the Jedda Road/Whyalla Place intersection (now including the Hanson Driveway approach) would operate at a LoS F both with and without the development, modelling results for the future scenario show the development would have minimal impact on queue lengths, with the greatest increase being by 5 m in the PM peak. Spare capacity would remain in the other approaches.
- The addendum TIA also stated the development would increase traffic at the Joadja Road/Jedda Road intersection by only 0.6% in the AM peak and 0.9% in the PM peak. The Hoxton Park Road/Joadja Road intersection would continue to operate at the same LoS in the future base and 2026 post development scenarios, with only one light vehicle during the PM peak hour.
- Neither Council nor TfNSW raised further concerns, although Council provided a range of recommended conditions including requiring verification of the Jedda Road/Whyalla Place intersection during operation.

<u>Traffic and queueing</u>

- Waste facilities must be of a size and layout that allows heavy vehicles to move safely through the site without queuing on the public road network. The TIA identified that at full capacity, the site would be accessed by 8 HVs (8 in 8 out) in the facility's busiest hour.
- The site would be accessed via Whyalla Place. Trucks would enter the site via a northern driveway and exit the site via a southern driveway, which is designed to aid the flow of traffic. A separate access would be provided for light vehicles,

Findings and conclusions	Recommended conditions
the construction of which would necessitate the loss of one parking space on Whyalla Place. • The OTMP demonstrated that up to six HVs could be located in the industrial building at any one time and up to four on the weighbridges without any queuing on the road network. All HVs would be scheduled to ensure a maximum of ten trucks would be onsite at the same time, further protecting the road network from queuing. • Both TfNSW and Council provided recommended conditions, including the requirement for a construction pedestrian traffic management plan (CPTMP), the layout of proposed car parking areas to be in accordance with the Australian standards. • Council also requested the design plans for any proposed works within the public road reserve and street lighting improvement, determination of whether parking restrictions would be required to maintain adequate sight distance at the driveway and finalisation of the OTMP and CTMP. The Applicant has agreed to these conditions. <u>Department's consideration</u> • The Department considers the increase in traffic across the key intersections would be minimal, especially noting the addendum TIA was based on the original traffic numbers, which would now be lower due to the decrease in waste volumes. • However, to ensure traffic from the site is appropriately managed, the Department has recommended conditions requiring finalisation of the CTMP and OTMP in consultation with Council. These should include details of heavy vehicle routes, road safety measures (such as appropriate sight distances at the site's exit). • The Department has also included conditions requiring parking to be in accordance with Australian standards and a section 138 approval under the *Roads Act 1993* to be obtained for any works within the road reserve. • The Department's assessment concludes there would be minimal traffic impacts, and these can be readily managed via the recommended conditions.	
Noise	
• Noise from construction and operation of the development has the potential to impact on the amenity of the locality. The nearest residences are	Require the Applicant to: • prepare and implement a CNMP and ONMP

Findings and conclusions	Recommended conditions
approximately 427 m from the site, with the nearest sensitive receiver around 350 m to the north. • The Submissions Report included an updated Noise and Vibration Impact Assessment (NVIA) prepared to respond to the EPA's initial concerns on the original development, in accordance with the EPA's *Noise Policy for Industry* and *Interim Construction Noise Guidelines*, and the *NSW Road Noise Policy*. • The NVIA assumed the presence of the proposed three-metre acoustic barrier to the west of the strobic ventilation fans and silencers on the strobic fan. <u>Construction</u> • Construction activities include construction of a new weighbridge and office, warehouse extension, new driveway, parking and a wheel wash and truck washdown bay over a 12-month period. • The NVIA predicted it could achieve the relevant construction Noise Management Levels (NMLs) set out in the *Interim Construction Noise Guideline*, and the Applicant committed to the preparation and implementation of a Construction Noise Management Plan (CNMP) covering procedures for achieving the NMLs. • Neither Council nor the EPA raised concerns about construction noise. • The Department's assessment concludes that construction noise impacts from the proposal would be low and the preparation of a CNMP is supported. <u>Operation</u> • The development would generally operate between 7 am and 6 pm with shorter hours on Sunday and public holidays; however, waste acceptance would occur 24 hours a day. • Waste acceptance and treatment would take place within the enclosed industrial building. The NVIA modelled internal noise sources including a front-end loader, dump truck, excavator, two trucks, and one truck external to the building. The NVIA also modelled traffic noise, assuming 4 heavy vehicle movements per hour in the evening and night-time periods. • The NVIA predicted operational noise impacts would comply with the relevant road noise and sleep disturbance levels, and the Project Noise Trigger Levels (PNTLs) at all receivers. Notwithstanding, to ensure the ongoing management of noise, the Applicant has committed to the preparation of an Operational Noise Management Plan (ONMP). • The EPA raised no concerns regarding operational noise.	

Findings and conclusions	Recommended conditions
• The Department has reviewed the information provided and considered the advice from the EPA. Noting that waste activities would occur indoors, the Department finds that operational noise levels would be well below the PNTLs during the day, evening and night and are acceptable. • For both traffic noise and operational noise, the Department's assessment concludes impacts would be negligible and can be managed subject to the implementation of a CNMP and ONMP.	
Biodiversity	
• A BDAR waiver request was submitted to the Department on 16 September 2020, on the basis that the development would not impact biodiversity values. • Small amounts of native and exotic vegetation and exotic grassland would be removed to accommodate the reconfigured car park and the new light vehicle access. • CPHR did not raise any concerns with the biodiversity impacts of the development. • The Applicant's waiver request was subsequently approved on 11 November 2020. • The Department is satisfied the impacts on biodiversity are minimal and concludes the development would not impact upon biodiversity values.	• No conditions required
Hazards	
• The site would accept liquid waste or packaged waste classified as DG Class 8 PG II or III and PFAS contaminated waste classified as DG Class 9 PG III, which have the potential to pose a safety risk if not properly managed. • The EIS included a preliminary risk screening of the proposed storage quantities of DG in accordance with the Department's Applying SEPP 33 Guidelines, and in addition, the final ADR included a the LHWRIM Report and a Hazardous Industry Guidance Note. These confirmed that up to 23 tonnes of DG Class 8, PG II and 45 tonnes of Class 8, PG III would be stored as part of the development. It also noted that some materials may be classified as Dangerous Goods Class 9, PG III. • The Department is satisfied the Applicant has demonstrated the proposed development would not store hazardous materials above Applying SEPP 33 thresholds and that risks can be adequately managed.	Require the Applicant to: • store and handle DG in accordance with Australian Standards and EPA requirements

Findings and conclusions	Recommended conditions
• To ensure proper handling of DG onsite, the Department recommends a condition of consent for all DGs (as defined by the Australian Dangerous Goods Code) to be stored and handled per relevant Australian Standards and EPA requirements. • The Department's assessment concludes that hazard management would be effectively addressed through the implementation of the recommended conditions.	
Fire	
• The development would occupy an extended existing warehouse building, which would need to comply with Volume One of the National Construction Code (NCC) to ensure the development achieves and maintains acceptable standards of safety from fire. • In addition, as more than 50 m^3 of combustible waste would be stored at the site, the development must comply with the FRNSW guideline *Fire safety in waste facilities*. • The EIS included a Fire and Incident Management Assessment (FIM), which advised the development incorporates suitable fire hydrants, fire detection, fire compartment separation and fire sprinkler systems, as well as fire runoff containment. According to the FIM, the building would comply with the NCC and be consistent with the *Fire safety in waste facilities* guideline. • FRNSW advised the development should also consider the fire safety guideline *Access for fire brigade vehicles and firefighters*. FRNSW also recommended conditions, including the preparation of an Emergency Response Plan (EP) and an Emergency Services Information Package (ESIP) in accordance with the relevant guidelines. Subsequently, following review of the ADR, FRNSW also recommended the preparation of a Fire Safety Study (FSS) prior to construction. • On review of the information provided and FRNSW's recommendations, the Department considers the Applicant has demonstrated the design of the facility would appropriately manage fire risks. To ensure the fire management system is robust, the Department has incorporated FRNSW's recommendations into its conditions, including the need to prepare a FSS, which would ensure the final details of the onsite fire safety measures are designed in consultation with FRNSW. • The Department's assessment concludes fire safety would be adequately addressed via the design of the facility and recommended conditions.	Require the Applicant to: • prepare a FSS in consultation with FRNS prior to construction • prepare an EP and an ESIP

Findings and conclusions	Recommended conditions
Aboriginal Heritage	
• Construction of the development has the potential to impact Aboriginal heritage items or values at the site. • The EIS included an Aboriginal assessment which undertook desktop studies combined with an archaeological site survey, concluding the site has low archaeological potential and no further assessment was required. • Upon review, Heritage NSW advised the Applicant no further information was required. • The Department's assessment concludes that, given the developed nature of the site and the conclusions of the Aboriginal assessment, the development is unlikely to have any Aboriginal heritage impacts. • However, to ensure any identified objects are managed appropriately, the Department recommends a condition requiring an unexpected finds protocol to be implemented during construction.	Require the Applicant to: • implement an unexpected finds protocol
Landscaping	
• The site is fully developed except for a 10 m wide strip of landscaping along the boundary along Wyalla Road comprising planted small canopy tree species (14 mature Magenta Lilly Pilly, three Crimson Bottlebrush, one juvenile Spotted Gum *Corymbia maculata* and one Tuckaroo *Cupaniopsis anacardioides*), exotic mid-storey tree species, and native species within the understorey. Some of this landscaping would be removed for car parking and the new light vehicle access. The BDAR waiver request recommended protecting the remaining trees in accordance with Australian Standards. • An additional landscaped area containing mainly endemic species is proposed at the northern frontage of the site. • Council raised no concerns about landscaping. • The Department notes that although landscaping would be reduced along Wyalla Road, this is unavoidable as the carpark needs to move forward on the block. However, all 14 mature Magenta Lilly Pilly specimens would be retained and would continue to provide visual screening, while the installation of additional landscaping along the northern boundary would enhance the otherwise industrial nature of the area. To ensure the proposed landscaping is appropriate and properly maintained, the Department has recommended	Require the Applicant to: • prepare and implement a Landscape Management Plan.

Findings and conclusions	Recommended conditions
preparation of a Landscape Management Plan and protection of retained trees in accordance with Australian standards. • The Department's assessment concludes that landscaping would be appropriately managed subject to the proposed condition.	
Contributions	
• Council's Liverpool Contributions Plan 2018 – Established Areas applies to the site, requiring section 7.11 contributions for industrial development to fund infrastructure. • The Department has therefore recommended a condition requiring the Applicant pay a section 7.11 development contribution prior to the issue of a construction certificate.	Require the Applicant to: • pay relevant development contributions

7 Evaluation

The Department's assessment of the application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ESD.

The Department has considered the development on its merits, taking into consideration strategic plans that guide development in the area, the EPIs that apply to the development, advice received from the relevant public agencies, including Council, and submissions from the public.

None of the State government agencies or Council objected to the proposal, however over the course of the assessment the EPA raised ongoing concerns that the range of waste types proposed has the potential to cause adverse impacts if not appropriately managed. The Department has sought to address these issues through consultation with both the EPA and the Applicant.

The Department considers the issues raised in the public submissions have been addressed in the Submissions Report or can be addressed via ongoing operation of the waste management facility in accordance with the recommended conditions of consent.

The Department is satisfied the impacts of the development can be appropriately managed through design controls (such as the enclosed building design, bunding, and the emissions control system) and operational controls (such as screening of incoming waste and separation of waste on the site), along with conditions of consent. Recommended conditions to manage any impacts include:

- verification of waste management and air quality on three occasions following commissioning, with requirements to address and rectify any issues if the development is not operating as predicted
- preparation of a range of management plans for construction and operation
- preparation of a FSS.

Overall, the Department's assessment has concluded the development would:

- increase NSW's capacity for managing hazardous and complex wastes
- support the NSW Waste and Sustainable Materials Strategy 2041 by recovering materials for reuse and diverting waste from landfill
- deliver economic benefits for Western Sydney, with a $6 million investment, 10 construction jobs, and 39 operational jobs.

The Department considers that these benefits can be realised without any significant amenity or environmental impacts and therefore considers the development is in the public interest and should be approved, subject to conditions.

8 Recommendation

For the purpose of section 4.38 of the EP&A Act, it is recommended that the **Acting Director, Industry Assessments**, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of Prestons Waste Treatment Facility (SSD-9346594), subject to the conditions in the attached development consent
- **signs** the attached development consent (**Appendix E**).

Recommended by:

15 April 2026

Sheelagh Laguna
Principal Planning Officer
Industry Assessments

9 Determination

The recommendation is **adopted** by:

 16 April 2026

Joanna Bakopanos
A/Director
Industry Assessments

Glossary

Abbreviation	Definition
AHD	Australian Height Datum
Applicant	Hi-Quality Waste Treatment Services Pty Ltd
BDAR	Biodiversity Development Assessment Report
CIV	Capital Investment Value
Council	Liverpool City Council
DA	Development Application
Demolition	The removal of buildings, sheds and other structures on the site
Department	Department of Planning, Housing and Infrastructure (DPHI)
Development	The development as described in the EIS / Amendment Report for Prestons Waste Treatment Facility
DPHI	Department of Planning, Housing and Infrastructure
EIS	Environmental Impact Statement titled Environmental Impact Statement Prestons Waste Treatment Facility prepared by Golder dated November 2021
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999*
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development

Abbreviation	Definition
FRNSW	Fire and Rescue NSW
Heritage NSW	Heritage NSW, within the NSW Department of Climate Change, Energy, the Environment and Water
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
NCC	National Construction Code
DCCEEW	NSW Government Department of Climate Change, Energy, the Environment and Water
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021
Planning Secretary	Secretary of the Department
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SSD	State Significant Development
TfNSW	Transport for NSW

Appendices

Appendix A – List of Referenced Documents

The Department has relied upon the following key documents during its assessment of the development:

Environmental Impact Statement

- Prestons Waste Treatment Facility, prepared by Golder Associates Pty Ltd, dated November 2021

Submissions

- All submissions received from relevant public authorities and the general public Prestons Waste Treatment Facility | Planning Portal - Department of Planning and Environment

Submissions Report

- Prestons Waste Treatment Facility Response to Submissions [Report] prepared by Arcadis Australia Pty Limited dated 15 May 2023.

Amended Development Report

- Prestons Waste Treatment Facility Amendment Report prepared by Arcadis Australia Pty Limited dated August 2025.

Statutory Documents

- Relevant considerations under section 4.15 of the EP&A Act (see **Appendix E**)
- Relevant environmental planning instruments, policies and guidelines (see **Appendix E**)

All documents relied upon by the Department during its assessment of the application may be viewed at: Prestons Waste Treatment Facility | Planning Portal - Department of Planning and Environment

Appendix B – Submissions and Government Agency Advice

All submissions and government agency advice can be found here:

Prestons Waste Treatment Facility | Planning Portal - Department of Planning and Environment

Appendix C – Community Views for Draft Notice of Decision

Table 7 | Key issues and how they have been considered

Issue	Consideration
Traffic (increased congestion in the local area)	• Modelling results for the future scenario show the development would have minimal impact on queue lengths at the most impacted intersections. • The development would increase traffic at the Joadja Road/Jedda Road intersection by only 0.6% in the AM peak and 0.9% in the PM peak • The Hoxton Park Road/Joadja Road intersection would continue to operate at the same LoS in the future base and 2026 post development scenarios. • The Department considers the increase in traffic across the key intersections would be minimal. Recommended Conditions: • Finalisation of the CTMP and OTMP in consultation with Council, including details of heavy vehicle routes and road safety measures.
Traffic (potential for queuing of trucks on the road)	• At full capacity, the site would be accessed by 8 HVs (8 in 8 out) in the facility's peak hour. • The OTMP demonstrated that up to six HVs could be located onsite without any queuing on the road network and up to four on the weighbridge. • All HVs would be scheduled to ensure additional trucks would not arrive at the same time, further protecting the road network from queuing. Recommended Conditions • CTMP and OTMP, including details of the HV scheduling system.
Air and Odour	• Air quality engineering controls include the HVAC and ECS which would collect and treat contaminated air via two filter boxes, particulate matter filters and activated carbon filters to remove VOCs and odours. Additional measures include curtained bioremediation bays, fogging suppression (Compartment 3), and maintaining negative building pressure to reduce fugitive emissions • The modelling undertaken for the AQIA and ADR predicted compliance with the relevant criteria.

Issue	Consideration
	• The Department has adopted the EPA's recommendations as conditions. In addition, validation monitoring at six and twelve months after operation commences, and at 'full operations' (when the maximum waste throughput is accepted). • The Department's assessment concludes the recommended conditions would ensure air quality impacts are acceptable and can be adequately managed by the Applicant. Recommended Conditions: • install the HVAC and air emission control system • install and operate equipment in line with best practice to meet load limits, air quality criteria specified in the EPL • prepare and implement an OAQMP • ensure the development does not cause offensive odours • ensure the building is maintained under negative pressure
Noise	• The NVIA predicted operational noise impacts would comply with the relevant road noise and sleep disturbance levels, and the Project Noise Trigger Levels (PNTLs) at all receivers. The Department has reviewed the information provided and considered the advice from the EPA. • For both traffic noise and operational noise, the Department's assessment concludes impacts would be negligible and can be managed subject to the implementation of a CNMP and ONMP. Recommended Conditions: • a CNMP • a ONMP.
Health risks from spillages	• All waste would be accepted, unloaded and treated within the enclosed building. • Bunding would be installed around the building at the entry and exit points to contain any leachate, firefighting water, spills and other liquids. Recommended Conditions: • stormwater and leachate management plan

Issue	Consideration
Water (impacts to stormwater quality)	• The stormwater system would remain very similar to the existing. Leachate would not come into contact with stormwater as waste would be handled indoors. However, the Department considers it appropriate for the quality of the site's stormwater to be determined to ensure it complies with Council's requirements. • The Department recommends the Applicant undertake a series of sampling events following commencement of operation to ensure stormwater discharged from the site is of the required quality. If not, contingency measures, such as installing gross pollutant traps, would be required. • The Department has reviewed the stormwater and leachate measures and the advice of the EPA and considers the system proposed is suitable for managing both stormwater and leachate. Recommended Conditions: • a stormwater and leachate management plan.
Water (flooding impacts)	• Modelling demonstrated the site would not increase offsite flood impacts. Pre- and post-development flood behaviour is largely similar. • CPHR recommended shelter-in-place requirements during a probable maximum flood (PMF). Council recommended conditions to store potentially hazardous material above the PMF level and use of flood-compatible building components below the PMF level. • The Department has considered the information received and advice from Council and considers it appropriate to only store Class 8 DG (other than soils) above the PMF, given the event's rarity. The Department also recommends storage of reagents classed as DG above the PMF level as recommended by the EPA and a Flood Management Plan (FMP) to manage safety in flood events. To minimise downstream impacts from hazardous soils, the FMP should include emergency actions, such as ceasing waste deliveries and operations and removing hazardous waste, if a PMF event is predicted. Recommended Conditions • ensure the building is constructed of flood compatible building components below the PMF level • store Class 8 DG waste above the PMF • prepare and implement a FMP including actions to be undertaken in a PMF event.

Issue	Consideration
Impacts from fire	• The development would need to comply with Volume One of the National Construction Code (NCC) to ensure the development achieves and maintains acceptable standards of safety from fire and the FRNSW guideline Fire safety in waste facilities and *Access for fire brigade vehicles and firefighters* • FRNSW also recommended conditions, including the preparation of an Emergency Response Plan (EP) and an Emergency Services Information Package (ESIP) in accordance with the relevant guidelines and the preparation of a Fire Safety Study (FSS) prior to construction. • The Department considers the Applicant has demonstrated the design of the facility would appropriately manage fire risks. • The Department's assessment concludes fire safety would be adequately addressed via the design of the facility and recommended conditions. Recommended Conditions: • prepare a FSS in consultation with FRNSW prior to construction • prepare an EP and an ESIP.

Appendix D – Statutory Considerations

Table 8 | Mandatory Matters for Consideration

Matter for Consideration	Department's Assessment
Environmental planning instruments, proposed instruments and development control plans	The Department's consideration of the relevant EPIs (including draft instruments subject to public consultation under the EP&A Act) is provided in **Appendix E.**
EP&A Regulation	The Department has assessed the development in accordance with all relevant matters prescribed by the EP&A Regulation, the findings of which are contained in this report.
Likely impacts	The Department has considered the likely impacts of the development in detail in **Section 6** of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.
Suitability of the site	The site is suitable for the development as a waste or resource management facility. The proposed land use is permissible with consent in the E5 Heavy Industrial zone under the *Liverpool Local Environmental Plan 2008*.
Public submissions	All matters raised in submissions have been summarised in **Section 5** of this report and given due consideration as part of the assessment of the development in **Section 6** of this report.
Public interest	The development would generate up to 10 jobs during construction, 39 jobs during operation and direct $6,376,000 in capital investment in the Liverpool local government area. The environmental impacts of the development would be appropriately managed via the recommended conditions. The Department considers t the development is in the public interest.

Objects of the EP&A Act

A summary of the Department's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in **Table 9** below.

Table 9 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(a) 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,	• The development would ensure the orderly and economic use of the site which is zoned for industrial use, promote the social and economic welfare of the community through a significant financial investment and employment opportunities in Western Sydney and through the proper management of hazardous and other wastes.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	• The development integrates all social, economic and environmental considerations and seeks to avoid potentially serious or irreversible environmental damage. The Department is satisfied the development can be carried out in a manner consistent with the principles of ESD.
(c) to promote the orderly and economic use and development of land,	• The development is a permissible use which would promote the orderly and economic development of the land. The development would provide 39 operational jobs and promote economic growth in Western Sydney.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	• The Department's assessment in Section 6 of this report demonstrates that with the implementation of the recommended conditions of consent, the impacts of the development could be mitigated and/or managed to ensure an acceptable level of environmental performance.
(g) to promote good design and amenity of the built environment,	• The development is appropriately designed and consistent with the surrounding area.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	• The development would be designed to meet the Australian Standards, including fire safety measures. The Department has recommended conditions requiring adherence to the Work Health and Safety Regulation.

Object	Consideration
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	• The Department has assessed the development in consultation with, and giving due consideration to, the technical expertise and comments provided by other Government agencies, thereby sharing the responsibility for environmental planning between the different levels of government in the State.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	• The development application was exhibited in accordance with clause 9 of Schedule 1 of the EP&A Act to provide public involvement and participation in the environmental planning and assessment process. The Department publicly exhibited the application as outlined in Section 5 of this report, which included notifying adjoining landowners and displaying the application on the Department's website.

Ecologically Sustainable Development

The EP&A Act adopts the definition of ecologically sustainable development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle.
- inter-generational equity.
- conservation of biological diversity and ecological integrity.
- improved valuation, pricing and incentive mechanisms.

The Department required the applicant to demonstrate how the principles of ESD have been incorporated into the development, including how it addresses:

The potential environmental impacts of the development have been assessed and where potential impacts have been identified, mitigation measures and environmental safeguards have been recommended. As such, the Department considers that the development would not adversely impact on the environment and is consistent with the objectives of the EP&A Act and the principles of ESD.

EP&A Regulation

Part 4, Division 1 of the EP&A Regulation requires the consent authority to consider additional matters for certain developments as part of the matters for consideration under section 4.15 of the EP&A Act.

- There are no additional matters in Division 1 of the EP&A Regulation that the consent authority must consider.

Environmental Planning Instruments (EPIs)

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)

The Planning Systems SEPP identifies certain classes of development as SSD. The proposal is SSD pursuant to section 4.36 of *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves development for the purpose of resource recovery or recycling activities that handle more than 100,000 tonnes per year of waste, which meets the criteria in clause 23 of Schedule 1 in State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP).

State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)

Chapter 2 of the T&I SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to certain types of infrastructure development, and providing for consultation with relevant public authorities about certain types of development during the assessment process.

The Department consulted with TfNSW as part of its assessment of the application. TfNSW's comments are detailed in **Section 5**. Where applicable, the Department has included TfNSW's requirements in the recommended conditions of consent.

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

Chapter 3 of the Resilience and Hazards SEPP aims to identify developments with the potential for significant off-site impacts, in terms of risk and/or offence. A development is defined as potentially hazardous and/or potentially offensive if, without mitigating measures in place, the development would have significant risk and/or adverse impact on off-site receptors. The development would not require the storage of quantities of dangerous goods in excess of the triggers established in the Department's Applying (the former) SEPP 33 guidelines (January 2011) and therefore a Preliminary Hazard Analysis (PHA) was not required.

Chapter 4 of the Resilience and Hazards SEPP aims to provide a State-wide approach to the remediation of contaminated land.

The development site does not have any record of contaminated lands in the NSW EPA Public Register nor was contamination identified in the limited Phase 2 investigation. Furthermore, as the site is sealed with concrete hardstand, does not involve extensive building construction or excavation, the Department is satisfied the development does not require further contamination assessment or remediation. To manage residual contamination risks associated, the Applicant will be required to include an unexpected contamination finds procedure in its Construction Environmental Management Plan.

Liverpool Local Environmental Plan 2008

The Clause 2.6 of the Industry and Employment SEPP specifies the SEPP prevails to the extent of any in consistency with any Local Environmental Plan (LEP). The Department has reviewed the relevant provisions of the LLEP and notes the site is not identified in any maps of the LLEP relating to principal development standards. The Department also notes the provisions relating to clause 6.5 Terrestrial Biodiversity and clause 6.6 Riparian Land and Watercourses.

The LLEP aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Liverpool LGA. The LLEP also aims to conserve and protect natural resources and foster economic, environmental and social wellbeing. The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the LLEP and those matters raised by Council in its assessment of the development (see Section 6).

The Applicant has assessed and designed the proposal having regard to the relevant considerations of the Liverpool LEP. The Department is satisfied the development is consistent with the aims of the Liverpool LEP and the objectives of the E5 Heavy Industrial zone.

Appendix E – Recommended Instrument of Consent

The recommended Instrument of Consent can be found at:

Prestons Waste Treatment Facility | Planning Portal - Department of Planning and Environment