

State Significant Development Application – SSD 9601

Proposed Plant 2 Upgrade Works – 780 Wallgrove Road, Horsley Park (Lot 7 DP 1059698)

Table 1: Clause 12 – Matters to be Considered by the Consent Authority (WSP SEPP)			
Relevant Requirement	Applicant's Response	Trust Comments	Response to Submission
<i>(a) The aim of this Policy, as set out in clause 2,</i>			
<i>(d) protecting and enhancing the natural systems of the Western Parklands, including flora and fauna species and communities and riparian corridors, and</i>	The proposed development would be undertaken at least 150m east of the nearest waterbody (a tributary of Eastern Creek which traverses through Lot 7 from south to north). No vegetation is required to be cleared to facilitate the proposed development. However, the proposed development would improve the air quality performance of the site, potentially resulting in improved ecological outcomes for the surrounding locality.	The proposed on-site detention appears to be located within 50m of Eastern Creek, directly adjacent highly vegetated land. The applicant has not demonstrated how the proposal will protect and enhance the natural systems of the Western Sydney Parklands, including flora and fauna species and communities and riparian corridors. WSPT considers that environmental improvement works in the riparian corridor should form part of the proposal.	It is noted, that the basin was positioned in the location of an existing soil stockpile in an area of the Site which was already heavily disturbed by previous earthworks. There is potential for some scope to include provisions for riparian replanting around the perimeter of the basin (particularly the western side) to enhance flora and fauna values.
<i>(g) facilitating public access to, and use and enjoyment of, the Western Parklands.</i>	The proposed development would not impact on the use or enjoyment of the remaining lands within the WSP for public purposes.	The applicant has not addressed opportunities for the proposal to facilitate public access to, and use and enjoyment of, the Western Sydney Parklands. WSPT considers that the applicant should investigate opportunities and deliver walking and cycling links through the site.	Until such a time that the lifespan of the Subject Site ceases, including the quarrying activities permitted on the Site, the potential to consider environmental and recreational links within both the short and long term are considered to be unwarranted and unnecessary due to the future longevity anticipated for the existing and future operations and significant economic value of the Subject Site, with respect to mineral resources.
<i>(j) allowing for interim uses on private land in the Western Parklands if such uses do not adversely affect the establishment of the Western Parklands or the ability of the Trust to carry</i>	The proposed development would not adversely affect the functions of the Western Parklands Trust.	WSPT supports the long term use of the site by Austral. However, it is considered that Austral's proposal should also provide for enhancement of natural systems,	As above.

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<p><i>out its functions as set out in section 12 of the Western Sydney Parklands Act 2006.</i></p>		<p>particularly in the vicinity of Eastern Creek.</p>	
<p><i>(k) ensuring that development of the Western Parklands is undertaken in an ecologically sustainable way</i></p>	<p>As set out in Section 7.1.5, the proposed development would encapsulate the principles of ESD.</p>	<p>WSPT considers that Austral's proposal should also provide for enhancement of natural systems, particularly in the vicinity of Eastern Creek.</p>	<p>Further to adherence with respect to the principles of Ecologically Sustainable Development (ESD) in accordance with Clause 7(4) of the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&A Regulation), the proposal includes provisions for additional landscaping along the eastern boundary of the Subject Site.</p> <p>Accordingly, the Landscape Plan prepared by Geoscapes (refer to Appendix 6) would allow for improved landscaping along the eastern boundary, and as a result would improve the landscape setting, aesthetic and amenity of the side setback adjoining Prospect Reservoir.</p> <p>Additionally, improved landscaping across the Site would facilitate increased nutrient uptake with regard to runoff across the eastern boundary of the Site, thereby improving water quality as a result and further achieving the Water Sensitive Urban Design (WSUD) targets established across the Site for the stormwater management outcomes implemented throughout previous developments.</p>
<p><i>(d) the impact of carrying out the development on environmental</i></p>	<p>Not assessed by the Applicant.</p>	<p>WSPT considers that Austral's proposal should also provide for</p>	<p>The Biodiversity Development Assessment Report (BDAR) prepared</p>

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<p><i>conservation areas and the natural environment, including endangered ecological communities,</i></p>		<p>enhancement of natural systems, particularly in the vicinity of Eastern Creek.</p>	<p>by Cumberland Ecology investigates the potential ecological impacts on biodiversity values and significance across the Site.</p> <p>There are no adverse impacts anticipated to occur</p>
<p><i>(e) the impact on the continuity of the Western Parklands as a corridor linking core habitat such as the endangered Cumberland Plain Woodland,</i></p>	<p>Not assessed by the Applicant.</p>	<p>WSPT considers that Austral's proposal should also provide for enhancement of natural systems, particularly in the vicinity of Eastern Creek</p>	<p>The proposed development avoids and minimises direct impacts on native vegetation and habitat by:</p> <ul style="list-style-type: none"> ▪ Design of building upgrades and accessway upgrades to retain as much as possible of PCT 849 in the east of the Development Site; ▪ Ensuring the accessway drains naturally to the street frontage minimising stormwater runoff through TEC vegetation and North Rocks Park; ▪ Providing shared services corridors to Lots 2 and 3 to minimise disturbance; ▪ Relocating proposed fuel and oil tanks and clay bins to reduce potential impacts on Cumberland Plain Woodland TEC; ▪ Utilising existing accessways and upgrading to prevent further for upgrades and; ▪ Engineering retaining wall in the south to be situated in existing batter vegetated with exotic grasslands and

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			<p>prevent impacts to Cumberland Plain Woodland TEC to the south of the Development Site.</p> <p>Furthermore, by design the upgrades (as proposed), any further reduction to impacts anticipated to PCT 849 within the eastern portion of the Site were not possible due to the following reasons:</p> <ul style="list-style-type: none">▪ The production process of the brick factory results in the finished products exiting the building on the eastern side. This process does not change with the extension;▪ The building extension is required to increase kiln car storage to allow the bricks to air dry. This saves energy and reduces manufacturing costs and environmental impact of the plant;▪ The kiln car storage can only be increased near the end of the brick manufacturing process, which occurs on the eastern side; and▪ Once the building is extended to the east, there is insufficient room for the forklifts to drive around the building and access the existing hardstand area, which is on the western side
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			<p>of the building. The existing retaining wall and batter (containing PCT 849) has thus been moved further to the east to create the forklift access area.</p> <p>Cumberland Ecology note, that the project will result in the reduction in connectivity by approximately 0.14 ha. The reduction of this small area of habitat is not considered likely to significantly impact the movement of mobile fauna species as connective vegetation will remain around all sides of the Subject Site, including vegetation to the north, south and east. Therefore, it is considered unlikely that any native fauna species would be solely reliant on the habitat within the Subject Site.</p>
<p><i>(f) the impact on the Western Parkland's linked north-south circulation and access network and whether the development will enable access to all parts of the Western Parklands that are available for recreational use,</i></p>	<p>Not assessed by the Applicant.</p>	<p>WSPT considers that the applicant should investigate opportunities for walking and cycling links through the site.</p>	<p>As mentioned above. until such a time that the lifespan of the Subject Site ceases, including the quarrying activities permitted on the Site, the potential to consider environmental and recreational links within both the short and long term are considered to be unwarranted and unnecessary due to the future longevity anticipated for the existing and future operations and significant economic value of the Subject Site, with respect to mineral resources.</p>
<p><i>(h) the impact on public access to the Western Parklands</i></p>	<p>Not assessed by the Applicant.</p>	<p>WSPT considers that the applicant should investigate opportunities for</p>	<p>As above.</p>

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		walking and cycling links through the site.	
(i) <i>Consistency with:</i> <i>i. Any plan of management for the parklands, that includes the Western Parklands, prepared and adopted under Part 4 of the Western Sydney Parklands Act 2006, or</i>	Pg 34-35 of EIS – the applicant considers the proposal is consistent with the plan of management.	See below.	Noted. Please refer to the Submission response outlined within Table 11 of the Response to Submissions prepared by Willowtree Planning.
<i>ii. any precinct plan for a precinct of the parklands, that includes the Western Parklands, prepared and adopted under that Part,</i>	Pg 34-35 of EIS – the applicant considers the proposal is consistent with the plan of management.	See below.	Noted. Please refer to the Submission response outlined within Table 11 of the Response to Submissions prepared by Willowtree Planning.