



Australian Government

Department of Infrastructure, Transport, Regional Development and Communications

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NSW Department of Planning and Environment (DPE).
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Via: Jeffrey.Peng@planning.nsw.gov

Dear Mr Peng,

Response to Request for Information - SSD-10446 Luddenham Resource Recovery Facility

Thank you for your email of 15 December 2021 seeking comments from the Department of Infrastructure, Transport, Regional Development and Communications (the Department) on the Responses to Request for Information (RFI) for the proposed Luddenham Advanced Resource Recovery Centre (ARRC) adjacent to the Western Sydney International (Nancy-Bird Walton) Airport (WSA) boundary.

I am aware that WSA Co, the airport operator, has also provided DPE with comments on the proposed development at various stages of the application process, including on the RFI. The Department supports those comments in ensuring land use planning and development in the vicinity of the airport is coherent and compatible with the longer-term operations of the airport, particularly in relation to wildlife attraction, the danger of birdstrike and foreign object debris encroaching on the runway.

In providing comments to DPE, the Department has treated the application for the ARRC in isolation to any proposed modifications to the existing quarry approval that would allow infilling of the void. The views previously expressed by the Department relating to the infilling of the void are still held and the Department questions the viability of the ARRC without infilling of the quarry going ahead. In any case, the commentary provided below relates solely to the proposed ARRC.

Planning Policy and Zoning

The Department continues to maintain its views that the proposed development is not in keeping with the objectives and desired outcomes of the Agribusiness zone which prohibits the proposed land use under the Western Sydney Aerotropolis Planning Package that was finalised in September 2020 and the State Environment Planning Policy (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP) that commenced in October 2020.

Airport Safeguarding

Wildlife attraction

The Department is concerned that the RFI does not adequately address the risk of wildlife strike and wildlife infestation that will potentially occur as a result of the development. The RFI relies on the *Wildlife Strike and Birdstrike Risk Review (EMM 2020b)*, which found that the ARRC development will reduce the wildlife risk and bird-strike risk by reducing access to standing water on the property and including a grass paddock into a fully enclosed warehouse.

Whilst the Department acknowledges that these are good steps towards mitigating bird strike risk, EMM 2020b does not consider if ground based animals could be attracted to the ARRC. Wildlife strike risk associated with ground based animals are discussed in the same ATSB data relied on to develop EMM 2020b however they are not referenced in the review.

Should DPE decide to approve the proposed development, appropriate conditions must be imposed to ensure activities on the site do not adversely impact on aviation safety by attracting wildlife that could result in an increased risk of collisions between wildlife and aircraft at or near the airport. As outlined in s24 of the *National Airport Safeguarding Framework - Guideline C*, there are a number of measures that could be considered by DPE to mitigate risks posed by wildlife, including authority for the airport operators to inspect and monitor properties close to the airports where wildlife hazards have been identified. Further, as recommended in EMM 2020b, should birds or other wildlife start using the site – particularly in numbers of concern – it would be prudent for the operator of the ARRC to engage specialists to survey/monitor the species on the site and mitigate the threats. It is the opinion of the Department that this should be done to the satisfaction of the airport operator.

Foreign Object Debris (FOD)

FOD poses a risk to aircraft, equipment and personnel. FOD can be ingested into engines causing significant and costly damage and can be blown across aprons by jet blast injuring personnel. This is an issue that has not been raised in previous correspondence by the Department however the operators of the ARRC must be made aware of the dangers FOD pose to aircraft operations and control measures put in place to minimise dangers, including induction training for its workforce.

Environmental Protection

Vibration and noise

DITRDC supports WSA Co's comments made in previous submissions, in relation to potential vibration impacts to aviation infrastructure from activities such as crushing and grinding, particularly in relation to fuel facilities. It is recommended that these be addressed prior to any approvals being granted.

Water pollution

The Airports (Environment Protection) Regulations 1997 (AEPRs) establish a Commonwealth system of regulation of, and accountability for, activities that generate (or potentially generate) pollution. Water pollution is considered to have occurred when waters on the airport contain a substance or organism that is likely to adversely affect the water, and/or its physical, chemical, or biological condition.

While the development site is not on the airport site itself, it is located in close proximity to a number of waterways, including Badgerys Creek, which traverse the airport site. There is potential for wastewater runoff to affect waterways in the airport and surrounds if not carefully managed. The Department is of the view that it is incumbent on the applicants to take all reasonable and practicable measures to prevent pollution from its operations, in line with the AEPRs, including the monitoring of water quality.

Furthermore, if the application is successful, a condition must be imposed which permits the Airport Environment Officer (AEO) to monitor the impact of the ARRC on surrounding waterways, as they affect the airport site under the AEPRs.

Recommendations

Notwithstanding the above, should DPE decide to approve the proposed development, the Department recommends conditions be included to ensure there are no adverse impacts on aviation/airport infrastructure, the surrounding environment, the ground transport system, and the safety, efficiency and viability of airport operations. The Department recommends that these conditions be prepared in consultation with WSA Co to ensure adequate protections are in place to safeguard 24/7 operations at the Airport.

Thank you again for providing the Department the opportunity to comment on the RTS for the proposed Luddenham Resource Recovery Facility development. If you require any further information, please contact me on 02 6274 7053 or via Frank.Cardamone@infrastructure.gov.au.

Yours sincerely,



Frank Cardamone
A/g Director, Environment Policy Section
Western Sydney Airport Regulatory Policy Branch
International Aviation, Technology and Services Division

17 February 2022