

**Subject:** RE: [SEC=OFFICIAL] Upper South Creek Advanced Water Recycling Centre Project (SSI-8609189)  
- Response to Submissions

**OFFICIAL**

Hi Nathan,

Thank you for the opportunity to respond to this application. We have reviewed the additional information and provide the following updated comments:

- **5.17.2 Timing of Project:** WSA notes that this Application needs to assess construction impacts on the operations of the airport, in the instance that there is an overlay in timeframes (e.g. construction of the Sydney Water facility is delayed). To mitigate this risk, there would need to be conditions that address if construction of the facility extends into the testing, commissioning and operational phases of the airport. As raised in the original WSA submission, testing and commissioning is likely to occur in this period, which could necessitate 'operational' conditions in the area surrounding WSI. Additional approvals may be required under the *Airports (Building Control) Regulations 1996* and mitigation measures will need to address all potential operational impacts from WSI including in relation to all impacts which are likely to change in the context of an operating airport. This could include, but is not limited to:
  - Operational airspace from crane operations, or vertical air emissions;
  - Construction traffic overlapping with operational airport traffic;
  - Vibration impacts from construction activities on airport operations;
  - Impacts of construction lighting; and
  - Dust impacts on operations.

This contingency would also need to be protected for the pipeline works, which have not been addressed for operational impacts to WSI (see Section 5.17.9 of the Submissions Response).

- **5.17.7 Compliance with Legislation, Regulations, Guidelines:** WSA notes that finalised versions of the Aerotropolis Planning Package have now been released, and a consistency check of this application will need to be undertaken to confirm alignment of the project.
- **5.17.8 Prescribed Airspace:** Sydney Water's response is noted in this section. For the assurance of any future airspace activities being appropriately addressed, the following condition is recommended for inclusion in any future development consent.

"Please note that the *Airports (Protection of Airspace) Regulation 1996* applies to any intrusions into prescribed airspace, which could include:

  - constructing permanent structures, such as buildings, into the protected airspace;
  - temporary structures such as cranes protruding into the protected airspace; or
  - activities causing non-structural intrusions into the protected airspace, such as air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate matter.

If any of the above components would result in a further impact on protected airspace, then approval will need to be obtained in accordance with the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulation 1996*."

- **Table 5-43 'Very High Risk' Designation / Mitigation Measures:** Sydney Water's response is noted on this point. In addition to the mitigation measures being likely to reduce this risk rating, there remains a degree

of uncertainty in relation to the finalised location and make-up of the facilities at the site, as well as the detailed design of the various components of the development. Therefore, there is some ambiguity in relation to the final wildlife risk rating of the development until such a point as the detailed design has been completed, which could have either a positive or negative impact on wildlife attraction risk to WSA. The mitigation measures outlined at management measure AO01 in Appendix B are acknowledged in relation to this issue of design certainty, with the following additional measures potentially included to supplement these:

- No new planting at the site which produces fruit or flowers or is likely to attract birds and wildlife.
  - Design of basins to drain within 48 hours of a rainfall event.
  - Design of development to minimise areas for wildlife use such as nesting or roosting.
- **Table 5-44 Cumulative Impact Assessment:** Further information above Sydney Water’s response is required in relation to cumulative impact of wildlife attraction. Although the response by Sydney Water that “Sydney Water does not have control over the extent and nature of developments on land around the AWRC site”, it needs to be demonstrated how Sydney Water could potentially contribute to this impact noting the cumulative nature of wildlife attraction as a risk, and the proximity of the site to other high risk / wildlife attracting uses. Further assessment demonstrating the potential for the proposal to contribute to existing wildlife movements surrounding the facility is required, as this is a key generator of risk to WSA. A cumulative wildlife impacts assessment is required to be undertaken to address this risk, which identifies:
    - Potential impacts of this site to surrounding wildlife movements;
    - Likelihood of wildlife movements between the Sydney Water site and other key wildlife attractors surrounding the site, including waste management facilities and water bodies;
    - The measures undertaken to mitigate this potential cumulative impact from the site.

Given the location of the site immediately under the Runway 01 approach path, it is critical that this risk is appropriately identified and mitigated through the development assessment process. Additionally, whilst WSA acknowledges that some surrounding uses are likely to change in the coming years (e.g. farm dams being developed as sites are developed for employment uses), other land uses such as waste management facilities are known to operate over the medium term within this area. A precautionary approach to wildlife impact assessment would include a review of existing wildlife generating uses and how this development proposal could contribute to or elevate this risk.

- **Clause 4.19 of SEPP Western Parkland City:** In accordance with the above need for a cumulative assessment, these works need to ensure that the development satisfied Provision 4.19 of *State Environmental Planning Policy (Precincts – Western Parklands City) 2021*, including provision 4.19(2)(b), to ensure that WSA is satisfied under 4.19(2)(c), which includes assessment of:
  - Species, size, quantity, flock behaviour and the particular times of year when the wildlife is likely to be present; and
  - Whether any of the wildlife is a threatened species, and
  - A description of how the assessment was carried out.
- **Table 5-44 Landscape Measures:** Note that as landscaping can directly influence to the wildlife attraction of the development, there will need to be assessment of the landscape design which specifically demonstrates the risk as acceptable. In particular, the use of open water bodies and ‘wetlands’ continue to be of concern to WSA, and will continue to be concerning until sufficient design certainty and design specific assessment is required to demonstrate that the location of such uses will not pose an unacceptable wildlife attraction risk to WSA. By including this level of design certainty at a later design stage, Sydney Water notes the risk that design changes or additional mitigation measures may be required in relation to wildlife attraction when a finalised design is known. It is recommended that Condition AO01 be amended to remove the term ‘feasible’ – this exercise should be undertaken on the basis of risk.
- **5.17.15 Clifton Avenue Intersection:** Sydney Water has noted that Traffic Management Plans would be developed to potentially review the impact of operations on this intersection. Given the already highly congested nature of Elizabeth Drive, it is recommended that extension of the right turn bay be identified as a required upgrade as part of this development, rather than considered as just one potential solution. Management of this issue through soft measures, such as scheduling of movements, is unlikely to result in an acceptable outcome for an intersection already experiencing traffic congestion issues.
- **Other:** Where Western Sydney Airport is to be consulted in the mitigation measures, it is also requested that the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications be identified as a relevant consultation body as well.

Thank you again for the opportunity to review this response to submissions – we are available to discuss any of the above further as required.

Kind regards,

Tim

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