

Sally Munk  
Principal Planning Officer  
Department of Planning, Industry and Environment  
Locked Bag 5022  
Parramatta NSW 2124

Dear Ms Munk

**No. 339 Wallgrove Road, Eastern Creek – Western Sydney Energy and Resource Recovery Centre (SSD-10395)**

Thank you for the opportunity to comment on SSD-10395 for the proposed Western Sydney Energy and Resource Recovery Centre at No.339 Wallgrove Road, Eastern Creek.

The Western Sydney Planning Partnership (the Partnership) finalised the Western Sydney Aerotropolis Planning Package on 11 September 2020, with the State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP) commencing on the 1<sup>st</sup> October 2020. Although the development application was lodged prior to the 1<sup>st</sup> October 2020 and savings and transitional provisions apply, an assessment of the proposed development against the Aerotropolis SEPP is provided in **Attachment 1**.

The Planning Partnership notes the site is located outside of the Western Sydney Aerotropolis growth area. The subject site is however affected by development controls relating to airport safeguarding as identified by the Aerotropolis SEPP.

The Partnership notes that the Environmental Impact Statement (EIS) accompanying the application has considered the applicable Obstacle Limitation Surface (OLS) and the Proponent has consulted with Western Sydney Airport, Airservices Australia and Civil Aviation Safety Authority. Notwithstanding, the Partnership is of the view the application should address Part 3 Development controls – Airport Safeguards of the Aerotropolis SEPP, given the site is partially within the 13km radius of the Western Sydney Airport.

I trust this information has been of assistance. If you have any more questions, please contact Krishti Akhter, Senior Planning Officer, Planning Partnership Office on 9860 1565 or via email at [krishti.akhter@planning.nsw.gov.au](mailto:krishti.akhter@planning.nsw.gov.au).

Yours sincerely



**Andrew Jackson**  
Director, Planning Partnership Office  
Western Sydney Planning Partnership

23 November 2020

## ATTACHMENT 1 – DETAILED COMMENTS FROM PLANNING PARTNERSHIP

### Strategic Planning Context

On 11 September 2020, this Package was finalised. The package comprises of:

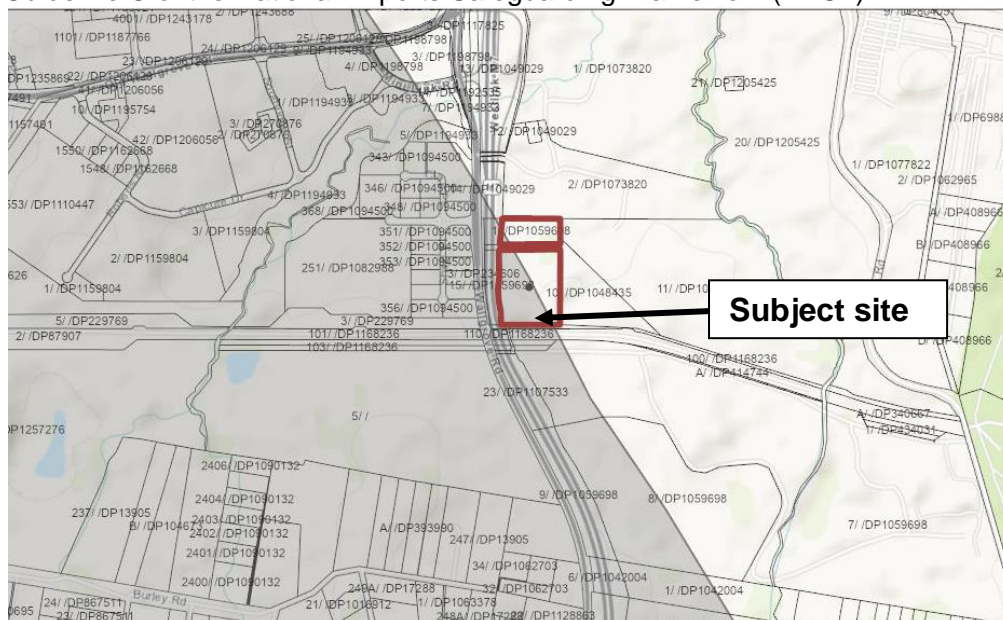
- Western Sydney Aerotropolis Plan (WSAP)
- Western Sydney Aerotropolis Plan Finalisation Report
- State Environmental Planning Policy (Western Sydney Aerotropolis) 2020
- Amendment to the Environmental Planning and Assessment Regulation 2000
- New Ministerial Direction 7.8 Implementation of Western Sydney Aerotropolis Plan
- Western Sydney Aerotropolis Development Control Plan (DCP) Phase 1

The Planning Partnership notes the site is located outside of the Western Sydney Aerotropolis growth area. The subject site is however affected by development controls relating to airport safeguarding as identified by the Aerotropolis SEPP, given the site is partially within the 13km radius of the Western Sydney Airport.

### State Environmental Planning Policy (Western Sydney Aerotropolis) 2020

Although the site is located outside the Western Sydney Aerotropolis, the following clauses of the Aerotropolis SEPP apply to the subject site and will need to be considered in determining the application:

1. **Clause 21 – Wildlife Hazards** – this clause applies as the site is partially located within a 13km radius of the Western Sydney Airport (see Figure 1 below). The Partnership notes that the EIS incorrectly identifies the site as being entirely outside the 13km radius of the Airport (See Figure 1). The Planning Partnership suggest the EIS considers the proposal against Clause 21 of the Aerotropolis SEPP. (Refer below to comments relating to Guideline C of the National Airports Safeguarding Framework (NASF)).



**Figure 1: Wildlife buffer map**

Wildlife Buffer Areas



2. **Clause 24 - Airspace operations** – as the site is affected by the Obstacle Limitation Surface map of the Aerotropolis SEPP, Clause 24 of the SEPP applies. The Partnership notes the Proponent has consulted with Western Sydney Airport, Airservices Australia and Civil Aviation Safety Authority, who have confirmed that the proposal will not cause a risk to aviation safety. On this basis, the Partnership is satisfied that Clause 24 of the Aerotropolis SEPP has been satisfactorily addressed. However, it is suggested the EIS specifically reference Clause 24 of the Aerotropolis SEPP.

### **NASF Guidelines**

Due to the proximity of the site to the Western Sydney International (Nancy-Bird Walton) Airport, the NASF guidelines should be considered in the assessment of the application. It provides decision makers guidance to manage the compatibility to uses around airports.

1. **NASF Guideline C – Managing Wildlife Strike Risk**

Due to the subject site being partially located within a 13km radius of the Western Sydney International (Nancy-Bird Walton) Airport, the EIS should reassess the proposal against Guideline C – Managing Wildlife Strike Risk of the of the National Airports Safeguarding Framework (NASF). The proposed resource recovery facility is also listed as a wildlife attraction risk land use in Attachment 1 of Guideline C - Managing Wildlife Strike Risk of the NASF. The proposed use is a non-putrescible waste facility - transfer station which requires the proponent to mitigate the risk.

Any landscaping species being planted should be on the proviso they do not attract wildlife or grow to a size which will penetrate the OLS. As such, the proposal should be appropriately re-assessed against NASF Guideline C - Managing Wildlife Strike Risk.

2. **NASF Guideline F – Managing the Risk of Intrusions into the Protected Airspace of Airports**

As the subject site is within the land identified within the Obstacle Limitation Surface of the Western Sydney International (Nancy-Bird Walton) Airport, NASF Guideline F – Managing the Risk of Intrusions into the Protected Airspace of Airports should be considered.

The Partnership notes that the EIS has provided an assessment of the proposal against NASF Guideline F – Managing the Risk of Intrusions into the Protected Airspace of Airports and that the proponent has consulted with Western Sydney Airport, Airservices Australia and Civil Aviation Safety Authority, which has confirmed that the proposal will not cause a risk to aviation safety.