

Department of Planning, Industry and Environment  
Industry Assessment  
Locked Bag 5022  
**PARRAMATTA NSW 2150**

Sent by email: [shaun.williams@planning.nsw.gov.au](mailto:shaun.williams@planning.nsw.gov.au)

**Re: SSD 9540 – Request for additional input into SEARs – Brandown Resource Recovery Facility – Lot 90 Elizabeth Drive, Cecil Park**

Dear Mr Williams,

I write in relation to the request to provide additional input into the Secretary's Environmental Assessment Requirements (SEARs) for the proposed resource recovery facility at Lot 90 Elizabeth Drive, Cecil Park.

On 15 November 2018, Council submitted input into the SEARs request for the proposed development. The submission included issues related to strategic context, industrial hazards, bushfire, construction impacts, operational impacts, wastewater disposal, socioeconomic impacts, biodiversity, and consultation requirements associated with the proposed development.

Council staff provides the attached comments on the following issues: strategic planning considerations, environmental considerations, traffic and transport, Aerotropolis SEPP, utility and services and consultation to be considered in SEAR's.

Should you require further information, please contact Masud Hasan, Senior Strategic Planner on 8711 7383.

Yours sincerely



**Charles Wiafe**  
A/Manager Planning and Transport Strategy

### Strategic planning considerations

The subject site is zoned RU4 (Primary Production Small Lots) under the Liverpool Local Environmental Plan 2008 (LLEP 2008) and development for the purposes of a resource recovery facility is prohibited in the zone.

On 22 October 2020, the property owner discussed the preparation of a planning proposal to support rezoning of the land located at Lot 90 and Lot 91 Elizabeth Drive, Cecil Park. The owner (and their consultants) discussed the opportunity to rezone the site from RU4 Primary Production – Small Lots to IN3 Heavy Industry, to make 'Resource Recovery Facility' and other heavy industrial uses permissible on the site. The intended rezoning of the land can be achieved through an amendment to the LLEP 2008.

If the planning proposal is to be pursued, the proposal will be required to demonstrate consistency with the objectives, directions, priorities and actions of the Greater Sydney Regional Plan, Western City District Plan, Council's Local Strategic Planning Statement, Community Strategic Plan and Council's Industrial and Employment Lands Strategy and Rural Land Study to demonstrate its merit. This will also require demonstration on its consistency with the ministerial directions (Section 9.1 Directions) and applicable SEPPs.

Whilst no planning proposal has been lodged with Council, the intended rezoning will make the 'Resource Recovery Facility' a permissible development on the subject site under the LLEP 2008.

Land at 1400-1480 Elizabeth Drive (parcels to the north of the site with frontage to Range Road) is subject to LLEP 2008 draft amendment 83. This planning proposal seeks to rezone the land from RU4 to IN2 light industrial. The proposal will support the development of the site for warehousing type uses. The proposal received a gateway determination (PP\_2020\_002\_00) in August 2020 and has been subject to public authority and community consultation. Upon resolving issues relating to access arrangement, which was raised during the exhibition period, it is considered that the proposal will likely be finalised in mid-late 2021.

Council is reviewing the submissions received. It is expected that the proposal will be finalised in mid-late this year.

### Environmental considerations

Initial investigation indicates that, the subject site contains existing native vegetation and could provide habitat for native fauna. In addition, Council's mapping of Threatened Ecological Communities (as per the Biodiversity Conservation Act) has identified Critically Endangered species on the land. Impacts on any threatened ecological communities will need to be documented, and any development proposal should detail how impacts will be managed or mitigated.

Part of the subject site also contains non-biodiversity certified land. It is recommended that consultation is carried out with the Environment, Energy and Science (EES) Group of the Department of Planning, Industry and Environment (DPIE) to determine how the

proposed development must address the order. The proponent is to seek advice from the EES Group prior to submitting the EIS, and include the response with it.

The subject site further contains environmentally significant land, as per the LLEP 2008, and is adjacent to Kemps Creek Nature Reserve, which has recorded threatened fauna species. The EIS must address the environmental significance of the site and any threatened species that may be present.

The site is also affected by flooding and bushfire hazards. The EIS needs to include strategies to manage and mitigate these hazards as appropriate.

#### Traffic and transport

The subject site currently has access from Elizabeth Drive via Range Road. Range Road is located on Crown land. The road and intersection treatment with Elizabeth Drive will require upgrading to facilitate suitable access to the proposed development.

It is recommended that the proposed development identifies future access arrangements to the site, anticipating the construction of the M12 Motorway. Given that Range Road is located on crown land, and that multiple stakeholders hold an interest in it being improved, it is suggested that all parties should meet to discuss how the upgrading of the road to an urban standard, or construction of an alternative street, can be facilitated at no cost to Council. A Planning Agreement (PA) with Council could facilitate the upgrading of Range Road and the associated traffic management facilities.

The EIS needs to include required future public transport infrastructure and services, sustainable/active transport facilities, road upgrade and traffic management works, with associated funding regime particularly for Range Road upgrade.

#### Aerotropolis SEPP

The Western Sydney Aerotropolis SEPP 2020 is applicable to the south-western portion of the subject site and this area is zoned 'Environment and Recreation' under the SEPP. The EIS submission should acknowledge and discuss the application of this zone where relevant.

The subject site is also subject to provisions of the SEPP via the Wildlife Buffer Zone and Obstacle Limitation Surface (OLS) maps. The proposed development will need to identify the restrictions imposed by the Wildlife Buffer Zone and OLS (if any) and describe how the proposed development will conform to these restrictions, or otherwise ensure that it is capable of being consistent with these controls.

#### Utility and services

The site is located in an area that does not have connection to public water and sewer network. The upgrade of the existing on-site sewer management facility or installation of a new system will need to be considered in a manner that will ensure effluent can be managed satisfactorily.

The EIS needs to include strategies for the provision of water and sewer infrastructure to service the development site.

A utility and servicing report is recommended to detail the planned provision of water and sewer services for the site.

#### Consultation

- The applicant needs to consult with Transport for New South Wales and other relevant stakeholders regarding the upgrading of Range Road, Elizabeth Drive and access arrangement to the subject site.
- Consultation is required with Council for a potential planning agreement to facilitate Range Road upgrade and any required upgrading of the traffic management facilities within the area.
- Advice from the EES Group of DPIE is needed in relation to matters to be considered for non-biodiversity certified land on the site.
- Sydney Water needs to be consulted to discuss the provision of water and sewer services in the area.