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Senders ref: SSD 9601

Shaun Williams  
Environmental Assessment Officer  
Industry Assessments  
NSW Department of Planning, Industry and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Williams,

**Subject: New Request for Advice – Horsley Park Brickworks Plant 2 Upgrade (SSD 9601)**

Thank you for your e-mail dated 2 October 2019, inviting Environment, Energy and Science Group (EES) in the Department of Planning, Industry and Environment to comment on the Horsley Park Brickworks Plant 2 Upgrade (SSD 9601). It is understood that consent is being sought to carry out upgrade works to the existing brickmaking plant, to achieve optimal efficiency outcomes in line with best practice, as well as construction of a new kiln with the same capacity as the Plant's 2 existing kilns. There would be no increase to the 80 million bricks which are produced at Plant 2 annually.

EES has reviewed the Environmental Impact Statement (EIS) prepared by Willow Tree Planning dated August 2019 and other relevant supporting documents. EES notes that the proposed development is based on addressing environmental issues stemming from the kiln with respect to gas usage and emissions. EES makes the following comments:

Aboriginal Cultural Heritage

EES in its previous correspondence dated 26 October 2018 requested as part of the SEARs that an Aboriginal Cultural Heritage Assessment Report (ACHAR), be undertaken. However, the EIS states that *"it is considered that there is low potential for the site to contain previously unidentified items of Aboriginal cultural heritage"*.

EES still recommends that an ACHAR be undertaken and completed as outlined in the SEARs.

Biodiversity

Whilst a formal BDAR Waiver has not been submitted, the EIS contains a Biodiversity Assessment (BA) prepared by Cumberland Ecology dated 8 April 2019 which concludes *"that the preparation of a BDAR is not necessary due to the likelihood of significant impacts to biodiversity. Therefore, we recommend that a waiver for the preparation of a BDAR sought from the Department of Planning and Environment for the proposed Plant 2 upgrade works, constituting State Significant Development"*.

It should be noted that EES would not grant a BDAR Waiver, for the reasons outlined below.

The BA states *"that the site is predominantly comprised of low biodiversity value exotic dominated grassland. Also present are two small occurrences of extremely degraded Cumberland Plain Woodland with reduced ecological function, and a minimal area of planted natives. Both of these communities may comprise sub-optimal foraging habitat for some threatened and nonthreatened fauna species"*.

EES notes that the proposal will lead to the removal of Cumberland Plain Woodland (CPW), albeit degraded, and does not support the above statement because according to the species lists from the quadrats and random meander searches (RMS) (Table 3), there are a number of locations on the site that have a mix of native CPW tree, shrub and grass species. For example, quadrat 1 has 13 native species including trees, shrubs, grasses, forbs and 'others'. RMS point 4 has 12 species, including trees, shrubs, grasses, forbs and 'others'. RMS point 5 has 10 species including trees, shrubs, grasses, forbs and 'others'.

The BA also states that *"the overall property that the site occurs within is likely to provide habitat connectivity along the vegetated eastern boundary and central riparian corridor. These areas of vegetation are outside of the Development site. Vegetation within the site is unlikely to provide significant habitat connectivity as patches of vegetation are isolated by cleared areas and buildings"*.

EES does not support this statement because, the site is adjacent to the extensive and significant bushland in Prospect Reservoir and along Eastern Creek. There are connections between the vegetation on site and these other areas, albeit with a small break in the south east just off site.

Therefore, it is recommended that a BDAR be submitted as outlined in the SEARs.

#### Flooding

The proposed development is unlikely to change flood risks based on the modelling results from the Flood Impact Assessment undertaken in 2015. The changes of flood level from existing conditions to the post-development stage under a PMF Flood Event would be small and/or insignificant both at the development site and its downstream areas within the Brick Pit complex. The development works are unlikely to have any impacts on creek and downstream area flooding due to a proposed on-site detention storage which is expected to restrict the peak flows to the pre-development stage. The development site would not be subject to evacuation difficulties under a PMF Flood Event.

#### Sustainability

The proponent has included sustainability measures in the submission (soil and water management plan and civil engineering design) to capture and reuse rainwater from the proposed roof areas for non-potable usages. It is recommended that the proponent also consider the following sustainability measures in conjunction with water management.

- The solar energy should be captured using solar PV or solar thermal from the expansive roof areas of new buildings of the development site. This will align with the NSW Government's initiatives for Net Zero Emission by 2050 (<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Climate-change/achieving-net-zero-emissions-by-2050-fact-sheet-160604.pdf>) and energy saving scheme (<https://energy.nsw.gov.au/government-and-regulation/energy-savings-scheme>).
- The additional canopy cover via tree plantation should be developed at the Brick Pit complex in conjunction with the development activities which would have beneficial effects on urban cooling through mitigation of potential urban heat island effects under the projected climate change conditions where the number of hot days is likely to be increased (<https://climatechange.environment.nsw.gov.au/>). This will support the NSW Government's initiatives for Five Million Trees Program (<https://www.planning.nsw.gov.au/Policy-and-Legislation/Open-space-and-parklands/5-million-trees>). Furthermore, a well-developed tree canopy at the Brick Pit complex would provide a buffer to the adjoining areas which are under consideration for future release by Fairfield City Council ([http://www.fairfieldcity.nsw.gov.au/downloads/file/2221/draft\\_structure\\_plan\\_options\\_abc](http://www.fairfieldcity.nsw.gov.au/downloads/file/2221/draft_structure_plan_options_abc)).

Please be advised that a separate response may be provided on heritage matters by the Heritage Division of Department of Premier and Cabinet as delegate of the Heritage Council of NSW.

Should you have any queries regarding this matter, please contact Bronwyn Smith, Senior Conservation Planning Officer on 9873 8604 or [Bronwyn.smith@environment.nsw.gov.au](mailto:Bronwyn.smith@environment.nsw.gov.au)

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18/10/19

**DANA ALDERSON**

**A/Senior Team Leader Planning**

**Greater Sydney**

**Climate Change and Sustainability**