



Planning & Environment

Planning Services

Industry Assessments

Contact: Shaun Williams

Phone: (02)8275 1345

Email: shaun.williams@planning.nsw.gov.au

Our Ref: SSD 9601

Ms Megan Kublins
Brickworks Limited
Mezzanine 50 Carrington Street
Sydney NSW 2000

Dear Ms Kublins

Planning Secretary's Environmental Assessment Requirements Brickworks Plant 2 Upgrade (SSD 9601)

Please find attached a copy of the Planning Secretary's environmental assessment requirements (SEARs) for the preparation of an environmental impact statement (EIS) for the Brickworks Plant 2 Upgrade at 780 Wallgrove Road, Horsley Park in the Fairfield local government area (LGA).

The SEARs have been prepared in consultation with the relevant public authorities (see **Attachment 2**) based on the information you have provided to date. Please note that the Planning Secretary may modify these requirements at any time. If you do not submit a Development Application (DA) and EIS for the development within two years, you must consult further with the Planning Secretary in relation to the preparation of the EIS. The Department of Planning and Environment (the Department) will review the EIS for the development carefully before putting it on public exhibition and will require you to submit an amended EIS if it does not adequately address the SEARs.

The Department wishes to emphasise the importance of effective and genuine community consultation where a comprehensive open and transparent community consultation engagement process must be undertaken during the preparation of the EIS. This process must ensure that the community is provided with a good understanding of what is proposed, description of any potential impacts and they are actively engaged in issues of concern to them.

Please contact the Department at least two weeks before you propose to submit your DA and EIS. This will enable the Department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- determine the number of copies (hard-copy and CD/DVD) of the DA and EIS that will be required for reviewing purposes.

If your development is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Commonwealth Department of the Environment to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

If you have any questions, please contact Shaun Williams on the details listed above.

Yours sincerely

Chris Ritchie

Director

Industry Assessments

As delegate of the Planning Secretary

16/11/18.

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 9601
Project Name	Horsley Park Brickworks Plant 2 Upgrade
Development	<p>Upgrade works to existing Brickworks Plant 2 brick manufacturing facility including:</p> <ul style="list-style-type: none"> • a new kiln to replace existing 2 kilns; • kiln car storage extension and relocated dehacker with an area of 3,500m²; • a 1,600 m² building for consolidated additives area and regularisation of building; • new footings for relocated clay bins and conveyor system; • extending existing clay storage building by 1,000m² for additional undercover stockpile area; and • new footings for existing scrubber.
Location	780 Wallgrove Road, Horsley Park
Applicant	Brickworks Limited
Date of Issue	16 November 2018
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in Clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>. In addition, the EIS must include a:</p> <ul style="list-style-type: none"> • detailed description of the development, including: <ul style="list-style-type: none"> – need for the proposed development; – justification for the proposed development; – likely staging of the development; – likely interactions between the development and existing, approved and proposed operations in the vicinity of the site; and – plans of any proposed building works. • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment; • detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> – a description of the existing environment, <u>using sufficient baseline data</u>; – an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; and – a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development, including proposals for adaptive

	<p>management and/or contingency plans to manage significant risks to the environment; and</p> <ul style="list-style-type: none"> – consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS. <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the capital investment value (CIV) of the proposal as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>, including details of all components of the CIV; and • a close estimate of the jobs that will be created by the development during the construction and operational phases of the development; and certification that the information provided is accurate at the date of preparation.
<p>Key issues</p>	<p>The EIS must include an assessment of the potential impacts of the proposal (including cumulative impacts) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts. The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> • Community and Stakeholder Engagement – including: <ul style="list-style-type: none"> - a detailed community and stakeholder participation strategy which identifies who in the community has been consulted and a justification for their selection, other stakeholders consulted and the form(s) of the consultation, including a justification for this approach - a report on the results of the implementation of the strategy including issues raised by the community and surrounding occupiers and landowners that may be impacted by the proposal - details of how issues raised during community and stakeholder consultation have been addressed and whether they have resulted in changes to the proposal - details of the proposed approach to future community and stakeholder engagement based on the results of the consultation. • Strategic Context – including: <ul style="list-style-type: none"> – detailed justification for the proposal and suitability of the site and proposed transport routes; – details of any proposed consolidation or subdivision of land; and – demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, adopted precinct plans, draft district plan(s) and adopted management plans and justification for any inconsistencies. <p>The following documents must be addressed:</p> <ul style="list-style-type: none"> ○ <i>State Environmental Planning Policy (Western Sydney Parklands) 2009</i>; ○ the <i>Parklands Plan of Management 2020</i>; ○ the <i>Parklands Plan of Management 2020 Supplement</i>; ○ the <i>Parklands draft Plan of Management 2030</i>. • Air Quality - including: <ul style="list-style-type: none"> - a comprehensive air quality impact assessment (AQIA) of all potential point source and fugitive air emissions (including odour) and dust impacts from the development, including details of air quality impacts on private properties in accordance with relevant Environment Protection Authority guidelines;

	<ul style="list-style-type: none"> - details of mitigation, management and monitoring measures for preventing and/or minimising both point and fugitive emissions; and - an assessment of the effectiveness of the proposed air quality mitigation measures. • Noise – including: <ul style="list-style-type: none"> - description of all potential noise sources such as construction, operational and traffic noise; - a comprehensive noise impact assessment including a cumulative noise impact assessment in accordance with relevant Environment Protection Authority guidelines; and - details of noise mitigation, management and monitoring measures. • Traffic and Transport – including: <ul style="list-style-type: none"> - details of the current daily and peak hour vehicle, public transport, pedestrian and bicycle movements and existing traffic on the road network located adjacent to the proposed development; - details of all traffic and transport demands likely to be generated during construction and operation, including a description of haul routes; - details on access to the site from the local road network, including intersection location, design and sight distance, and strategic road network (i.e. motorways); - impact of the proposed development on existing and future public transport and walking and cycling infrastructure within and surrounding the site; - an assessment of predicted impacts on road safety and the capacity of the road network to accommodate the project; - details of access and parking arrangements for emergency vehicles; - demonstrate the measures to be implemented to encourage employees of the development to make sustainable travel choices, including walking, cycling, public transport and car sharing; - plans of any road upgrades or new roads required for the development including the potential to create an east-west road connection through the site linking Wallgrove Road with Ferrers Road; and - detailed plans of the proposed layout of the internal road network and parking on site in accordance with the relevant Australian standards. • Soils and Water - including: <ul style="list-style-type: none"> - a description of the catchment and proximity of the site to waterways; - consideration of potential local and mainstream flooding impacts; - an assessment of potential surface and groundwater impacts associated with the development, including potential impacts on watercourses and riparian areas, groundwater and groundwater dependent communities nearby; - a description of the surface, stormwater and wastewater management systems, including on site detention, and measures to treat or reuse water; - a detailed water balance including a description of the water demands and breakdown of water supplies; and any water licensing requirements; - description of the measures to minimise water use; - details of site history with regards to potential contamination; and
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	<ul style="list-style-type: none"> - description of the construction erosion and sediment controls. • Waste Management – including: <ul style="list-style-type: none"> - details of the quantities and classification of waste and wastewater to be generated on site; - details on waste storage, handling and disposal; and - details of the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2007</i>. • Bushfire and Incident Management – including: <ul style="list-style-type: none"> - an assessment of the level of hazard posed to future development on adjacent land and how the hazards may change as a result of development - address the requirements of Planning for Bush Fire Protection 2006 (RFS), in particular the provision of access (including perimeter roads) and water supply for firefighting purposes. • Biodiversity – including: <ul style="list-style-type: none"> - details of the number of trees to be removed and the number of trees to be planted on the site; - and assessment and documentation of biodiversity impacts related to the development in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR) in the form required section 6.12 of the <i>Biodiversity Conservation Act 2016</i>, section 6.8 of the <i>Biodiversity Conservation Regulation 2017</i> and the Biodiversity Assessment Method. • Visual – including: <ul style="list-style-type: none"> - height, scale, signage and lighting, particularly from nearby public receivers and vantage points of the broader public domain (i.e. roads); and - landscaping to minimise visual impacts and/or offset any clearing. All species used for landscaping shall be listed within the 'Cumberland Plain Woodland' endangered ecological community. • Greenhouse Gas – including: <ul style="list-style-type: none"> - A quantitative assessment of the potential Scope 1 and 2 greenhouse gas emissions of the development, and a qualitative assessment of the potential impacts of these emissions on the environment; and - a detailed description of the measures that would be implemented on site to ensure that the development is energy efficient. • Hazards – including an assessment of the potential fire risks of the development. • Cumulative Impacts – particularly in relation to air, noise and traffic associated with other nearby industrial or commercial operations.
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • Environmental Protection Authority • Fairfield City Council • Office of Strategic Lands • NSW Roads and Maritime Service • Office of Environment and Heritage

	<ul style="list-style-type: none"> • Department of Primary Industries • NSW Fire Brigade • Local community and other stakeholders <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

ATTACHMENT 1 Technical and Policy Guidelines

The following guidelines may assist in the preparation of the environmental impact statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.shop.nsw.gov.au/index.jsp>

<http://www.australia.gov.au/publications>

Plans and Documents

The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.

In addition, the EIS must include the following:

1. An existing site survey plan drawn at an appropriate scale illustrating:
 - the location of the land, boundary measurements, area (sqm) and north point
 - the existing levels of the land in relation to buildings and roads
 - location and height of existing structures on the site
 - location and height of adjacent buildings and private open space
 - all levels to be to Australian Height Datum (AHD).
2. Locality/context plan drawn at an appropriate scale should be submitted indicating:
 - significant local features such as heritage items
 - the location and uses of existing buildings, shopping and employment areas
 - traffic and road patterns, pedestrian routes and public transport nodes.
3. Drawings at an appropriate scale illustrating:
 - detailed plans, sections and elevations of the existing building, which clearly show all proposed internal and external alterations and additions.

Documents to be Submitted

Documents to submit include:

- 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition
 - Other copies as determined by the Department once the development application is lodged.
-

Policies, Guidelines & Plans

Aspect	Policy / Methodology
Visual	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 2482)
Traffic, Transport and Access	<i>Roads Act 1993</i> <i>State Environmental Planning Policy (Infrastructure) 2007</i> Guide to Traffic Generating Development (Roads and Maritime Services) Road Design Guide (Roads and Maritime Services) Austroads Guide to Traffic Management – Pt 12: Traffic Impacts of Development Austroads Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas NSW Long Term Transport Master Plan
Soils and Water	
<i>Soil</i>	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC) National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC) <i>State Environmental Planning Policy No. 55 – Remediation of Land</i> Managing Land Contamination - Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA)
<i>Acid Sulfate Soils</i>	Acid Sulfate Soil Manual (ASSMAC) Managing Urban Stormwater: Soils & Construction (Landcom)
<i>Erosion and Sediment</i>	Design Manual for Soil Conservation Works - Technical Handbook No. 5 (Soil Conservation Service of NSW) Soil and Landscape Issues in Environmental Impact Assessment (DLWC) Wind Erosion – 2nd Edition
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC) NSW State Groundwater Policy Framework Document (DLWC) NSW State Groundwater Quality Protection Policy (DLWC) NSW State Groundwater Quantity Management Policy (DLWC) Draft The NSW State Groundwater Dependent Ecosystem Policy (DLWC) NSW Aquifer Interference Policy (NOW) Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW) 2011
<i>Stormwater</i>	Bunding and Spill Management (EPA) Managing Urban Stormwater: Strategic Framework. Draft (EPA) Managing Urban Stormwater: Council Handbook. Draft (EPA) Managing Urban Stormwater: Treatment Techniques (EPA) Managing Urban Stormwater: Source Control. Draft (EPA) Managing Urban Stormwater: Harvesting and Reuse (DEC)
<i>Wastewater</i>	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC) National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC) National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) (EPHC, NRMCC & AHMC)
Noise and Vibration	Assessing Vibration: A Technical Guide (DEC, 2006) Noise Policy for Industry (EPA, 2017) Environmental Criteria for Road Traffic Noise (EPA, 1999)

Policies, Guidelines & Plans

Aspect	Policy / Methodology
Air Quality	Noise Guide for Local Government (EPA, 2013)
	Interim Construction Noise Guideline (DECC, 2009)
	Protection of the Environment Operations (Clean Air) Regulation 2002 Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC) Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA 2016)
Greenhouse Gas	AGO Factors and Methods Workbook (AGO)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
Hazards and Risk	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
Waste	Waste Avoidance and Resource Recovery Strategy 2014-21 (EPA)
Bushfire	Planning for Bushfire Protection (Rural Fire Service, 2006)
Biodiversity	
	The Biodiversity Assessment Method (OEH, 2017)

ATTACHMENT 2
Government Authority Responses to Request for Key Issues
For Information Only

ATTACHMENT 1

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Biodiversity	
	The Biodiversity Assessment Method (OEH, 2017)

ATTACHMENT 2
Government Authority Responses to Request for Key Issues
For Information Only

From: Fire Safety
To: [Shaun Williams](#)
Subject: Secretary's Environmental Assessment Requirements (SEARs) - Austral Brick Works Plant 2 Upgrade - 780 Wallgrove Road, Horsley Park
Date: Wednesday, 7 November 2018 11:37:00 AM
Attachments: [image001.gif](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Dear Mr Williams,

In regards to your email correspondence dated the 23rd of October 2018, Fire & Rescue NSW confirms receipt of the SEARs report.

Following a review of the SEARs report FRNSW notes that on page 18 that "any hazardous and / or dangerous goods within applicable warehouses would undergo separate assessment via a SEPP 33 report".

FRNSW requests the opportunity to review and comment on the SEPP 33 and EIS reports once completed.

For any future correspondence regarding this matter, we request that you quote your job / reference number:

Project Reference: FRN15/1238

Job Number: BFS18/3110 (8000005264)

Should you have any further queries regarding this matter, please contact the Fire Safety Branch on 02 9742 7434.

Regards

Fire & Rescue NSW



Administration Officer

FIRE SAFETY ADMINISTRATION UNIT
COMMUNITY SAFETY DIRECTORATE

T: 02 9742 7434 [LinkedIn](#)

E: firesafety@fire.nsw.gov.au

1 Amarina Ave, Greenacre, NSW 2190

Locked Mail Bag 12, Greenacre, NSW 2190

www.fire.nsw.gov.au



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Views expressed in the message are those of the individual sender, and are not necessarily the views of Fire & Rescue NSW. Use of electronic mail is subject to FRNSW policy and guidelines. FRNSW reserves the right to filter, inspect, copy, store and disclose the contents of electronic mail messages, as authorised by law.

This message has been scanned for viruses.

From: Mohammed Rahman
To: [Lands Ministerials](#); [Shaun Williams](#); [Paul Layt](#)
Subject: Fwd: [13 Planning and Assessment] Fwd: Secretary's Environmental Assessment Requirements (SEARs) - Austral Brick Works Plant 2 Upgrade - Wallgrove Road, Horsley Park
Date: Thursday, 1 November 2018 2:55:13 PM

Hi - Lands Ministerials,

A Land status investigation on Austral Brick Works Plant 2 Upgrade - Wallgrove Road, Horsley Park, shows that there is no Crown land features exist.

Therefore, **No comments from crown land at this stage.**

Thank you.

Regards,

Mohammed H Rahman | Natural Resources Management Officer Sydney
Regional Services

Department of Industry, Lands and Water Division

PO Box 2185 DANGAR NSW 2309

T: 02 9842 8331 | F: 02 8836 5365 | E: mohammed.rahman@crownland.nsw.gov.au

W: www.crownland.nsw.gov.au

----- Forwarded message -----

From: Tutis Pereira at Crown Lands <wrike@wrike.com>

Date: Thu, 25 Oct 2018 at 15:03

Subject: [13 Planning and Assessment] Fwd: Secretary's Environmental Assessment Requirements (SEARs) - Austral Brick Works Plant 2 Upgrade - Wallgrove Road, Horsley Park

To: <mohammed.rahman@crownland.nsw.gov.au>



Fwd: Secretary's Environmental
Assessment Requirements (SEARs) -
Austral Brick Works Plant 2 Upgrade -
Wallgrove Road, Horsley Park

ACTIVE

13 Planning a...

From: Lands Ministerials <lands.ministerials@industry.nsw.gov.au>

Received: Oct 24, 2018

Hi

Can you please arrange for review of the attached information to determine if DoI Crown Lands need to provide a response. Can you please return any comments to this email address by 5 November 2018.



9 November 2018

Our Reference: SYD18/01692/01 (A24785584)
Department Ref: SSD 9601

Director
Industry Assessments
Department of Planning & Environment
GPO Box 39 SYDNEY NSW 2001

Attention: Shaun Williams

Dear Sir/Madam,

SEARS REQUEST FOR PROPOSED ALTERATIONS AND ADDITIONS TO UPGRADE THE EXISTING AUSTRAL BRICKS PLANT-2 BRICK MANUFACTURING FACILITY AT 780 WALLGROVE ROAD, HORSLEY PARK

Reference is made to the Department's correspondence dated 24 October 2018, regarding the abovementioned Application which was referred to Roads and Maritime Services (Roads and Maritime) for comment in accordance with the *State Environmental Planning Policy (State and Regional Development) 2011*.

Roads and Maritime has reviewed the submitted information and noted that the proposal does not involve increasing of existing annual production capacity of 80,000 bricks. However, the proposal would 3,500m² of additional building for extended kiln car storage and relocated de-hacker, 1,600m² of new building to match existing for consolidation of additives area and new environmental measures, new footings to relocate clay bins & conveyor system, 1,000m² new building to match existing to increase undercover stockpile area, replacing existing 2 kilns with a new kiln; and new footings for scrubber to be attached to the existing kiln stack.

Roads and Maritime would require the following issues to be included in the transport and traffic impact assessment of the proposed development:

1. Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections and the need/associated funding for upgrading or road improvement works (if required).
2. Details of the proposed accesses and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (i.e.; turn paths, sight distance requirements, aisle widths, etc.).

Roads and Maritime Services

3. Proposed number of car parking spaces and compliance with the appropriate parking codes.
4. Details of service vehicle movements (including vehicle type and likely arrival and departure times).
5. Roads and Maritime requires the EA report to assess the implications of the proposed development for non-car travel modes (including public transport use, walking and cycling); the potential for implementing a location-specific sustainable travel plan (e.g.; Green Travel Plan, 'Travelsmart' or other travel behaviour change initiative); and the provision of facilities to increase the non-car mode share for travel to and from the site. This will entail an assessment of the accessibility of the development site by public transport.
6. Roads and Maritime requires an assessment of the likely toxicity levels of loads transported on arterial and local roads to / from the site and, consequently, the preparation of an incident management strategy for crashes involving such loads, if relevant.

Any further inquiries in relation to this matter can be directed to Ahsanul Amin, A/Senior Land Use Planner on 8849 2762 or by email at development.Sydney@rms.nsw.gov.au.

Yours sincerely,



Pahee Rathan
A/Senior Land Use Assessment Coordinator
Sydney Division – North West Precinct

Mr. Shaun Williams
Planning Officer
Industry Assessments
Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

Dear Mr. Williams,

**Request for input to SEARs for Austral Brick Works Plant 2 Upgrade
780 Wallgrove Road, Horsley Park (SSD 9601)**

Thank you for your email sent on 23 October 2018 requesting Transport for NSW (TfNSW) input on the Secretary's Environmental Assessment Requirements (SEARs) for the proposed Austral Brick Works Plant 2 Upgrade at the subject address.

TfNSW has reviewed the Applicant's Request for SEARs and the draft SEARs provided by the Department of Planning & Environment.

Input has been provided to the draft SEARs overleaf, in RED, as tracked changes.

TfNSW notes that the subject site lies within land identified for corridor investigations for the Western Sydney Freight Line¹. These investigations are ongoing and TfNSW may consult with the Applicant/landowner when required.

If you require any further information regarding this matter, please do not hesitate to contact Ken Ho, Transport Planner, via email at ken.ho@transport.nsw.gov.au.

Yours sincerely



6/11/2018

Mark Ozinga
**Principal Manager, Land Use Planning & Development
Freight, Strategy & Planning**

CD18/09629

¹ Western Sydney Freight Line corridor identification, Transport for NSW 2018,
<<https://www.transport.nsw.gov.au/corridors/wsl>>

From: Andrew Mooney
To: [Shaun Williams](#)
Subject: RE: Secretary's Environmental Assessment Requirements (SEARs) - Austral Brick Works Plant 2 Upgrade - Wallgrove Road, Horsley Park
Date: Thursday, 8 November 2018 12:00:42 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[FCC Submission - 780 Wallgrove Rd, Horsley Park - 9.12.2015.pdf](#)

Hi Shaun

Apologies for the delay in getting back to you

It is noted that a previous major development proposal for the site was referred to Council for comment under SSD 6820 in 2015.

Council requests that the issues contained in its previous submission (attached) be addressed in the scope of the SEARs issued for the current proposal

Council officers would be happy to meet with representatives of Brick Works to discuss the above further

Regards

Andrew Mooney

Executive Strategic Planner | Strategic Land Use Planning
City Strategic Planning

PO Box 21, Fairfield NSW 1860
P 9725 0214 | M 0438 429 601 | F 9725 4249
www.fairfieldcity.nsw.gov.au



From: Shaun Williams [mailto:Shaun.Williams@planning.nsw.gov.au]
Sent: Tuesday, 23 October 2018 11:51 AM
To: Mail Mail; Planning Matters Mailbox; firesafety@fire.nsw.gov.au; records@rfs.nsw.gov.au; development.sydney@rms.nsw.gov.au; environmental.assessments@water.nsw.com.au; Adam Oehlman; DPE PSVC Metro Parramatta Mailbox; development@transport.nsw.gov.au; WSPT Info Mailbox; hr-info@health.nsw.gov.au; DPE FO OSL Reception Mailbox
Subject: Secretary's Environmental Assessment Requirements (SEARs) - Austral Brick Works Plant 2 Upgrade - Wallgrove Road, Horsley Park

In reply please quote: 14/21488

Your Reference: SSD 6820

7 December 2015

Kerry Hamann
Senior Planner
Industry Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY 2001

**LIGHT WEIGHT AGGREGATE FACILITY, WALLGROVE RD, HORSLEY PARK –
SSD 6820**

I refer to public exhibition of the above State Significant development proposal located at the Brickworks Site 780 Wallgrove Road, Horsley Park.

Fairfield City Council has concerns regarding the flood modelling prepared for the proposal as advised by Council's Catchment Branch as follows;

As Council's model of this location treated the quarries as filled, the proponent found that the proposed development could not be modelled correctly, and therefore a local site survey was "patched" on to the flood study model.

The Flood Impact Assessment does not state the limit of the changes to terrain. If there were terrain changes in the greyed out area where no results are being shown, this could significantly underestimate flooding on the site, with the actual flood levels being much higher than shown in the results and additional flooding in surrounding properties.

Therefore, before any flood impacts can be assessed accurately, all figures in the Flood Impact Assessment need to show the entire site and surrounds, with no greyed out area. Also, the extent and details of the terrain patch also needs depicted for better understanding of model changes.

In this regard, potential flooding impacts of the proposal cannot be accurately determined. However, Council officers are happy to meet with the applicants flood engineers to help resolve this matter.

In addition, Council notes the extensive nature of the project involving major site works, provision of new stockpile areas, processing plant and equipment to facilitate production of 600,000 tonnes per annum of aggregate for a range of uses in the building and construction industries.

In this regard, the proposal has the potential to generate a range of impacts on the surrounding natural and built environments and accordingly Council requests that the accompanying conditions of consent be applied to the development.

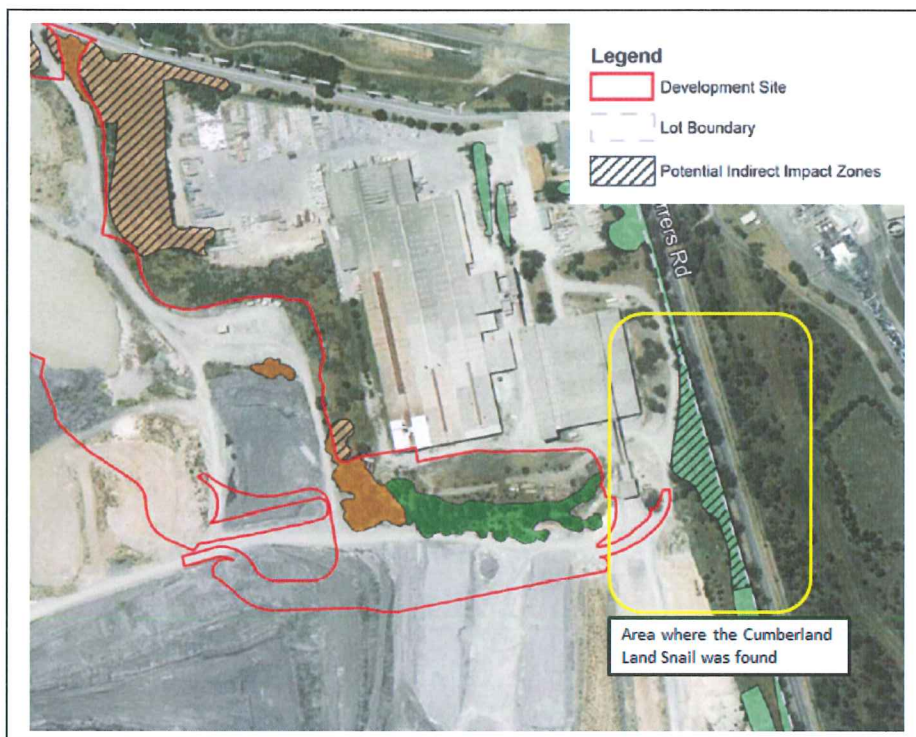
In summary critical matters covered by these conditions relate to the following;

Impacts on Threatened Species

Pursuant to the provisions of the Threatened Species Act Council notes that a 7 part test was undertaken into the potential for impacts on threatened species, populations or EECs.

A review of the EIS documents and from a site visit by Council officers, the location where the Cumberland Plain Land Snail (*Meridolum corneovirens*) was recorded was not within the development footprint, but in a location (see figure below) along the eastern boundary of the site (area approximately 3,200m²) identified to have potential for indirect impacts.

These impacts have been identified in the construction and operational phase and therefore will be an ongoing threatening process to the existence of the population of Cumberland Plain Land Snail on the site. The impacts identified include sedimentation, runoff, trampling and rubbish dumping.



Location of where the Cumberland Plain Land Snail was recorded & potential indirect impact zones (Source: App 8 - Cumberland Ecology Biodiversity Assessment Report – Figure 6)

Based on the above, Council requests that appropriate safeguards be included in the development to protect the subject area on the eastern boundary of Ferrers Road.

This should include the preparation of a fully costed vegetation and fauna management plan prepared by a qualified ecologist in consultation with Fairfield City Council and include (but not be limited to) the following;

- provision of exclusion zones and interpretive signage in proximity to the habitat where the Cumberland Plain Land Snail is located,
- retaining tree logs associated with tree removal to be used as stags and as ground habitat logs,
- any restoration through revegetation is to be undertaken using locally provenance plants,
- provision and maintenance of sediment fences along the boundary of the habitat area in accordance with the Bluebook – Managing Urban Stormwater.

A Desktop search identified that the Green and Gold bell Frog (*Litoria aurea*) has been recorded within a 5km radius of the development site. In addition to this, the favoured habitat for this frog includes brick-pits, as described in the Flora and Fauna Study.

Suitable breeding habitat for this frog has been identified on this site. It is also noted that only one nocturnal study was undertaken in March 2014. Notwithstanding the above, studies for Green and Gold Bell Frogs should be throughout the September to December period, during the frog's breeding season.

A reference site study was undertaken at a known breeding site, the green and golden bell frogs were not calling at this site in March therefore it is recommended that a study during the breeding season be undertaken.

Environmental Management

The EIS has predicted that there would be no significant impacts to noise and air quality and as a result from the proposal. Waste generation is considered to be minor and effectively managed. The site is considered to be suitable for the proposed use however; further "targeted" investigation is required to confirm that the site is free from contamination.

To ensure that proposed mitigation measures/recommendations are complied with, Council recommends that the conditions to be placed on the consent in relation to compliance monitoring of acoustic impacts, certification that all work, methods, procedures, control measures and recommendations in the reports accompanying the EIS have been completed.

More specific details in relation to the above are included in the Attachment to this letter regarding requested conditions of approval for the development

Traffic Management

Council has concerns regarding the impact of heavy vehicles on the road surface of the local road network.

In this regard Council requests that a condition be applied to the development (as included in the Attachment) that all heavy vehicles accessing or leaving the site be restricted to/from Wallgrove Road.

Council notes that the north east corner of the site has been identified for the route of the Southern (arterial) Link Road associated with the Erskine Park Link Road Network. It is recommended that the Department should consider this issue further and include any necessary conditions under the approval to ensure that future establishment of the arterial road corridor through the site is not compromised.

S.94 Contributions

The applicant acknowledges that "*Contributions under the Indirect (s94A) Development Contributions Plan 2011 will apply to the proposal as calculated by Fairfield Council*".

In this regard Council confirms that a 1% contribution of the total capital investment value for the project equivalent to \$1,297,870m is applicable to the development. A condition covering this matter is also included in the Attachment to this submission.

Council appreciates the opportunity to comment on the proposal and please contact the undersigned on 9725 0214 if you have any further enquires in relation to the above.

Yours faithfully



Andrew Mooney
Coordinator Strategic Land Use Planning

Attachment - Requested Conditions of Consent



Department of Industry

OUT18/16425

Mr Shaun Williams
Planning Officer
Industry Assessments
NSW Department of Planning and Environment

Shaun.Williams@planning.nsw.gov.au

Dear Mr Williams

**Austral Brick Works Plant 2 Upgrade (SSD 9601)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)**

I refer to your email of 23 October 2018 to the Department of Industry (DoI) in respect to the above matter. Comment has been sought from relevant branches of Lands & Water and Department of Primary Industries (DPI), and the following requirements for the proposal are provided:

DoI - Water

- The identification of an adequate and secure water supply for the life of the project. This includes confirmation that water can be sourced from an appropriately authorised and reliable supply. This is also to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Proposed surface and groundwater monitoring activities and methodologies.
- Consideration of relevant legislation, policies and guidelines, including the NSW Aquifer Interference Policy (2012), the Guidelines for Controlled Activities on Waterfront Land (2018) and the relevant Water Sharing Plans (available at <https://www.industry.nsw.gov.au/water>).

Any further referrals to Department of Industry can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

Yours sincerely

Alison Collaros
A/Manager, Assessment Advice
Lands and Water - Strategy and Policy
5 November 2018



NSW RURAL FIRE SERVICE



The Secretary
Department of Planning and Environment (Sydney
Offices)
GPO Box 39
SYDNEY NSW 2001

Your reference: NA
Our reference: D18/7809

7 November 2018

Attention: Shaun Williams

Dear Shaun,

State Significant Development Application – 780 Wallgrove Road Horsley Park 2175

Reference is made to correspondence dated 23 October 2018 seeking input regarding the preparation of Secretary's environmental assessment requirements for the above State Significant Development in accordance with the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the information provided and advises that a bush fire assessment report shall be prepared which identifies the extent to which the proposed development conforms with or deviates from the relevant provisions of *Planning for Bush Fire Protection 2006* and/or subsequent edition.

If you have any queries regarding this advice, please contact Matthew Apps, Development Assessment and Planning Officer, on 1300 NSW RFS.

Yours sincerely,

Nika Fomin
Manager, Planning and Environment Services (East)

Postal address

NSW Rural Fire Service
Planning and Environment Services
Locked Bag 17
GRANVILLE NSW 2141

T 1300 NSW RFS
F (02) 8741 5433
E records@rfs.nsw.gov.au
www.rfs.nsw.gov.au



**Office of
Environment
& Heritage**

DOC18/812951
SSD 9601

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

Dear Mr Williams

**Request for SEARs – Austral Brick Works Plant Upgrade – Wallgrove Road, Horsley Park
(SSD 9601)**

Thank you for your letter of 23 October 2018, requesting input into SEARs from the Office of Environment and Heritage (OEH) for the above State Significant Development.

OEH has reviewed the draft Request for Secretary's Environmental Assessment Requirements prepared by Willowtree Planning Pty Ltd dated October 2018 and provides the following recommendations in Attachment A.

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

Should you have any queries regarding this matter, please contact Bronwyn Smith on 9873 8604 or Bronwyn.smith@environment.nsw.gov.au

Yours sincerely

26/10/2018

AMY DUMBRELL
A/Senior Team Leader Planning
Greater Sydney
Communities and Greater Sydney Division

Attachment A – OEH Environmental Assessment Requirements – SSD 9667

Biodiversity
<ol style="list-style-type: none"> 1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and Biodiversity Assessment Method, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations). 2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the <u>Biodiversity Assessment Method</u>. 3. The BDAR must include details of the measures proposed to address the offset obligation as follows; <ul style="list-style-type: none"> • The total number and classes of biodiversity credits required to be retired for the development/project; • The number and classes of like-for-like biodiversity credits proposed to be retired; • The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules; • Any proposal to fund a biodiversity conservation action; • Any proposal to conduct ecological rehabilitation (if a mining project); • Any proposal to make a payment to the Biodiversity Conservation Fund. <p>If seeking approval to use the variation rules, the BDAR must contain details of the <u>reasonable steps</u> that have been taken to obtain requisite like-for-like biodiversity credits.</p> 4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix 11 of the BAM. 5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the <i>Biodiversity Conservation Act 2016</i>.
Aboriginal cultural heritage
<ol style="list-style-type: none"> 6. The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The identification of cultural heritage values must be conducted in accordance with the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH 2010), and guided by the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011) 7. Consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.

8. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.

Note that a due diligence report is not acceptable, a ACHAR must be prepared.

Water and soils

9. The EIS must map the following features relevant to water and soils including:
- Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).
 - Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method).
 - Wetlands as described in s4.2 of the Biodiversity Assessment Method.
 - Groundwater.
 - Groundwater dependent ecosystems
 - Proposed intake and discharge locations
10. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
- Existing surface and groundwater.
 - Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
 - Water Quality Objectives (as endorsed by the NSW Government <http://www.environment.nsw.gov.au/ieo/index.htm>) including groundwater as appropriate that represent the community's uses and values for the receiving waters.
 - Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government.
 - Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions <http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning>
11. The EIS must assess the impacts of the development on water quality, including:
- The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the development protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction.
 - Identification of proposed monitoring of water quality.
 - Consistency with any relevant certified Coastal Management Program (or Coastal Zone Management Plan)
12. The EIS must assess the impact of the development on hydrology, including:
- Water balance including quantity, quality and source.

- b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
- c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
- d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).
- e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.
- f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.
- g. Identification of proposed monitoring of hydrological attributes.

Flooding and coastal hazards

13. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:
 - a. Flood prone land.
 - b. Flood planning area, the area below the flood planning level.
 - c. Hydraulic categorisation (floodways and flood storage areas)
 - d. Flood Hazard.
14. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP, flood levels and the probable maximum flood, or an equivalent extreme event.
15. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:
 - a. Current flood behaviour for a range of design events as identified in 14 above. This includes the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.
16. Modelling in the EIS must consider and document:
 - a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies.
 - b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood, or an equivalent extreme flood.
 - c. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazard categories and hydraulic categories
 - d. Relevant provisions of the NSW Floodplain Development Manual 2005.
17. The EIS must assess the impacts on the proposed development on flood behaviour, including:
 - a. Whether there will be detrimental increases in the potential flood affection of other properties, assets and infrastructure.
 - b. Consistency with Council floodplain risk management plans.
 - c. Consistency with any Rural Floodplain Management Plans.

- d. Compatibility with the flood hazard of the land.
- e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
- f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
- g. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
- h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council.
- i. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the NSW SES and Council.
- j. Emergency management, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the NSW SES
- k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

(END OF SUBMISSION)

Department of Planning and Environment
Industry Assessments
GPO Box 39
SYDNEY NSW 2001

Attention: The Proper Officer

Notice Number 1572220
File Number EF13/3705
Date 12-Nov-2018

**RE: Environmental Assessment Requirements Proposed Plant 2 Upgrade Works - Lot 7
DP1059698 - 780 Wallgrove Road, Horsely Park**

The Environment Protection Authority ("EPA") refers to the request for the requirement for the environmental assessment ("EA") regarding the above proposal, which was received by the EPA on 23 October 2018. The EPA apologises for the delay in the response.

The EPA has considered the details of the proposal as provided by the Department of Planning and Environment ("DPE"). The EPA understands the Austral Brick Co Pty Ltd ("the proponent") intends to carry out upgrade works to the existing brick making plant known as "Plant 2" located at 780 Wallgrove Road, Horsley Park ("the Premises").

The EPA notes land portion is not currently zoned, however will be considered permissible with formal consent provided by DPE under the relevant legislation.

The EPA also notes that the proposal would not see any application for variation needed to the existing environment protection licence as there will be no change in the production rate at the premises.

The EPA has considered the details of the proposal as provided by DPE and has identified the information it requires for the EA in Attachment A. In summary, the EPA's key information requirements for the EA include

1. Air
2. Noise and vibration impacts
3. Waste, Chemical and Hazardous material and Radiation
4. Soil
5. Water

6. Rehabilitation

In carrying out the assessment, the proponent should refer to the relevant guidelines as listed in Attachment B and any relevant industry codes of practice and best practice management guidelines.

Please note that this response does not cover biodiversity or Aboriginal cultural heritage issues, which are the responsibility of the Office of Environment and Heritage.

The Proponent should be made aware that any commitments made in the EA may be formalised as approval conditions and may also be placed as formal licence conditions.

The Proponent should be made aware that, consistent with provisions under Part 9.4 of the *Protection of the Environment Operations Act 1997* ("the POEO Act") the EPA may require the provision of a financial assurance and/or assurances. The amount and form of the assurance(s) would be determined by the EPA and required as a condition of an Environment Protection Licence ("EPL").

In addition, as a requirement of an EPL, the EPA will require the Proponent to prepare, test and implement a Pollution Incident Response Management Plan and/or Plans in accordance with Section 153A of the POEO Act.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jacqueline Ingham'.

.....
Jacqueline Ingham

Unit Head

Waste & Resource Recovery

(by Delegation)

ATTACHMENT A: EA REQUIREMENTS FOR Environmental Assessment Requirements Proposed Plant 2 Upgrade Works - Lot 7 DP1059698 - 780 Wallgrove Road, Horsely Park

How to use these requirements

The EPA requirements have been structured in accordance with the DIPNR EIS Guidelines, as follows. It is suggested that the EA follow the same structure:

- A. Executive summary
- B. The proposal
- C. The location
- D. Identification and prioritisation of issues
- E. The environmental issues
- F. List of approvals and licences
- G. Compilation of mitigation measures
- H. Justification for the proposal

A Executive summary

The executive summary should include a brief discussion of the extent to which the proposal achieves identified environmental outcomes.

1. General

1.1 The EA must address the requirements of section 45 of the POEO Act by determining the extent of each impact and providing sufficient information to enable the EPA to determine appropriate conditions, limits and monitoring requirements for an EPL.

1.2 The EA should be consistent with the relevant guidelines available through DPE, which may include but are not limited to: *EIS Guideline: Extractive Industries Quarries*; *EIS Guideline: Extractive Industries Dredging and Other Extraction in Riparian and Coastal Areas*; and *Guideline 4: Preparing an Environmental Impact Statement* (draft).

1.3 The EA should be consistent with sustainability directions in the *Western City District Plan* (2018).

1.4 The EA should identify any locally specific objectives, criteria or targets which have been endorsed by the NSW Government.

2. Air

2.1 The EA must include an air quality impact assessment (AQIA) prepared in accordance with *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales* (2016).

2.2 The EA must provide a description of the management and mitigation measures that will be used to prevent, minimise and monitor the air quality impacts of the proposal, including how these measures will meet the requirements of the POEO Act, the *Protection of the Environment Operations (Clean Air) Regulation* 2010 and associated air quality limits or guideline criteria.

3. Noise and vibration

3.1 The EA must include a construction noise and vibration impact assessment prepared in accordance with the *Interim Construction Noise Guideline* (2009) and *Assessing vibration: a technical guideline* (2006). Noise on public roads from increased road traffic generated by the proposal is to be assessed in accordance with the *NSW Road Noise Policy* (2011).

3.2 The EA must include an operational noise and vibration impact assessment prepared in accordance with the *Noise Policy for Industry* (2017) and *Assessing vibration: a technical guideline* (2006). Noise on public roads from increased road traffic generated by the proposal is to be assessed in accordance with the *NSW Road Noise Policy* (2011).

3.3 If blasting is required, the EA must demonstrate that blast impacts are to be capable of complying with the guidance contained in *Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration* (1990).

3.4 The EA must provide a description of the management and mitigation measures that will be used to prevent, minimise and monitor the noise and vibration impacts of the proposal.

4. Waste, chemicals and hazardous materials and radiation

4.1 The EA must provide details of the type and quantity of waste, including spoil and asbestos that will be generated by the proposal.

4.2 The EA must provide details of the type and quantity of any chemical substances, including fuels, that will be used or stored onsite during construction and operation of the proposal.

4.3 The EA must provide a description of the spill containment equipment and practices that will be used, consistent with the relevant Australian Standards, for all chemical substances and wastes generated, used or stored onsite during construction and operation of the proposal.

4.4 The EA must provide a description of the management and mitigation measures that will be used to comply with the POEO Act, the *Protection of the Environment Operations (Waste) Regulation 2014* and associated guidelines, including contingency plans for any event that may result in environmental harm.

5. Soils

5.1 The EA must include a soil and land resources impact assessment consistent with *Soil and Landscape Issues in Environmental Impact Assessment* (2000) and the *Acid Sulfate Soils Manual* (1998).

5.2 The EA must provide a description of the management and mitigation measures that will be used to prevent, minimise and monitor the soil impacts of the proposal, consistent with *Managing urban stormwater: soils and construction - volume 1* (2004) and *volume 2* (2008).

6. Water

6.1 The EA must demonstrate how the Proponent will meet the requirements of section 120 of the POEO Act.

6.2 The EA must describe the existing surface water and groundwater quality and include a water quality assessment. At a minimum this assessment must include a surface water flow diagram and water balance. The water balance must identify:

- intake source(s), quality, volume and frequency;
- discharge location(s), quality, volume and frequency;
- any onsite treatment, use or reuse, including for dust suppression.

6.3 The EA must provide a description of the management and mitigation measures that will be used to prevent, minimise and monitor the surface water and groundwater impacts of the proposal.

6.4 If a licensed discharge is proposed, the EA must justify why it cannot be avoided and why it represents the best environmental outcome.

6.5 If a licensed discharge is proposed, the EA must identify:

- Water Quality Objectives for the receiving waters, including upstream and downstream water quality indicators;
- Environmental values, associated indicators and trigger values for receiving waters, consistent with *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (2000);
- The proposed water quality monitoring program, consistent with the *Approved Methods for the Sampling and Analysis of Water Pollutants in New South Wales* (2004).

7. Rehabilitation

7.1 The EA should outline the proposed plans for the final condition of the site, ensuring its suitability for future uses

ATTACHMENT B: GUIDANCE MATERIAL

Title	Web address
Relevant Legislation	
<i>Contaminated Land Management Act 1997</i>	http://www.legislation.nsw.gov.au/#/view/act/1997/140
<i>Environmentally Hazardous Chemicals Act 1985</i>	http://www.legislation.nsw.gov.au/#/view/act/1985/14
<i>Environmental Planning and Assessment Act 1979</i>	http://www.legislation.nsw.gov.au/#/view/act/1979/203
<i>Protection of the Environment Operations Act 1997</i>	http://www.legislation.nsw.gov.au/#/view/act/1997/156
<i>Water Management Act 2000</i>	http://www.legislation.nsw.gov.au/#/view/act/2000/92
Licensing	
Guide to Licensing	www.epa.nsw.gov.au/licensing/licenceguide.htm
Air Issues	
Air Quality	
Approved methods for modelling and assessment of air pollutants in NSW (2016)	http://www.epa.nsw.gov.au/air/appmethods.htm
POEO (Clean Air) Regulation 2010	http://www.legislation.nsw.gov.au/#/view/regulation/2010/428
Noise and Vibration	

NSW Noise Policy for Industry	http://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)
Interim Construction Noise Guideline (DECC, 2009)	http://www.epa.nsw.gov.au/noise/constructnoise.htm
Assessing Vibration: a technical guideline (DEC, 2006)	http://www.epa.nsw.gov.au/noise/vibrationguide.htm
NSW Road Noise Policy (DECCW, 2011)	http://www.epa.nsw.gov.au/your-environment/noise/transport-noise
NSW Rail Infrastructure Noise Guideline (EPA, 2013)	http://www.epa.nsw.gov.au/your-environment/noise/transport-noise
Human Health Risk Assessment	
Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth, 2012)	http://www.eh.org.au/documents/item/916
Waste, Chemicals and Hazardous Materials and Radiation	
Waste	
Environmental Guidelines: Solid Waste Landfills (EPA, 2016)	http://www.epa.nsw.gov.au/waste/landfill-sites.htm
Draft Environmental Guidelines - Industrial Waste Landfilling (April 1998)	http://www.epa.nsw.gov.au/resources/waste/envguidlms/industrialfill.pdf
EPA's Waste Classification Guidelines 2014	http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm
Resource recovery orders and exemptions	http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm
European Unions Waste Incineration Directive 2000	http://ec.europa.eu/environment/archives/air/stationary/wid/legislation.htm
EPA's Energy from Waste Policy Statement	http://www.epa.nsw.gov.au/wastestrategy/energy-from-waste.htm
NSW Waste Avoidance and Resource Recovery Strategy 2014-2021	http://www.epa.nsw.gov.au/wastestrategy/warr.htm
Chemicals subject to Chemical Control Orders	
Chemical Control Orders (regulated through the EHC Act)	http://www.epa.nsw.gov.au/pesticides/CCOs.htm
National Protocol - Approval/Licensing of Trials of Technologies for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries
National Protocol for Approval/Licensing of Commercial Scale Facilities for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries

Water and Soils	
Acid sulphate soils	
Coastal acid sulfate soils guidance material	http://www.environment.nsw.gov.au/acidsulfatesoil/ and http://www.epa.nsw.gov.au/mao/acidsulfatesoils.htm
Acid Sulfate Soils Planning Maps	http://www.environment.nsw.gov.au/acidsulfatesoil/riskmaps.htm
Contaminated Sites Assessment and Remediation	
Managing land contamination: Planning Guidelines – SEPP 55 Remediation of Land	http://www.epa.nsw.gov.au/clm/planning.htm
Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2000)	http://www.epa.nsw.gov.au/resources/clm/20110650consultantsguidelines.pdf
Guidelines for the NSW Site Auditor Scheme - 2nd edition (DEC, 2006)	http://www.epa.nsw.gov.au/resources/clm/auditorguidelines06121.pdf
Sampling Design Guidelines (EPA, 1995)	http://www.epa.nsw.gov.au/resources/clm/95059sampingdline.pdf
National Environment Protection (Assessment of Site Contamination) Measure 1999 (or update)	http://www.scew.gov.au/nepms/assessment-site-contamination
Soils – general	
Managing land and soil	http://www.environment.nsw.gov.au/soils/landandsoil.htm
Managing urban stormwater for the protection of soils	http://www.environment.nsw.gov.au/stormwater/publications.htm
Landslide risk management guidelines	http://australiangeomechanics.org/admin/wp-content/uploads/2010/11/LRM2000-Concepts.pdf
Site Investigations for Urban Salinity (DLWC, 2002)	http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf
Local Government Salinity Initiative Booklets	http://www.environment.nsw.gov.au/salinity/solutions/urban.htm
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	http://www.environment.gov.au/water/publications/quality/nwgms-guidelines-4-vol1.html
Applying Goals for Ambient Water Quality Guidance for Operations Officers - Mixing Zones	Contact the EPA on 131555
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf

5 November 2018

Contact: *Alison Kniha*
Telephone: 02 9865 2505
Our ref: D2018/117957

Shaun Williams
Planning Officer
Industry Assessments
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Dear Mr Williams

RE: REQUEST FOR SEARS - AUSTRAL BRICK WORKS PLANT 2 UPGRADE - WALLGROVE ROAD, HORSLEY PARK

Thank you for your email and the opportunity for WaterNSW to provide input to the Secretary's Environmental Assessment Requirements (SEARs) for the proposed alterations and additions to upgrade the existing Austral Bricks Plant 2 brick manufacturing facility at 780 Wallgrove Road, Horsley Park, in the Fairfield local government area (LGA). The proposed development would be located on Lot 7 in Deposited Plan 1059698.

The subject site adjoins the Warragamba Pipeline to the north and is also located approximately 320 m to the west of Prospect Reservoir. WaterNSW has reviewed the Preliminary Environmental Impact Assessment submitted to the Department by Willowtree Planning on behalf of Brickworks Limited (the Applicant) and has no particular requirements and has no wish to provide input to the SEARs for the proposal.

However, the development should meet the requirements of the following document https://www.watnsw.com.au/data/assets/pdf_file/0011/55973/Guidelines-for-development-around-Warragamba-Pipelines-and-Upper-Canal.pdf in particular those relating to stormwater flows and fencing, and should demonstrate that it will have a neutral or beneficial effect (NorBE) on water quality.

We request the Department notifies WaterNSW when the Environmental Impact Statement for the proposed development is on exhibition and continues to consult with WaterNSW regarding proposals on land adjacent to and impacting on WaterNSW infrastructure, land or assets due to the potential for impact on water quality and water supply. Please email all correspondence using the address Environmental.Assessments@watnsw.com.au.

If you have any questions regarding this matter, please contact Alison Kniha on (02) 9865 2505 alison.kniha@watnsw.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Malcolm Hughes", written over a horizontal line.

MALCOLM HUGHES
Manager Catchment Protection