

Appendix A: Summary of and Responses to Agency Submissions

Agency	Comment	Response
<p>Department of Planning and Environment</p>	<p>Traffic and Access</p> <ul style="list-style-type: none"> - Spacing of 250m between signalised intersections is inconsistent with the preferred spacing/design standard of 400 m to 500 m (consistent with other parts of the SLR). - The EIS modelling does not take into account the most recent SLR concept design (refer to Figure 1). The SLR/Wallgrove Road intersection will be based on the current SLR design and accompanying GHD traffic modelling. - The EIS SIDRA modelling indicates that queues on the southern approach to the SLR/Wallgrove Road intersection would be in excess of 400 m in the 2031 PM peak. Queues of this length would extend beyond the Wallgrove Road/Gazcorp intersection. - The EIS SIDRA modelling indicates that queues on the northern approach to the Wallgrove Road/Gazcorp intersection would be 200 m in the 2031 AM peak. Queues of this length would extend close to the SLRN/Wallgrove Road intersection. - The EIS traffic report indicates that a 100 m right hand turn (RHT) storage bay is required on the northern approach of the Wallgrove Road/Gazcorp intersection. This will require a bay length of 200 m to allow for queue and deceleration. The turn bay and deceleration provision on the northern approach to Wallgrove Road/ Gazcorp intersection may overlap with the RHT bay and deceleration provision proposed on southern approach to SLR/Wallgrove Road intersection. Please provide detailed drawings of the intersection arrangement. - Whilst the Department does not have detailed or concept plans for Wallgrove Road or the Wallgrove Road /Gazcorp intersection, it appears that the intersection and site development is based on maintaining the existing property boundary along Wallgrove Road. If widening of the road reserve is required, future widening of Wallgrove Road and the proposed 	<p>Gazcorp has worked extensively with TfNSW, RMS, and the Department of Planning and Environment to revise the scheme to provide access via the SLR and to construct the proposed Stage 1 Warehouse access road along the SLR.</p> <p>Specific responses to the Departments issues are listed below:</p> <ul style="list-style-type: none"> - The Wallgrove Road access is no longer proposed. - The revised Masterplan has taken into account the latest SLR design provided by the Department. - The Wallgrove Road access is no longer proposed. - The Wallgrove Road access is no longer proposed. - The Wallgrove Road access is no longer proposed. Detailed drawings of the proposed access road are provided in the Road Design Plans that have been prepared for the revised application. - The Wallgrove Road access is no longer proposed. - The Wallgrove Road access is no longer proposed.

Agency	Comment	Response
	<p>intersection extents need to be considered and accommodated by adjustment to property boundaries.</p> <ul style="list-style-type: none"> - The Department requires a review of proposed Wallgrove Road and intersection designs. 	
	<p>Residential Amenity – Noise and Visual Impacts</p> <ul style="list-style-type: none"> - Provide greater consideration to the interface of the proposal with the residential properties to the south of the site. Some of the residences are within 200 m of the site boundary. - The 3 m high colour bond acoustic fence proposed as part of Stage 1 is not considered visually appropriate for a residential interface and is required to be replaced with a boundary/fence treatment which is aesthetically acceptable when viewed from the residential properties. In this regard, consideration should be given to a boundary treatment which combines earth mounding, fencing and landscaping. - Amend the EIS to include a specific section addressing residential amenity. This section should identify and map the location of nearby residences using current aerial photography. Provide specific details of measures to preserve the visual and acoustic amenity of potentially affected residences. - Boundary design treatments, including fencing and landscaping should form a component of the site Development Control Plan required under clause 18 of the State Environment Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP). 	<ul style="list-style-type: none"> - The two closest residences to the south of the site are located within 200m of the site boundary, the closest being some 150m from the boundary. Further consideration of the south-west boundary of the site has been provided, including providing landscaping in front of the acoustic wall. It is also highlighted that the Stage 1 warehouse building is set back approximately 40m from the site boundary, behind an existing 330kV electricity transmission line and easement, and will be partially screened by existing riparian corridor vegetation of Reedy Creek. - A more detailed landscape plan has been prepared illustrating the view perspective from the south. It is highlighted that the Stage 1 warehouse building is predominantly located west of the existing transmission pylon, and is therefore partially screened from residents by the existing riparian corridor of Reedy Creek. As this land is Zoned E2 and is a protected riparian corridor it is expected that it will remain relatively heavily vegetated in the future and therefore will continue to provide partial screening. The view towards the site from the south is also impacted by an existing 330kV electricity transmission line (including a pylon). - A residential amenity section has been included into the Response to Submissions Report. - The site currently fenced by a chainmesh fence.

Agency	Comment	Response
		<p>Given the boundaries of the estate it is not considered necessary for estate-wide fencing to be installed, and no additional fencing around the boundary of the estate (i.e. over-and-above what will be provided for individual development sites within the estate) is proposed. Where appropriate the existing chainmesh fence will be removed. A Landscape Plan for the revised Masterplan is attached.</p>
	<p>Site Development Control Plan</p> <p>A Development Control Plan for the site is required to be prepared. Clause 18(1) of the WSEA SEPP prevents the Minister from granting consent to the current proposal unless a DCP for the site has been prepared. The Department does not consider section 4.2 of the EIS to be an acceptable substitute for a DCP.</p> <p>Clause 18(5) of the WSEA SEPP relates to the preparation of a DCP for part of a precinct only (as is the case with the subject proposal) and requires a DCP to integrate with planning for the whole of the precinct and to take into account any other DCP applying to the precinct. In this regard, you should take into account the approved site DCP for the Jacfin Horsley Park approval (MP10_0129).</p>	<p>Section 83(C)(2) of the EP&A Assessment Act specifically states that</p> <p><i>“ if an environmental planning instrument requires the preparation of a development control plan before any particular or kind of development is carried out on any land, that obligation may be satisfied by the making and approval of a staged development application in respect of that land.”</i></p> <p>As such, it is the entire approved Staged DA (including the Masterplan) that takes the place of the DCP, not just Section 4.2 of the EIS which provides an assessment of the Masterplan against the relevant provisions of the WSEA SEPP to demonstrate that all of the relevant matters have been considered in the preparation of the Masterplan and Staged DA.</p> <p>A Site DCP was not approved for the Jacfin Horsley Park approval (MP10_0129). Rather, a Concept Plan was approved under Part 3A of the EP&A Act (now repealed) which took the place of the DCP. The Concept Plan included a Site Development Guidelines document to</p>

Agency	Comment	Response
		<p>address certain matters required to be addressed under the WSEA SEPP.</p> <p>This is the same approach as adopted by Gazcorp, and the Urban Design Guidelines that form part of the Staged DA (see Appendix L of the EIS) are similar in nature to the Horsley Park Site Development Guidelines.</p>
	<p>Biodiversity offsets impacts on threatened ecological communities</p> <p>The proposal involves the clearing of 13.1 ha of critically endangered Cumberland Plain Woodland and 1.4 ha of endangered ecological community River Flat Eucalypt Forest. The EIS indicates that the project will have a significant impact on threatened Ecological Communities listed under the Threatened Species Conservation Act 1995.</p> <p>The proposal outlined in section 5.3.3 of the EIS to offset only 50 percent of the required ecosystem credits indicated in the bio banking assessment is not considered appropriate in this instance. Having regard to the extent of proposed site coverage and the relative absence of opportunities to avoid impacts under the current proposal, it is considered that no discount should be applied to the required ecosystem credits indicated in the bio banking assessment.</p>	<p>Gazcorp agrees to providing offsets for the full 259 credits and 36 Species Credits. An updated Offset Strategy has been provided which sets out how these credits are proposed to be obtained.</p>
<p>Transport for NSW (TfNSW) and Roads and Maritime Services (RMS) – combined submission</p>	<p>State Infrastructure Contribution</p> <p>TfNSW/RMS suggest that the State Infrastructure Contribution should be used to construct an initial two lane section of road along the proposed Southern Link Road (SLR) alignment from Wallgrove Road to the proposed access road to the development for the Stage 1' development. This will eliminate the requirement of providing temporary access arrangements directly from Wallgrove Road.</p> <p>Western Sydney Freight Line</p> <p>TfNSW requests that the applicant consults with our Freight and Regional Development Division about the possible future alignment of the Western Sydney Freight Line prior to undertaking detailed design of the proposed facility and its</p>	<p>Gazcorp has worked extensively with TfNSW, RMS, and the Department of Planning and Environment to revise the scheme to provide access via the SLR and to construct the proposed Stage 1 Warehouse access road along the SLR.</p> <p>Noted. Gazcorp does not object to this requirement. However, it is noted that Gazcorp has been in regular consultation with TfNSW and now understands that the Western Sydney Freight Line is unlikely to impact the</p>

Agency	Comment	Response
	approaches.	site.
	<p>Preferred Access Arrangements</p> <p>The preferred site access arrangement would be full access from the future SLR with limited or no access from Wallgrove Road (due to the proximity of existing and planned intersections along Wallgrove Road).</p> <p>If agreement can not be gained for the early provision of the preferred access arrangements noted above, then RMS would not object to an interim access arrangement to and from Wallgrove Road. Wallgrove Road is a classified road (as per the provisions of the Roads Act) and any interim access arrangements would need to be agreed with the RMS and be provided at no cost to the NSW Government.</p>	<p>Gazcorp has worked extensively with TfNSW, RMS, and the Department of Planning and Environment to revise the scheme to provide access via the SLR and to construct the proposed Stage 1 Warehouse access road along the SLR.</p> <p>Interim access via Wallgrove Road is no longer required in the revised development proposal.</p>
	<p>Heavy Vehicle. Movements</p> <p>If it is envisaged that the proposed accesses need to share with the vehicles from the intermodal terminal, proposed accesses should be designed for PBS Level 28 vehicles.</p>	<p>Noted. Gazcorp does not object to this requirement, and has designed the internal road to accommodate the largest trucks that can gain access via the public road network.</p>
	<p>Bus Services</p> <p>A new bus service has recently been added to the Wallgrove Road section opposite to the proposed development. Safe, direct and efficient pedestrian access should be provided from and within the site to the existing bus stops in the vicinity of the site.</p>	<p>Pedestrian access to the bus stop would be provided in subsequent detailed development applications for the eastern parts of the estate.</p>
	<p>Parking</p> <p>Based on the traffic report prepared by GHD, a total of approximately 1,000 parking spaces are required to meet the anticipated demand based on the surveyed rates identified in the RMS Guide to Traffic Generating Developments. The master plan for the Gazcorp development allows 2,231 parking spaces. This is more than double the estimated demand for parking and may have the potential to encourage a greater proportion of workers in the development to use private motor vehicles. Reduced parking provision would tend to encourage the use of public transport (such as the new 835 bus service mentioned above).</p>	<p>The revised Masterplan provides for a reduced total of 1,500 car parking spaces at the site.</p>

Agency	Comment	Response
	<p>Construction Management Plan</p> <p>A Construction Management Plan (CMP) should be prepared for RMS and Council approval to identify and mitigate any potential impacts from construction vehicles. The CMP should identify measures to mitigate any impacts on all road users including general traffic, heavy vehicles, regular bus services and active transport users (pedestrians and cyclists).</p> <p>Comments on Traffic Impact Assessment Report</p> <ul style="list-style-type: none"> - Provide details of traffic demand growth and traffic modelling. - TfNSW requests that all nearby intersections on Wallgrove Road be analysed in a detailed traffic network model such as the latest version of SIDRA that considers the upstream and downstream impact of nearby intersection operations. - Widening of Wallgrove Road is not currently proposed within the scope of any TfNSW/RMS project. As the timing for widening of Wallgrove Road is uncertain, TfNSW recommends that the proposed access arrangements should also include a scenario which considers the current road configuration for access to site (at least for the short to medium term). - Errors in the traffic report. 	<p>Noted. Gazcorp does not object to this requirement, but would suggest that the Department of Planning and Environment should be the approval authority due to the SSD status of the development.</p> <hr/> <p>Gazcorp has worked extensively with TfNSW, RMS, and the Department of Planning and Environment to revise the scheme to provide access via the SLR and to construct the proposed Stage 1 Warehouse access road along the SLR. Access via Wallgrove Road is no longer required in the revised development proposal.</p> <p>An addendum to the Traffic Impact Assessment Report has been prepared which carries out a revised traffic impact assessment for the new access arrangements via the SLR alignment.</p>
<p>NSW Department of Trade and Investment – Mineral Resources Branch</p>	<p>MRA Identified Transition Areas:</p> <p>MRB notes that the proposed Gazcorp Industrial Estate (SSD 5248) is positioned between two identified resource areas including the westerly adjacent <i>Austral Horsley Park Brick Plant 3</i> and the easterly adjacent <i>Austral Horsley Park Brick Plants 1 & 2</i>.</p> <p>Both sites extract structural clay-shale for brick manufacturing. MRB contacted Austral as part of our review and they have expressed no concerns with the proposal at this stage.</p> <p>MRB advises that we have no objection to the above proposal. However MRB</p>	<p>Noted.</p> <p>No adverse amenity impacts from the nearby quarries are expected on the industrial facilities proposed at the Gazcorp Industrial Estate. Industrial uses are appropriate in areas adjacent to quarries and the site has been zoned accordingly as IN1 General Industrial.</p>

Agency	Comment	Response
	<p>notes the subject area falls within MRA identified Transition Areas associated with the aforementioned <i>Austral Brick Plant</i> sites.</p> <p>Transition Areas were designed for use as a tool for consideration of potential impacts to be avoided (or minimised) potential land use incompatibility and/or conflict. Transition areas are an indicative area surrounding an identified resource (in this case operating quarries) which may possibly be impacted by activities associated with the quarrying operations.</p>	
<p>Greater Sydney Local Land Services</p>	<p>Ecology: The LLS supports the recommendations in the above report that the clearing of the TSC listed Cumberland Plain Woodland Community is offset by the purchase and retirement of Biodiversity credits. We also support the recommendation that the riparian zone of Reedy Creek and a small associated tributary includes a 30m and 20m buffer respectively and that the area will be actively managed and rehabilitated</p> <p>The NV Act does not apply to the land within Fairfield LGA and therefore LLSs have no approval role for any clearing of native vegetation within the area of the Plan. However, the objectives of the NV Act represent NSW government policy on native vegetation and we recommend that these objectives be applied within the context of the development.</p>	<p>Noted.</p>
<p>NSW State Emergency Service</p>	<p>Flooding: It is noted that the <i>813-913 Wallgrove Road, Horsley Park Regional Hydraulic Modelling and Impact Report</i> (BMT WBM, 25 October 2013) (<i>'the Hydraulic Modelling and Impact Report'</i>) has investigated and reported on the impacts on neighbouring properties, noting that <i>'the proposed development will not significantly increase in flood levels external to the site'</i>. Although the surrounding impacts have been addressed for the 100 year ARI flood event, there is no information or discussion within <i>the Hydraulic Modelling and Impact Report</i> regarding the impact of flooding on the proposed development.</p> <p>There is some discussion of how the flooding will be addressed through onsite</p>	<p>Addressed in an updated Hydraulic Modelling and Impact Report prepared by WBM as follows:</p> <ul style="list-style-type: none"> - Modelling outputs have been included in the report for 500 year ARI and 2,000 year ARI scenarios. - The flood level decreases along Wallgrove Road will result in the duration of flood inundation along Wallgrove Road decreasing as a result of the proposed development.

Agency	Comment	Response
	<p>detention basins in the <i>Stormwater Concept Plan</i> (Brown Consulting, August 2013), but this also only addresses flooding up to the 100 year ARI flood.</p> <p>The limited modelling presented for the 100 year ARI is not consistent with the requirements of the FDM which requires consideration of the full range of flood events. Although modelling has been conducted for the 500 year and 2000 year ARI, this is limited to the change in flood depth surrounding the site.</p> <p><i>The Hydraulic Modelling and Impact Report</i> does not give any indication of the increased length of time that Wallgrove Road would be flooded for. There is also very little in the way of description of the effects on the development from the 500 year and 2000 year ARI modelled floods.</p>	
	<p>Consideration should also be given to flash flooding in this area. The potential for flash flooding to occur in this catchment both in its current state and under the proposed development scenario cannot fully be determined from the material. Should the area be subject to flash flooding, safe evacuation may not be possible due to insufficient warning times and inadequate warning systems.</p>	
	<p>Access / Egress for Site:</p> <p>The <i>Stormwater Concept Plan</i> indicates that Wallgrove Road is the primary access road to the proposed development. <i>The Hydraulic Modelling and Impact Report</i>, however, does not indicate whether Wallgrove Road is the only access road to and from the site during a flood, or if there are other available roads that allow access/egress to/from the site in floods.</p> <p>As mentioned above this is an important emergency management consideration for the purposes of evacuation and should be addressed by the applicant.</p>	<p>The proposed development has been modified so that access will be via the proposed Southern Link Road. Until the Southern Link Road is built, access for the site will be via the Southern Link Road reserve connecting to Wallgrove Road at the existing intersection with the Austral Bricks access road. This section of Wallgrove Road is not affected by the 1:100 year ARI flood level.</p>
	<p>The impact of the closure of Wallgrove Road on other road users, not just those intending to access the proposed development site. It may be that there are other roads other than Wallgrove Road available; however this is not specified in any of the supporting documentation.</p>	<p>See above.</p>
	<p>The material available also does not '...detail an emergency response plan to</p>	<p>See above.</p>

Agency	Comment	Response
	<p><i>manage floods above the flood planning level'</i> another requirement at point 15 in the DGR. The preparation of such a plan would, amongst other things, enable the applicant to establish whether there were adequate access/egress routes available, however, as mentioned above, any emergency response plan used for the purposes of obtaining consent would be contrary to the FDM.</p>	
Sydney Catchment Authority	<p>The EIS confirms the location of the Southern Link Road (SLR), which would create a 16m wide encroachment into the SCA Warragamba to Prospect Pipelines corridor. In this regard, the SCA's requirements as provided in our previous advice on the SLR alignment would still need to be addressed.</p>	<p>The SCA requirements in relation to the SLR are a matter for RMS and Department of Planning and Environment to address. Gazcorp is not the proponent of the SLR.</p>
	<p>The Gazcorp development will involve two potential encroachments into the Warragamba to Prospect Pipelines corridor, these being the construction of the sewer and water lines from the north to service the estate. The SCA requests that it be included in consultation with the proponent at the detailed design stage to discuss the following matters:</p> <ol style="list-style-type: none"> 1. Geotechnical investigation would be required to confirm that the proposed construction would not adversely affect the integrity of the Warragamba to Prospect Pipelines or stability of the embankments within the pipelines corridor. 2. Adequate temporary and permanent security fencing would be required to prevent people and vehicles from entering the Warragamba to Prospect Pipelines corridor. 3. Provision for the movement of SCA vehicles, including heavy vehicles, along the corridor on the western side of Wallgrove Road needs to be considered and included in the concept plan design. 4. Adequate erosion and sediment controls should be in place before construction and site preparation works begin to prevent any impact on the water supply infrastructure. <p>The maintenance of heritage values of the pipelines and curtilage.</p>	<p>Noted. SCA's requirements are acceptable to Gazcorp.</p>
	<p>If the warehouse development is completed prior to construction of the SLR, adequate security fencing must be provided along the northern property boundary to prevent people and vehicles from entering the pipelines corridor.</p>	<p>Noted. SCA's requirements are acceptable to Gazcorp.</p>

Agency	Comment	Response
	The development, including any diversion of upstream catchment waters, should not increase existing flood levels in the pipelines corridor or increase pre-development stormwater water quality or quantity levels.	Noted. SCA's requirements are acceptable to Gazcorp. The WBM flood mapping confirms that this standard has been met.
Fairfield City Council	Council objects to the proposal.	Noted.
	<p>General Issues:</p> <p>Residents have requested preparation of a scale model so that they can obtain a better understanding of the scale and layout of the proposal.</p> <p>In addition, concerns were raised that aerial photos included with the documents are out of date and do not show the location of recently constructed houses in proximity to the site.</p>	<p>A scale model is not a reasonable requirement for this type of development, and has not been required or prepared for other industrial estates within the WSEA.</p> <p>More recent aerial photography has been used in revised figures in the Response to Submissions Report. It is highlighted that the outcomes of the technical noise assessment are unaffected. An updated visual amenity analysis has been provided.</p>
	<p>Request for Public Meeting:</p> <p>Council requests that a community meeting be convened between surrounding residents, representatives of Gazcorp and Department with the aim of resolving the objections raised by surrounding landowners and Fairfield City Council. It is mentioned that a precedent occurred in regard to the Jacfin (Part 3A Major Project) proposal in Penrith City.</p> <p>To assist understanding of the proposal it is requested that enlarged photomontages and larger scaled plans be prepared by the applicant so that these can be put on display at the community meeting and discussed with residents.</p>	Gazcorp would be willing to attend any meeting arranged by Fairfield Council and/or the Department in relation to the proposal.
	<p>Acoustic:</p> <p>Council supports the objections of adjoining residential properties and fully supports their request that additional investigations and measures be included in the development (including provision of a mound and masonry wall rather than a colourbond fence) to safeguard the acoustic amenity of residents.</p> <p>At this stage, Council does not propose to nominate a specific height for a masonry</p>	<p>A mound and masonry wall is not required in relation to addressing noise impact. The Industrial Noise Policy has been used to establish project specific noise criteria for the estate, and a noise assessment has determined that the proposed colourbond fence is sufficient to meet the criteria when supplemented by the insulation within the south facing building wall.</p> <p>If details of future buildings and uses are beyond the</p>

Agency	Comment	Response
	<p>wall, as this needs to take into account the overall height of the proposed mound, which requires further investigations and consultation with residents. Potential designs for the mounding and noise barrier would be one the key issues that needs to be explored at the community meeting involving the applicant, local residents and officers from the Department.</p> <p>At this stage the final make up of uses and specific operational aspects of the Gazcorp proposal are generally unknown. In this regard the provision of optimal mitigation measures should be investigated and implemented to safeguard the acoustic amenity of residential properties at an early stage.</p>	<p>assumptions set out in the noise report then additional noise modelling and assessment would be required and to ensure the project specific noise criteria are met. If necessary additional noise mitigation measures could be implemented as part of the development of the specific building.</p> <p>Gazcorp has proposed additional landscaping treatment in front of the proposed noise barrier in order to soften its landscape impacts.</p>
	<p>It will be necessary to investigate increased setbacks and buffer areas to industrial uses on the Gazcorp site to that currently proposed (ranging from 10-40m) to provide a suitable landscape mound and mitigate acoustic, visual and lighting impacts on adjoining rural residential properties in Fairfield City.</p>	<p>The Stage 1 building is set back over 30m from the site boundary due to the Transgrid electricity transmission line easement, which is 60m.</p>
	<p>The Department should restrict the hours of operation of the Gazcorp proposal so that it does not operate from the evening to early morning hours.</p>	<p>The noise impact assessment has determined that the night-time project specific noise criteria can be complied with.</p>
	<p>Given the issues raised by adjoining property owners and high visibility of the industrial buildings from adjoining the properties at this stage, it is not considered that the proposal meets the above provisions of the SEPP (WSEA) Cl. 21.</p>	<p>The proposal is compliant with Clause 21 of the WSEA SEPP. The proposed development and building envelopes have been designed in such a way as to minimise any adverse impacts on the amenity of the nearby rural residential properties.</p> <p>Due to the topography of the Site there is only a limited interface between the industrial area and the adjoining rural residential properties. The closest residential dwelling is located almost 200m from the Stage 1 building (which is the closest building). This residence is not orientated towards the proposed Gazcorp estate and does not have views across the site due to the existing vegetation and topography. Further, the industrial buildings will not overshadow or block solar access for existing residents.</p>

Agency	Comment	Response
	<p>Lighting:</p> <p>Report/assessment for the proposal has not been submitted with the Proposal detailing the potential impacts of light spill on the adjoining residential properties. In particular the applicant should be required to submit a lux diagram clarifying the potential impacts of light spill on adjoining properties and measures required to mitigate these impacts.</p>	<p>Night time lighting would be directed away from the nearest residential dwellings and would be compliant with Australian Standard <i>AS 4282-1997 Control of the obtrusive effects of outdoor lighting</i>.</p>
	<p>Section 94 Contributions:</p> <p>Council rejects the exemption to S. 94 Contributions:</p> <ul style="list-style-type: none"> • On-site improvements and infrastructure being provided by Gazcorp are necessary to ensure orderly development of the site and to mitigate the impacts. • The improvements and works to facilitate the proposal would be required in any other similar industrial development outside the WSEA and would also need to pay Section 94A contributions. • The provisions relating to Section 94A do not require a 'nexus' argument. • Future industrial development in the WSEA (outside the Gazcorp site) in Fairfield City would in the majority of cases attract Section 94A contributions. • there is clearly scope for development on the Gazcorp site to generate impacts on the local community of Horsley Park • The Voluntary Planning Agreement (VPA) covers the provision of regional rather than local infrastructure 	<p>Noted. Gazcorp consider that it would be reasonable to levy S94A levies at a rate of 0.5%. The 50% reduction (from the top rate of 1.0%) is considered appropriate due to the high Capital Investment Value of the project compared to the proposed number of employees and the likely degree of impact.</p>
	<p>Provision of Office Space:</p> <p>Council requests a condition be applied to the Proposal that any office floor space be provided for ancillary purposes to service the administrative needs of the associated warehouse/logistics development so that it cannot become 'stand-alone' office floor space capable of separate non-integrated use or occupation.</p>	<p>Noted. It is not Gazcorp's objective to develop 'stand-alone' office floor space capable of separate non-integrated use or occupation. As such, Gazcorp does not object to this request.</p>
	<p>Ecology / Offsets:</p> <p>A review of aerial photographs for the site reveals that, since Council prepared its Biodiversity Strategy, there has been a significant reduction/loss of Cumberland</p>	<p>The existing vegetation at the site is in a poor state, with limited connectivity, and the site has been subject of historical and continuing agricultural activities. As</p>

Agency	Comment	Response
	<p>Plain Woodland from the site amounting to approximately 7Ha. No approval for this can be found.</p> <p>The above loss of vegetation has not been accounted for in the environmental impact statement prepared for the Proposal or factored into the biodiversity offset proposal submitted for the development to compensate for the removal of remaining Cumberland Plain Vegetation on the site.</p> <p>A further component of the offset strategy should be to require significant compensatory planting on the site.</p>	<p>such, it is not surprising that the amount of vegetation on the site is reducing over time. It is not the purpose of the EIS to explain the current state of the site, but rather to assess the impacts of the proposed development against the current state of the site.</p> <p>Significant compensatory planting on the Gazcorp site would result in a reduction in the net developable area, lower regional infrastructure levies and would undermine the objectives of the IN1 zone and the significant infrastructure investment made by the NSW Government in supporting the development of the WSEA.</p> <p>An amended Offset Strategy has been prepared and demonstrates that suitable off-site offsets can be obtained.</p>
	<p>In this regard a revised ecology assessment needs to be prepared for the Proposal that addresses threatened species assessment for this area.</p>	<p>An amended Offset Strategy has been prepared and demonstrates that suitable off-site offsets can be obtained.</p>
<p>Department of Primary Industries</p>	<p>The proposed site contains Agricultural Land Class (ALC) 2, suitable for cropping and ALe 3 suitable for cropping in rotation with pasture. To the south there is land with ALC 2 and 3 where market gardening is occurring. The site has not been identified as containing Strategic Agricultural Land.</p> <p>The use of a limited State resource of high quality agricultural land for transport / warehouse buildings should be avoided, however, as the site is already assigned within the Western Sydney Employment Area (WSEA) and zoned Industrial; and although DPI Agriculture NSW would prefer a primary industry focussed development, Agriculture NSW raises no objections.</p> <p>Additional detail on riparian zone management should be provided as part of the Riparian Management Plan, and the Office of Water should be consulted in the development of this plan;</p> <p>A condition of approval require implementation of appropriate erosion control</p>	<p>Noted.</p> <p>Noted.</p> <p>Office of Water has commented on the proposed riparian corridor. See below.</p> <p>Noted. Gazcorp does not object to this requirement.</p>

Agency	Comment	Response
	<p>measures through the relevant post-approval management plan(s);</p> <p>Adequate consideration of downstream impacts should be required if the existing dams are removed; and</p>	<p>Noted. No downstream impacts associated with the removal of the existing dams are expected. Stormwater will be managed to ensure off-site downstream flows are no worse than the current situation.</p>
	<p>A procedure should be developed in the event that groundwater is intercepted during the proposed excavations, which should include contacting the Office of Water.</p>	<p>Office of Water has commented on groundwater issues. See below.</p>
NSW Office of Water	<p>Watercourse / Riparian Land:</p> <p>DPI required all watercourses on the site to be identified and scaled plans provided to show the location of top of bank, riparian land and remnant vegetation surrounding the watercourses. The scaled plans in the EIS do not show the location of the watercourse in the south east corner of the site, or the top of bank. It is recommended this detail is provided and the top of bank needs to be identified, as the top of the highest bank is the point from which the riparian setbacks should be measured.</p>	<p>There is no defined watercourse in the south-east corner of the site. Rather it is a natural depression in the landscape that acts as an overland flow path during rain events. Anecdotal evidence is that the area is regularly wet, however there are no defined banks or permanently wet areas. The RTS report includes photographs of this part of the site to support the above description. It is proposed in later stages of the site's development to develop a formal channel (or swale) through the south-east corner in order to ensure that flood waters are efficiently and effectively conveyed from the southern catchment through to the existing swale under the Wallgrove Road / M7 corridor. Details of this channel / swale will be agreed with the NSW Office of Water during the relevant future development application.</p>
	<p>Watercourse in the South East Corner of the Site:</p> <p>It is noted an on-site detention basin is proposed to be located in the south-east corner of the site. The basin appears to be in close proximity to the watercourse (see Appendix A and C, Phase 1 Contamination Assessment report). Clarification is required as to whether the basin is proposed to be located on the watercourse, or in the riparian corridor.</p>	<p>No basins are now proposed. On-site detention would be achieved by way of underground tanks associated with each building and located on each development site. The plans shown in the Contamination Assessment report have been superseded by the plans provided in Appendix A of the EIS.</p>

Agency	Comment	Response
	<p>Asset Protection Zones:</p> <p>Appendix S indicates the riparian corridor to Reedy Creek will contain unmanaged vegetation (page 24). Clarification is required as to whether the proposed buffer area adjacent to the riparian corridor will also contain unmanaged vegetation, or if it will be managed as an Asset Protection Zone.</p>	<p>Landscaped areas within 10m of the building will be managed as an Asset Protection Zone in accordance with Appendix S of the EIS. This relates to only a very small area of landscaped area located near the north-west corner of building on Lot 10.</p>
	<p>Stream Bank Erosion:</p> <p>Appendix F indicates that stock access has degraded the banks of the creek and notes ongoing access will continue to degrade the remnant woodland and associated aquatic environments for the foreseeable future (page S.19). It is recommended access by stock to Reedy Creek and its tributary is prevented, the proponent contacts Local Land Services to obtain the latest best practice guidelines/information for riparian restoration</p>	<p>Noted.</p>
	<p>Riparian Management Plan:</p> <p>Section 8 of the EIS notes restoration and ongoing management of the Reedy Creek riparian zone will be implemented as part of a riparian management plan (RMP). It is recommended the Office of Water (2012) Guidelines for Vegetation Management Plans on Waterfront Land is used to prepare the RMP. It is unclear when the RMP will be prepared / implemented.</p>	<p>Noted.</p>
	<p>Surface Water:</p> <p>The Office of Water has no objection to the proposed removal of the existing four dams provided the removal of the dams and discharge of the water is undertaken so it does not adversely impact downstream users, including the environment. It is suggested the recommendation to undertake further assessment prior to discharge is included as a mitigation measure.</p>	<p>Noted. Gazcorp will ensure that draining of the on-site dams will be done in a manner that has no downstream impacts on water flows or water quality. It is unclear what further assessment is required.</p>
	<p>Groundwater:</p> <p>If there is a requirement to extract groundwater or to dewater, the proponent should contact the Office of Water as early as possible to ensure that any necessary licences are obtained (the Environmental Planning and Assessment Act 1979 does not provide any exemptions under the Water Act 1912, or the requirement to hold a</p>	<p>Dewatering of groundwater is not expected to be required.</p>

Agency	Comment	Response
Office of Environment and Heritage	<p>water access licence under the Water Management Act 2000).</p> <p>Offsets:</p> <p>The Ecological Impact Assessment (EIA) report by Cumberland Ecology gives a number of reasons as to why discounting of the offsets is appropriate. OEH does not consider these to be valid justifications. Including</p> <ul style="list-style-type: none"> - The disturbed condition of the vegetation would be expected to have already returned a lower number of credits than would be required if the vegetation was in a good condition. - Even degraded areas of CPW are recognised as being part of the critically endangered ecological community (CEEC) and have the potential to be regenerated and restored. Removal of cattle from the area with assisted regeneration would be expected to result in a substantial improvement on the vegetation condition. - The patches of vegetation are also relatively large and reasonably well connected. The site was mapped as containing around 22 hectares of continuous CEEC and EEC vegetation in the OEH Cumberland Plain Woodland update mapping (Tozer 2007). - OEH considers there is the potential for vegetation connectivity to be maintained and enhanced on the site, particularly around the western and southern boundaries and along the smaller creekline in the south east of the site where there is also EEC. - The credits required for Forest Red Gum - Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain are a small proportion of the credits required and regeneration of the biometric vegetation type on site (Le. along Reedy Creek) could only provide a partial offset. OEH notes the area is already zoned E2 Environmental Protection and that the area is not proposed to be biobanked. - Also, the EIS states that BioBanking credits are not proposed to be purchased and retired in relation to the Southern Myotis (<i>Myotis macropus</i>) as this species was recorded on the site around the western dam area which is considered to be foraging habitat. The EIS states that impacts on this species will be addressed through the restoration of Reedy Creek 	<p>Gazcorp agrees to providing offsets for the full 259 credits and 36 Species Credits. An updated Offset Strategy has been provided which sets out how these credits are proposed to be obtained.</p>

Agency	Comment	Response
	<p>which is effectively using the same mitigation measure to offset two different environmental impacts.</p> <p>OEH's position is that all significant impacts should be fully offset. The intention of the discounting principle is that it is to have a very limited application and would be only be applied where the offset requirements would have a perverse outcome and be so onerous as to prevent a project proceeding. OEH does not accept that there should be any discounting for the required offsets.</p> <p>Should it be determined that an offset strategy will be required as a condition of consent for this proposal, OEH would like the opportunity to be consulted in regard to this strategy, and in particular the credits required and the arrangements for securing them.</p>	
	<p>Environmental Protection and Biodiversity Conservation Act:</p> <p>OEH does not agree with the EIA conclusion that the proposed development is not expected to have any significant impacts on matters of National Environmental Significance as listed under the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999. The CPW on the site would appear to meet the criteria for the CEEC under this legislation and it is recommended that a referral for a controlled action is made.</p>	<p>The Commonwealth has a different criteria in relation to establishing the presence or otherwise of CPW CEEC. The on-site vegetation does not constitute CPW CEEC. As such referral to the Commonwealth is not required.</p>

Agency	Comment	Response
	<p>Riparian / Environmental Conservation Zone:</p> <p>Reference is made to a separate Management Plan by Cumberland Ecology but this does not appear to have been included in the exhibition material.</p> <p>Appendix S Bushfire Assessment indicated in Attachment A the defensible space widths to the west of the building on proposed Lot 10. This shows defensible space is required within the riparian zone to provide suitable bushfire protection for the proposed building. This is unacceptable to OEH as it is entirely inconsistent with the intent of zoning the areas E2 and the intent to retain and restore the riparian corridors. Reconfiguration of the building footprints is strongly recommended in order to ensure that no asset protection is required in the E2 zoned land.</p>	<p>The EIS states that “A Riparian Management Plan will be prepared and implemented, which sets out the ongoing management and improvement activities for the riparian corridor within the Site.” It is expected that the plan would be prepared prior to the commencement of construction.</p> <p>Figure 1 of the Bushfire Assessment erroneously used an earlier version of the development plans. As can be seen in the EIS Appendix A plans for the Stage 1 building, the building has been shifted to the east, separating it substantially from the riparian corridor and ensuring that there is no defensible space within the riparian zone.</p>
	<p>Mitigation Methods:</p> <p>Mitigation measures such as for the dam drainage recommissioning should be included as conditions of consent to ensure for example that native wildlife residing within dams are not adversely impacted during construction.</p> <p>Landscaping of parts of the site with species that occur in the Cumberland Plain Woodland community is supported but is not considered to be a particularly effective conservation outcome to ameliorate the loss of endemic plant species and habitat for native fauna. Consideration could, for example, be given to stockpiling seed and plant material salvaged during the clearing works for the site in order to retain material that could be used to restore areas of CPW.</p>	<p>Noted. Gazcorp does not object to this requirement.</p>
	<p>Floor Risk Management:</p> <p>OEH considers it would be prudent for the consultants BMT WBM to consider the potential future impact from increased rainfall due to climate change. It is also recommended that at the appropriate time in the development of the proposal a detailed emergency response/preparedness plan be prepared in consultation with the SES.</p>	<p>The Hydraulic Modelling and Impact Report prepared by BMT WBM has been updated, to include increased rainfall intensity scenarios due to potential future climate change of 10, 20 and 30% above the existing levels were undertaken. No change to the existing temporal patterns, rainfall loss rates or the infiltration rates were made for these climate change scenarios.</p>

Agency	Comment	Response
	<p>Aboriginal Cultural Heritage:</p> <p>Satisfied that the relevant documents fulfil the requirements of the Department of Planning and Environment with regard Aboriginal Cultural Heritage.</p> <p>OEH does however note that the methodology outlined in Recommendation 30f the ACHAR should to be reconsidered to ensure that it is clear that where the test pit results indicate that further archaeological investigation is warranted, expansion of those test pits should occur within the areas of impact under a salvage methodology.</p>	Noted. Gazcorp does not object to this requirement.
Sydney Water	<p>Water:</p> <ul style="list-style-type: none"> - The development does not front an available drinking water main. An extension will be necessary - Detailed Requirements will be provided at the Section 73 Phase - The proposed drinking water infrastructure for this development will be sized & configured according to the Water Supply Code of Australia WSA 03-2011 -3.1 (Sydney Water Edition - 2012). <p>Waste Water:</p> <ul style="list-style-type: none"> - A wastewater extension is required to service the proposed development - Detailed requirements will be provided at the Section 73 Phase - The proposed wastewater infrastructure for this development will be sized & configured according to the Sewerage Code of Australia WSA 02-2002-2.2 (Sydney Water Edition 1 - Version 3). 	Noted. Gazcorp does not object to this requirement.