

Appendix B: Summary of and Responses to Public Submissions

Issue Category	Issue	Submission #	Response
Corruption / Problems with System	Gazcorp is alleged in the ICAC to be a regular contributor to a secretive fund designed to avoid disclosure of developer donations to members of the government elected in 2011.	1	This is irrelevant to the assessment of the development application, which has been prepared in accordance with the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act), and will be assessed and determined in accordance with this legislation, and its associated regulations.
	"Hired Gun" consultants exist and are sought out by development proponents who have greater regard for quick and maximum financial return at cost to the environment. Those "Hired Guns" are given full access to a site and produce a report favourable to a development proponent's intention and the public have no means to affirm or deny what the consultant claims to have seen on site. The community is obliged to trust the consultant's assertions because the 'system' assumes integrity. That is a serious failing! All is well in the confected 'fairy dairy' land of government administration where, for the sake of expediency and serving of development interests, everyone is 'good' and no valid means exists to question whether consultants operate independently or in-step with unscrupulous developers.	1	<p>The <i>Environmental Planning and Assessment Act 1979</i> requires the proponent to undertake environmental impact studies to justify the proposal, which are then subject to detailed scrutiny from the Department of Planning and Environment as well as relevant agencies, local council and other stakeholders including special interest groups and members of the general public.</p> <p>The development application has been prepared in accordance with the <i>Environmental Planning and Assessment Act 1979</i>, and will be assessed and determined in accordance with this legislation, and its associated regulations.</p>
	Assistance seems to have been afforded the proponent in the months leading up to preparation of the development proposal by way of Fairfield City Council failing to continue the Biodiversity Corridor that is Reedy Creek as it flows through and behind the Gazcorp development property. The Biodiversity Corridor zoning ends immediately south of the Gazcorp property boundary and resumes just beyond.	1	Council's processes are not a matter for Gazcorp to respond to. Reedy Creek is zoned E2 under <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009</i> , and the proposed development takes into account this zoning as part of the proposed layout and design.

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	<p>We are concerned about the lack of information provided to ourselves as well as the rest of the residents and members of the community regarding the above proposal. Only a mere handful of residents received mail outs informing them of the development application. We are disappointed that a development of this magnitude has not been given enough publicity. Why is there no model of this displayed at Fairfield City Council for all to see? Are members of the community expected to read the x2 large folders containing jargon, and know what is going on? Are the applicants trying to hide the significant impact this proposed development is predicted to make on Horsley Park?</p>	4-7, 33	<p>The proposal has been exhibited in accordance with the EP&A Act.</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>The EIS contains a comprehensive description of the proposed development, and includes detailed plans and sections to assist community members to understand what is being proposed.</p>
	<p>It is concerning to see that JBA Planning Consultants Pty Ltd on behalf of Gazcorp Pty Ltd have used an aerial picture that is OVER 5 years old. This does not factor in the new residential homes built in the area.</p>	4-7	<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>The Political Donations Disclaimer lodged by both Gazcorp and Mr Nicholas Gazal, does not include the hundreds of thousands of dollars found by ICAC to have been illegally donated to the Liberal Party through the Eight by Five fund. The Daily Telegraph includes references to donations by Gazcorp. Why is it that these donations are not shown on the donation disclosure shown in this lodgement.</p>	32	<p>The applicant refers to, and relies on, the disclosures contained in the Political Donations Disclaimer.</p>

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Ecology	<p>The proposed development footprint necessitates destruction of remnant stands of Cumberland Plain Woodland (CPW) and a portion of River Flat Eucalypt Forest (RFEF). The former, in both Commonwealth and State environmental protection legislation is listed as a Critically Endangered Ecological Community. The latter is listed only in State environmental protection legislation. EPBC Act listed and TSC Act listed fauna species are said to have been observed on site. Of 52 .2ha of area, we estimate that only 33% is tree canopy yet the proponent intends retention of only about 7% of that tree canopy. This is a very poor environmental outcome.</p>	1	<p>Gazcorp proposes to provide offsets via the NSW Government's Biobanking System in order to compensate for the loss of on-site biodiversity values.</p> <p>A revised Biodiversity Offset Strategy has been submitted with the response to Submissions Report.</p>
	<p>EPBC Act consideration is eliminated by the environmental consultant making an assertion that CPW (or Cumberland Plain Shale Woodlands) on site does not meet threshold criteria. We are expected to accept this assertion without being able to inspect the site. In further minimising the value of remnant stands of CPW on site the environmental consultant asserts the stands are highly degraded and we are expected to accept this as well.</p>	1	<p>The classification of vegetation has been made by a suitably qualified professional ecologist based on established guidelines and principles. The Ecological Impact Assessment (Appendix F of the EIS) includes a detailed description of the methodology and results of on-site vegetation surveys.</p>
	<p>Exposing a fault in methodology and a leaning to the development proponent's wishes, the environmental consultant inappropriately uses the degraded woodland in the Biobank assessment calculator to determine offset credits at 50%.</p>	1	<p>The ability to discount the number of credits to be offset was a principle established under the NSW Government's Draft Offset Strategy. The proposal to discount the number of credits on the basis of the degraded nature of the vegetation has been removed from the revised Biodiversity Offsets Strategy that has been submitted with the Response to Submissions Report.</p>

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	<p>Seven species of frogs on site and more than a dozen water birds will be significantly impacted by the removal of existing rural dams in addition to the invertebrate species which have been established in population during the life of the rural dams. These species obviously exist in number because of the popularity of the site demonstrated by the quantity of water birds identified in the fauna survey, some of which show up in the photo on page 3-21 of the report. However, no consideration has been given to identifying the species of invertebrates inhabiting the dams and only scant regard is given in the flora and fauna survey to what humane measures will be demanded and overseen in the proposed draining and bulldozing of rural dams on site and the removal of trees and understorey from the site.</p>	1	<p>Fauna surveys were conducted by a suitably qualified professional ecologist based on established guidelines and principles. The Ecological Impact Assessment (Appendix F of the EIS) includes a detailed description of the methodology and results of on-site fauna surveys. Measures will be implemented, as set out in the Ecology Assessment, to prevent impacts on specific specimen during the works.</p>
	<p>The discounting proposed for the required ecological offsets (Appendix F2 - 5.3.3 Proposed Offset for the Project) is not justified. The proponent proposes an offset comprising 50% of the ecosystem credits indicated in the BioBanking Assessment.</p> <ol style="list-style-type: none"> 1) The degraded nature of the site has already been automatically factored into the BioBanking offset calculations. If the site were intact the offset requirements from the BioBanking Calculator would be greater than the 259 credits currently required. 2) The BioBanking scheme already provides a net-loss scenario in practice; in fact it requires net loss at a landscape scale in order to operate although the level of loss is mitigated to a minor degree through restoration works. 3) The woodland retained on site is irrelevant to offset requirements. The offsets calculated are for the woodland proposed for destruction and are not discounted by vegetation retained. On the contrary, even with proposed restoration works the vegetation 	2	<p>The ability to discount the number of credits to be offset was a principle established under the NSW Government's Draft Offset Strategy. The proposal to discount the number of credits on the basis of the degraded nature of the vegetation has been removed from the revised Biodiversity Offsets Strategy that has been submitted with the Response to Submissions Report.</p>

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	<p>retained will substantially deteriorate as an inevitable result of the nature of the proposed development. Rather than discounting the offset required, the applicant should be required to offset the damage to the vegetation retained as well.</p> <p>4) The site in the context of the proposed development will not even approach the habitat requirements for Southern Myotis. Irrespectively it is not valid to consider the vegetation retained (which will have little to no ecological value in its industrial context) as in any way mitigating the vegetation destroyed.</p>		
	<p>We are currently exposed to the exuberant amount of traffic on Wallgrove Road for both north and southbound traffic. It must be brought to the council's attention that the proposed estate will be built where the road is currently ONLY one lane. Currently, the traffic is already chaotic on the Wallgrove Road, Horsley Park stretch, and to add the strain of 'another' industrial estate (especially one of this magnitude) will exacerbate the situation.</p>	4-7	<p>Access to the site will now be via the Southern Link Road, which connects to Wallgrove Road where it is 2 lanes wide.</p>
Traffic	<p>Over the past few years our travel to work along Wallgrove Rd has been greatly affected by developments fronting Wallgrove Rd, with new traffic lights slowing traffic causing drivers to be impatient. This new development proposes a new set of lights for entry into Gazcorp's new estate, resulting in 6 sets of lights in a maximum of 1,800m. It would be faster to walk that distance than to drive with so many lights. Providing access via the proposed Southern Link Rd, will be better as it will alleviate traffic flow on Wallgrove Rd.</p>	32	<p>Access to the site will now be via the Southern Link Road, which connects to Wallgrove Road where it is 2 lanes wide.</p>
	<p>If access must be from Wallgrove Rd then certainly this development MUST not be allowed to occur until the section of Wallgrove Rd which fronts this development is upgraded to two lanes and traffic lights installed with turning lane depicted in the Gazcorp traffic plan is first constructed. If this</p>	32	<p>Access to the site will now be via the Southern Link Road, which connects to Wallgrove Road at a signalised intersection and where Wallgrove Road is already 2 lanes wide.</p>

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	development were allowed to even start Stage 1 construction, there will be traffic nightmares as there is only one lane running either way in front of this site on Wallgrove Rd. If the development were to commence before the new dual laneway is constructed with traffic lights I believe there would be many accidents with heavy vehicles accessing the site and probably because of the size of trucks entering, deaths. More so accidents with heavy vehicles heading South along Wallgrove Rd and trying to turn right into the site, crossing traffic heading in a northerly direction.		
	Heavy traffic flow, to and from the industrial site - the proposed estate will be built where the road is currently ONLY one lane each way (north & southbound) on Wallgrove Road.	33	Access to the site will now be via the Southern Link Road, which connects to Wallgrove Road where it is 2 lanes wide.
Noise	According to the plans, there will be trucks driving alongside the fence line (south side) closer to us through all hours of the day/night. We are constantly hearing the sounds of trucks, reverse beepers, forklifts, containers, speakers, PA systems, and even sometimes blaring music being played in the warehouses in the middle of the night, and sometimes until the early morning. We are concerned that Gazcorp Industrial Estate will make an immense impact on our residential noise level. Prior to the DA approval we would like an independent acoustic consultant's report generated factoring in how Gazcorps acoustics will affect us, being only 140m away. Gazcorp has apparently proposed a 3m colourbond fence (with 50mm insulation) to block out the noise, which I believe to be inadequate (the trucks are almost as tall as the wall).	4-7	The noise impact assessment has determined that the night-time project specific noise criteria can be complied with and the that the proposed acoustic barrier on the southern side of the proposed Stage 1 building is suitable for this purpose.

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	<p>We are against the trucks driving in and out of the estate 24/7. I note in Gazcorp's proposal that they are proposing a 6 foot colourbond fence. How is this supposed to make ANY DIFFERENCE to noise. We propose that they build a dirt mound from the Wallgrove Road entrance up to the pigfarm hill then extend all the way down past Flavax lane - with a 6 metre high concrete wall - this MAY reduce the noise to the residence. I suggest a buffer zone - from the southern side of the Gazcorp proposal boundary - right up to the Chanaos Road, Stockmans route. This would solve our issues and provide enough of a buffer to the rest of the residence in Horsley Park ie: Gazcorp to buy out the residential properties they will effect.</p>	31	<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.</p> <p>If details of future buildings and uses exceed the assumptions set out in the noise report then additional noise modelling and assessment would be required 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>Looking at the construction plan the various Industrial units walls will be very close to our rear boundaries and many others backing onto this estate. To help alleviate noise I submit that there should be two noise buffers created to help residential occupiers in Burley Rd. Firstly the rear walls of any building should be at least 20m off our rear southern boundaries not the minimal 5 meters proposed. Most occupants in properties that front Burley Rd have livestock in paddocks behind their houses and these livestock will be greatly disrupted by noise if the buildings are too close to rear boundaries. I note in the construction plans lodged, that Gazcorp proposes a 3m high buffer running the length of the Southern side of Unit 10 only. The 3m high buffer would offer the same protection offered to residents below unit 10 to all other occupants behind units 3 - 9 along our rear boundaries. We believe that if these two precautions were inbuilt our quality of life through noise abatement would be more likely to be tolerable.</p>	32	<p>The noise impact assessment has determined that the night-time project specific noise criteria can be complied with.</p> <p>In most cases the buildings are set back over 20m from the southern boundary of the site. The exception is a small number of locations where the building is 10-15m set back, resulting from the irregular shape of the southern boundary in some sections.</p> <p>For most of the length of the southern boundary the noise is naturally attenuated by the presence of an existing hill, which will be retained at the current level on the boundary. Buildings on Lots 5-7 will be cut down significantly below the crest of this hill.</p> <p>When detailed development proposals are submitted for buildings 3-9 they will be accompanied by an acoustic report. If required as a result of the noise modelling for these buildings, further noise attenuation for these buildings will be considered, including noise walls if necessary.</p>
	<p>Noise impact this will generate through not only the roads surrounding Horsley Park, but also on the proposed internal road extending to Wallgrove Road.</p>	33	<p>The noise impact assessment has determined that the project specific noise criteria can be complied with.</p>

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Flooding	<p>We question whether the removal of the larger rural dam is wise as it undoubtedly has played a function in trapping water on site in events of flooding of Reedy Creek. The course of Reedy Creek immediately south of the Gazcorp property makes a near 90° deviation to the west before resuming a south to north flow along the western boundary of the site. It defies common sense to believe that extreme flood events have not, in the past, caused the breaking of the bank of Reedy Creek at that point rather than make the 90° deviation to the west. Such events in future will result in the inundation of the proposed warehouse. The Hydrology Report seems silent on this.</p>	1	<p>Stormwater flows and flooding have been assessed, and there are minimal off-site impacts associated with the proposal. The finished floor levels of the warehouse are above the modelled flood levels and so will be affected by the 1:100 flood.</p>
	<p>We experience flooding on our land during periods of heavy rain. The Department must ensure that the plans submitted make allowance so that our properties do not become bogs when heavy runoffs flow from this new development onto our lands.</p>	32	<p>Stormwater flows and flooding have been assessed, and there are minimal off-site impacts associated with the proposal. Stormwater collected on the site will not flow onto adjoining properties, but will be collected through an on-site detention system, that will discharge into existing stormwater infrastructure in Wallgrove Road, or directly into Reedy Creek. The on-site detention system has been designed to ensure that stormwater flow rates do not exceed what currently occurs from the site.</p>
General Pollution and Amenity Impacts	<p>As a resident of Horsley Park, we are alarmed that Gazcorp's planned industrial estate will make a massive impact to our lifestyle, as well as the rest of the residents within the area. The proposed development is at a massive scale, and the emphasis of this only being 'stage I' of Gazcorp's proposals, proves to be very disturbing.</p>	4-7	<p>The scale of the proposed development is commensurate with the zoning that applies to the site and is consistent with State Government objectives for the Western Sydney Employment Area.</p> <p>The proposal sets out the entire future development of the site (all stages), as well as delineating what is proposed to be built as part of the initial stage (Stage 1) of building works.</p>
	<p>There has been no attempt to create a buffer. We feel that a buffer should provide screening with mature trees/plants at a calculated height, to minimise our visual impact of Gazcorp's Industrial Estate. We would like to request a professional detailed report on how our visual impact is going to be minimised.</p>	4-7	<p>The proposed industrial estate is naturally buffered by the Transgrid easement, and the presence of an existing hill on the southern boundary through the central part of the site.</p> <p>A revised proposal that includes additional landscaping works within the Transgrid easement has been provided in the Response to Submission Report.</p>

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	The amount of pollution is obviously hard to calculate; however as an industrial estate we are aware that the warehouse and distribution centre will create all types of pollution. We are concerned that a vast number of truck and forklifts movements (which these two alone are heavy producers of pollution) have not been taken into consideration with respect to how the emissions will affect the nearby residents.	4-7	Trucks and forklifts will comply with the <i>Protection of the Environmental Operations (Clean Air) Regulation 2010</i> , which specifies standards for emission of air pollutants from such vehicles. Truck and forklift movements are unlikely to result in discharges of air pollutants that will impact on local air quality parameters.
	The proposal for Gazcorp's 24 hours a day, 7 days a week operational hours will have adverse impacts on the residents of Horsley Park. Operation should only be allowed as a 7am - 5pm week day and a 7am - 1 pm Saturday.	4-7, 33	Warehouse and distribution facilities need to operate 24 hours per day 7 days per week in order to fulfil obligations in relation to modern supply chains. The noise impact assessment has determined that the night-time project specific noise criteria can be complied with.
	We object to the precedent of the industrial development within the Western Sydney employment area without proper consideration regarding the detrimental impact it has on the rural residents of the land in Horsley Park. Our objections include, but are not limited to the following: Noise Impact, Visual Impact, Lighting, Operational Hours (24 hours a day, 7 days a week).	8-30	A comprehensive EIS has been prepared that includes assessment of noise and visual impacts on surrounding residents. Lighting will be designed to be compliant with the Australian Standard <i>AS 4282-1997 Control of the obtrusive effects of outdoor lighting</i> .

	Submission	Objects/Supports
1	Blacktown & District Environment Group Inc	Objects
2	Blacktown District Environmental Group	Objects
3	Private Submission	Objects
4 -7	Private Submission (multiple identical submissions)	Objects
8-30	Private Submission (multiple identical submissions)	Objects
31	Private Submission	Objects
32	Private Submission	Objects
33	Petition signed by 16 individuals	Objects