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Via email: thomas.piovesan@planning.nsw.gov.au

Submission from:
Robert and Melissa Borg
21-26 Greenway Place,
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June 9, 2016

Dear Sir / Madam,

**Re: Oakdale South Industrial Estate (SSD 6917)
Erskine Park, Penrith LGA
Applicant's Response to Submissions**

We refer to your correspondence regarding the Oakdale South Industrial Estate (OSE) and the Applicant's Response to Submissions (RTS). We still have significant concerns in relation to the application and maintain our objection.

Details of our ongoing concerns in relation to the Applicant's response include:

Visual Impact

The Visual Impact Assessment (VIA) prepared by e8urban for the RTS is deficient and does not provide an analysis that makes it possible for us to clearly understand the true impact on our property. We object to the conclusions that the development will result in a low impact and satisfactory outcome. The VIA is poorly investigated and uses only the view point from the street to make its conclusions. It contains numerous errors that give the impression it was a cursory analysis and should not be relied upon.

The VIA indicates that the ridgeline running north to south close to Greenway Place will obscure the site. This is definitely inaccurate as most houses are built on the highest points of their blocks and will look over the Jacfin property directly into the OSE.

It is unreasonable that the OSE development is relying on screening that they believe will be provided by the Jacfin development. Timing of the developments will most likely not be concurrent and OSE need to provide their own mitigation of impacts at their own cost. The Jacfin development has not yet received final approval for all stages and has not yet commenced construction. We are not even sure of the final impact of the Jacfin site and whether it will screen OSE or not, since the plans are not even finalised. Additionally, there will always be viewing corridors between the Jacfin buildings that would open up views to the OSE buildings and rooftops. Therefore, the Applicant's assumptions and approach to their analysis are considered to be inequitable to the residents and insufficient.

Landscaping

The landscaping drawings and VIA are unclear as to the extent of landscaping treatment to be applied to the Eastern boundary. Will it extend along the entire Eastern boundary, or be limited only to the area directly around the noise wall. We believe that the landscaping treatment of 10m in width, as illustrated in Section C-C of Appendix D to the RTS, should be extended along the entire length of the Eastern boundary. This would help to minimise our views of the unsightly buildings and rooftops of the OSE, as well as helping the proposed rezoned RU4 land on the Jacfin site.

The Department of Planning should require the Applicant to provide for maintenance of the landscaping / screening vegetation, to ensure the mitigation of view impact for the long term.

Rooftop glare and night lighting

The Applicant's RTS does not provide any response to the issues of glare and lighting. Landscaping would also help to mitigate these impacts. The Department should not approve this application without the 10m wide landscaping treatment along the whole length of the boundary.

Noise

We still have concerns about the acoustic impacts (and hence amenity and lifestyle) as a result of this development operating 24 hours 7 days a week. We still have reservations about the reliability of information provided, considering the exact nature of activities is still unknown. We urge the Department to consider limiting operations to more reasonable working hours and also to establish a requirement for long-term measurement of ongoing, cumulative noise levels.

The RTS does not provide any information on concerns relating to noise during the extended construction period. There is no information in the revised reports about anticipated construction noise levels and whether they will meet acceptable criteria.

Air quality / dust

We continue to have concerns about the dust to be generated by the earthworks and excavation activity during the extended construction phase. Horsley Park often experiences quite strong wind gusts which will carry the dust across to our property. The Department should require the developer to consider this further and identify appropriate plans to help improve the situation for us during that time. The amenity and use of our property during the construction phase should not have to be limited to our indoor areas only.

Consultation

Goodman's report claims that the industrial developments have been 'in discussion for decades'. We dispute this and had not received any notifications at the time that the rezoning was pushed through in 2009, hence, there was no opportunity to lodge a submission and object at that time.

Consideration of residents' concerns

The Applicant's comments that changes to the area have been 'long anticipated' are irrelevant. Having their land rezoned does not mean that they are exempted from complying with planning controls or consideration of amenity issues to existing residents such as noise management, visual impact, glare and night time lighting.

We strongly object to the Applicant's claims that the rural residential lands should accommodate the buffer zone to reduce the land use conflicts, and hence, eliminate their responsibility to provide mitigation of the impacts. This is completely unreasonable and inequitable. The rural residential properties were established and existing a long time before the rezoning to employment occurred. They are responsible for mitigating the negative impacts that their own development will create.

Given the abovementioned concerns and deficiencies in the reports, we continue to object against the proposed Oakdale South industrial estate.

Yours faithfully,



Robert and Melissa Borg