

Appendix A: Response to Submissions

Responses should be considered in conjunction with the cover letter and Submissions received in response to EIS.

1. Department of Planning & Environment (DPE)

WSPT provides the following responses to comments in the DPE letter dated 10/02/2017 and Attachment 1.

1.1 Urban Design and Visual Impacts

- The visual amenity impacts has been assessed using photomontages and measures to mitigate any impacts are proposed including the provision of significant open space parcels on the east and west of the site and additional landscaping to be planted within the view of the residential sensitive receiver. Further detail is provided *1. Urban Design and Visual* of the cover letter.
- As detailed in the cover letter, following analysis of the visual impact of the loading dock and truck turning area, WSPT does not believe a change in the orientation of the Lot 4 warehouse is warranted due to the significant difference in levels between the Lot 4 pad and Trivet Street preventing a view of the area.

1.2 Noise

- The Revised Acoustic Assessment in Appendix H utilises an acoustic monitor located on 82 Cowpasture Road (28 Trivet Street) to assess background noise levels.

1.3 Traffic

- Consultation with RMS was undertaken to clarify responses and revised SIDRA modelling was completed and is included in the Revised Traffic Impact Assessment in Appendix I as well as letters issued to RMS and Council responding to Submissions.
- The light vehicle access and egress points of Lot 1 and Lot 4 have been separately however it is noted that such matters will be addressed as part of future development applications for warehouses. This is also the case for lot access and sweep paths.

1.4 Other items

- A Targeted (Phase 2) Site Contamination Investigation is included in Appendix J and the RA Remedial Action Plan is Appendix K.
- WSPT acknowledges that the site is within the South West District, not the Central West District.
- Staging of the bulk earthworks is proposed in one stage or in two stages which would include construction of the entire road and likely two of the proposed lots.
- Over 80 emails have been exchanged with the owner of 82 Cowpasture Road ('Davern') since lodgement of the EIS in December 2016. Davern has been issued the Photomontages (20/04/2017), Revised Acoustic Assessment (27/04/2017) and proposed landscaping for the 82 Cowpasture Road (20/05/2017), details for which are still being discussed. In a meeting at the Davern residence on 24/04/2017, WSPT was able to explain the significant difference in levels between the pad of Lot 4 and Trivet Street limiting the visual impact. Subsequent to the meeting, WSPT agreed to provide tree planting at 82 Cowpasture Road or in the Trivet Street road reserve, and subject to a development consent not requiring respite periods, WSPT will provide glazing to the windows facing the HD2 development, despite acoustic compliance without such measures. Further detail is provided within the cover letter.

2. Office of Environment & Heritage

In response to the issues raised by OEH, Ecoplaning was engaged to undertake further survey works and provide detailed responses, included in Appendix L. In summary to the concerns raised by OEH:

- Clearing of vegetation is not proposed in the existing stormwater swale at Lot 7.
- A survey for the Cumberland Plain Land Snail and no individuals were identified, confirming the views stated in the Biodiversity Assessment Report, attached to the EIS.

WSPT considers that the response in Appendix L covers all issues raised by OEH and that no further works are required.

3. Heritage Council

WSPT accepts the conditions proposed by the Heritage Council.

4. TransGrid

The submission states *TransGrid has no objections to the proposal.*

WSPT acknowledges the 'TransGrid Easement Guidelines for Third Party Development (V10)' is applicable to works within an easement.

5. NSW Department of Industry (DPI)

The following responses are provided to concerns raised by DPI.

5.1 Perched groundwater

In consideration of DPI's comment regarding the "potential to intercept perched groundwater", the Civil Engineering Report states the following:

"The impact on the overall groundwater system as a result of the proposed earthworks over the site is expected to be low. The identified water tables are within areas of fill. Groundwater has not been identified in cut areas and overall earthworks are consistent with industrial cut and fill depths, and the works completed on the adjacent Stage 1 of the Horsley Drive Business Park development site."

Further the Targeted Site Contamination Investigation (Phase 2) by Douglas Partners confirms "No free groundwater was observed in the pits".

Notwithstanding WSPT's view that such an assessment is not required for the subject site, Mitchell Isaacs of DPI (Director - Planning Policy & Assessment Advice) advised on 20/03/2017 that "a 'prior to commencement of works' or 'prior to commencement of excavation' type condition would appear appropriate."

5.2 Watercourses present on the site

As stated in the Biodiversity Assessment Report by Ecoplaning, *"There are no rivers, streams or estuaries identified within the development site."*

References to the natural water courses in the Geotechnical Assessment by Ground Technologies are incorrect, as identified by DPI.

5.3 Riparian corridor

Reference to a riparian corridor in the Landscape plans attached to the EIS was incorrect and has been updated in the revised Landscape drawings in Appendix E. Details of the landscaping including plant species is included in the Softworks section of the Landscape drawings.

Accordingly, WSPT proposes that the 'DPI Water Guidelines for Controlled Activities (2012)' are not applicable in this instance.

6. Geological Survey of NSW, NSW Department of Industry (GSNSW)

The Submission states *GSNSW has no comments or recommended conditions of consent regarding the EIS.*

7. Sydney Water

WSPT has no objections to the conditions proposed by Sydney Water.

8. NSW Roads & Maritime Services

Preliminary responses to the RMS submission were provided in a letter on 23/02/2017 and are included in Appendix I along with other correspondence and meeting minutes. As detailed in the covering letter, RMS and WSPT have agreed on the payment of a contribution towards the construction works of The Horsley Drive / Cowpasture Road roundabout intersection. Other issues raised by RMS that are not resolved by the contribution are addressed in the cover letter.

9. WaterNSW

WSPT acknowledges that all references to the Upper Canal should read 'WaterNSW Upper Canal' and provides the below responses to the comments from WaterNSW. The following responses are provided to comments by WaterNSW.

9.1 Stormwater management

WSPT confirms the proposed stormwater system achieves the requests of WaterNSW.

9.2 Bulk earthworks, and erosion and sediment controls

WSPT has no objections to the condition proposed by WaterNSW.

9.3 Fencing

WSPT acknowledges WaterNSW's standards and has no objections to the condition proposed by WaterNSW.

9.4 Heritage

WSPT has no objections to the condition proposed by WaterNSW.

9.5 Permits

WSPT does not propose any works within the corridor although has no objections to the requirement proposed by WaterNSW.

9.6 Notification of incidents affecting the Upper Canal

WSPT has no objections to the condition proposed by WaterNSW.

10. Transport for NSW

WSPT provides the following responses to comments from TfNSW.

10.1 Bicycle Parking and End of Trip Facilities

WSPT agrees to provide bicycle or end of trip facilities in accordance with the relevant guidelines and standards as requested by TfNSW.

10.2 Construction Traffic Management Plan

As stated in Section 5.4.2 'Mitigation' of the EIS, WSPT proposes to prepare a Construction Traffic Management Plan (CTMP) prior to the commencement of works. The CTMP will be in accordance with the requests of TfNSW.

10.3 Bus Route – 812

WSPT confirms the nearest bus stop to the 812 Bus Route is approximately 1.7 kilometres, or a 20 minute walk from the site. Some of the other bus services within proximity to the site include:

- 814 Fairfield to Smithfield (Chifley St) – bus stop approximately 180 metres away near the Cowpasture Road and Trivet Street intersection.
- 835 Prairiewood to UWS – bus stop approximately 500 metres away near the Victoria & Bentley Streets intersection.
- 813 - Bonnyrigg to Fairfield via Prairiewood, Smithfield - bus stop approximately 1.3 kilometres away on The Horsley Drive.

Recently WSPT has agreed to fund and manage the planning and design, and partially fund the construction of a roundabout within the Parklands at Lizard Log south of the HD2 site which will include a bus stop and allow buses managed by TfNSW to turnaround after demolition of the roundabout at The Horsley Drive and Cowpasture Road as part of The Horsley Drive Upgrade. This will further enhance the provision of public transport in the vicinity of the site.

10.4 Active Transport

WSPT is undertaking numerous activation programs targeted at promoting visitor access to the Parklands, specifically through walking and cycle tracks which are a component of Passive Recreation, intended to represent 5% of the area of the Parklands in the long-term. The extensive track network throughout the 27 kilometre long Parklands continues to evolve and includes part of the Prospect to Blacktown Bike Network located immediately west of the HD2 site.

WSPT has considered the recommendations by TfNSW in relation to Active Transport and suggest it would be more appropriate to consider these matters as part of development applications for individual warehouses. Notwithstanding this, on the assumption that TfNSW is referring to the cycle track adjacent the WaterNSW Upper Canal when referring to 'the rear of the development', WSPT does not support the provision of access through the industrial estate to the west as this would create safety and security concerns.

WSPT is proactively delivering pedestrian and cyclist paths throughout the Parklands as part of a process separate to HD2.

11. Environmental Protection Authority

The submissions states *"the EPA has no comments regarding the proposal and has no further interest in this proposal."*

12. Fairfield City Council

WSPT has consulted with Council in relation to this project since 2012 as part of the consultation for the Supplement to the Plan of Management, and more specifically since prior to lodgement of the Request for SEARs. Following issue of the Council's submission to the EIS on 17/02/2017, WSPT arranged a meeting for 1/03/2017 to further discuss the project. Minutes to the meeting are included as an appendix to the Civil Engineering Report.

As detailed in the cover letter, WSPT maintains that stormwater and flooding strategy for the site is a positive approach which adopts best practice water sensitive urban design measures, is compliant with Council's policy and improves the flooding scenario. Direct responses the Council's comments relating to 'Catchment Management' are included in the Civil Engineering Report in Appendix G.

Appendix I includes a letter to Council responding to all comments received in relation to Traffic Management.

In response to the draft conditions of consent from Council issued on 16/03/2017, WSPT provides the following comments:

- As Phase 2 report in Appendix J has been completed by Douglas Partners, the condition requiring a 'Site Investigation Report' is no longer appropriate.
- The Section 94A Development Contributions should be calculated based on the scope of the development application excluding the concept approval. Further contributions will be payable for individual development applications submitted in the future, similar to Stage 1 Horsley Drive Business Park.
- The Construction Management Plan should reference the Revised Acoustic Assessment by Acoustic Logic provided as Appendix H.

- Dust suppression during construction works should be provided in accordance with The Landcom Blue Book only; nothing further. Automatic sprinkler systems are excessive and not accepted by WSPT.
- Regarding the Landscape Plan, WSPT's Biodiversity Strategy has been considered and in-house experts have reviewed with input from the landscape consultant to propose the species specified in the revised Landscape plans. Some of the comments by Council appear to be incorrect and WSPT welcomes further consultation following review of the revised landscape plans.

13. Name Withheld, Bossley Park NSW

Responses to the submission are provided below however no consultation was possible.

- The Traffic Impact Assessment (TIA) considers the increases in vehicle movements. The Revised TIA in Appendix I supersedes the previous version.
- As stated in the EIS, the Concept Landscape Plan by Arcadia proposes:

"planting throughout the site including street tree planting along the access road, feature entrance planting, a vegetated riparian corridor, a detention basin, a native vegetation buffer and landscape terracing.

"All trees (with the exception of 'Snow-in-Summer') are capable of achieving a mature size of 20-40m in height and 8-10m in width. A range of native shrubs, grasses, groundcovers and climbers are also proposed throughout the site. The landscaping proposal aims to develop a positive identity for the Site, retaining the bushland setting and capitalising on Water Sensitive Urban Design (WSUD) opportunities."

Further information regarding the urban design and visual impact is included in the cover letter and the updated Landscape Plan in Appendix E.

14. Lina Davern

WSPT has continued to consult with Davern by exchanging over 80 emails along with phone calls and a meeting. An unattended acoustic monitor was located on Davern's property for one week to accurately assess background noise and photomontages were prepared from the view of the dwelling to assess the visual impact. WSPT has agreed to provide a landscaped area either along Davern's boundary (as displayed in Appendix F) or within the Trivet Street road reserve. Further, WSPT has agreed with Davern that if respite periods are not imposed on the project, that glazing to the windows facing the proposed development will be installed.

As detailed in the cover letter and demonstrated by the Photomontages (Appendix D) and Revised Acoustic Assessment (Appendix H), the impacts of the proposed development on the dwelling are relatively minor. As the subject property is within the Parklands, Davern has requested the contact details for the NSW government agency responsible for acquiring properties for WSPT. Nonetheless, WSPT is committed to minimising and where possible mitigating impacts of the proposed development.

The following responses are provided to comments within Davern's submission.

14.1 EIS inaccuracies and development criteria

- Omission of the resident's property was not intentional and noted.
- The potential impacts of the development are the subject of detailed technical assessments which form part of the SSD application.
- The location of the business hub was selected based on the criteria detailed in the Plan of Management. The location is considered an extension of the Wetherill Park – Smithfield industrial precinct and is considered the optimal location within the Fairfield LGA for various reasons including that the 2% business hub allocation does not need to encroach other areas of the Parklands. Additionally, selection of the specific site boundaries was assisted by preliminary ecological assessment and allows WSPT to retain the vegetation west of the site which maintains the 'stepping stones' toward Prospect Reservoir. Extensive works were undertaken to assess the most suitable location of HD2.

14.2 Traffic

The Traffic Impact Assessment included with the EIS and Revised Traffic Impact Assessment (Appendix I) have considered the traffic impacts in detail and were in response to extensive consultation with Council and RMS.

The allocation of traffic generated on Trivet Street has been discussed with Council and RMS and agreed. WSPT does not accept the speed barriers and bollards proposed by Davern.

14.3 Visual including aesthetic

Details of the urban design and visual impacts are addressed in detail in the cover letter. Numerous measures are proposed to minimise the visual impact including the planting of trees upon consent to allow time to grow prior to the commencement of works. The visuals requested by Davern were completed and indicate a minimal impact (refer Appendix D).

While building signage would be the subject of future development applications, WSPT does not support the prohibition of signage from the warehouses as requested by Davern.

14.4 Noise

As noted previously, an acoustic monitor was located on Davern's property to accurately assess the acoustic impacts. While the approach was deemed 'conservative' by Acoustic Logic, the assessment still indicated the predicted noise levels were fully compliant with relevant guidelines and policies. Further information is included in the cover letter and the Revised Acoustic Assessment in Appendix H.

The below responses are provided comments from Davern relating to noise.

- The permissible land uses included general industrial, light industrial and warehouse and distribution centre. The subject development application does not include built-form so additional planning processes will be required to assess specific warehouses.
- The 'private allotments' label from the landscaping plan was an error and has been corrected in Appendix E. WSPT proposes to retain the orientation of the warehouse based on the information included in the cover letter, primarily, that due to the difference in levels between the Lot 4 pad and Trivet Street, the loading docks and truck turning area will not be visible. A side-effect of having trucking turning on the eastern side of the warehouse is that the built-form will be approximately 35 metres further away from the Davern dwelling, thereby having a lesser visual impact. The Photomontages demonstrate the minimal visual impact plus the overall visual impact will be minimised by landscaping within the lot boundary and at Davern's residence.
- As stated in the Revised Acoustic Assessment, *"that based on the proposed masterplan design the development will be in full compliance with the EPA Industrial Noise Policy, Road Noise Policy, Fairfield Council DCP and the SEARs SSD 7664 for 24 hour operation."* Accordingly, WSPT does not support any restriction on the hours of operation.

14.5 Light

Light pollution "during construction" is unlikely due to the permitted hours of construction being limited to during the day. Emissions of lights from buildings will be assessed in future development applications however will be somewhat screened by landscaping and likely only have limited visibility due to the difference in levels.