

I am writing this to voice my strong and absolute opposition to the proposed Nulon Motor Oils development within the Bringelly Road Business Hub.

My mother Maria Bautovich, owns the property 12-20 Bringelly Rd located on the eastern boundary of the proposed development (20-50 metres from the site). I strongly believe Maria is the most affected by this proposed development. She has lived there for over 50 years making a living from the land and has seen all the changes with urban sprawl, development of train line to Leppington and the major upgrade to Bringelly Road.

This application is extremely disturbing as it threatens her quality of existence and health and well-being to the point where questions must be asked if it is safe to live within such proximity of the proposed development application. I also have very strong concerns of the potential negative impact on the value of my mother's property should this development be approved.

On the property my mother tends to cows and chickens whilst enjoying the farm life. My son loves to go to his Baba's house and feed animals. He loves to run around in the open space the farm offers. The animals have no voice in this so I am their voice. Questions need to be raised around the potential health impact to the animals to be in such proximity to chemicals such as hydrochloric acid, caustic soda liquid and combustible liquids.

The cows are sold through Camden Sale Yard where the meat is tested. This is very concerning to have the type of manufacturing next door, as rules and regulations are very tight. Cows which are administered antibiotics for example cannot be sent to market within 6-8 weeks. This development poses a potential impact to her income stream and raises doubts about growing anything on the farm that would be for human consumption.

With regards to the development there has been no consultation between Maria Bautovich or myself and the developer around this proposal for the site next door. Initially we were approached by Planning & Infrastructure with a letter dated 6<sup>th</sup> of March 2014 to ask if Maria was interested in selling the property to the Agency. The response was there was no interest, at which point my details were passed onto a representative of Western Sydney Parkland Trust (WSPT). The discussions at this point were around the proposal and whether we were interested in selling part of the land and then the question was asked whether we would consider not having access via Bringelly Rd, but via Cowpasture. Both questions were not entertained and the WSPT representative was okay with this.

Further discussions/emails were exchanged with the WSPT representative around June 2016. At which point the documentation was available through the major projects site (I'm not sure if at this stage the DA had already been approved), and in my reply I stated (I haven't seen anything past the discussions we had back two years ago in the City). The proposal continued to be described by the representative as light industrial / logistics type warehousing and service centre uses.

The initial 'Request for Proposals' closed 14<sup>th</sup> of July 2016. WSPT struggled to find a suitable partner for the 99 year leases that were part of the Business Hub.

On Christmas Eve 2017, the first contact was made by the WSPT representative to notify me of developer committed to Bringelly Road Business Hub, and then I received a further email later that afternoon from the developer with links provided to planning NSW website (emails attached) for the first development.

At the time I thought the timing was odd. Being the busy time of year and just before holidays I had a glance at the links provided, but I am in no way proficient to navigate through the links to

understand the actual impact on 12-20 Bringelly Rd and the area in general. Still in my mind I thought the development would be light industrial with goods coming in on pallets and going out on pallets. There was nothing at this time to suggest anything different and this definitely was not articulated by the developer.

Quote from email -

*A concept proposal for a business park comprising large format retail premises, light industry, service station, takeaway food and drink premises and restaurant / café uses; and*

It was only in February 2018 when I learnt of the significance of the application, by receiving the Planning & Environment Notice of Exhibition noting manufacturing oils and storage of aerosols on-site. At this point I still did not know the location within the Business Hub.

Alarmed I contacted my original WSPT representative to raise my concerns and to get an understanding of what actually is being proposed for next door. He did not know the specific details to answer my questions, so he sent an email to the developer with four specific questions around the proposal (emails attached).

*I have just had a discussion with Steve Bautovich who is the contact for 12 Bringelly Road. Just before Christmas, Mark issued a link to the folder containing DA documents however I think it would be more helpful if you were able to provide links to documents which might be of particularly interest to Steve (eg architectural, civil drawings and landscape plan).*

*A few things to address for Steve please:*

- *Where within the site the proposed Nulon facility sits.*
- *The interface treatment?*
- *Location and height of retaining walls and any treatments.*
- *The operation of Nulon – storage? Manufacturing? What sort of oils etc will be stored/produced on site?*

The response from the developer to Q4, was laughable but not in the context of the proposal. Nulon Site Map provided as an attachment to the email contradicted his response. I did not reply to the email based on the clear untruth.

*The facility is only for storage and distribution, products which will be stored include aerosol cans, and other combustible liquids however, this has been assessed and the appropriate building solutions have been incorporated to ensure the facility is constructed to Australian Standards. A Dangerous Goods Report was also completed as part of the DA application to assess the products stored within the facility and concluded the facility is not classified as potentially hazardous.*

After this I sent further email to WSPT representative (including Anne Stanley speech to Federal Parliament) expressing my concerns about the predicament that I now face. There was no response to the email (email attached)

The planned site has residential development to the east and north. Within close proximity there are two early learning centres (Stuart Rd), together with primary and secondary schools in the general vicinity. This proposal is not light industrial and does not belong in this area. It is too close to established housing and would be extremely unfair for the residents to have their asset values negatively impacted as a result of allowing Nulon to build on the proposed site.

The land was always considered green space or corridor, this development makes an absolute sham of what the Western Sydney Parklands (WSP) have on their website under environment.

*the Parklands is making a long-term contribution to restoring the balance between nature and urban development in Sydney and enabling Western Sydney's community to connect with the outdoors for generations to come.*

Further from the WSP website (about-us/business).

*The areas identified for business hubs are in harmony with their surrounding area. The Horsley Drive site is vacant land and would be an extension of the Wetherill Park/Smithfield industrial area. The Blacktown site is also vacant land between two*

*major arterials, the Great Western Highway and the M7. The business hub areas are on the perimeter of the Parklands, and are in areas of low conservation or recreation value.*

I have not heard any negative comments to the proposals at the other Business Hub sites. I would assume nothing like this was attempted at those sites. I simply cannot understand why the WSPT agreed with the developer to propose development of this factory on the Bringelly Road site.

Everyone I speak to either does not know about the proposal or is horrified to hear about it. The receptors contained within the application were too limiting. This is unfair for the entire Horningsea Park/ Greenway Park and Carnes Hill precinct as they did not have an opportunity to be informed officially about this proposed development on their doorstep. I door knocked Stuart Road last night (North of the proposal residential, just across from the wetlands) and no resident had received the Notice of Exhibition and had only learnt of the proposal through word of mouth. Yet they are directly behind the site.

With the actual proposal the drawing is 14 meters in height. Yet the developer is only providing five metre buffer zone on the eastern boundary with no retaining wall. Together with the road plan on that side of six metres, giving 11 metres reprieve from the monstrosity being proposed. All other boundaries are 14-15 metres and yet they have no residential impact. This would cause significant shadowing onto my Mother's property.

The heavy trucks (18 metres) proposed to go down the eastern boundary, will have a gate swinging open at all hours of the day and night. This gate is within 50 metres of my 84-year-old mother's bedroom. This is totally unacceptable.

Operation Details (4.7) has 24 hours, 7 days a week noted. This is reinforced 'Dispatch and deliveries will generally occur 24 hours and all days'. Again, totally unacceptable.

The offer of cyclone fencing and vegetation will not take away from the visual/acoustic impact of the proposal. Even without considering the equation of 24 hours, 7 days a week of heavy trucks in and out of the factory.

Hazards and Risk (6.5) 'Nulon Motors is an experienced and licensed operator, in the production, packaging, storage and distribution of motor oils'. I refer to September 2015 judgement from the Land and Environment Court fining Nulon for air pollution. Fining Nulon \$120,000 and ordering to pay Prosecutors legal costs of \$64,530 and place newspaper advertisements. (copy attached)

Air Quality Impact Assessment - (5) Assessment of Impacts from Warehouse Operations. 'the sensitivity of the surrounding residential areas to emissions from the Development Site should be considered high'. Next paragraph 'the magnitude of these emissions is likely to be negligible'. Then followed by 'the potential impact of the Development Site on the local sensitive receptors is concluded to be **neutral** for all receptors.

These statements need further reviewing by independent qualified experts. The following page (Table 9 Impact Significance) then has paragraph underneath the table stating 'the raw material storage and production activities are proposed to be located towards the north of Lot 8, with bulk storage area proposed to be located towards the north western end of Lot 8. This will ensure that any air impacts from the production activities are located as far as possible from the existing residential receptors'. So do we have air impacts or not?

Why is this being stated if the overall opinion has concluded to be neutral for all receptors. It would be interesting if the person who prepared the report would be happy to live next door to the

proposed development. This is an example of “not in my backyard” mentality. Well, this is in MY mother’s backyard.

The ‘Ethos Urban’ Environmental Impact Statement was submitted to Department of Planning and Environment (On behalf of CIP/CH Bringelly Pty Ltd). The conclusion and Justification contained within is cringe worthy to read. Absolutely there was no consultation with myself when this report was prepared.

The Bringelly Road Business Hub – Development Management Agreement refers to light industrial and large format retail and other retail. Nulon application does not meet this definition in any way. The agreement also states (m) The Development must achieve a minimum 5 green star rating for the Development. Again without being an expert and what is proposed, I would highly doubt how this has been met. Major gas pipes run through the front of Bringelly road which service metropolitan Sydney.

WSPT / The developer can surely find more suitable tenants to their 99 year leases. What gives them the right to propose such industry within parklands causing so much angst to the local residents. The local residents were there first and must be considered. Within the hub it would be interesting if this development proposal was next to their retail/café sites. I would assume they will be up the hill as far away as possible from this proposal. I doubt any café site would have patronage being situated next door to an aerosol and combustible liquids manufacturing facility.

In closing we vehemently oppose the proposed development as this will have substantial impact to my mother and the general area, and it has no absolutely no place in such proximity to housing. I strongly urge the Government and planning authority to deny this application and for Liverpool Council to work with the company to find a more suitable alternative location.

I’m happy to discuss any of the above if you wish to contact me.

Steven Bautovich