

ABN: 73 123 529 564

PO Box 617 Round Corner NSW 2158

T: 0414 730 842

21 December 2017

Ms Kate Graham
Planning Officer – Infrastructure Projects
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Kate.

MP 05 0147 MOD 13

Enfield Intermodal Logistics Centre Modification 13

I refer to the above mentioned modification and the submissions received by the Department of Planning and Environment during the exhibition period. This letter provides a consolidated response to both Government Agency and public submissions raised as a result of the public exhibition of the modification to remove the Tarpaulin Factory land from the remainder of the Enfield Intermodal Logistics Centre (ILC).

It is noted that since the exhibition period the application under Part 4 of the Act (DA 2016/132) for the use of the site as a garden centre and hardware and building supplies including the adaptive reuse of the existing tarpaulin building and a new parking area has been approved. Most of the items raised in the submissions relate to matters the subject of the Part 4 approval. However, to assist the Department, all submissions have been considered in this response:

1. Roads and Maritime Services

1.1 The RMS raised no objection to the proposed modification in their letter dated 12 October 2017.

2. NSW EPA

2.1 NSW EPA raised no objection to the proposed modification in their letter dated 2 November 2017. The response stated:

The EPA understands that the proposed modification does not change the noise emissions from the approved Enfield ILC, nor the limits or other conditions pertaining to noise emissions associated with the approved Enfield ILC.



The EPA is generally satisfied that the potential impacts associated with the demolition, remediation and redevelopment works can be minimised through implementation of the control measures outlined in the original Environmental Assessment, Project Approval and Approved Plans.

2.2 Appropriate conditions are incorporated in the Court conditions dated 29 November 2017.

3. Canterbury Bankstown Council

3.1 Canterbury Bankstown Council's submission dated 23 November 2017, raised the following concerns:

Council requests the Department to consider the following issues:

- 1. Outline the strategic justification to remove the site from the original consent for the Enfield Intermodal and whether the proposed use is consistent with the intended outcome for the Community and Ecological Area.
- 2. Ensure the off-site impact analysis of the future development considered areas within the Canterbury-Bankstown LGA boundary, such as the air quality, noise and traffic impacts on the residents along Punchbowl Road.

Response – Strategic Justification

- 3.2 The original approval granted consent to enable shipping containers to be transported to or from Enfield by rail from either Port Botany or regional areas of NSW and established the intermodal centre. The southern part of the site was nominated by NSW Ports as a 'Community and Ecological area', which also incorporated the former Tarpaulin Factory building.
- 3.3 The current application seeks to remove approximately 2.16 hectares of land from the Part 3A approved 5 hectare 'Community and Ecological Area' located at the southern end of the wider ILC site area. This will enable the adaptive re-use of the Tarpaulin Factory for the purpose of a retail garden centre containing ancillary uses for a café, fruit and vegetable shop, pool shop and pet store. Works will also include associated car parking/servicing areas and landscaping.
- 3.4 The development application was lodged under Part 4 of the EP&A Act, with Strathfield Council, for the adaptive re-use of the Tarpaulin Factory building. The use of the site for the purpose of a retail garden centre which has been approved is unrelated to the Ports operations and will not affect the logistical operations of the approved Terminal facility that was granted under the Part 3A Project Approval.
- 3.5 To enable the successful adaptive re-use of the Tarpaulin Factory it required assessment and development approval under Part 4 of the Environmental Planning and Assessment Act.
- 3.6 This modification seeks to modify the Part 3A site boundaries and remove approximately 2.16 hectares from the 5 hectares of the Part 3A site area identified as the Community and Ecological area within the wider ILC site are. It should be noted that a large portion of the 2.16 hectares is and will continue to be occupied by the existing Tarpaulin Factory building footprint.
- 3.7 The effect of this proposed modification would be to remove the land proposed to be occupied by the retail garden centre and associated ancillary uses from the wider Project Approval area for the ILC



- site. The requirements that relate to the subject land under the Part 3A Project Approval would be undertaken as part of the Part 4 development application for the retail garden centre.
- 3.8 In effect, the removal of the land only takes effect when the Part 4 development application is approved and acted upon.
- 3.9 On 29 November 2017, the Part 4 development application was approved for the garden centre and the accompanying *Operational Plan of Management* dated 15 November 2017 outlined the measures required to be put in place to protect the habitat and declining population of the Green and Golden Bell Frogs. A copy of the OPM accompanies this submission.
- 3.10 The adaptive re-use of the Tarpaulin Building as a retail garden centre is highly desirable and a beneficial community outcome as it will retain a significant building that will improve the aesthetics of the southern end of the site while still retaining Mt Enfield and ensure that the frog ponds are protected.

Response - Off-Site Impact Analysis

- 3.11 On 29 November 2017, the Land and Environment Court approved the development application for the garden centre and the accompanying Operational Plan of Management dated 15 November 2017 outlined the measures required to be put in place to protect the habitat and declining population of the Green and Golden Bell Frogs.
- 3.12 The approval of the above application determined that the impacts associated with air quality, noise and traffic were not unreasonable for surrounding properties and existing traffic networks.
- 3.13 It is also noted that the RMS, Transport for NSW and NSW EPA raised no objection to this proposed modification.

4. Transport for NSW

4.1 Transport for NSW raised no objection to the modification in their letter dated 13 October 2017. The letter stated:

It is understood that the application seeks to remove approximately 2.16 hectares of land, referred to as the Tarpaulin Factory, from the current Project Approval.

The purpose for the removal of the land is to facilitate the adaptive re-use of the heritage Tarpaulin Factory for the purpose of a garden, hardware and building supplies centre. The development of the centre is currently being considered by Strathfield Council (DA2016/132) and the transport impacts would be assessed as part of that application.

Having regard for the above and a review of the relevant submitted documentation, Transport for NSW has no comment on the proposed modification.

5. Office of Environment and Heritage

5.1 The Office of Environment and Heritage response dated 1 December 2017, notes that the Department of Planning and Environment specifically requested the following advice:



"In particular, we would like OEH's advice as to whether the proposed modification would impact on the Green and Golden Bell Frog population and potential impact on Community Environment Area (CEA). The Department understands the OEH has had input on this specific matter in the past, as part of the assessment of MOD6".

5.2 The following table outline and addresses the Office of Environment and Heritage issues raised in their letter with respect to the Green and Golden Bell Frogs:

OEH Issue	Comment
As the proposed modification application is only excising the site from the area subject to the major project approval, OEH is only to comment on the removal of foraging habitat, not the indirect impacts that the proposed adaptive re-use of the tarpaulin factory may have.	Noted. The Part 4 DA approved the Operational Plan of Management that provides measures for the protection and management of the GGBF.
Comparison of figure 1 in the Modification Application No, 13-27 Cosgrove Road, South Strathfield report (which only shows the "approximate area") with the Community Ecological Area Map in the Amended Development Application Planning Report — 127 Cosgrove Road, South Strathfield indicates that the site is not part of the ponds precinct, the frog foraging area nor the frog movement corridor.	Noted. The Part 4 DA has considered likely impacts on the GGBF.
If the Land and Environment Court determine to approve the development application, OEH agrees with the GGBF assessment that the erection of a frog-proof fence during construction, as well as the implementation of the other recommended measures in the assessment, should prevent impacts on GGBF. OEH would also recommend that consideration be given to the operation of the new facility to ensure the impacts on the GGBF are minimised including impacts from lighting and the requirement for exclusion fencing.	On 29 November 2017, the Land and Environment Court approved the Part 4 development application for the garden centre and the accompanying Operational Plan of Management dated 15 November 2017 outlined the measures required to be put in place to protect the habitat and declining population of the Green and Golden Bell Frogs. It is noted that requirements have been incorporated to address lighting and exclusion fencing.

6. Strathfield Council

- 6.1 On 16 October 2017, Strathfield Council raised concerns in a submission to the Department of Planning and Environment.
- 6.2 The following table outline and provides a response in relation to the issues raised by Strathfield Council:

Strath	field Council Issue	Comment
(DA/2016/132) for a building supplies wa	garden centre and hardware and	Noted. On 29 November 2017, the Land and Environment Court approved the concurrent development application for the garden centre.



Strathfield Council Issue	Comment
1979. On 1 June 2017, the application was refused by the Strathfield Independent Hearing and Assessment Panel due to concerns regarding the permissibility of questionable 'ancillary' land uses, inconsistency with the objectives of the RE2 Private Recreation zone under the Strathfield LEP 2012, and absent Waste Management Plan. Subsequently, the applicant submitted a Class 1 appeal to the Land and Environment Court. A Section 34 Conference is scheduled for November 2017.	
It should be noted that Council would not raise concerns in principle with a garden centre and hardware and building supplies on the subject site provided that et nature of the proposed use complies with the Standard Instrument definitions contained in the SLEP 2012. It is understood the Part 3A modification will not affect the permissibility of development on the site and therefore, Council raise no objection in principle to the modification application.	Noted.
this submission will comment on only works proposed under the subject Part 3A modification (i.e the remediation and transfer of fill).	
Council's Environmental Heath and Compliance Coordinator has reviewed the application and provides the following comments:	The Part 4 development application for the garden centre has been approved. The DA provided for the remediation works to occur under the Part 3A approval. Accordingly, the S75W request seeks to
The site should be remediated in accordance with the approved RAP and to the appropriate criteria and validated by a suitably qualified consultant.	stage the excision of the site from the Part 3A approval. A Remedial Action Plan prepared by Zoic
The validation report shall be submitted to and accepted by Council <u>prior to the issue of an Occupation Certificate.</u>	Environmental Pty Ltd dated 2 February 2017 forms part of the S75W request.
Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the PCA immediately.	
Waste receipts demonstrating that excavated and demolished materials removed from the site have been disposed of at an approved waste facility shall be submitted to Council prior to the issue of an Occupation Certificate.	
All fill imported on to the site shall be validated by an appropriately qualified person/body to ensure the imported fill is suitable, from a contamination perspective, for the proposed land use. Fill	



Strathfield Council Issue	Comment
imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.	

7. Issues Raised in Public Submissions

- 7.1 A total of 39 submissions were received from the public as a result of public exhibition of this DA, of which 35 were in support of the proposal and 4 raised objection to the proposal.
- 7.2 The following table outlines the 35 letters of support received during notification:

NI-	Colombasian Isaaca	0
No.	Submission Issues	Comments
1	Soula Koushappis	
	 Reasons to support the development: The Garden Centre will visually improve the area and make it more desirable to be around. The facility will be widely used by the community. The land is likely to remain in its current state as there are no plans by any public authority to acquire the land for recreational purposes. The historical buildings will be retained and preserved. The frog reserve will not be impacted 	Noted. The submission supports the proposal.
2	Ioulia Terizis	
	I support the development of the Flower Power site.	Noted. The submission supports the proposal.
3	Name Withheld	
	I support the development of the Flower Power site.	Noted. The submission supports the proposal.
4	Name Withheld	
	I support the application as the proposed development will support the community by providing employment opportunities and enhance the area as the current buildings are run down and the area a waste land. The historical buildings will be enhanced and the services proposed are needed in the area.	Noted. The submission supports the proposal.
5	Name Withheld	
	As a local resident in Belfield and a local loyal customer of Flower Power we would very much like NSW Planning to consider the value of a gardening centre in Belfield. About 20 years ago we had a gardening centre near this area on Cosgrove Road and it was used quite a lot by local residents who could stroll to the facility. It is in a position where it would be visually pleasing, used by the	Noted. The submission supports the proposal.



No.	Submission Issues	Comments
	community (who love their gardening, take a look at our gardens) and best of all the historical buildings will be retained and preserved please also consider the frog reserve which was put in place to ensure the frogs were not disturbed. Flower Power are a great company to have in the area and are well established at the moment at Enfield. We believe that the close proximity in Belfield would mean that their customers would continue to shop at Flower Power this brings money, life and energy into Belfield. Please consider their application. Local residents are concerned that this spot if not given to Flower power and a gardening centre may be used for waste - we already have enough unpleasant industry along this strip a gardening centre would enable our residents, including myself to have somewhere local to go improve our gardens.	
6	Name Withheld	
	I support the submission for the development application of flower power on Corner of Cosgrove and punchbowl roads for the following reasons: The proposed development is considered a desirable outcome and compatible land use for adjoining residential area. It is a clean and quiet business and alternative likely tenants are far less desirable. The garden centre will visually improve the area. It is a facility that will be used by the community. The historical buildings will be maintained. The frog reserve will not be impacted. The section of land zoned RE2 land is not suitable for recreation purposes given its location and size. There are also no known plans by any public authority to acquire the land for recreational purposes. The land is likely to remain in its current state.	Noted. The submission supports the proposal.
7	Name Withheld	
	I object to the tip suggestion and approve a garden/hardware addition. This will bring happiness to the neighbour, and bring in more money for the area. The idea of a rubbish disposal is a terrible idea.	Noted. The submission supports the proposal.
8	Name Withheld	
	We prefer Flower power as this will benefit not only the overall community and vibe of the area but also the future of children. Furthermore it will have a positive effect on house and land value within the surrounding areas.	Noted. The submission supports the proposal.
9	Name Withheld	
	The facility will be used by the community and attract business.	Noted. The submission supports the proposal.
10	Name Withheld	
	Believe the Garden Centre will add value to the area both visually and	Noted. The submission supports the



No.	Submission Issues	Comments
	demographically.	proposal.
11	Name Withheld	
	I support the submission for the development application of flower power on Corner of Cosgrove and punchbowl roads for the following reasons:	Noted. The submission supports the proposal.
	 The proposed development is considered a desirable outcome and compatible land use for adjoining residential area. 	
	 It is a clean and quiet business and alternative likely tenants are far less desirable. 	
	The garden centre will visually improve the area.	
	 It is a facility that will be used by the community. 	
	The historical buildings will be maintained.	
	The frog reserve will not be impacted.	
	 The section of land zoned RE2 land is not suitable for recreation purposes given its location and size. There are also no known plans by any public authority to acquire the land for recreational purposes. The land is likely to remain in its current state. 	
12	85 Madeline Street, Belfield	
	I do not wish to have a rubbish facility put in place near my house as we already have many industrial facilities within the area creating dust and unliveable environment. It will also devalue our house that we would like to sell in the future.	Noted. The submission supports the proposal for a garden centre.
13	1 Birriwa Avenue, Belfield	
	I support the Garden Centre opening at 127 Cosgrove Rd.	Noted. The submission supports the
	I hope NSW Planning does not take away the one opportunity for a business to develop that will improve rather than destroy my neighbourhood.	proposal for a garden centre.
	Too often development is allowed on sites within industrial areas with little thought given to the fact that often industrial sites adjoin residential areas and that noise and dirt from these sites impacts across large areas. I know as I feel the impacts of inappropriate businesses being allowed to develop. We have been bombarded with incompatible development.	
	This is why I feel so strongly about this development. It will not be a burden, needing constant complaints to council and the EPA, but instead will be enjoyed by the community.	
	I therefore ask that NSW Planning allow the garden centre to establish at 127 Cosgrove Rd. For if it is refused I fear what undesirable and incompatible industry will establish there instead.	
14	1 Birriwa Avenue, Belfield	
	I write in regard to DA Number: 2016/132 proposed for 127 Cosgrove	Noted. The submission supports the



No.	Submission Issues	Comments
	Road, Strathfield South/Belfield.	proposal for a garden centre.
	I strongly support for the development of the garden centre. I understand the development will involve the relocation of the Enfield Flower Power complex to the site at Cosgrove Rd, which is part of the site belonging to NSW Ports for the Logistics Centre.	
	I support this development which will improve the amenity of the area and will be enjoyed by the local community.	
	I also believe the design and extensive landscaping of the complex will significantly improve the existing decay in area and will re-use of the heritage buildings, the tarpaulin sheds, ensuring these are maintained and preserved. Other industries may leave them standing, but simply use them as sheds for machinery or storage, and they are likely to become more run down. A look at most of the old industrial buildings nearby and their terrible condition suggests this will be the case. The garden centre will not create more offensive noise in the area. Nor will it create dirt and dust. It is a clean commercial business, unlike	
	many that have been allowed to open which have no regard for the surrounding residents. I fear if the garden centre is not approved yet another undesirable industry we establish at the site.	
	Unfortunately the residents of Belfield have had to endure a significant number of noisy, polluting and undesirable developments in the neighbouring industrial zone. This is one that is welcomed. We would like to see more such businesses, which are compatible and appreciated by the surrounding residents establish in this industrial zone.	
	Please approve the garden centre.	
15	Name Withheld	
	To NSW Planning and Environment I write in support of the proposed development of a garden centre at 127 Cosgrove Road, Strathfield South/Belfield.	Noted. The submission supports the proposal for a garden centre.
	Unlike many of the developments that have recently occurred the garden centre will improve will improve rather than further destroy my suburb. It will be a business which will be enjoyed by the local community rather than one which will generate dust and noise.	
	Not only will this development protect the historic buildings and the endangered frogs it will also protect the residents from yet more incompatible industry establishing near our homes.	
	The design and landscaping will improve the appearance of the area.	
	I urge NSW Planning to ensure the garden centre is approved as I am concerned about the future alternative tenants.	
	Kind regards	
16	Name Withheld	



No.	Submission Issues	Comments
	LETTER OF SUPPORT	Noted. The submission supports the
	I write to express strong support the development of the garden centre at 127 Cosgrove Rd Belfield. Unlike many of the industries operating in the industrial area the garden centre is much welcomed.	proposal for a garden centre.
	Since buying in Belfield approximately 2 years ago I have noticed an enormous change in terms of industrial and heavy vehicle noise, especially since 2016.	
	I purchased my Belfield property because of the extensive parklands and quiet surrounds. I would like to stress it was VERY QUIET for the first 6 months, but since this time there has been a substantial increase in industrial noise and heavy vehicle noise, obviously the result of development and operations of industries which are not compatible with residential areas. I was very relieved to know for once there was a development which will have a positive impact on the community. Unfortunately I was disappointed to hear it was refused by Council.	
	In contrast to these noisy, dusty industries, the garden centre is a very community compatible development. This is a business that will not have any negative impact on the surrounding residents, but instead will improve the area. I wish to stress, the Belfield community want the garden centre as part of their community.	
	The development will not have any negative impact of the surrounding residents. In fact the extensive and impressive landscape they will complete will improve the appearance of the area enormously.	
	If Flower Power does not open here the residents of Belfield are likely to have to endure yet another inappropriate, noisy, dirty industrial development which wishes to operate around the clock with little concern for the surrounding residential are.	
	I urge the Department of Planning to see the Flower Power proposal is a win for the local community, recognise the community's wishes and best interests and approve the proposed development by Flower Power rather than allow this opportunity for a clean industry to occupy the site to be missed and potential have a far less desirable business fill the site later.	
	I strongly support this development. Please grant approval.	
	Yours sincerely	
	Belfield resident	
17	Rose and Len Hajjar	
	NSW Dept Planning and Environment We are residents of Belfield. We very strongly support the proposed development of a garden centre at the site referred to. Over recent years many incompatible businesses have been allowed to develop next to our homes. Daily we suffer their noise and dust. Please ensure another incompatible industry is not allowed to develop on this site.	Noted. The submission supports the proposal for a garden centre.



No.	Submission Issues	Comments
	 Unlike many other industries likely to develop there the garden centre will be: Used and enjoyed by the community. Be a visual improvement. The old buildings will be repaired and the streetscape improved. Be clean and not cause dust. Will not attract more dumping in the area. Will not be noisy. Many other industries including truck depots, waste facilities, container terminals are very noisy. Take pride in the appearance of their business and improve the area. This is a business the residents welcome. Please help ensure its approval. 	
18	Youla Davis	
	To NSW Department of Planning and Environment, I am a long term resident of Belfield. My family has suffered the impacts of inappropriate industry being allowed to develop in the neighbouring industrial area. I very much hope the garden centre is given approval as it would be a business that would bring improvement to our community. I agree with the Statement of Effects that the establishment of the garden centre would: • ensures that the existing State Significant building is retained and repaired • provides a business that will service the local community and residents. • improves the visual appearance of the area. • is the preferred community use of the existing building. • is a low impact use from other potential uses permissible under the current zoning; and • will result in the operation of a compatible land use adjoining a residential area and is deemed to be an appropriate redevelopment of the site which will result in a positive development outcome for the local community and residents. I hope the NSW Department of Planning and Environment can see the merit in this development and protect the residents from more incompatible development by allowing the establishment of the garden centre.	Noted. The submission supports the proposal for a garden centre.
19	Name Withheld	
	To NSW Department of Planning and Environment. I am a resident of Belfield and strongly support the establishment of the garden centre and hardware and building supplies outlet and the proposed ancillary uses at the site of the Tarpaulin Factory on Cosgrove Rd. The establishment of such a commercial outlet will be of benefit to the adjoining residential community and is by far a much better option than most of the others that are likely to establish at this location.	Noted. The submission supports the proposal for a garden centre.



No.	Submission Issues	Comments
	The site is in a state of significant decay. The establishment of the garden centre would achieve significant urban redevelopment, improving the aesthetics of the area and provide a retail outlet which will be used and enjoyed by the local community.	
	The garden centre will be a clean and quiet commercial venture. It will not inflict offensive noise and dust on the residents like so many other businesses which have been allowed to establish close to our homes, destroying our residential amenity. Its environmental impact will be positive, unlike many of the other options likely to establish at the site should the garden centre be refused.	
	The establishment of the garden centre not only ensures the historically significant buildings will remain, but that they will be restored and maintained. In the event of less desirable industry being allowed to establish here instead of the garden centre, the buildings are likely to be allowed to deteriorate further. A look at the neglect of many of the sites and buildings occupied by many of the other industries operating in the area provides evidence of this. Waste transfer facilities, scaffold storage centres, scrap metal depots etc do nothing to maintain the old buildings on their sites. There are many examples in the adjoining area that prove this. Should the garden centre not be approved there is a very real risk that the tarpaulin factory, assessed as being of state historical significance, will deteriorate further.	
	Although the garden centre will bring traffic, this will be largely cars. Other potential industries to develop on the site are likely to bring significant increases in heavy vehicle movement and their accompanying air and noise pollution. The community would definitely prefer an increase in cars than trucks. We have already suffered too many heavy vehicles as a result of the Enfield ILC, numerous container storage facilities, waste transfer facilities, truck maintenance centres, bus depots etc. Any development will increase traffic, but the impact of cars is less than that of trucks.	
	Not only will Mt Enfield be maintained as a buffer for residents from the Enfield ILC, the development of the garden centre will add to that buffer.	
	In conclusion, I strongly agree with the statement in the Amended Statement of Effects that the establishment of the garden centre will "result in the operation of a compatible land use adjoining a residential area and is deemed to be an appropriate redevelopment of the site which will result in a positive development outcome for the local community and residents" and hope the NSW Department of Planning and Environment approve the development.	
	Yours sincerely Belfield resident	
20	Bernard Rachwan	
20		Noted The submission surrent (1)
	Happy for Flower Power.	Noted. The submission supports the proposal for a garden centre.
21	Bill McManus	
	In relation to the application to excise the Tarpaulin site from the original Enfield Logistics Site approval, I agree with the benefits of the application as set out in Section 5.9 "Public Interest" of the Modification	Noted. The submission supports the proposal for a garden centre.



Ma	Cultural and I across	Comments
No.	Submission Issues	Comments
	Application No. 13 (127 Cosgrove Road South Strathfield NSW dated 30/8/2017).	
	As a member of the community (within 250m of the Tarpaulin site) we responded to the community feedback for potential uses to the Tarpaulin site. We are looking forward to an enhancement of the site as proposed by Flower Power.	
22	Gintaras Sakalauskas	
	I would like to see a Flower Power develop opposite our house. We have been waiting for the project to start and cannot understand why it was delayed. It is the best use of the space and the community will enjoy it.	Noted. The submission supports the proposal for a garden centre.
23	Kylie Mangan (2 submission received with same content)	
	I support flower power development.	Noted. The submission supports the proposal for a garden centre.
24	Lael Sakalauskas	
	I want the Tarpaulin Factory to go and Flower Power to come in. As a community member, I want to be able to use that space. The historical buildings will be retained and preserved; the frog reserve will be not be impacted. I'm aware that it might increase traffic in the area, but the proposed plans showed that parking will be at the back of the centre, therefore traffic will not be such a big issues.	Noted. The submission supports the proposal for a garden centre.
25	Maria Siataga	
	The proposed development is considered a desirable outcome and compatible land use for adjoining residential area. Flower power is a clean and quiet business. The Garden Centre will visually improve the area and add value to adjoining residences as it will become more visually desirable that what	Noted. The submission supports the proposal for a garden centre.
	is currently there.	
	The facility will be used by the local community. The historical building are to be retained and improved.	
	The reserve will not be impacted.	
	The land is likely to remain in its current state a discarded warehouse which is an eyesore if the DA to Flower Power is not Approved.	
26	Mary Mifsud	
	I support flower power.	Noted. The submission supports the proposal for a garden centre.
27	Milena Sakalauskas	
	We live right opposite the current Tarpaulin Factory. We would like to see Flower Power developed in that space. We believe that the original proposal was amended and issues addressed. The proposed Flower Power development is considered the most desired outcome and the best choice for us and the neighbourhood. The Garden centre will improve the area and will be used by the community.	Noted. The submission supports the proposal for a garden centre.



No.	Submission Issues	Comments
	Under no circumstances would be like that area to be used as a waste transfer facility or even factory warehouses. NO WAY!	
28	Paul Mangan	
	I support flower power development.	Noted. The submission supports the proposal for a garden centre.
29	Victor Carnuccio	
	I am writing in support of DA Number: 2016/132 proposed for 127 Cosgrove Road, Strathfield South/Belfield. I ask that NSW Planning decide in favour of the development.	Noted. The submission supports the proposal for a garden centre.
	Over the past 2-3 years a number of incompatible and inappropriate developments have been approved in the adjoining industrial area. As a result the residents have suffered dreadful noise, dust and distress. Our lives have been negatively impacted enormously. For a change we have the opportunity for an industry to open in the nearby industrial area which is quiet, clean and for use by the residents. However it is denied approval.	
	What makes this refusal even more worrying for the residents is potential alternative developments should the garden centre not be approved. Please save the people of Belfield from the likely impact of yet another undesirable industry on our doorsteps, by approving the much wanted and residential friendly garden centre. We are already burdened with too many waste transfer facilities, container terminals, truck and bus depots, excavation equipment storage, scrap metal facilities - all of which are noisy and care nothing for the residential amenity or visual appearance of the area. The garden centre will beautify and improve the environment and surrounds, not make it worse.	
	Approval of the garden centre will have the following benefits for the residents:	
	will be enjoyed and used by the local community.	
	 The design and maintenance of the garden centre will be a visual improvement to the area. 	
	It will protect he heritage buildings.	
	It will have minimum noise impact and no dust impact.	
	It will improve rather than reduce our property values.	
	The traffic generated will be of far less impact than that caused by alternative options. A look at the situation in Madeline st where trucks queue and block the street trying to enter sites clearly shows what could happen if the garden centre is refused and alternative industries establish at the site which bring in constant flows of heavy vehicles all day every day.	
	 The garden centre is a wonderful option for this site. Please approve it at 127 Cosgrove Rd. 	



Submission Issues	Comments
Name Withheld	
Flower Power is a clean business and their garden centre will visually improve the area. It is a facility that will be used by the local community and visitors, while providing local residents with employment opportunities. Furthermore, if there is a cafe, it will be an aesthetically pleasing place to meet for breakfast, lunch or afternoon tea. The historical buildings will be retained and preserved and the frog reserve will not be impacted. It will a business that will have a positive impact for the local community.	Noted. The submission supports the proposal for a garden centre.
Name Withheld	
I am in support of the garden centre opening at 127 Cosgrove Rd. This is the best development offered to this area. Please help ensure it happens.	Noted. The submission supports the proposal for a garden centre.
from more undesirable industry establishing there. We are so sick and tired of all the inappropriate industry that has established over the past few years in our neighbourhood. Belfield is a residential suburb. There are homes right across the road from this site. Please help protect these homes from having inappropriate industry establish there like what has happened in the area near Cook Park a few blocks away. I want the garden centre because it will be quiet and clean. It won't bring a constant flow of semi-trailers into our area 12 plus hours a day. I won't make our suburb even more untidy. It won't have trucks with loud reverse beepers that can be heard clearly all day every day for over a distance of 500m like most of the other industries that have established recently. The garden centre will improve my life not make it worse. Please please	
Name Withheld	
To NSW Planning and Environment. Please approve the garden centre at 127 Cosgrove Road, Strathfield South/Belfield. My reasons are because we already have had so many terrible noisy industries open up near our home. They make it impossible for us to enjoy our home any more. They make it impossible for us to sleep at night or any later than 6am in the morning. They make so much noise during the day with their high pitch beeping it is difficult for me to study. Allowing these types of industries to develop next to homes is wrong. They have caused my whole family so much distress and ruined our neighbourhood. Most of these industries are untidy and make the area look such a mess. I worry that if the garden centre is not approved yet another one of	Noted. The submission supports the proposal for a garden centre.
	Flower Power is a clean business and their garden centre will visually improve the area. It is a facility that will be used by the local community and visitors, while providing local residents with employment opportunities. Furthermore, if there is a cafe, it will be an aesthetically pleasing place to meet for breakfast, lunch or afternoon tea. The historical buildings will be retained and preserved and the frog reserve will not be impacted. It will a business that will have a positive impact for the local community. Name Withheld I am in support of the garden centre opening at 127 Cosgrove Rd. This is the best development offered to this area. Please help ensure it happens. By approving this development you are helping protect the residents from more undesirable industry establishing there. We are so sick and tired of all the inappropriate industry that has established over the past few years in our neighbourhood. Belifield is a residential suburb. There are homes right across the road from this site. Please help protect these homes from having inappropriate industry establish there like what has happened in the area near Cook Park a few blocks away. I want the garden centre because it will be quiet and clean. It won't bring a constant flow of semi-trailers into our area 12 plus hours a day. I won't make our suburb even more untidy. It won't have trucks with loud reverse beepers that can be heard clearly all day every day for over a distance of 500m like most of the other industries that have established recently. The garden centre will improve my life not make it worse. Please please please approve it. Name Withheld To NSW Planning and Environment. Please approve the garden centre at 127 Cosgrove Road, Strathfield South/Belfield. My reasons are because we already have had so many terrible noisy industries open up near our home. They make it impossible for us to enjoy our home any more. They make it impossible for us to sleep at night or any later than 6am in the morning. They make so much noise duri



No.	Submission Issues	Comments
NO.	who are their neighbours and care even less what their facility looks like will open up on the site. Something will have to eventually open here. The garden centre is a really good option for the people of Belfield. It will be clean and quiet. It will care about its surrounds and what it looks like. It will improve the look of the area. It will be something we can enjoy rather than something that causes us more distress. Please see that the garden centre is a business that is sensible to have near homes. Tips, skip bin facilities, container terminals, demolition truck depots and so many other options are not desirable. Please do not take away our opportunity for something good to establish in our suburb. Kind regards	Comments
33	Name Withheld	
	Hi, My family and I, we all support the Modification number 13 so there aren't any inconsistencies with getting an approval granted to redevelop the historic tarpaulin factory into a Flower Power garden centre. Finally a business that is environmental friendly, clean and mainly quiet. This is the type of industry we welcome and want in our neighbourhood! A place where we can take our families, enjoy the green space and have a coffee! Managed by a well-known business with a great reputation that has been around for over forty years and is highly regarded not only within the gardener's community! We hope that Strathfield council understands and appreciates the benefits Flower Power will bring to this part of Strathfield municipality, which is largely industrial. Please do know, that us local residents are very much in favour of this proposal and look forward to seeing the vacant site that has been deteriorating for decades, be transformed into lively business for the enjoyment of our community for many years to come.	Noted. The submission supports the proposal for a garden centre.
34	Name Withheld	
	I support the application for Flower Power with council recommended amendments. I would prefer a green space for restoration to the canopy to assist in control of chemical and noise pollution, however as this is not an option, I prefer The Flower Power application, as the best option for the area. I have resided on Wangal Land since birth and have seen many comprises of green space and feel that at a local level, council too, can make a real difference in the betterment of air and noise quality by allowing Flower Power to set up business at the proposed location.	Noted. The submission supports the proposal for a garden centre.
35	Name Withheld	
	I support Flower Power.	Noted. The submission supports the proposal for a garden centre.



7.3 The following table outlines and provides comments in relation to the 4 letters of objection received during notification:

No.	Submission Issues	Comments
1	Name Withheld	
	Flower Power should not be allowed to cause more disruption in Cosgrove Road. We in the area are sick of the constant noise and dissipation of our quiet enjoyment. They should not be able to sell to property DEVELOPERS WHO ARE MOSTLY FOREIGNERS. Mitchell Road Enfield HAS gone west with flower power site given planning permission and the blind society there for many years causing more disruption by shipping more and more Chinese investors into a perfectly peaceful and unspoiled area. I am disgusted by this government. We have lost our heritage all because of foreign and immigrant investors and by the greed of all concerned. Shame on you all, you are making hell on earth.	The Part 4 development application for the garden centre has been approved. The site was determined to be acceptable for the proposed use. This modification is to enable the site to be excised from the wider ILC site and environmental impacts will were considered under the Part 4 assessment for the garden centre use.
2	J Maddocks	
	Modification 6 had previously sought subdivision of the southern part of the site into 3 lots, the Department of Planning rejected Sydney Ports plan to subdivide the Southern Ecological Area into 3 lots preferring Strathfield Council's view "that the subdivision was not consistent with the original intent and approval for the area." (Mod 6 Approved Director General's Assessment Report sect 5.6 Page 21). The current Modification seeks to excise 2.16 hectares from the Part 3A project approval, a sizeable chunk of land from the Southern Ecological Area ("SEA") area of 6.21 Hectares of the EILC site. If approved the area of Lot 19 that remains as Community and Ecological Area would be reduced to 4.05Ha. This is inconsistent with the original intent of the EILC DA, the Director General's report and public expectation.	The Part 4 development application for the garden centre has been approved. The site is required to be excised from the Part 3A site to enable the non-freight and logistics use to be undertaken on the site. The recent approval has ensured the frog habitat/ponds are protected and will be controlled by the Operational Plan of Management dated 15 November 2017, which was endorsed under the recent Court approved Part 4 DA.
	History of the Southern Ecological and Community Area (SEA)	
	The southern precinct of the EILC site was promised to the community as Community and Ecological area as an offset for the Intermodal and Logistics Centre. It was shown in various plans, documents and brochures as a green area at the south of the EILC site and included the Tarpaulin factory (also known as the Tarp Shed). The DECC viewed the southern area of the EILC as compensatory habitat to boost and secure the Greenacre Green and Golden Bell Frog population. (The Management Plan for the Green and Golden Bell Frog Key population at Greenacre (DECC NSW, 2007). The community believed that the SEA would be a large and ecologically valuable asset providing habitat for the local Green and Golden Bell Frog ("GGBF") population, known to be under threat from habitat loss. The community would benefit with a heritage precinct with opportunities	The Part 4 development application for the garden centre has been approved. This application was determined to be a permissible and suitable use for the site. The Operational Plan of Management dated 15 November 2017 will ensure measures are put in place to protect the habitat and declining population of the Green and Golden Bell Frog. To enable the use of the Tarpaulin Building it requires more land than just the building and this can occur



No.	Submission Issues	Comments
	for public access. The community was always aware that access to the frog habitat areas would be restricted and controlled in order to provide the best possible habitat for the frogs without unnecessary human activity nearby. Over time however the size and extent of the Community and Ecological area has been downsized and modified from the original exhibitions, through the project application, the Part 3A approval process and a number of Modification proposals. In particular the area and extent of Green and Golden Bell Frog habitat and its potential functionality as foraging habitat, overwintering habitat, potential breeding habitat, and movement corridor, has been downgraded and disrupted since the initial project application by successive modifications	without detrimental effect on the CEA.
	Removal of part of Mt Enfield including vegetation and uncertainty over level of fill to be removed.	The works that have been approved under the Part 4 DA involve works to the side of Mt Enfield to facilitate the required carparking. In the approval of the DA, these works were deemed appropriate. Additional landscaping is proposed in accordance with an approved Landscape plan.
	Concern for where the removed fill will be placed.	The fill is to be re-used on site.
	The proposed development will encroach into frog habitat areas and this is not acceptable.	The Operational Plan of Management dated 15 November 2017 and the approved garden centre has determined that the development will not unreasonably affect the frog habitat areas subject to appropriate measures being undertaken in accordance with the Operational Plan of Management.
	In my view the portion of the proposed FP development within the RE2 Private Recreation zoned portion of the site is prohibited and cannot be approved. I felt that a continuing implication throughout the Mod 13 documents was that RE2 zoning was not appropriate. I believe that the RE2 zoning is consistent with the original intent of the EILC DA and the concept of the SEA. In an ideal world, I would prefer to see the whole of the CEA zoned E2 which would be consistent with the zoning of the Greenacre Brick Pit frog ponds and Cox's Creek reserve and would give a higher level of protection for the GGBF habitat onsite.	The approved garden centre determined the development to be permissible on the site and an appropriate use for the site. It was not inconsistent with the CEA area as the original ILC approval always required a separate DA to be lodged for the use of the subject site/building.
	The concept of the CEA was to have limited and controlled access to frog habitat areas. The idea of the Frog Habitat Area was to create "ideal" shelter, foraging and over-winter habitat." (EILC EA Appendix G	Refer to the Operational Plan of Management dated 15 November 2017 that accompanied the recent court approved garden centre.



No.	Submission Issues	Comments
	Flora and Fauna studies p 65). This proposal would see people, cars, trucks, and other vehicles moving around continuously during the day and sometimes at night, in areas barely a few metres from frog habitat, including the frog pond area set up as suitable for GGBF breeding.	Appropriate measures will be undertaken to protect the habitat of the declining population of the Green and Golden Bell Frog.
	There is little or no information on the impact of changed overland flow paths for storm water that currently waters the frog habitat areas including foraging areas. (Refer diagram showing overland flow paths in Biosphere Frog Protection Report 2009). There is no information that I could find that discusses how the frog habitat areas including foraging areas will be watered in the future.	Matters relating to surface flows were considered as part of the Part 4 DA.
	Lack of information regarding the removal of vegetation and mitigation mounds.	The Part 4 development application for the garden centre has been approved which indicated the vegetation that is proposed to be removed.
	The Acoustic Logic Noise Assessment Report has failed to consider the removal of these mounds and vegetation that were part of the noise abatement measures in the original approval, providing some mitigation for residents of the Cosgrove Road/ Blanche St Belfield precinct from noise from the intermodal terminal site. The Acoustic Logic report has also failed to address or assess the	The approved development application determined that a garden centre would be an appropriate use of the site and would not detrimentally affect nearby residents with respect to acoustics.
	cumulative impact of noise from the EILC site and the FP site and other industrial sites along Cosgrove Road.	
	This Mod 13 application seeks to excise the FP development from the Part 3A approval. Having read the documents and previous heard the case for excision at EILC CLC meetings, I am not convinced that there is sufficient justification for excising the FP site from the Part 3A approval. Although it is not a freight and logistics related business, Flower Power	The use of this part of the site was subject to separate approval required under Part 4 of the EP&A 1979. The approved use is not related to freight and logistics. The ownership of the land is not a relevant consideration, nor one that
	would be, if approved, a tenant on the EILC site.	determines the approval path.
	As such I believe that Flower Power should be bound by all relevant conditions in the Part 3A project approval especially those relating to ecological impacts, and heritage impacts but also including conditions regarding air quality and dust, construction and operational noise, hazards and risks, waste generation, water quality and hydrological	The court approved conditions of consent have addressed air quality and dust, construction and operational noise, hazards and risks, waste generation, water quality and hydrological impacts.
	impacts.	The GGBF and habitat will be protected and maintained in accordance with the Operational Plan of Management dated 15 November 2017.
	Complaints and enquiries procedures, and incident reporting as covered in Construction Environmental Management Plans and Operational Environment Management plans should also be applicable making FP	Appropriate conditions have been included in the approved DA for the use of the site for a garden centre.



No.	Submission Issues	Comments
	responsible and accountable for their operations in the important Community and Ecological area of the Enfield ILC site.	
	However, before either or both parts of this Mod 13 request can be considered, the Land and Environment Court appeal of SIHAP's refusal of the Flower Power DA should be finalised.	Noted. The Part 4 development application for the garden centre has been approved. This modification can be determined.
3	Renata Bali	
	Application does not recognise the historical intent of the Community and Ecological Area or the RE2 zoning.	The part 4 application, for the development and use of the site for a garden centre, has been approved. It determined that the proposed use
		was suitable for the site.
	Application does not accept that the proposal is not permissible in or compatible with RE2 zoned land.	The approval determined that the proposed use and development for the purpose of a garden centre is a permissible use.
	Application does not adequately consider direct and indirect environmental impacts associated with a garden centre on the Greenacre key population of Green and Golden Bell Frogs (GGBF).	The approved DA includes an Operational Plan of Management dated 15 November 2017, the
	Application does not provide any commitments that GGBF habitat will be protected both on and off-site in the medium to long-term (i.e. during operation).	purposed of this plan was to put measures in place to protect the habitat and declining population for the Green and Golden Bell Frogs.
	Apart from being 'convenient' for the proponent and NSW Ports, no compelling reasons are given to justify why the reuse of the tarp shed could not be undertaken under Part 3A approval conditions. My concern is that, once the land is excised from the Part 3A approval, the site will no longer provide 'secure' habitat for the GGBF and conditions relating to the use of herbicides and the monitoring of water quality will no longer apply.	Consideration has been given to the GGBF population. The future use is not freight or logistics related and requires excision from the Part 3A site.
	Much of the relevant background to this submission is included in my previous submission dated 21 September 2016 (Bali 2016, see Attachment 1). Many of the questions asked in that document have not been addressed in new or amended reports lodged in support of the Modification 13 Application.	Noted. The issues raised relate to the recently approved Part 4 DA for the use of the site/building as a Garden Centre.
	It was always recognised that RE2 was not the most appropriate zoning for the area, but it was clear that Sydney Ports/NSW Ports was never going to accept a more appropriate zoning (e.g. RE1 or E2). While both the RE2 and IN1 zoning preclude use of the area by the community, the RE2 zone is at least consistent with protection of created frog habitat.	In the approval of the DA is has been determined that the proposed garden centre was an appropriate use for the site and permissible within the current zoning. It determined that it will not
	In June 2012, Strathfield Council also lodged a submission objecting to Modification Application No. 6 that proposed to divide the CEA into 3 separate lots on the basis that: The Revised Site Layout failed to clearly delineate the	detrimentally affect the surrounding traffic network, create unreasonable noise impacts and will not
	Community and Ecological Area and to reflect the 2007 project	unreasonably affect the GGBF and



Submission Issues approval for the EILC by including Mt Enfield, the Tarpaulin their respective habitats. Factory and the frog ponds; The removal of the site area from the Part 3A site area is necessary to The amount of landscaping along Cosgrove Road had been enable the determination of an reduced with negative impacts on landscape aesthetics, unrelated freight and logistic use. biodiversity and screening (appears to be the result of Modifications 1&2); Appropriate conditions have been incorporated into the recent court The ARTC access point entering Cosgrove opposite residential approval for the future garden centre properties should be moved as truck movements would have a development and protection detrimental impact on residents. measures for the GGBF. Strathfield Council was successful in its challenge to Modification 6 and the southern CEA was consolidated within a single Lot 19 (see Figure 2, Modification Application). Modification Application No. 13 seeks to subdivide this area again, thereby reducing the overall area of the CEA as well as potentially downgrading the management priorities for the area. It should also be noted that, if approved, the Amended DA to reuse the The approval determined the Part 4 tarp shed as a garden centre would result in the partial removal of DA to be an appropriate use, subject vegetation planted on the noise wall along Cosgrove Road to the north to conditions of consent. of the main entrance. It would also increase the impacts on residences The traffic and acoustic report associated with truck traffic entering and leaving the site via the main accompanying the recent DA entrance on Cosgrove Road. determined that truck movements and associated noise would not detrimentally affect the surrounding traffic network or residences. In accordance with Part 3A approval conditions, Sydney Ports was The approved Operational Plan of Management dated 15 November required to: 2017, that accompanied the DA Create overwintering habitat as part of the 2-ha foraging habitat; approval for the Garden Centre, will Provide linkages to former Railcorp ponds; ensure measure are put in place to Restrict the use of herbicides in known frog habitat; and protect the habitat and declining population of the Green and Gold Ensure water quality standards are maintained for water Bell Frog. discharged from the site. Consideration was given to the The Frog Habitat Creation Area is further subdivided into foraging GGBF. areas, movement corridors, frog ponds and (planted) Cumberland Plains Woodland (Figure 5 in the LEAMP). The latter area, located in the south-eastern corner of the site, contains a noise mound that is landscaped with endemic native species from the Cumberland Plains Woodland. This area comprises foraging habitat for GGBF (Figure 4) and is of particular concern as it would be directly impacted by the proposed development. A Frog Protection Plan (Biosphere 2009) applies to the EILC; it outlines longterm management, monitoring and reporting for the constructed frog habitat. The proposal encroaches directly onto known GGBF habitat and land zoned RE2 at its northern end. Furthermore, changes to drainage, waste disposal and activities on the site have the potential to have indirect effects on the GGBF population. These have not been



EA has been the habitat of the ined above. It will also t as a buffer.
subject to the recent I for the garden centre and use and is not der this modification.
ed through the erational Plan of
elevant consideration equest. These matters red in the approval of
entre use is the IN1 Industrial Id utilises Clause 5.3 Near Zone Boundaries oportion of works in the
will occur in ith the approved n.
the mound remains therefore its function fer will not be affected.
ng plans approved as identified the works to Enfield.
use and development a garden centre has d and was determined e use.
the Tarpaulin Shed is come and the fic and pedestrian ere deemed to be opropriate conditions luded in the approved
I find the contraction of the co



No.	Submission Issues	Comments
		the site only.
4	Patricia Giammarco	
	Dust from contaminated soil affecting my home. This will create health risks.	Appropriate conditions have been incorporated into the approved DA for the garden centre to minimise dust emissions from the site.
	Traffic impacts from the development.	The approved DA for the garden centre determined that the proposed traffic impacts would not be detrimental to surrounding traffic networks and residences. This modification does not seek approval for any proposed garden centre works.
	Removal of vegetation from Mt Enfield will be disturbed.	Noted.
I h	I have found in your reports that there could be as much as 6800cubic meters of soil being moved around. What measures do you have in place to stop all dust particulars from landing in my back yard or pool, where my grandchildren swim during the summer months?	It is proposed that works associated with the remediation of the subject site and transfer of fill within the Enfield ILC site boundary for the purpose of the garden centre will continue to occur under the Part 3A approval and a Remediation Action Plan in relation to these works, which accompanies this application. Upon the issue of the Occupation Certificate for a development consent granted it is proposed that the subject site will be entirely excised from the Part 3A approval.
	Heath risks associated with the development will result in sickness.	Noted. Appropriate measures will be put in place to minimise effects on health.
	This Garden centre and its auxiliary business was rejected by Strathfield council in early 2017and now you are using another tact. That is to part from the conditions that were put on this whole site when approved under what I have always known as Part 3A. This again makes me think that there is an underhanded reason for going down this path to get what you want. The Enfield Intermodal Logistic Centre has failed and now you the owners of the whole site want to change the rules to suit your pockets.	Following an appeal to the Land and Environment Court, the DA is now approved. The removal of the subject site from the overall Part 3A site area is necessary to ensure that the future use can be managed effectively and in accordance with conditions that will apply to 4 Modification Application No. 13 – Enfield Intermodal Logistics Centre the specific use. The Enfield ILC approval always envisaged that a separate DA would be lodged for the future use of the Tarpaulin building. This modification will facilitate this.



8. CONCLUSION

- 8.1 I trust that the above provides an appropriate response to the Government/Agency and Public submissions received during the exhibition period.
- 8.2 Based in the review of the above submissions, it is apparent that the excision of the land from the wider ILC site and use of the site as garden centre and hardware supplies is highly desirable for surrounding residents.
- 8.3 I have attached the following documents/plans:
 - Operational Plan of Management dated 15 November 2015.
 - Section 34 Court Agreement containing Conditions of Consent file date 29 November 2017.

Should you wish to discuss this matter further please contact Larissa Brennan on 0414 730 842 or via email Larissa@ljbplanning.com.au

Yours sincerely

Larissa Brennan

Director

LJB Urban Planning Pty Ltd

