

Prospect Logistics Estate Submission

I strongly object to the State Significant Development titled Prospect Logistics Estate (SSD-10399) proposed on the land adjacent to the Prospect Hill Heritage Reserve. The location of this proposed beverage warehouse or distribution centre is not consistent with the adjacent land use and does not need to be located on this site for any reason whatsoever.

I have proudly lived at the base of Prospect Hill for over 46 years. As a child I vividly remember hearing the explosions from the quarry within the hill and the following rattling of the glass windows in our house. I later learned of its importance to the local Aboriginal people and subsequent events after colonisation. I was recently relieved to hear that Cumberland City Council declared Prospect Hill/Marrong to be an "Area of Cultural Significance", and the publishing of the Prospect Hill Plan of Management, so what is left of the hill can now be protected into the future.

I can't believe that this development is claiming to be '*minimally invasive*' (page 6 '*Engagement Outcomes Report*').

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10399%2120200819T015349.659%20GMT>), which is an outright lie when the proposal puts a 42 metre warehouses directly across the road from a residential estate and on a declared 'Heritage item' and the indigenously significant, and State Heritage Registered, Prospect Hill which will '*completely obscure Prospect Hill*'.

I object to the Prospect Logistics Estate development in this location for the following reasons:

1. Prospect Hill is a registered a site on the **State Heritage Register** for its 'Historic Landscape'
(<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=5051526>)

The Prospect Logistics Estate development will have a significant impact on the historic landscape of this State Heritage Registered site as it will impact '*Prospect Hill's uniqueness as a significant landmark site, historical links with early European exploration and settlement as well as Aboriginal conflict and reconciliation*' by housing huge industrial scale warehouses up to a height of 42 metres on the adjacent lands, which will obscure views of the hill and from the hill.

2. According to 'Prospect Logistics Estate – Statement of Heritage Impact'
(<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10399%2120200819T015352.000%20GMT> page 8) it states:

*'There are no heritage items listed on the **Holroyd LEP** within the study area.'*

This is incorrect and very misleading. Prospect Hill Pemulwuy is listed in **Schedule 5 Environmental Heritage, Part 1 Heritage items in the Holroyd Local Environmental Plan 2013** (Current version for 14 August 2020 to date (accessed 26 September 2020 at 14:08)).

Location: Pemulwuy

Item Name: Prospect Hill

Address: Clunies Ross Street (primary), Butu Wargun Drive 9alternate0, Reconciliation Road (alternate), Great Western Highway (alternate)

Property description: Lots 201 and 202, DP 1121844; Lot 669, DP 1148337; part of Lot 107, DP 1028208; part of lot 901, DP 1078814.

Significance: State

According to the document '*Projects on Exhibition*'

(<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?Atta>

[chRef=EXH-8968152%2120200902T234952.267%20GMT](#)) the SSD – 10399 includes ‘44 Clunies Ross Street Pemulwuy (Lot 10 DP 1022044, Lot 107 DP 1028208, Lot 63 DP 752051, Lot 216 DP 1030744 and Lot 601 DP 1047403), within the Cumberland and Blacktown Council Areas’.

As such the following statement also within the ‘Statement of Heritage Impact’:

‘No works are proposed within the curtilages of existing heritage items. Consequently, the proposed works would result in neutral direct (physical impact) to the following heritage items: Prospect Hill (SHR 01622; Holroyd LEP 2013 I01662)’ is also incorrect and misleading as there are currently works identified within Lot 107 DP 1028208 which is within the item **Schedule 5 Environmental Heritage, Part 1 Heritage items in the Holroyd Local Environmental Plan 2013** named ‘Prospect Hill’.

As a result the whole *Prospect Logistics Estate Statement of Heritage Impact Report (to ISPT Pty Ltd July 2020)* is incomplete and therefore invalid as it does not take into account that there is a heritage item listed on the Holroyd LEP within the study area.

3. According to **The State Environmental Planning Policy (Western Sydney Employment Area) 2009** (Current version for 11 June 2020 to date (accessed 26 September 2020 at 20:43) <https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2009-0413#sec.21>
 - a. **‘Part 5 Principal Development Standards – ‘21 Height of buildings - The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that— (a) building heights will not adversely impact on the amenity of adjacent residential areas, and (b) site topography has been taken into consideration.’**

These critical principal development standards have not been met in this proposed development. The 42 metre high warehouse is proposed to be located across the road to residential properties and has been accompanied by ‘artists impressions’ in the Landscape Plan (<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10399%2120200819T015355.904%20GMT>) showing trees of over 20 metres in height forming a buffer between the residential back yards and the 42 metre height warehouse. These trees currently are not in existence and so will take 40+ years to reach the height needed to buffer the sight of the warehouse. This development that is equivalent in height to a 10-storey building will definitely have an impact on the adjacent residential area.

It is clear that the site topography has not been taken into consideration as The *Statement of Heritage Impact Page 69* states... *“While the development will completely obscure Prospect Hill the proposed development will result in a significant reduction in the prominence of Prospect Hill when viewed from viewpoints to the north west of Prospect Hill. This reduction in prominence is particularly prominent from the north of Prospect Hill in which Warehouse 1 will form a substantial obstruction between the Prospect Hill and viewpoints to the north of the study area”* (from <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10399%2120200819T015352.000%20GMT>)

These two points alone should trigger the clause ‘*The consent authority must not grant consent to development on land to which this Policy applies*’.

- b. And if this is not enough **‘Part 5 Principal Development Standards ‘23 Development adjoining residential land**

(1) *This clause applies to any land to which this Policy applies that is within 250 metres of land zoned primarily for residential purposes.*

(2) *The consent authority must not grant consent to development on land to which this clause applies unless it is satisfied that—*

(a) *wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity, and*

(b) *goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land, and*

(c) *the elevation of any building facing, or significantly exposed to view from, land on which a dwelling house is situated has been designed to present an attractive appearance'*

The residential houses on Muttong Street that back directly onto Clunies Ross Street are well within 250 metres of the proposed development. The proposed buildings will not be '*compatible with the height, scale, siting and character of existing residential buildings in the vicinity*'. The proposed '*elevation of any building facing, or significantly exposed to view from, land on which a dwelling house is situated*' has not '*been designed to present an attractive appearance*', and will be a 10 storey eyesore from the backyards of those living on Muttong Street, and also be a huge eyesore from the new dwellings on the south end of Clunies Ross Street, and the western end of Wombat Street. From the plans shown, the 42-metre-high warehouse will be an eyesore from a large area of Pemulwuy and Greystanes, not to mention Prospect and further afar.

And so, the '*consent authority must not grant consent to (the) development*' give this evidence.

c. **Part 6 Miscellaneous provisions - 33J Heritage conservation**

(1) **Objectives** – The objectives of this clause are as follows—

(a) to conserve the environmental heritage of the Western Sydney Employment Area,

(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

(c) to conserve archaeological sites,

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

Again, the above objectives are not being met by the building of warehouses, including one 42 metres high, next to the Prospect Hill Heritage Reserve and also on the **State Significant Schedule 5 Environmental Heritage, Part 1 Heritage item** named as Prospect Hill including *Property description: Lots 201 and 202, DP 1121844; Lot 669, DP 1148337; part of Lot 107, DP 1028208; part of lot 901, DP 1078814.*

Also, according to the **Aboriginal Cultural Heritage Report**,

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10399%2120200819T015404.568%20GMT>

'The proposed height and density of the proposed development would significantly reduce the visual prominence of Prospect Hill from surrounding view lines as well as obstructing views from Prospect Hill towards significant landscape features such as the Blue Mountains, Prospect Reservoir, and St Bartholomew's Church.'

This is again not consistent with the SEPP WSEA, and so, the *'consent authority must not grant consent to (the) development' give this evidence.*

4. On 20th March 2019, Cumberland City Council adopted the Prospect Hill Plan of Management to categorise Prospect Hill as an "Area of Cultural Significance".

I believe allowing the development of the Prospect Logistics Estate development adjacent to the now "Area of Cultural Significance" is not consistent with the Prospect Hill Plan of Management as it will dilute its State Heritage Area significance.

According to the 'Proposed Categorisation of Prospect Hill - Public Hearing Report 28th February 2019'

(http://cumberland.infocouncil.biz/Open/2019/03/C_20032019_AGN_2597_AT_files/C_20032019_AGN_2597_AT_Attachment_6621_3.PDF)

'Any encroachment' of other management objectives applying to parts of Prospect Hill dilutes its State Heritage Area significance'

and 'the local community recognises its historic and cultural significance'

The Prospect Hill Plan of Management highlights the historical and cultural significance of Prospect Hill is summarised as including:

- *Prospect Hill is the site of the first Aboriginal – European reconciliation held in Sydney on 3 May 1805*
- *Prospect Hill is visited by Aboriginal groups for cultural events and education of school children, and by local residents who like to walk there for exercise and to enjoy the view.*

According to Cumberland City Council's Prospect Hill Plan of Management

- a. Council's Environmental objectives for the management of Prospect Hill includes:

- *'Maintain the prominence of Prospect Hill as a significant remnant geologic and topographic element. Site and design development at critical locations so that views of the ridgeline are maintained.'*

If this development is given the all clear to go ahead, the views of the ridgeline will be obscured according to the Statement of Heritage Impact Page 69 ... "While the development will completely obscure Prospect Hill the proposed development will result in a significant reduction in the prominence of Prospect Hill when viewed from viewpoints to the north west of Prospect Hill. This reduction in prominence is particularly prominent from the north of Prospect Hill in which Warehouse 1 will form a substantial obstruction between the Prospect Hill and viewpoints to the north of the study area" (from

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10399%2120200819T015352.000%20GMT>)

- *'Protect the integrity of the Prospect Hill State Heritage Registered Area.'*
- *'Consult with local community groups to ensure that future development reflects the historical relevance of the past.'*
- *'Retain the open grass hill character as open space and preserve the distinctive ridgeline.'*

- *'be managed as an Area of Cultural Significance.'*
- *Retain 'key features of Prospect Hill including a unique 360-degree view of Sydney from the top of the hill.'*

5. The *Statement of Heritage Impact Page 69* also states... *"While the development will completely obscure Prospect Hill the proposed development will result in a significant reduction in the prominence of Prospect Hill when viewed from viewpoints to the north west of Prospect Hill. This reduction in prominence is particularly prominent from the north of Prospect Hill in which Warehouse 1 will form a substantial obstruction between the Prospect Hill and viewpoints to the north of the study area"* (from <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10399%2120200819T015352.000%20GMT>)

I fail to see how the above statements are consistent with the *Prospect Hill Plan of Management to categorise Prospect Hill* and its categorisation as an *"Area of Cultural Significance"*. The complete obscuring of Prospect Hill should not be allowed, given its status as an *"Area of Cultural Significance"*.

6. The 'Community Consultation' that was stated to have been undertaken in 2020 has been totally inadequate for the size of the proposed development.

I have the following problems with the '*Engagement Outcomes Report*' the '*Elevation @ Greystanes industrial and logistics estate*' from (<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10399%2120200819T015349.659%20GMT>)

- a. *'documents the engagement and communications process, feedback received and considerations in response to feedback undertaken for Elevation @ Greystanes between 12 March – 5 April 2020. A fact sheet was prepared to outline key features of the proposal and invite members of the community to provide feedback. The fact sheet also advertised details of a dedicated email and phone number, managed by Urbis, to make further enquires. A copy of the fact sheet and distribution catchment can be found in Appendix A and Appendix B.'*

'A fact sheet was distributed on 12 March 2020 to the mailboxes of approximately 372 households across in Clunies Ross St, Muttong St, Wombat St, Burruga Way, Jirrang St, Warin Ave, Durawi St, Buran Rd, Nijong Dr, Baraba Cres, Winnima Cct Strathfield.'

The fact that this so called 'Community Consultation' was undertaken during the lockdown period of a major worldwide pandemic, ie Covid-19, made it totally unacceptable, as many people had other important priorities to deal with at the time including loss of jobs, children being home-schooled, and people losing their lives. The timing of this consultation and the fact that no extension was given because of Covid-19 just goes to show that the proponent didn't really commit to proper community consultation.

- b. The two page 'fact sheet' that was reported to have been put into 372 letterboxes was inadequate for the following reasons:
- It was only reportedly delivered to 372 letterboxes when this development will affect the whole suburb and further area.
 - It did not state that one of the warehouse buildings was going to be 42 metres in height.

- It states it will support *'More than 600 jobs once fully operational'*, when the existing *'Greystanes House'* office building has an *'existing capacity to accommodate up to 800 staff, with the building also benefiting from a 4.0 Star NABERS Energy base building rating.'* (<https://www.cbre.com.au/about/media-center/02042015a0204-7830>)
- It also states *'The site could suit aged care providers, education or religious groups or users requiring an office campus with the potential to build additional office or warehouse space subject to the relevant planning approvals,'* Mr Vines said. *There is 16,670sqm of surplus land, which has previously been approved for the construction of an additional office building. The site also offers extensive parking, with 350 on-grade car spaces. The existing, three-storey building provides modern, campus style office accommodation with an impressive entrance foyer and ground floor cafeteria flowing to a private entertainment terrace and BBQ area.'*

So the promise of *'Elevation @ Greystanes will allow more people to work in the area they live, reducing travel time and increasing work/life balance'* is false as this development actually produces a net loss in local jobs of over 200, as there is currently an existing office building that could accommodate 800 staff which will be destroyed during construction, and even more potential lost jobs if the *'potential to build additional office or warehouse space'* was not achieved.

- States the site is *'zoned IN1 General Industrial. There are no proposed changes to the zoning.'*

The State Environmental Planning Policy (Western Sydney Employment Area) 2009 (Current version for 11 June 2020 to date (accessed 26 September 2020 at 20:43) <https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2009-0413#sec.9>) Zone IN1 - General Industrial - Objectives of zone includes

'To minimise any adverse effect of industry on other land uses.'

I honestly can't see how building a 42 metre high warehouse that will *'completely obscure Prospect Hill'* is consistent with the SEPP WSEA 2009 to *'minimising any adverse effect of industry on other land uses'*.

- The 'fact sheet' didn't even contain the words 'Community Consultation' and as such was hiding behind the premise of a one-way communication tool just providing information to the community but also not truly acting as a robust community consultation tool. Even though the *'Engagement Outcomes Report'* contained the word 'engagement' 35 times, the only occurrence of the word 'engagement' on the 2 page fact sheet was in the email address in small font on the bottom of the second page 'engagement@urbis.com.au', so I find it hard to believe the whole purpose of the document was community engagement or consultation.

- c. The 'consultation document' 4. FUTURE ENGAGEMENT ACTIVITIES stated:

'Given the letterbox drop and 1800-number received no enquiries from the public, it was not considered that additional pre-lodgement community consultation was warranted.'

It is understood that the application will be publicly exhibited for at least 28 days, where members of the community can make submissions on the proposed development.'

Should there be significant community interest throughout the public exhibition, further consultation activities may be considered.'

The fact that the letterbox drop received no enquiries from the public should have informed the proponent that their community engagement process was flawed from the outset. I conducted my own poll on local Facebook site and came up with the following responses:

- 92 people who don't live on the streets that the supposed 'community consultation 2-page fact sheet' was delivered to but want to know more information about the proposed development.
- 24 people who live on the streets that the supposed 'community consultation 2-page fact sheet' was delivered to and say they did not receive the 'fact sheet' and want to know more information about the proposed development.
- 18 people who live on the streets that the supposed 'community consultation 2-page fact sheet' was delivered to and say they did receive the 'fact sheet' and want to know more information about the proposed development.
- 2 people who live on the streets that the supposed 'community consultation 2-page fact sheet' was delivered to and say they did receive the 'fact sheet' and don't want to know more information about the proposed development.
- 1 person who lives on one of the streets that the supposed 'community consultation 2-page fact sheet' was delivered to and says they did receive the 'fact sheet' and doesn't want to know more information about the proposed development.

From my quick poll, 134 local residents want to know more information about the project. I believe the community is entitled to a proper community engagement process and the truth about this development before any further steps are taken in this development process.

I now demand a proper community consultation so the local residents can understand the whole proposal. My preference is for a Covid-19 friendly face-to-face community consultation with representatives who can answer some of the questions that the local residents are asking about this project before any further progress is made on this application.