

10002
9 December 2011

Mr Chris Wilson
Executive Director - Major Projects Assessment
Department of Planning and Infrastructure
23 - 33 Bridge Street
SYDNEY NSW 2000

Dear Mr Wilson

**RESPONSE TO SUBMISSIONS (MP10_0129 & MP10_0130)
BURLEY ROAD, HORSLEY PARK**

Thank you for your letter dated 25 November regarding the two Jacfin applications - MP10_0129 & MP10_0130 requesting a response to submissions report. In accordance with clause 75H(6) of the *Environmental Planning and Assessment Act, 1979* please find enclosed our response to the submissions received. The Proponent's specific response to the key issues raised in the submissions is provided in the table at **Attachment A**.

1.0 PUBLIC EXHIBITION AND MEETINGS

The Environmental Assessment Report (EAR) for a Concept Plan and concurrent Stage 1 Project Application relating to employment lands at Horsley Park was publicly exhibited for a period of seven weeks between 31 March 2011 and 23 May 2011.

In total 117 submissions were received from 102 properties in response to the public exhibition of the Concept Plan and Project Application. This includes 78 petition letters. The following key issues were identified with the proposal:

- Impact on residential amenity, in particular noise and visual impact
- Traffic generation and access
- Construction Impacts
- Stormwater Management
- Ecological Impact
- Air Quality

In addition to the above submissions two community meetings were held with residents residing in Greenway Place and Capitol Hill Drive. The first meeting was held at Fairfield City Council and was attended by planning assessment officers from the Department of Planning and Infrastructure (DPI), Penrith City Council and Fairfield City Council. The second meeting was held on site where the same representatives viewed the site from the rear gardens of several properties along Greenway Place and 1 Capitol Hill Drive.

Further meetings were also held with the DPI, Fairfield Council and Penrith Council to brief officers on potential design amendments. This included the investigation of two schemes:

- Rural residential option; and
- Revised industrial scheme.

The rural residential option replaces the proposed industrial development on approximately 20 hectares (or 20% of the site) with rural residential allotments. The rural residential lots are located along the southern and south eastern boundaries of the site where there is a direct interface with existing residential development (see revised Concept Plan illustrating this option at **Attachment B**).

The revised industrial option retains 100% industrial use of the Site, but proposes additional mitigation measures, including a landscaped earth mound and acoustic wall, at the residential interfaces in the south-eastern corner of the Site.

Following advice from the DPI that it was not willing to revisit the original Part 3A declaration or a prohibited land use on the site, the Proponent has chosen to pursue revisions to the industrial scheme so as to enable the determination of the Concept Plan and Project Applications.

2.0 DESIGN RESPONSE

The revised industrial option proposes additional measures to further mitigate the visual and acoustic issues raised by the neighbouring residents as matters of concern. Plans, sections and indicative photomontages showing the design principles of the revised scheme are included at **Attachments C to E**. The revised concept plan for the industrial scheme is provided in **Figure 1**.

This option maintains the use of the whole of the site for industrial purposes and generally retains the same road layout as that originally proposed, however the following additional design measures are proposed:

- Increased building line setbacks from the eastern boundary from 20m to 38 - 40m.
- Increased building line setbacks from the southern boundary from 20m to 35 - 40m.
- Construction of an earth mound along the eastern and southern boundaries of the site at a variable width depending on site contours.
- Installation of a 2m high acoustic wall on top of the earth mound with landscaping between the wall and perimeter boundaries to screen and soften the appearance of the wall and new industrial development from surrounding residential properties.
- Setting of pad levels of the nearest industrial buildings such the roofs of the buildings will not be readily visible above the mound, wall and landscaping from the adjoining residential properties.
- Restricting the height of the warehouse buildings along the southern boundary of the site to a maximum height of RL94.
- Retention of the existing knoll in the south east corner of the site.



Figure 1 – Revised Industrial Option

The residents in close proximity to the knoll will retain this site feature in their outlook, although the foreground view will be modified by the mounding, wall and landscaping. Indicative details of these sight lines are provided on the sections at **Attachment D**.

As the original proposal provided a satisfactory outcome in terms of compliance with acoustic controls we are confident that the proposed scheme, which includes additional setbacks, the earth mound and acoustic wall will provide significant further attenuation of noise and maintain a rural outlook.

We trust this letter provides a sufficient response to the key issues raised in the submissions. Should you have any queries about this matter or require any further information, please do not hesitate to contact me on 9956 6962 or jbindon@jbaplanning.com.au.

Yours faithfully

Julie Bindon
Director

Attachment A – Response to submissions table
Attachment B – Rural Residential Concept Plan
Attachment C – Revised Industrial Concept Plan
Attachment D – Sections of revised Industrial Concept Plan
Attachment E – Visual Impact Analysis of revised Industrial Concept Plan
Attachment F – Revised Statement of Commitments
Attachment G – VPA Letter of Offer