

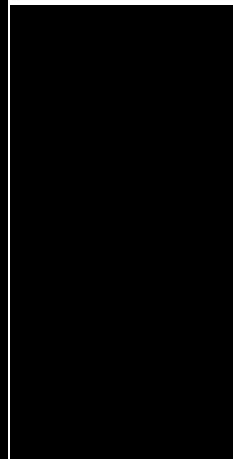
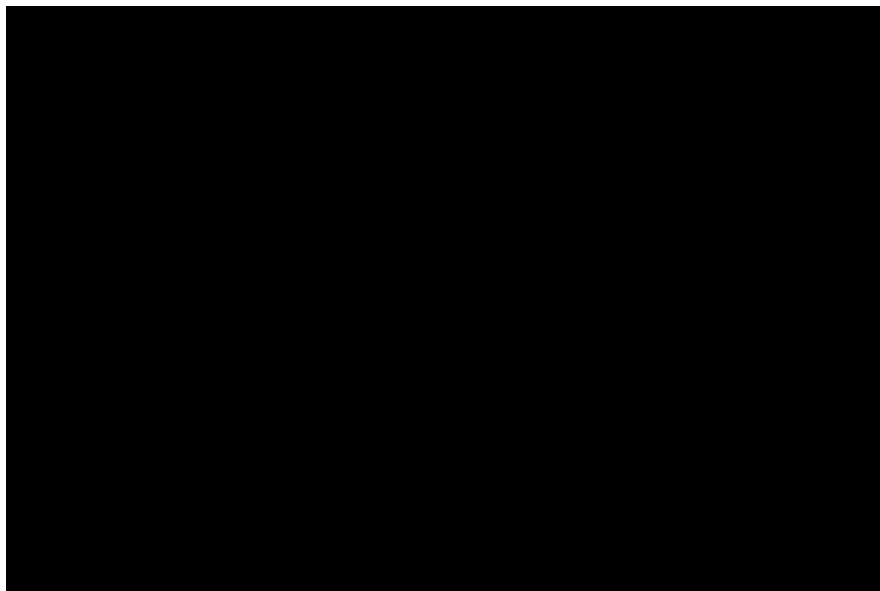
23/1/2021

SUBMISSION TO DEVELOPMENT APPLICATION

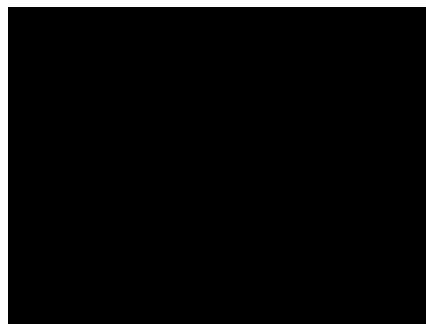
DA-404/2021

LOT 6 DP 245146

10 WOLSTENHOLME AVENUE, GREENDALE, NSW 2745



ATTACHMENT 8 PAGES



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HISTORY ON DA'S SUBMITTED BY THE HOMEOWNER LEADING TO THE ABOVE APPLICATION OF DA 483/2020-10 Wolstenholme Avenue Greendale NSW 2745

Approximately eight (8) years ago, this DA applicant & truck owner was tipping fill at the above address, where he also resides.

I contacted the EPA who sent an inspector to the property. The property was inspected & details of the tipping passed to Liverpool Council by the inspector for investigation.

Council insisted the property owner apply for a DA, which started with DA199/2014 & the series of further DA applications & withdrawals, until this current application 483/2020.

The property owner advised & deceived me that he had a DA to bring fill onto his property, operate a cattle feedlot & construct another dam. I now find from the DA information, the Property owner in fact, applied only for the erection of a shed.

Property owners in Greendale over the past 10 years have seen the the erection of illegal structures, the growth of an illegal feedlot & the growth of a truck depot, commencing with several trucks to a full blown truck depot, with all of the environmental disasterous effects from such an operation.

Over the past ten years this property owner apart from illegal developments & tipping on his own property at 10 Wolstenholme Ave Greendale, has illegally tipped fill on Greendale properties such as 21 Orient Ave Greendale, properties at 345,455,270,202 Wolstenholme Ave Greendale,(to name a few) & no doubt will continue tipping if not stopped.

WHY HASN'T COUNCIL ISSUED A STOP NOTICE OVER THE PAST EIGHT (8) YEARS, TO STOP THE APPLICANT FROM TIPPING A MINIMUM ESTIMATED 500,000 TONS OF FILL & HARD STANDING ON THIS PROPERTY. COUNCIL HAS KNOWN OF THIS ILLEGAL TIPPING FOR THIS PERIOD OF TIME. THE APPLICANT AT THIS DATE(12th August)IS STILL TIPPING ON THE PROPERTY & COUNCIL HAS NOT PROCEEDED WITH FINES FOR ILLEGAL DEVELOPMENT. WHAT IS THE DOLLAR VALUE OF STATE GOVERNMENT TIP AVOIDANCE BY TIPPING ON HIS OWN PROPERTY. ALSO TAKE INTO THIS CALCULATION, THE AMOUNT OF FILL HE HAS TIPPED AT THE OTHER PROPERTIES THAT WE ARE AWARE OF IN GREENDALE.

I have personally stopped some of the tipping and requested Council to inspect other properties to cease the tipping. This can be verified by Council requests lodged under my name or phone number 0423549538.

In regard to the illegal truck operation depot over the past eight (8) years, has the property owner paid industrial land Council rates? If not, will the Council pursue the applicant for back rates to operate an industrial truck depot in a RURAL/RESIDENTIAL RU1 area.

I have no doubt in view of this applicants history, this DA proposal is a front to carry on his trucking operation from 10 Wolstenholme Ave into the future, using the landscape supplies business under RU1 rural zonings, according to the LEP 2000, just as he used the erection of a shed on a previous DA application 199/2014 as a front to park & service his fleet of 30 trucks & heavy equipment.

He has deceived the Council planners & also deceived his neighbours that the DA included a cattle feedlot approval & construction of another dam.

The DA 199/2014 included storage of agricultural supplies, just as this DA483/2012 includes the use of the property as a landscape supplies business. Both DA's are just a front to enable the applicant to have a truck depot at 10 Wolstenholme Ave Greendale. The property has not been used for storage of agricultural supplies to the trade & the landscape supplies will not happen as proposed in this DA.

ADDRESSING THE DA

PARTIES WHO SHOULD BE CONSULTED ON THIS DA APPLICATION

Before any decision is completed by Council, this DA application should be reviewed by The NSW Government Local Land Services in regard to how the property owner looks after his cattle.

The Biosecurity Act 2015 which came into effect on 1st July 2017 and some of the obligations such as clean water & shelter have not been available to the cattle, over the past 8 years.

The cattle have stood in yards of manure, urine & mud well above their hooves for days in wet & cold weather. In Summer the cattle have had no shade in temperatures over 30 degrees.

The proposal is for 300 cattle at any time allowing 4500 square metres of land or 15 square metres per animal, whilst in the shaded areas are of 1125 sqm or 3.75 sqm per animal covered.

The DA does not indicate if the covered feed bins are part of the shaded shelters. If so, there is even less area to move. A beast will be lucky to be able to turn around in these confined areas, let alone standing in putrid conditions. Although regulations allow these spacings, it is cruel on the cattle & the Local Land Services should be advised & consulted in regard to this proposal.

I have searched widely to find locations of cattle feedlots in Australia and cannot find a feedlot on such a small acreage within distances & sight of residential houses, who have & will suffer the consequences of the proposal, if it proceeds. All of my research shows cattle feedlots are located on larger acreage properties well away from residential homes (similar to Leppington Pastoral Company's Bringelly operation).

The DA states that some type of intensive grazing has been carried out on this property since 1986. This statement is entirely false. Referring back to DA 199/2014, the photo in that DA indicates that there were no cattle on the property in 2014. I knew the previous property owner to this applicant & he NEVER had cattle on the property!

The RSPCA should also review this application in a similar manner.

Both organisations should send inspectors to the property to verify the well being & conditions of the cattle, as it is quite obvious that there is no management plan, which the application states will be commenced with this DA.

Is the DA serious ? There hasn't been a plan for 10 years. A BIOSECURITY plan should have been in operation 2017. No checkpoint for new stock & visitors, no signage to manage access to your land, no clean water, no shade for the cattle etc,etc & yet this will appear magically with the new DA, which includes movements of trucks & visitors for landscape supplies on BIOSECURITY land, raising cattle for human consumption under the BIOSECURITY ACT 2015.

NOISE

Hours of operation weekdays 7am-6pm, Saturday 8am -1pm, & some movements after hours. At present the trucks operate from 3AM to any late hours.

These DA hours are a joke. We know the person running the operation and again the DA is stating incorrect information, as the hours will remain the same as at present, if the DA is approved.

The DA states "As the business owner is also a resident of the site minimum to no additional noise is expected". To the residents surrounding this property this is farcical. The applicant has dismissed all approaches in regard to truck noise & if the planners care to contact me personally on 0423549538 I will attest to the attitude this applicant afforded me.

The DA states parking for 15 cars & 3 trucks. Planners don't be fooled! This space will be sufficient parking for many trucks to continue the trucking business from this DA address. Why 15 car parking spaces when this will be a trade only supply of landscape supplies?

Trucks in the middle of the night not only affect the property owners adjacent to this proposal, but also every home between Greendale & Bringelly, as ambient noise travels further & louder at night. This proposal is in a Rural/Residential zone. The RESIDENTIAL refers to PEOPLE TO BE CONSIDERED.

SITE PLAN BY APPLICANT

The Site plan is great in theory but poor on the practical aspects of the proposal

The DA or site plan does not indicate what is to happen on the ILLEGAL hard standing parking area at the rear of the house. The site plan shows two small areas on this illegal hard standing as site parking on gravel & erection of a building B5. This allows plenty of space to PARK the CURRENT FLEET OF THIRTY (30) TRUCKS & HEAVY EQUIPMENT, to allow the applicant to continue to develop this location as a truck depot by tipping more fill.

The tipping has happened over 8 years & is still happening in August 2020. The plans do not indicate whether more hard standing or fill is to be delivered & used on the property

Has Council or will Council have soil tests carried out on all fill estimated at 500,000 tons, which has been tipped on this site, including the illegal Dam 1 construction, or will remediation or removal of the fill be ordered by Council ?

This particular proposal should not be located anywhere near residential. Unlike the Leppington Pastoral Company who operate ethically with a similar operation, their sheds & operations are well away from residential properties.

There are numerous agricultural operations in Greendale which PRESERVE the character of our rural landscape. There are fish farms, vegetable farms, chicken & egg production farms etc, all of which do not create noise with thirty trucks. These are the type of passive industries we want, to retain the area character. Certainly NOT sham truck depots.

This type of operation needs to be located in an INDUSTRIAL area, away from homes & ethical agricultural business stated above.

There will be 11 sheds & structures on the property if the DA is approved. This is more akin to an industrial property rather than a rural property. The sheds will not fit into ambient rural views.

Together with noise, this proposal should be rejected under State Environmental Planning Policy 5.3 Hazardous & Offensive Development.

The mitigation scenario for barriers 1, 2 & 3 are inadequate. The western barriers are insufficient in length & height to block noise & view of the feedlot from the residence located on the next property on Wolstenholme Ave, west of the proposal. This residence currently operates as a childcare centre. If the neighbour wants to walk to the front or rear of his property, the feedlot & landscape supplies will be evident. Then again, who purchased a rural property to have an unsightly barrier wall erected along your fence line? I would hate to walk out from my home & see an unsightly barrier, instead of a rural aspect, that I may enjoy as part of my lifestyle.

The western barrier should be extended along the entire western boundary as the neighbouring residence should not have to visualise the feedlot from any angle of their property.

The DA does not specify the length or depth of the mitigation barrier. As the entrance road will be on considerably higher ground than the western barrier, which will be in a gully, on ground lower than the road, the barrier is of insufficient height to stop noise from trucks & to block the view of the feedlot.

There is no northern barrier along Wolstenholme Ave & the proposed southern barrier being close to a neighbour's home, is absolutely useless & practically non-existent.

The landscape in the north is also non-existent & needs vegetation to block the feedlot.

There is no vegetation on the eastern side of the feedlot to block the squalor from houses on

Greendale Road. These are issues the property owner has failed to address over the past 8 years when requested by local residents.

DAMS AND ENVIRONMENTAL

The overflow from the extension of ILLEGAL dam1 will eventually flow onto Wolstenholme Ave after heavy rain, as occurred with heavy rains early in 2020 and the heavy rainfall from 8th to 10 August this year.

No matter what engineering or civil works are shown on the site plan or PDF's, there is no other place the overflows can travel according to the contour of the land.

The slush from the dam2 OVERFLOW runs into dam1 & together with the pollutants from the ILLEGAL dam1, eventually travels down the southern roadside gutter of Wolstenholme Avenue then travels under the road to the other side of the road & ends up in a dam at 125 Wolstenholme Avenue on the other side of the road.

Evidence of this fact can be seen from the road, by tracing the flow through paddocks on the northern side of Wolstenholme Avenue, as I did on 10th August, during heavy rain.

The effect on the dam at 125 Wolstenholme Avenue turned the water colour black, similar to the applicant dam water colour. Water testing by the applicant should be carried out on ILLEGAL dam 1 & dam2 and also his neighbours dam at the property on 125 Wolstenholme Avenue.

What slush didn't go into the drain under the road, spilt across the Wolstenholme Avenue, causing a traffic hazard & also eventually ended up in the dam at 125 Wolstenholme Avenue.

ILLEGAL Dam1 should be eliminated from the plan. It was built ILLEGALLY & has no justification to be retained let alone extended. All of the pollutants from the proposed 4500 square metres of cattle feed lot drain directly downhill into ILLEGAL Dam1 & eventually overflow to another property.

This is a case of shifting the pollutants from your property to another neighbours property.

Some type of drain & retention area should be constructed at the foot of the feedlot area to retain the pollutants to be pumped out & removed from the location. The application talks about this retention area & pumping the pollutants from this retention basin but I cannot see any drawings in the civil works PDF or any reference on the site plan.

The current ILLEGAL dam1 wall is too high & the height stands way above the roadway of Wolstenholme Avenue & does not fit in with the rural vista.

Are there restrictions on how close a dam can be constructed to a neighbours house or property & also the proximity to a rural road.

Over the past six months both dam1 & dam2 have suffered from alga on the dam surfaces. This alga also is part of the pollution from the overflow of dams into Wolstenholme Avenue.

The overflow of the two (2)dams into Wolstenholme Avenue will not stop whilst the open flow into the dams from Wolstenholme Avenue near Greendale Road occurs.

During heavy rains such as in August 2020 what ever water flows from Wolstenholme Avenue straight into the dams picks up the drainage of the pollutants downhill from the feedlot into the dams & the water feeds & overflows into Wolstenholme Avenue further down the Road Then to 125 Wolstenholme Avenue Greendale.

This property pollution has been an environmental DISASTER , allowed over the past eight (8) years and will continue if this application is approved.

CONCLUSIONS

1. The property owner has flouted Council regulations for eight (8) years & misled residents in regard to the current cattle feedlot & buildings by a misleading DA.
2. If this application is approved Council will be rubber stamping Council regulation violations & the faith of the residents in Council to uphold its authority. The precedent will be established.....build first then apply for a DA.
3. The proposed fines by Council for DA disregards by the property owner, should be applied immediately.
4. The property owners continued tipping fill history on properties in Greendale indicates that the practice will continue from this DA location.
5. The property owners use of manipulation of the LEP2000 regulations & land uses to fool decision makers repeats itself by the application of this DA.
5. This DA proposal should be considered in an INDUSTRIAL area. Greendale is a RURAL/RESIDENTIAL SUBURB Of Liverpool.

