

25 February 2021

2200444

Mr Jim Betts
Secretary
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street,
Parramatta, NSW 2150

ATTN: Mr Thomas Bertwhistle

Dear Thomas,

RESPONSE TO REQUEST FOR INFORMATION – TEMPERATURE CONTROLLED WAREHOUSE FACILITY (SSD-8586218-Mod-1)

This letter has been prepared on behalf of the applicant, ESR Developments (Australia) Pty Ltd in response to the Department of Planning, Industry and Environment's (DPIE) request dated 19 February 2021 outlining matters requiring further resolution/additional information. ESR has considered all matters raised and **Table 1** below and the attachments provide responses to each item. We note that the proposed mezzanine room layout has been amended and updated plans are provided.

- Amended Architectural Drawings prepared by SBA Architects (**Attachment A**).
- Description of Proposed Uses prepared by DHL (**Attachment B**).
- Revised Waste Management Plan prepared by SLR (**Attachment C**).
- Noise Impact Assessment prepared by SLR (**Attachment D**).

Table 1 Summary Response to the DPIE RFI

Additional Information Requested	Proponent Response
<p><i>Section 2.1.1 of the supplied report notes that several rooms on the mezzanine floor will be used to process, service and repair goods, which may be considered in industrial activity. The Department considers the information provided in the modification application report to be insufficient to understand the exact activities proposed and how this aligns with the use of the development, as consented to.</i></p>	<p>The tenant has provided further information outlining the proposed use of the mezzanine rooms (refer Attachment B).</p> <p>In summary, the proposed operations involve:</p> <ul style="list-style-type: none"> • occasional relabelling and re-boxing of stock for dispatch. • storing, charging, and testing of returned infusion pumps and monitors prior to dispatch to hospitals. Any servicing of infusion pumps is an intermittent, minor, and ancillary activity which is subordinate to the primary use of the building as a warehouse; these activities allow the pumps to be stored ready for use. • cleaning returned items prior to dispatch. <p>The primary function of the development remains as storage and handling of health products pending distribution.</p> <p>DHL have had the same operations approved by Penrith City Council as a temperature-controlled warehouse facility at 25 Ottelia Road, Kemps Creek (DA18/510).</p>
<p><i>The exact processes and activities that are proposed to be carried out, including goods entry and exit from the facility and their relation to the use of the site as a warehouse. Details should also be provided on any additional impacts these processes may have, including waste or additional staffing levels.</i></p>	<p>The processes and activities are summarised above and outlined in Attachment B. The proposed activities are to be undertaken within the existing building envelope and will not require any additional staff. A revised Waste Management Plan from the approved development has been prepared by SLR (Attachment C) to include the additional GFA.</p>

Additional Information Requested	Proponent Response
<p><i>Further justification as to how the additional industrial activities can be considered as substantially the same development to the existing consent for a warehouse facility.</i></p>	<p>As noted above, the proposed pump servicing activities and equipment cleaning will occur occasionally to enable equipment to be ready for dispatch to hospitals. The servicing component is minor and ancillary, and the primary use of the development as a temperature-controlled warehouse will not change.</p> <p>Therefore, the development as proposed to be modified will remain substantially the same as that approved.</p>
<p><i>It is acknowledged that cold and freezer storerooms are now proposed as part of the warehouse facility. The introduction of refrigerated transport to site has potential to impact on noise levels, namely when vehicles refrigeration units remain on when idled and loading. Consideration should be given to these potential noise impacts and an assessment provided to determine what impact it will have on surrounding sensitive receivers.</i></p>	<p>A Noise Impact Assessment Letter has been prepared by SLR (Attachment D) and confirms that the proposed modification in relation to the refrigerated transport is not likely to alter the approved noise emissions for the following reasons:</p> <ul style="list-style-type: none"> • The nearest sensitive receivers are all over 200m away. • The south west corner of the site where the refrigerated trucks would idle/be loaded is shielded from line of sight to the nearest residential receivers by the development buildings and the adjacent buildings. • Noise levels at the nearest receivers in the south-west corner are already 5dB below the night-time criteria and are not expected to be significantly increased by the proposed modification.

We trust the above and attached additional information addresses the comments raised by DPIE and allows for the finalisation of the assessment report. We look forward to receiving confirmation of when this matter will be determined.

Should you have any queries about this matter, please do not hesitate to contact me on 0420 960 216 or jmurray@ethosurban.com.

Yours sincerely,



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