ENVIRONMENTAL IMPACT STATEMENT

Dangerous Goods Storage Facility
23-107 Erskine Park Road, Erskine Park NSW 2759
(Lot 1 DP 1128233)

November 2011

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CLAUSE 229 CERTIFICATE

Declaration Form	**Submission of Environmental Impact Statement (EIS)** prepared under the *Environmental Planning and Assessment Act 1979* Section 112
EIS Prepared By	
Name	Nathaniel Murray
Qualifications	Bachelor of Town Planning (Hons)
Address	Suite 601, Level 6 189 Kent Street Sydney NSW 2000
In Respect Of	Use of an approved warehouse to store dangerous goods including ancillary internal fit-out.
Development Application	
Applicant Name	Prime Constructions
Applicant Address	394 Pacific Highway Lane Cove, NSW 2065
Land to be Developed	23-107 Erskine Park Road Erskine Park NSW Lot 1 DP 1128233
Environmental Impact Statement	An Environmental Impact Statement (EIS) is attached
Certificate	I certify that I have prepared the contents of this Statement and to the best of my knowledge: ▪ it is in accordance with clauses 230 and 231 of the Environmental Planning and Assessment Regulation 2000, and ▪ it is true in all material particulars and does not, by its presentation or omission of information, materially mislead.
Signature	
Name	Nathaniel Murray
Qualification	BTP (Hons), UNSW
Date	

TABLE OF CONTENTS

Appendices

Figures

Tables

GLOSSARY OF TERMS

TERM	***MEANING***
AU$	Australian Dollars
DGRs	Director-General's Requirements
DHL	DHL Supply Chain (Australia) Pty Ltd (ACN 071 798 617)
DoP&I	Department of Planning and Infrastructure
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979 (as amended)
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPEA	Erskine Park Employment Area
Goodman	Goodman Industrial Funds Management Ltd (ACN 147 891 487)
IDO 93	*Penrith Interim Development Order No. 93 – Penrith*
Metro Strategy	*Metropolitan Plan for Sydney 2036*
MGC Planning	McKenzie Group Consulting Planning (NSW) Pty Ltd
OEH	NSW Office of Environment and Heritage
PDCP	*Penrith Development Control Plan 2010*
PHA	Preliminary Hazard Analysis
PLEP 1994	*Penrith Local Environmental Plan 1994 (Erskine Park Employment Area)*
PLEP 2010	*Penrith Local Environmental Plan 2010*
PLEP 250	*Penrith Local Environmental Plan No. 250, gazetted 26 February 1999*
PLEP 255	*Penrith Local Environmental Plan No. 255 – Exempt and Complying Development*
PLEP 258	*Penrith Local Environmental Plan No. 258 – Consent for Dwelling Houses and Other Development*
Prime Constructions	Prime Constructions Pty Ltd
S149 Certificate	*Planning Certificate issued pursuant to Section 149 of the EP&A Act*
SEPP	State Environmental Planning Policy
Sqm or m^2	Square metres
SREP	Sydney Regional Environmental Plan
SSD	State Significant Development
The Site	23-107 Erskine Park Road, Erskine Park (Lot 1 DP1128233)
Westpark	Westpark Industrial Estate, 23-107 Erskine Park Road, Erskine Park, 2759
WSEA	Western Sydney Employment Area
WSEH	Western Sydney Employment Hub

EXECUTIVE SUMMARY

This Environmental Impact Statement (EIS) has been prepared by McKenzie Group Consulting Planning (NSW) Pty Ltd (MGC Planning) on behalf of Prime Constructions Pty Ltd. The proposal seeks use of an approved warehouse for the storage of dangerous goods within Building B1 of the Westpark Industrial Estate located at 23-107 Erskine Park Road, Erskine Park (the Site). Ancillary fit-out for the storage of these goods is also proposed.

The Site is owned by Goodman Industrial Funds Management Ltd (Goodman) and will accommodate the operations of DHL Supply Chain (Australia) Pty Ltd (DHL).

Westpark Industrial Estate currently accommodates two (2) industrial buildings known as Building A and Building C with a combined number of six (6) tenancies. Building B has been approved to provide an additional two (2) tenancies which are under construction at the time of this application. The use of Warehouse B1 as a warehouse facility (non-dangerous goods) has been approved by Penrith City Council under DA 11/0302. The assessment of this previous application considered a number of matters (including traffic, parking, and noise) that will remain unaltered by the proposed introduction dangerous goods to the approved storage facility.

The site forms part of a larger strategic employment hub known as the Western Sydney Employment Area and is recognised as providing a suitable location for industrial development under *State Environmental Planning Policy (Western Sydney Employment Area) 2009.* The area has also been included within the precinct known as the Erskine Park Employment Area (EPEA), which forms part of the larger Western Sydney Employment Hub (WSEH) under the *Metropolitan Plan for Sydney 2036*.

The proposed operations at facility the will include storage and handling of dangerous goods including aerosol cans, acidic solids, acidic liquids and alkali liquids. Other non-dangerous goods and materials will also be stored on the site including household cleaning agents, dishwashing detergent, laundry powder and disinfectants.

The quantity of materials to be stored and handled on the site trigger the definition of a Major Hazard Facility within the meaning of Chapter 6B of the *Occupational Health and Safety Regulation 2001*. As such, the proposal is required to be assessed under the provisions of the recently gazetted *State Environmental Planning Policy (State and Regional Development)* 2011 as State Significant Development (SSD).

The process of applying for SSD under the *Environmental Planning and Assessment Act 1979* (the EP&A Act) requires a request for Director-General's Requirements (DGRs). DGRs were requested for the proposed development on 06 October 2011 (Reference: SSD-4953) and subsequently issued by the Department of Planning and Infrastructure (DoP&I) on 03 November 2011.

The DGRs for the proposal outlined a number of Key Issues which are to be addressed as part of the EIS, including:

- Hazards and Risks
- Strategic and Statutory Context
- Infrastructure
- Transport, Access and Parking
- Air
- Noise
- Water
- Waste
- Design
- Fire and Incident Management
- Cumulative Impacts

As most of the matters listed in the DGRs have been considered for by Penrith Council for the approval of the construction and use of Warehouse B1, the Key Issue are considered only to the extent that they relate to the introduction of storage of dangerous goods and the fit-out works required to accommodate this activity.

The proposal is consistent with the NSW 2021 and the Sydney Metropolitan Strategy by allowing an existing business to develop and expand (within NSW) and creating employment opportunities in the WSEH. The proposed development is also consistent with the legislative and policy framework for the local and regional area.

The proposed warehouse and distribution activities are consistent with the intended use of the Westpark Industrial Estate as originally approved by Penrith City Council. The proposed storage of dangerous goods can be accommodated without generating impacts above that considered appropriate by the relevant legislation. A Preliminary Hazard Analysis (PHA) has been prepared to address these issues in detail.

Based on the findings of this EIS, the proposal supports the continued development of the EPEA, providing employment and contributing to the retention and growth of manufacturing, distribution and supply industry in Sydney. The proposal is suitable for the local context and will not result in any significant environmental impact. As such, it is recommended that the proposal be supported by the Department of Planning and Infrastructure.

PART A PRELIMINARY

1.1 INTRODUCTION

This Environmental Impact Statement (EIS) has been prepared by McKenzie Group Consulting on behalf of the Proponent, Prime Constructions Pty Ltd, and is submitted to the New South Wales Department of Planning and Infrastructure (DoP&I) in support of development at 23-107 Erskine Park Road, Erskine Park, New South Wales.

This application seeks approval for the use of approved Warehouse B1 at Westpark Industrial Estate as a warehouse and distribution centre for dangerous goods. Warehouse B1 will comprise 20,000sqm warehouse storage and 650sqm office. It will also include 18 loading docks.

The site is owned by Goodman Industrial Funds Management Ltd (Goodman) and will be leased and operated by DHL Supply Chain (Australia) Pty Ltd. The operations will include storage and handling of goods including aerosol cans, acidic solids, acidic liquids and alkali liquids. Other non-dangerous goods and materials will also be stored on the site including household cleaning agents, dishwashing detergent, laundry powder and disinfectants. Products will be packaged for retail sale (no manufacturing is to occur on-site).

The quantity of materials to be stored and handled on the site trigger the definition of a Major Hazard Facility within the meaning of Chapter 6B of the *Occupational Health and Safety Regulation 2001*. As such, the proposal constitutes State Significant Development (SSD) under *State Environmental Planning Policy (State and Regional Development) 2011* and requires the preparation of an EIS.

This EIS describes the site and proposed development, provides relevant background information and responds to the DGR's and assesses the proposed development in terms of the relevant matters set out in relevant legislation, environmental planning instruments and planning policies.

The structure of the EIS is as follows:

- Part A Preliminary
- Part B Site Analysis
- Part C Proposed Development
- Part D Legislative and Policy Framework
- Part E Consultation
- Part F Environmental Risk Assessment
- Part G Statement of Commitments
- Part H Project Justification
- Part I Conclusion

1.2 PROJECT TEAM

The Project Team involved in the preparation of this application are:

- DHL Supply Chain (Australia) Pty Ltd (Tenant/Operator)
- Goodman Industrial Funds Management Ltd (Land Owner)
- Prime Constructions (Project Managers and Applicant)
- McKenzie Group Consulting Planning (NSW) Pty Ltd (Town Planning Consultant)
- Nettleton Tribe Architects (Architectural Consultant)
- Moore Consulting and Engineering (Hazards and Risk Consultant)
- Ultimate Fire Protection (Fire Services Engineer Consultant)
- Costin Roe Consulting Pty Ltd (Stormwater Engineer Consultant)

1.3 DHL SUPPLY CHAIN (AUSTRALIA) PTY LTD

DHL Supply Chain (Australia) Pty Ltd is Part of Deutsche Post DHL (DHL) which offers integrated services and tailored, customer-focused solutions for managing and transporting letters, goods and information.

Since its founding in San Francisco in 1969, DHL has continued to expand to become the global market leader of the international express and logistics industry. Today, DHL's international network links more than 220 countries and territories worldwide. DHL also offers unparalleled expertise in express, air and ocean freight, overland transport, contract logistics solutions as well as international mail services. Services were introduced to Australia in 1972.

DHL comprises four divisions:

1. Express Division
2. Global Forwarding, Freight Division
3. Supply Chain Division
4. Global Mail Division

This application relates to DHL's Supply Chain Division which designs and implements customised supply chain and corporate information solutions for market leaders across more than 50 countries. Warehouses and distribution centres are an integral part of the forward supply chain solutions provided through this Division.

DHL Supply Chain's finished goods warehouse services include:

- Customised warehouse/distribution centre design and consultancy
- Shared-user or dedicated operations
- Ambient, chilled, frozen and composite operations
- Customs/bonded warehousing
- Rail-connected warehousing
- Automation and auto-sortation systems
- Cross-docking
- Provision of IT solutions (e.g. WMS and interfacing)
- Inventory management and optimization
- Receipt and put-away
- Bar-coding, RFID tagging and labelling
- Storage
- Picking (unit, case and pallet), packing and dispatch
- Value-added services (e.g. labelling and co-packing)
- Returns processing
- Recycling of packaging, End-Of-Life (EOL) products and waste materials
- Re-usable transit equipment management

The proposal will enable DHL to carry out its corporate operations in an efficient and safe manner that will have economic benefits across the Sydney Region.

1.4 STRATEGIC PLANNING CONTEXT

The proposal is to be carried out within the EPEA which has become a major new employment precinct for Greater Western Sydney with the potential for as many as 10,000 jobs being made available within the precinct upon full capacity.

The potential of the area to accommodate industrial activity with high employment numbers was recognised in the early 1990's and after an extensive period of consultation with the local Erskine Park and St Clair residential communities, from which a number of key principles and objectives for development of EPEA were developed.

The framework established under *Penrith Local Environmental Plan 1994 (Erskine Park Employment Area) 1994* (PLEP 1994) gave formal recognition of the area to be developed as a future employment precinct and was supplemented by the adoption of a Development Control Plan and Section 94 Contributions Plan for the area in December 2002.

While the area was recognised as a high employment and local business priority for Penrith City Council, the LEP also sought to preserve the residential amenity of adjoining residential communities, and to minimise the environmental impact of future industrial development on those communities through biodiversity management provisions. PLEP 1994 provided a buffer for residents between the industrial properties and the residential area as well as restrictions on development on and near ecological areas.

Provisions for built form including those relating to building height, minimum lot sizes, landscaped setback and environmental controls, were also incorporated into the DCP.

In mid 2003, landowners from EPEA requested Council's support in developing a revised Biodiversity Strategy for the precinct to achieve a more practical and viable development area. The former Department of Environment and Conservation (DEC) endorsed the fundamental principles underpinning the plan which was further developed to include a revised biodiversity map, financial proposals, planting and restoration proposals and various agreements. Many of these programs have already been implemented or are ongoing.

Construction of the lead-in water and sewer mains to EPEA was completed in December 2003 while the EPEA Infrastructure Project Control Group, which consists of Council staff, EPEA landowners and servicing agencies, was established in 2006 to facilitate a process for the provision of infrastructure to the estate, including the upgrade of Lenore Drive and the provision of water, sewer and power to individual sites.

The upfront planning of the area also made allowance for the new Erskine Park Link Road, connecting the EPEA to industrial lands covered by *State Environmental Planning Policy No 59 – Central Western Sydney Economic & Employment Area* and the M7 Motorway. The *Metropolitan Plan for Sydney 2036* (Metro Strategy) released by the State Government in December 2005 specifically nominated the, then named, EPEA-M7 Link Road as a major piece of infrastructure to be provided by landowner contributions.

Upon its introduction, the Metro Strategy also recognised the important employment role of the EPEA and grouped the precinct with lands within adjoining local government areas to create the larger Western Sydney Employment Hub (WSEH).

In January 2007, Penrith Council staff met with the Minister for Planning and senior management from Blacktown, Fairfield and Holroyd Councils in relation to the advancement of planning for the WSEH. It was then decided that that land north of the Sydney Water pipeline that dissects the area (including the subject site) would be developed prior to land south of the pipeline and that development would be controlled under a new SEPP.

In 2008, the NSW Government exhibited a draft State Environmental Planning Policy (SEPP) for this area which was gazetted in August 2009 as *State Environmental Planning Policy (Western Sydney Employment Area) 2009*. The subject site is zoned IN1 General Industrial under this Policy. The current legislative and policy framework for the proposal is considered in detail in Part D of this EIS.

1.5 DEVELOPMENT BACKGROUND

In 2003 Penrith City Council (Council) approved a development application for the establishment of the ING Westpark Industrial Estate at Erskine Park (Lot 1 DP1128233) in the Penrith local government area. The Westpark Estate included the construction of three warehouse structures (A, B and C), each with smaller building units. The Masterplan for the site is shown as **Figure 1**.

Figure 1 – Site Masterplan (Source: ING Real Estate, 2010)

Council has since issued a number of development consents for the occupation and use of some of these units for warehouse and distribution facilities. Two warehouses on the Westpark Industrial Estate (Building A1 and C3/C4) have received approval for the storage of dangerous goods.

Development Consent 08/0345 was issued on 14 July 2008 for the construction of Warehouse Building B. This building, which comprises two (2) separate tenancies, is to be located adjacent to Erskine Park Road along the southern boundary of the site.

On 11 March 2011 a Section 96 application was lodged with Council to modify DA 08/0345. The purpose of that application was to reconfigure Building B, and specifically Tenancy B1, to meet the operational requirements of DHL as the incoming tenant.

In summary, that Section 96 application proposed to modify Building B1, in the following manner:

- reduction of Warehouse area from 22,992sqm to 20,000sqm
- reduction of Office area from 1,000sqm to 650sqm
- alteration of the basement level parking area beneath building B1
- reduction in the total on-site parking supply from 218 spaces to 212 spaces
- reduction in the number of loading docks for Warehouse B1 from 24 to 18, and
- modification of the overall footprint of Building B as necessary to reflect the above changes.

A separate application to establish the first use of Warehouse B1 and undertake internal fit-out works to accommodate DHL activities was subsequently lodged with Penrith Council (DA 11/0302) and approved on 05 August 2011. A copy of the first use approval and fit out is annexed as **Appendix 1**.

The consent for DA 11/0302 approves the use of Building B1 as a warehouse and distribution centre that is permitted to operate between 6am and 10pm, seven (7) days a week. The erection of six (6) business identification signs was also approved under this application.

The development application addressed all potential environmental impacts resulting from the proposed activities including traffic generation, staff numbers, non-dangerous goods and fitout related activities.

At the time of lodgement for DA 11/0302, the intended use of the facility did not include any dangerous goods and/or materials. Section 4.2 of the Statement of Environmental Effects prepared for that application by City Plan Services (201) stated:

> *"...no dangerous goods will be stored within Tenancy B1 and this application does not seek consent to store dangerous goods. A separate 'dangerous goods' application, possibly under Part 3A of the Environmental Planning and Assessment [Act], may be made at a later date."*

DHL has since reviewed its intended use of the facility and has determined that the storage and handling of dangerous goods (predominantly aerosols) will be required within Warehouse B1. However, between the issue of approval under DA 11/0302 and the decision to seek approval to permit dangerous goods storage and handling at the site, the NSW Department of Planning and Infrastructure (DoP&I) had adopted a policy that prevented any new applications being submitted under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Although the approval pathway under Part 3A of the EP&A Act was no longer available, the type and quantity of materials to be stored were still listed under Schedule 3 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) as thresholds for Designated Development. A Request for Director-Generals Requirements (DGRs) to allow the preparation of an Environmental Impact Statement (EIS) for the proposal as Designated Development under the category of 'Chemical Storage Facilities' was therefore submitted to DoP&I on 21 September 2011.

On 01 October 2011 and prior to the issue of DGRs for the Designated Development application, the new regime to replace repealed Part 3A commenced. A major component of the new framework included the introduction of *State Environmental Planning Policy (State and Regional Development) 2011*, under which the proposal falls into the category of 'Chemical, manufacturing and related industries'. DoP&I therefore requested that the proposal be transferred from Designated Development to State Significant Development (SSD) and proceed under the new framework.

The transition to SSD was formally made on 06 October 2011, with the DGRs for the preparation of an EIS issued on 03 November 2011. This EIS has been prepared in accordance with the DGRs.

1.6 THE PROPONENT

The proponent is Prime Constructions Pty Ltd. See **Table 1** for contact details.

TABLE 1 – Contact Details		
Contact Name	Scott Griffin	Daniel Swinnerton
Position	Project Director	Project Manager
Company Details	Prime Constructions	Prime Constructions
	394 Pacific Highway	394 Pacific Highway
	Lane Cove, NSW 2066	Lane Cove, NSW 2066
Contact Number	Ph: 9418 7707	Ph: 9418 7707

1.7 CAPITAL INVESTMENT VALUE

The capital investment of this project is in the order of AU$600,000.00 (six-hundred thousand dollars), subject to final costing and tender clarifications.

1.8 DIRECTOR-GENERALS REQUIREMENTS

Application to receive the DGRs was submitted to DoP&I on 06 October 2011 (Reference: SSD-4953). The DGRS were subsequently issued on 03 November 2011.

The DGRs issued are annexed as **Appendix 2**. An extract of the Key issues to be addressed for the proposed development and how these requirements have been satisfied within the EIS is outlined in **Table 2**.

TABLE 2 – DGRs Key Issues

Issue	***Satisfied by...***
▪ ***Hazards and Risks*** *– including an assessment of the hazards and risks associated with the proposal and the existing operations on site (and the potential for off site impacts) including details of hazardous materials used or kept on the premises during operation. The EIS shall also include a screening of potential hazards on and off site to determine the potential for off site impacts and any requirement for a Preliminary Hazard Analysis (PHA). Should potential off-site impacts be identified, a PHA must be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 6 Hazard analysis and Multi- level Risk Assessment. The PHA should:* – *consider the risks from the facility (including traffic risks and cumulative risks, see below); and* – *demonstrate that the proposal would comply with the criteria set out in Hazardous Industry Planning Advisory Paper No 4 Risk Criteria for Land Use Safety Planning.*	A Preliminary Hazard Analysis (PHA) has been prepared by Moore Consulting and Engineering in accordance with *HIPAP No. 6 Hazard Analysis and Multi-Level Risk Assessment*. The PHA considers the risks posed by the facility individually as well as in a cumulative manner. The PHA finds that the proposal complies with *HIPAP No. 4 Risk Criteria for Land Use Safety Planning*. The PHA is annexed as **Appendix 4** and is discussed in Section 6.2 of this EIS.
▪ ***Strategic and Statutory Context*** *– including:* – *detailed justification for the proposal and suitability of the site to be developed; and* – *demonstration that the proposal is generally consistent with all relevant environmental planning instruments (e.g. the NSW State Plan, Metropolitan Strategy and draft subregional strategy), development control plans (DCPs), and justification for any inconsistencies.*	Part D of this EIS discusses the statutory and strategic planning framework of the proposal. No inconsistency with any legislation or policy is identified.
▪ ***Infrastructure*** *– demonstrating that suitable arrangements are in place to provide the necessary local and regional infrastructure for the proposal.*	Infrastructure has been considered in Section 6.4 of this EIS. The local and regional infrastructure is capable of accommodating the proposal.

▪ ***Transport, Access and Parking*** *– including:* – *predictions of the traffic volumes likely to be generated during fit-out and operation;* – *an assessment of the impacts of this traffic on the safety, capacity and efficiency of the surrounding road network, including details of truck routes and modelling of key intersections;* – *detailed plans of any proposed road upgrades;* – *access, including detailed consideration of various access options and justification for the proposed location of the main access points;* – *details of the availability of non-car travel modes and measures to encourage greater use of these travel modes; and* – *parking.*	Transport, Access and Parking has been considered in Section 6.5 of this EIS. The access, transport and parking requirements for the operational phase of the facility will not be different to the arrangements approved by Penrith city Council under DA 11/0302. A Construction Management Plan (**Appendix 9**) for the construction phase outlines appropriate traffic and access arrangements for the site given the minor nature of the work and the context of existing construction activity in the locality.
▪ ***Air*** *– including odour during operations and measures to reduce greenhouse gas emissions on-site;*	The PHA annexed as **Appendix 4** and discussed in Section 6.2 of this EIS outlines the storage requirements to ensure no environmental impact results from the proposed storage of dangerous goods. Section 6.6 addresses air quality and odour considerations. Section 6.13 outlines DHL's commitments to Ecologically Sustainable Development principles.
▪ ***Noise*** *– during fit-out and operations including traffic noise;*	Noise is considered in Section 6.7 of this EIS. The noise considerations for the operational phase of the facility will not be different to the arrangements approved by Penrith city Council under DA 11/0302. A Construction Management Plan (**Appendix 9**) for the construction phase outlines appropriate traffic and access arrangements for the site given the minor nature of the work and the context of existing construction activity in the locality.
▪ ***Water*** *– details of water supply, wastewater disposal (if any) and stormwater management during operation;*	The PHA annexed as **Appendix 4** and discussed in Section 6.2 of this EIS outlines the storage requirements to ensure no environmental impact results from the proposed storage of dangerous goods. Section 6.4 provides details of the water supply, waste water disposal and stormwater management.
▪ ***Waste –*** *including:* – *identification of the quantity and type of waste that would be handled, stored, processed or disposed of at the facility; and* – *a description of how this waste would be stored and handled on site, and transported to and from the site.*	Waste is addressed in Section 6.9 of this EIS. A Waste Management Plan for the construction phase has been provided as part of the Construction Management Plan attached as **Appendix 9**.
▪ ***Design*** *– including details of building design and fit-out for handling of chemicals (e.g. bunding and tanker loading/unloading areas);*	Design is considered in Part C – Proposed Development as well as Section 6.10 of this EIS. The proposed fit-out has also been designed to address the recommendations included in the PHA and is shown in the plans annexed as **Appendix 5**.

▪ ***Fire and incident management*** *– including technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill cleanup equipment and fire management and containment measures;*	Fire and Incident Management are considered in Section 6.11. Fire Services to be implemented for are outlined in **Appendix 6.**
▪ ***Cumulative impacts*** *– particularly in relation to hazards and risk associated with other nearby dangerous goods storage/major hazards facilities, air, noise and traffic.*	Section 6.2 of this EIS addresses the cumulative hazard impact of the proposal with regard to existing surrounding hazardous storage facilities as concluded in the PHA at **Appendix 4**. Section 6.19 also addresses the broader cumulative impact of the proposal.

PART B SITE ANALYSIS

2.1 SITE LOCATION

The site to which this Environmental Impact Statement (EIS) relates is 23-107 Erskine Park Road, Erskine Park, known as 'Westpark Industrial Estate', and situated on the corner of Mamre and Erskine Park Roads, Erskine Park. The site spans approximately 600m along Mamre Road and 1,150m along Erskine Park Road with an area of 38.84 hectares.

The proposed storage and handling of dangerous goods is proposed to be undertaken within Warehouse B1 currently being constructed in the south-west corner of the site.

The site is detailed in **Table 3** and shown in **Figure 2**.

TABLE 3 – Site Details	
Address	23-107 Erskine Park, Erskine Park, NSW 2759
Property Description	Lot 1 DP1128233
Local Government Area	Penrith
Land area	38.84 hectares
Development Location	Building B1

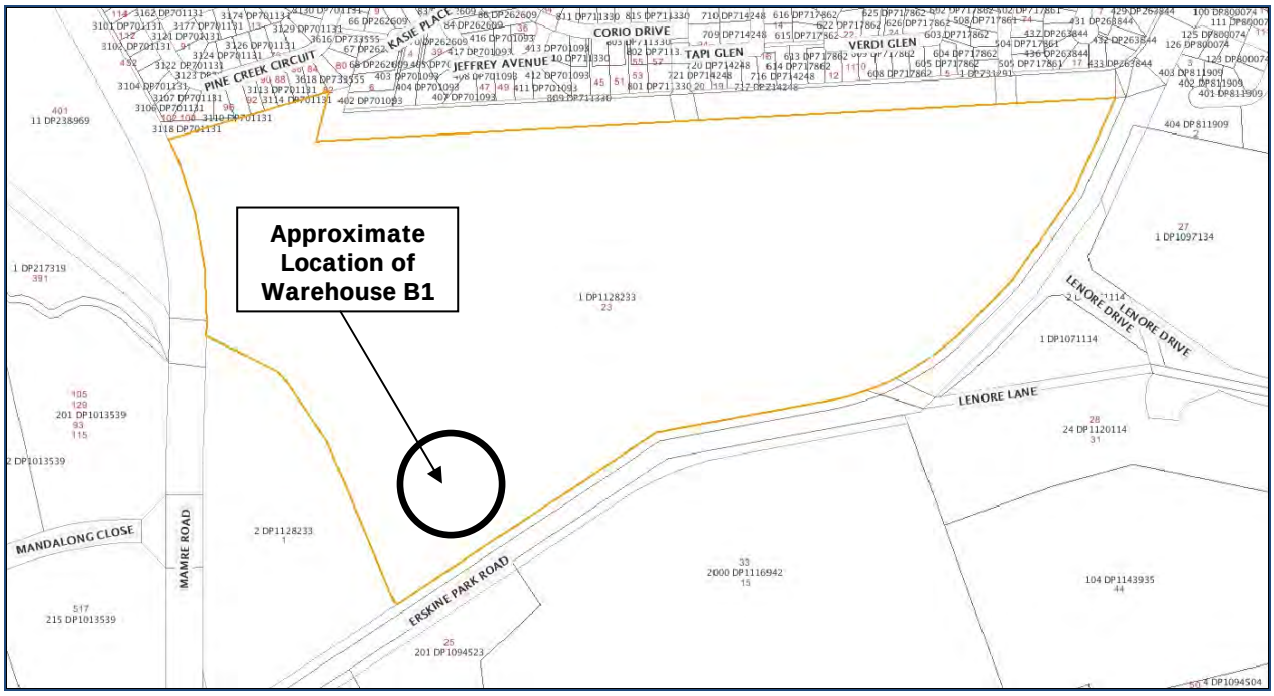

Figure 2 – Site Location (Source: NSW Land and Property Information, 2011)

2.2 LAND OWNERSHIP

The land owner is Goodman Industrial Funds Management Limited (Goodman).

Owners' consent authorising the application for development is provided as **Appendix 3**.

2.3 LOCAL HISTORY

Although no evidence of indigenous Australians has been found on or near the site, and the land is now in a highly disturbed state, its history is similar to that documented for the area surrounding South Creek located approximately 2-3 kilometres south and west of the site. The following information regarding the historical context of the site has been derived from the Historic Profile of Erskine Park collated by Penrith Council:

The first inhabitants of the Sydney basin bounded by Port Jackson and Botany Bay in the east, the Blue Mountains to the west, north to the Hawkesbury River and south to Appin, had in common the Dharug language. Fourteen tribes or clans made up this language group and the people who inhabited both sides of South Creek were known as the Gomerrigal-Tongarra clan.

By 1816 the Dharug clans had been ravaged either by clashes with the settlers or by contracting European diseases. They became increasingly dependent on the settlers for their survival, often assisting in the agricultural operations of settlers.

In 1818, a 3,000 acre grant was made to James Erskine (1765-1825) a career soldier who fought in the West Indies, Ireland and the Peninsular Campaigns arrived with his regiment in Sydney on the "Matilda" in August 1817. He was sworn in as Lieutenant-Governor on September 12, 1817.

The grant covered an area east of the present Mamre Road to Rope's Creek and in 1981 the Geographical Names Board formally created two separate suburbs from this land, Erskine Park and St. Clair. The site continued to provide for agricultural activities until recent times when its role in providing for intensified industrial development and employment was recognised. The proposal will be undertaken on land historically included within this land grant issued to James Erskine.

2.4 EXISTING SITE CHARACTERISTICS

There are a number of warehouses on the site. This application applies to Building B which is being constructed in the south-west portion of the site. Building B will two (2) tenancies. The tenancy to which this application applies is referred to as 'Warehouse B1'.

Warehouse B1 will be setback 10m from Erskine Park Road. The warehouse is designed with a ridge height RL of 51.425 with a lower ground RL of 34.125. Vehicular access to the site is from an internal road within the estate which connects to Erskine Park Road. Parking for the warehouse will be located along the western boundary of the site (41 parking spaces approved).

Palisade fencing runs along the southern boundary of the site along Erskine Park Road. Approximately 14 hectares of the northern portion of the site is bounded by a transmission easement that runs parallel to the northern lot boundary. This easement also accommodates on-site detention for existing development and creates a large setback between the industrial development on the site and the residential development further north.

Warehouse B1 sits amid a number of industrial developments also located on the subject site, some of which already accommodate dangerous goods. The existing activities within the Westpark Industrial Estate are outlined in **Table 4**.

TABLE 4 – Existing Activities within Westpark Industrial Estate	
Warehouse A1	Storage of paint and related products
Warehouse A2	Storage of household chemicals and cosmetics
Warehouse A3	Storage of digital equipment
Warehouse C1	Storage of aluminium products and systems
Warehouse C2	Storage of household hygiene products
Warehouse C3	Storage of paint and related products, food additives and assorted agricultural chemicals

Construction for the tenancy immediately adjoining Warehouse B1 (known as Warehouse B2) has only just been commenced and a future tenant is yet to be allocated.

An aerial photograph of the site, showing the ongoing construction of Warehouse B1 and Warehouse B2 (as at 23 October 2011) is provided as **Figure 3**.

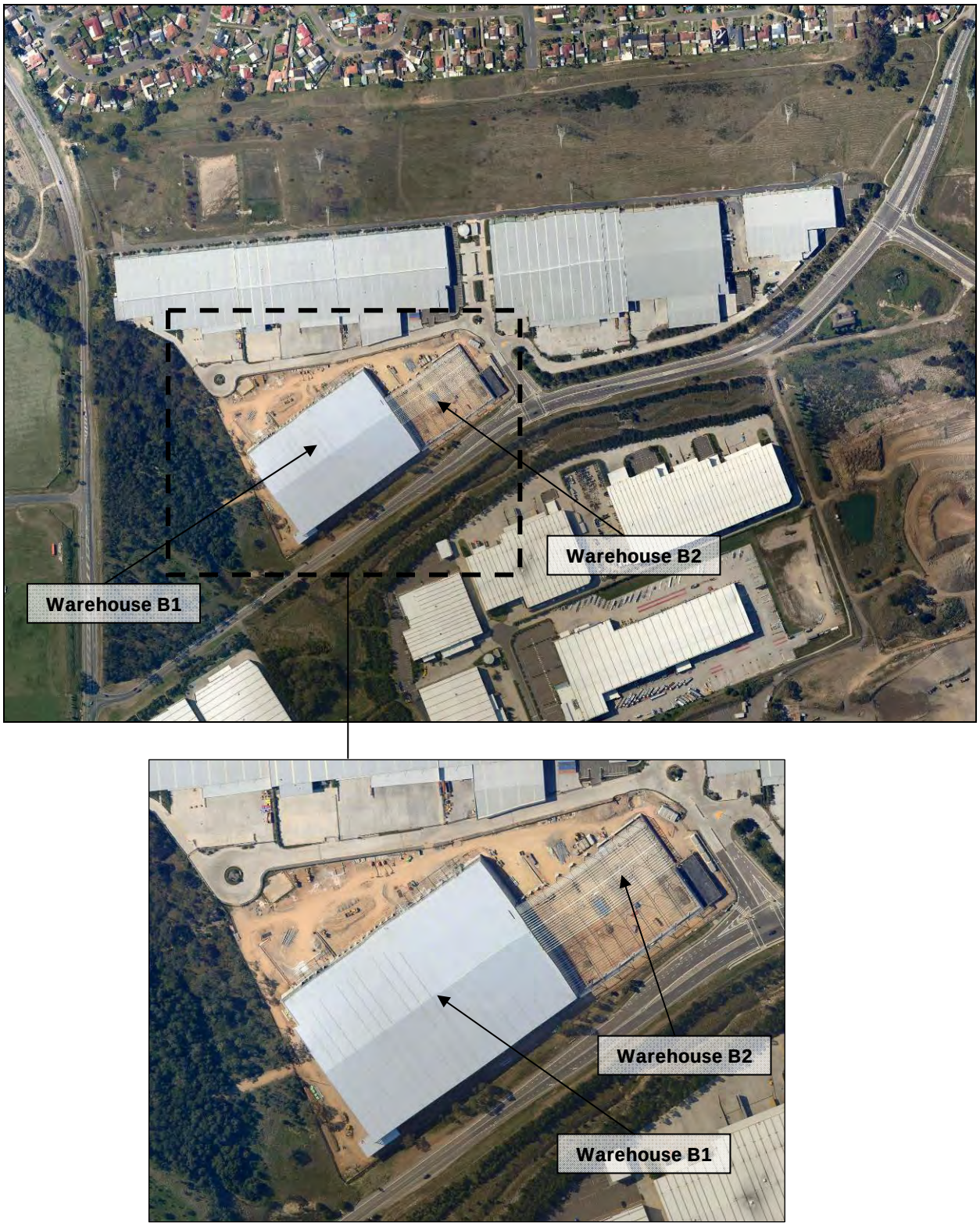

Figure 3 – Aerial Photograph (Source: NearMap, 2011)

2.5 LOCAL CONTEXT

The suburb of Erskine Park is located on the eastern fringe of the Penrith Local Government Area. The eastern boundary is Ropes Creek to the south where the southern boundary is located along the Sydney Water Supply Pipeline. The suburb's western border runs along Mamre Road and the Erskine Park Road till the M4 Motorway and up to Ropes Creek.

The location of the site is within close proximity to several major regional roads including the M4 and Westlink M7 Motorways providing a high level of connectivity to destinations across the Greater Sydney Region.

While the locality has traditionally been rural in character, with some extractive industries in more recent years, the housing boom of the 1990s has significantly changed this suburb into an urban environment characterised by a mix of employment, housing and commerce interspersed with large areas of recreation. A large portion of land toward the intersection of Mamre Road and Erskine Park Road is also set aside for ecological conservation purposes (and is subject to a Biodiversity Management Plan).

Land on the southern side of Erskine Park Road is occupied by existing industrial development while the area north of the site is predominantly residential in nature. The area west of Mamre Road exists as large lot residential development.

The location of the site within the locality is shown in **Figure 4**.

Figure 4 – Local Context (Source: NearMap, 2011)

2.6 REGIONAL CONTEXT

Erskine Park is located approximately 42km west of Sydney Central Business District on the eastern fringe of the Local Government Area of Penrith. The area has undergone significant development since the 1990s and comprises a range of uses including industry, community and residential. Penrith forms part of the North West subregion which is a key employment driver for the Greater Western Sydney Region.

The site forms part of the Erskine Park Employment Area (EPEA) which spans 500 hectares. It is strategically located in near the intersection of the M4 Western Motorway and Westlink M7 Motorway. The land enjoys excellent access to a full range of services, facilities and transport networks that extend far beyond Western Sydney.

The region comprises established urban areas, greenfield sites for future growth, rural and resource land and important natural assets including the Blue Mountains, Sydney Olympic Park and Western Sydney Parklands.

Commercial and retail development in the region consists of Westfield Parramatta and Westfield Penrith. Major education facilities include University of Sydney (Cumberland Campus), University of Western Sydney and Western Sydney Institute of TAFE.

The regional context of the site is shown in **Figure 5**.

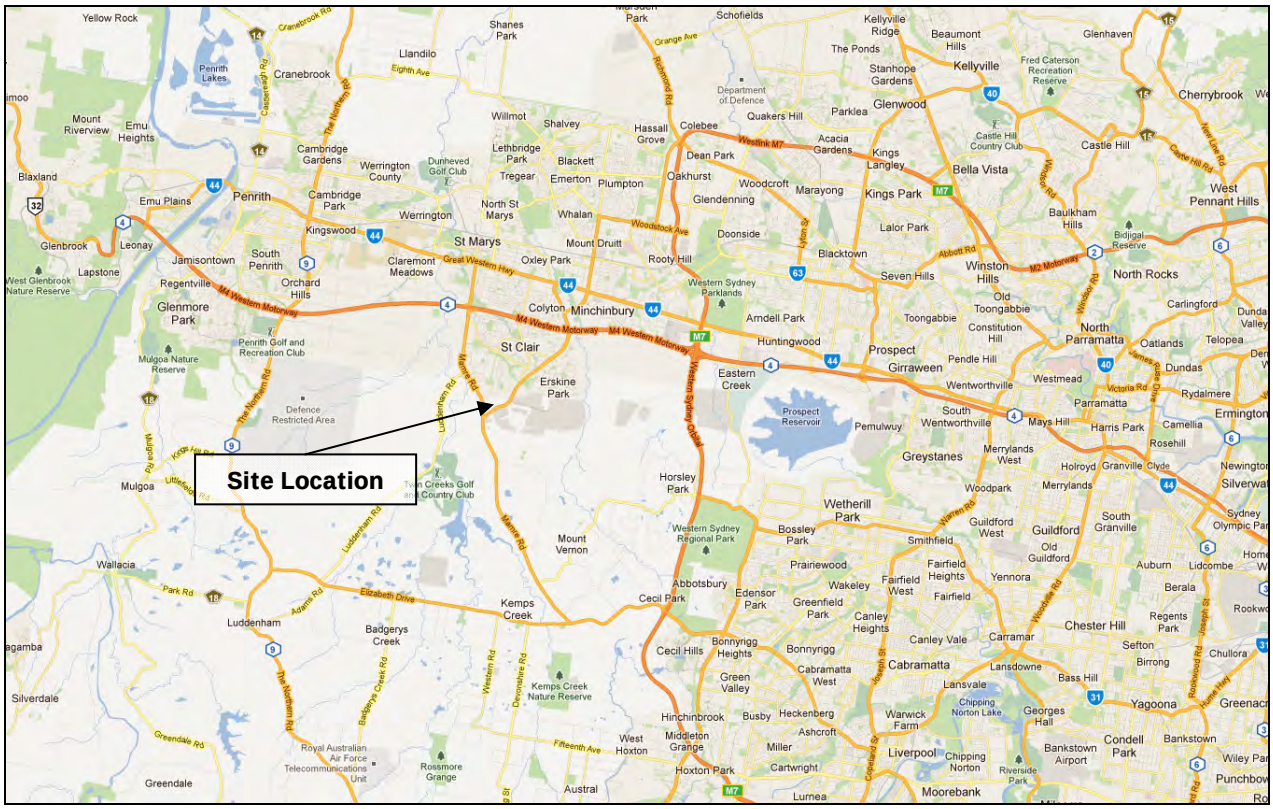

Figure 5 – Regional Context (Source: Google Maps, 2011)

2.7 SUB REGIONAL CONTEXT

Under the State Government's North West Subregional Strategy, the site is recognised as a significant employment centre. The Strategy also indicates this subregion is the fastest growing in NSW and will have the highest housing and job growth in the Sydney Region.

Due to Penrith's strategic location in Sydney's North West growth centre, the demand for industrial space is projected to continue to grow in the subregion. With the redevelopment of many older industrial areas in the Sydney region the continued use of Erskine Park for industrial uses is required to adequately cater to the needs of the industry well into the future.

The site's position within the Western Sydney Employment Hub is shown in **Figure 6**.

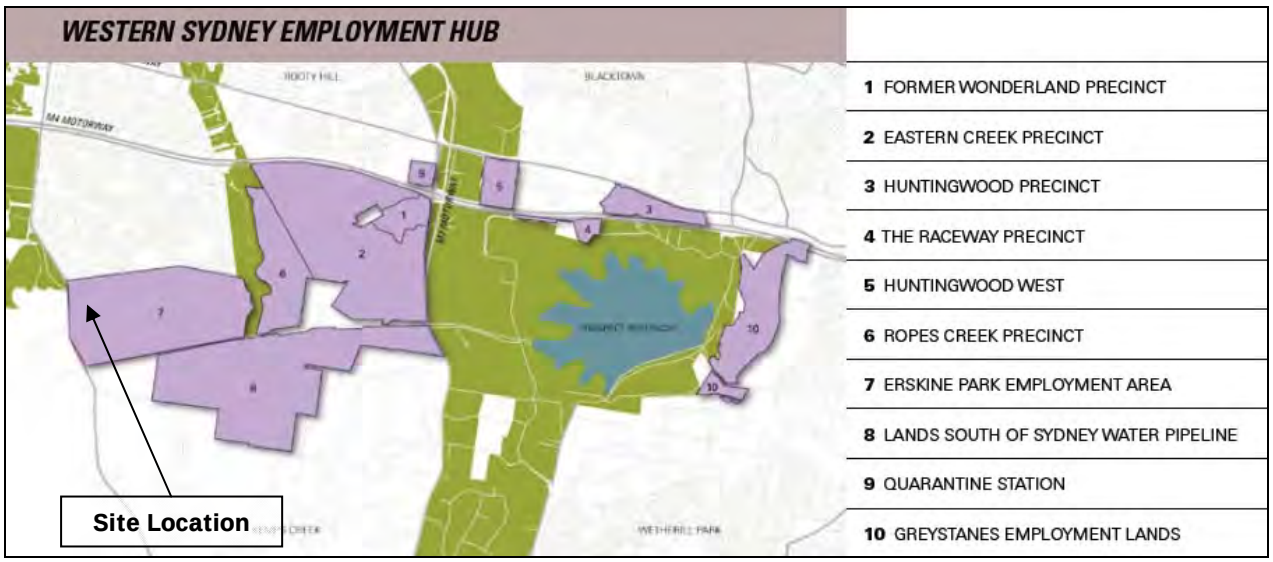

Figure 6 – Western Sydney Employment Hub Map (Source: Metropolitan Plan for Sydney 2036, NSW Department of Planning, 2010)

2.8 SITE SUITABILITY

The approved Warehouse B1 presents an opportunity for the use of the building as a warehouse and distribution centre for household products including the storage and handling of dangerous goods.

The subject site is appropriately zoned to permit the proposed use which will be compatible with other existing uses on the site.

The site is also located close to major roads making it a convenient location with good accessibility to and within the region. Activities will be suitably removed from residential areas with no significant impact to eventuate.

PART C PROPOSED DEVELOPMENT

3.1 OBJECTIVES OF THE PROPOSAL

The intention of the proposal is to provide a facility that meets the requirements of DHL Supply Chain (Australia) Pty Ltd within a location that:

- is large enough to accommodate the intended operations of DHL
- allows for the activities as a permissible use
- has appropriate access
- is compatible with surrounding development and local context
- will result in minimal impact on the environment, and
- will allow for the implementation of suitable mitigation measures where required.

The site and proposed design are considered to meet the objectives of the project as it allows for the storage of the intended materials on a site that has been previously approved (and continues to be used) for the storage of hazardous materials. No significant environmental impact is to result from the development.

3.2 DESCRIPTION OF THE PROPOSAL

This application seeks approval for the use of approved Warehouse B1 for the storage and handling of dangerous goods (aerosols cans, acidic solids, acidic liquids and alkali liquids). Fit-out works associated with the storage requirements of these goods is also proposed.

Elements of the proposal are outlined in detail below:

3.2.1 Operations

Warehouse B1 will comprise 20,000sqm of warehouse storage and 650sqm of office space. The office is located on the ground floor at the south-western end of the building. The office will contain meeting rooms, offices and amenities. The facility will also comprise 18 loading docks. These features of the base building have already been approved under DA 11/0302.

The hours of operation already approved for the warehouse are 6am to 10pm, based on a two-shift rotation with shifts starting at 6am and 1pm. Estimated staff numbers include 30 staff for the day shift, 20 for the evening shift and 10 office staff. The facility will operate seven (7) days per week.

Specific activities to be conducted at Warehouse B1 will include:

- unloading and receipt of finished goods via trucks and shipping containers;
- management of inventory in a racked and block stacked environment;
- storage of goods;
- order fulfilment including picking and packing of finished orders to customers;
- loading of transport vehicles;
- management of product returns;
- inspection of goods for QA purposes;
- product embellishment (e.g. stickering, neck-hangers, custom packs assembly, etc).

No manufacturing of products would occur within, or in areas surrounding Building B1. There is no decanting, filling or mixing of products to be undertaken on site.

No retailing is to occur on the site. All products will be delivered to customers for re-sale in stores, off-site.

3.2.2 Storage Parameters

The products to be stored in Warehouse B1 will be stored according to the following categories:

1. Aerosols Storage
2. General Storage Area (acidic)
3. General Storage Area (alkali)

The chemicals are for the purpose of household cleaning and pest control. A summary of maximum storage quantities for these dangerous goods are illustrated in **Table 5**.

TABLE 5 – Material Type and Quantity			
Dangerous Goods Class	***Group Description***	***UN Numbers***	***Quantity***
2.1	Aerosols	UN 1950	1,700,000Kg
8	Acidic Solids	UN 3260	101,100Kg
8	Acidic Liquids	UN 3264	44,700Kg
8	Alkali Liquids	UN1719 UN 3266	989,700Kg

The proposed quantities of dangerous goods that would be stored exceeds the criteria for a Major Hazard Facility under the definitions the *Occupational Health and Safety Regulation 2001*, and as such, is classified as a State Significant Development under Schedule 1, Clause 10(3) of *State Environmental Planning Policy (State and Regional Development) 2011*.

Only the storage of dangerous goods is the subject of this application. All other elements of the facility have been approved by Penrith City Council under DA 11/0302.

The warehouse will store other (non-dangerous) materials in Warehouse B1, including:

- Household cleaning agents
- Dishwashing detergent
- Laundry powder
- Disinfectants
- Pharmaceutical Products; and
- Consumer Health and Personal Care Products.

These products will be in package sizes suitable for retail sale and have been approved for storage within Warehouse B1 under DA 11/0302.

It is intended that the facility store goods within the following parameters as recommended in the Preliminary Hazard Analysis (PHA) – see **Appendix 4**:

A. *Storage of aerosol to be undertaken in accordance with Factory Mutual (FM) Global data sheet 7-31 and include:*
   i. *Caging;*
   ii. *Bunding; and*
   iii. *Storage as described by FM 7-31.*
B. *Fire separation from Warehouse B2;*
C. *Storage of the Acid Solids and liquids in a separate bunded area to the Alkali liquids; and*
D. *Spill and contaminated fire water containment.*

3.2.3 Equipment

Material Handling Equipment includes electric battery-operated forklifts (suitable for use in Zone 2 areas for aerosol storage) and ride-on movers. The facility will include pallet stretch wrap machines, which are standard for most warehousing activities of this nature.

3.2.4 Parking, Access and Transport

Access

Approved vehicular access to the site is from an internal road within the estate which connects to Erskine Park Road. No change to this arrangement is proposed.

Car Parking

A total of 41 parking spaces have been approved for Warehouse B1. No change to this arrangement is proposed.

Deliveries

Vehicle movements for deliveries involve semi trailers and B-doubles are outlined below:

- *Incoming deliveries*
  Container deliveries will be via "drop trailers" and/or driver-operated trailers or side loaders. Most deliveries are turned around and dispatched within 1 hour of receipt at the site. Empty containers are normally removed from site during nominated working hours.

  Trucks will deliver incoming goods typically from 6:00am till 10:00pm. Containers will be unloaded by both hand and forklift unloading. The site is expected to receive up to 20 container loads on a daily basis, most of which are unloaded immediately. The unloading is undertaken via the recessed loading docks.

- *Outgoing deliveries*
  Typically, semi-trailers and B-doubles will be used for the transportation of products to product retailers. Vehicles will be loaded between 6:00am and 4:00pm with an expectation that up to 40 vehicles will travel to and from the site on a daily basis.

3.2.5 Fit-out and Building Works

First use for the storage of non-dangerous goods, fit-out work and signage was approved by Penrith City Council under DA 11/0302) on 05 August 2011. This approval related to the following:

- Use of Warehouse B1 for the purpose of storage and distribution operated by DHL; and
- Fit-out the warehouse area with a racking system for the storage of (non-dangerous) goods prior to distribution, and a fenced area with lowered ceiling for block stacking pallets;
- Fit-out the office area; and
- Erection of signage to identify DHL as the occupant of Warehouse B1.

The introduction of activities involving the storage of hazardous goods requires the undertaking of additional fit-out works to ensure the safe and efficient management of these goods. The fit-out works include:

- New layout for racking to address separation requirements for materials;
- Dangerous Goods enclosure with chainwire mesh;
- Internal bunding of 435,000 litres, as 180,000 litres for aerosol storage area and 255,000 litres for general racked storage; and
- Fire services including ESFR sprinkler system and installation of valves for isolating stormwater runoff.

3.2.6 Drawings

Drawings for the proposed fit-out , Fire Services and the Concept Stormwater Plan are outlined in **Table 6** and annexed as **Appendices 5, 6 and 7** respectively.

TABLE 6 – Drawing Schedule				
Drawing No.	***Description***	***Date***	***Revision***	***Author***
Fit-out Plans				
3298_100	Location Plan Building B	15/07/11	B	Nettleton Tribe
3298_101	Site Plan	15/07/11	B	Nettleton Tribe
3298_112	Ground Floor Plan Building B1	01/11/11	J	Nettleton Tribe
3298_201	Elevations Building B1	15/07/11	D	Nettleton Tribe
3298_911	Dangerous Goods Enclosure	Prelim.	A	Nettleton Tribe
H4198-008G	Project 'Raven' Tender Layout (Materials Separation Plan)	08/08/11	G	Dexion
Fire Services				
S0046-03	Fire Services ESFR Sprinkler Layout	11/09/11	A	Ultimate Fire Protection
Concept Stormwater Plan				
C011243.00-C41	Concept Stormwater Plan Sheet 1	02/09/11	1	Costin Roe
C011243.00-C42	Concept Stormwater Plan Sheet 2	02/09/11	1	Costin Roe

3.2.7 Supporting Documents

Documents provided in support of the proposal are outlined in **Table 7**.

TABLE 7 – Document Schedule			
Appendix No.	**Description**	**Date**	**Author**
1	Consent for DA 11/0302	05/08/11	Penrith City Council
2	Director-Generals Requirements	03/11/11	DoP&I
3	Owners Consent	12/10/11	GTA Industrial Custodian Pty Ltd
4	Preliminary Hazard Analysis	14/11/11	Moore Consulting and Engineering
5	Fit-Out Development Plans	15/07/11	Nettleton Tribe
6	Fire Services Plan	11/09/11	Ultimate Fire Protection
7	Concept Stormwater Plan	02/09/11	Costin Roe
8	Section 149 Certificate	11/08/11	Penrith City Council
9	Construction Management Plan	Oct 2011	Prime Constructions
10	Existing Infrastructure (Dial-Before-You-Dig Response)	Various	Integral Telstra Jemena Optus Pipe Networks Sydney Water

3.3 SITE PREPARATION AND CONSTRUCTION

Warehouse B1 was approved for construction by Penrith City Council under 08/0345, issued on 14 July 2008. Construction is currently underway. The facility is not completed at the time of this application.

No external works form part of this proposal.

3.4 PROJECT NEED

DHL has identified a number of constraints at their existing facilities which include the following:

- Exceeded warehouse storage capacity
- The site layout for warehousing is disparate resulting in underutilised and ill-configured material handling to suit the current needs of the business
- Inadequate warehouse storage space is available to accommodate smooth material flows and improve safe working areas
- Improvements were identified for the storage and handling of mixed packaged dangerous goods, and
- Requirements in relation to fire protection for assets.

An operational review was also conducted to more comprehensively understand the operational needs of the business within a new facility. The review included the following aspects:

- A review and assessment of product inflows, storage, and outflows
- Consideration of internal layout including traffic flows and materials handling equipment
- Requirements for materials handling equipment
- Inventory management system needs and associated resources such as phone and data lines to support operations
- Office and communication needs and staff amenity needs
- Security and segregation needs for healthcare products
- Staffing numbers, and
- The level of management and operational overheads.

In response to the operational needs of its current storage facility, DHL has determined that an additional facility is required to accommodate its increased need for storage space. The proposed project is considered necessary to improve the operational efficiencies of DHL's existing business within NSW, and facilitate its future growth.

3.5 CONSIDERATION OF ALTERNATIVES AND JUSTIFICATION

The options considered, and subsequently dismissed, in arriving to the current proposal included:

'Do Nothing' Scenario

This option was dismissed as the need to have a facility to store the potentially hazardous materials would remain.

If the proposal was not to go ahead, the location of Building B1 would continue to be developed for other industrial purposes. Additionally, the site would continue to accommodate uses that store and handle hazardous materials.

Development on an Alternative Site

A number of sites throughout the Sydney Region were considered for the location of a new DHL storage facility. The proposed site was identified as the preferred option as it fulfils DHL's logistical and operational requirements. In particular, the site:

- is located the use within a site already accommodating similar uses (including hazardous storage)
- has been identified in State Environmental Planning Policy (Western Sydney Employment Lands) 2009 for the intended use
- has appropriate proximity from sensitive land activities including residential development
- has all essential infrastructure required to service the development
- has already been granted approval for the base building which is of a size and design suitable for the intended purpose

- can accommodate mitigation measures for any identified potential environmental impacts
- has close proximity to the regional road network provides increased economic benefits
- is not an area of heritage or archaeological significance, and
- is within an industrial context with appropriate distance from residential areas.

The base building and warehousing activities of non-dangerous goods has already been approved by Penrith City Council. The proposed use is consistent with the land use zoning and considered suitable for the proposed activities.

PART D LEGISLATIVE AND POLICY FRAMEWORK

This Part of the EIS assesses and responds to the legislative and policy requirements for the project in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the DGRs.

The following current and draft Commonwealth, State, Regional and Local planning controls and policies have been considered in the preparation of this application:

Commonwealth Planning Context

- *Environment Protection and Biodiversity Conservation Act 1999*

State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Environmental Planning and Assessment Act (Contaminated Land) 1996*
- *Protection of the Environment Operations Act 1979*
- *Threatened Species Conservation Act 1995*
- *NSW 2021 : A Plan to Make NSW Number One*
- *State Environmental Planning Policy (Western Sydney Employment Area) 2009*
- *State Environmental Planning Policy No.33 – Hazardous and Offensive Development*
- *State Environmental Planning Policy No.64 – Advertising Structures and Signage*

Regional Planning Context

- *Metropolitan Plan for Sydney 2036*
- *Metropolitan Transport Plan 2010*
- *Draft North West Subregional Strategy*
- *Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River*

Local Planning Context

- *Penrith Local Environmental Plan 2010*
- *Interim Development Order No.93 – Penrith*
- *Penrith LEP No.258 – Consent for Dwelling Houses and Other Development*
- *Penrith Development Control Plan 2006*
- *Penrith Development Control Plan 2010*
- *Erskine Park Employment Area Biodiversity Management Strategy*
- *Penrith Employment Lands Study 2003*
- *Penrith Employment Planning Strategy 2007*

This planning framework is considered in detail in the following sections:

4.1 COMMONWEALTH PLANNING CONTEXT

4.1.1 Environment Protection and Biodiversity Conservation Act 1999

The Biodiversity Strategy prepared by HLV Envirsciences for the Erskine Park Employment Area indicates that within the Penrith local government area, there are significant ecological communities, particularly remnant Cumberland Plain Woodland. Cumberland Plain Woodland is listed as an endangered ecological community under the *Environment Protection and Biodiversity Conservation Act 1999*.

The site has been previously cleared of vegetation. The proposed development will not require the removal of any vegetation. No protected fauna exists on the site.

It is possible that some protected species remain on the land adjoining Warehouse B1 which has been set aside for ecological purposes. Consideration of potential hazards on the biophysical environment adjoining Warehouse B1 was undertaken within the Preliminary Hazard Analysis (PHA) prepared by Moore Consulting and Engineering (**Appendix 4**).

The PHA finds that some materials intended to be handled at Warehouse B1 could have an impact on the natural environment, however, given the measures proposed to mitigate identified potential hazards, any spill is unlikely to reach the surrounding environment. Where the unlikely event of a spill into the environment does occur, the PHA indicates that the spill events are unlikely to have long-term effects on the environment.

4.2 STATE PLANNING CONTEXT

4.2.1 Environmental Planning and Assessment Act 1979

The EP&A Act is the overarching governing document for all development in NSW. The proposed use of the approved industrial building for warehouse and distribution centre for household products.

The EPA&A Act defines 'Designated Development' under Section 77A as:

> "*development that is declared to be designated development by an environmental planning instrument or the regulations.*"

The proposed development meets the definition of 'Designated Development' under the Regulations – see Section 4.2.2 below.

Section 89C of the EP&A Act outlines that State Significant Development (SSD) is development that is declared under this section to be State significant development. Section 89C(2) states:

> "*A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.*"

The proposal is declared State Significant Development under Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* – see Section 4.2.7 below.

4.2.2 Environmental Planning and Assessment Regulation 2000

Section 4(1) of the *Environmental Planning and Assessment Regulation 2000* (the Regulations) states that development described in Part 1 of Schedule 3 is declared to be Designated Development for the purposes of the Act.

The following development is listed in Part 1 of Schedule 3 of the Regulations:

10 Chemical storage facilities

(a) that store or package chemical substances in containers, bulk storage facilities, stockpiles or dumps with a total storage capacity in excess of:
- *(i) 20 tonnes of pressurised gas, or*
- *(ii) 200 tonnes of liquefied gases, or*
- *(iii) 2,000 tonnes of any chemical substances, or*

(b) that are located:
- *(i) within 40 metres of a natural waterbody or wetland, or*
- *(ii) in an area of high watertable or highly permeable soil, or*
- *(iii) in a drinking water catchment, or*
- *(iv) on a floodplain.*

The proposed storage of aerosol cans, acidic solids, acidic liquids and alkali liquids exceeds the above storage thresholds; therefore the proposed development triggers the definition of 'designated development'.

A Request for Director-Generals Requirements application to have the development considered as 'Designated Development' with was submitted to DoP&I on 20 September 2011. The Department advised that the new SSD framework would be soon commencing and that the project should be converted to this approval process. As such, no further undertaking of the proposal under the category of Designated Development has occurred.

4.2.3 Protection of the Environment Operations Act 1979

Schedule 1 of the *Protection of the Environment Operations Act 1979* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act is:

> *"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."*

As the proposal involves the keeping of a substance, the definition of an activity is satisfied and the provisions of the POEO Act apply.

In its correspondence to DoP&I, the Office of Environment and Heritage (OEH) indicates that the proposal meets the requirements for an environmental protection licence under the POEO Act. Activities involving the storage of chemicals that require an Environmental Protection Licence is outlined in Clause 9 of Schedule 1 as reproduced below:

9 Chemical storage

(1) This clause applies to the following activities:
***chemical storage waste generation**, meaning chemical substances storage that involves having on site any prescribed waste (that is, hazardous waste, restricted solid waste or liquid waste, or any combination of them).*
***general chemicals storage**, meaning the storage or packaging in containers, bulk storage facilities or stockpiles of any chemical substance classified as a dangerous good in the Transport of Dangerous Goods Code, other than the following:*
(a) petroleum or petroleum products,
(b) radioactive substances within the meaning of the Radiation Control Act 1990.
***petroleum products storage**, meaning the storage or packaging of petroleum or petroleum products in containers, bulk storage facilities or stockpiles.*

(2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	***Column 2***
Activity	***Criteria***
chemical storage waste generation	*involves having on site at any time more than 5 tonnes of prescribed waste, not including excluded material (where 1,000 litres of liquid is taken to weigh 1 tonne)*
general chemicals storage	*capacity to store more than 20 tonnes (pressurised gases), 200 tonnes (liquefied gases) or 2,000 tonnes (chemicals in any other form)*
petroleum products storage	*capacity to store more than 200 tonnes (liquefied gases) or 2,000 tonnes (chemicals in any other form)*

The proposal meets the criteria as 'general chemical storage' outlined in this Clause.

Advice from OEH while a licence will be required for the proposal, an application to obtain the licence can only be made upon approval of the development by DoP&I. The intention to obtain the necessary approval forms one of the commitments to be undertaken by DHL as outlined in the draft Statement of Commitments provided in Part G of this EIS.

4.2.4 Threatened Species Conservation Act 1995

The Biodiversity Strategy prepared by HLV Environsciences for the Erskine Park Employment Area indicates that the following vegetation species protected under the *Threatened Species Conservation Act 1999* occur within the Erskine Park Employment Area:

- Sydney Coastal River Flat Forest
- Shale Plains Woodland; and
- Shale Hills Woodland.

The site of Warehouse B1 has been previously cleared of vegetation. The proposed development will not require the removal of any vegetation. Additionally, no protected fauna occurs on the site.

It is likely that protected species remain on the land adjoining Warehouse B1 which has been set aside for ecological purposes. Consideration of potential hazards on the biodiversity area adjoining Warehouse B1 was undertaken within the Preliminary Hazard Analysis (PHA) prepared by Moore Consulting and Engineering (**Appendix 4**).

The PHA finds that some materials intended to be handled at Warehouse B1 could have an impact on the natural environment, however, given the measures proposed to mitigate identified potential hazards, any spill is unlikely to reach the surrounding environment. Where the unlikely event of a spill into the environment does occur, the PHA indicates that the spill events are unlikely to have long-term effects on the environment.

4.2.5 NSW 2021: A Plan to Make NSW Number One

NSW 2021 was developed by the NSW State Government to set economic, social and environmental directions for NSW. It sets targets, priorities and actions for delivery of services across the State. The strategies outlined in the Plan include:

- *Rebuild the economy*
- *Return quality services*
- *Renovate infrastructure*
- *Strengthen our local environment and communities*
- *Restore accountability to government*

The Chapter on Rebuilding the Economy is most relevant to the proposal as it provides objectives for achieving growth and prosperity. The plan makes a commitment that support large and small businesses and describes the importance of the private sector's role in maintaining and creating highly productive jobs to underpin the State's ability to realise higher standards of living for all people.

DHL is a large company providing significant employment throughout NSW. The proposed use of Warehouse B1 for DHL operations represents an important move by the company to enhance the compliance and efficiency of current operations within NSW.

The proposed development will contribute to the ongoing growth of the company and will strengthen their ability to maintain and create jobs within the Sydney Metropolitan Region. *NSW 2021* provides the policy context for the State Government to support and assist a company such as DHL in achieving significant benefits for NSW.

4.2.6 State Environmental Planning Policy (State and Regional Development) 2011

Proposals involving activities that are listed in Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* are declared to be State Significant Development (SSD) under the new framework introduced in October 2011.

Schedule 1 includes:

10 Chemical, manufacturing and related industries

(1) Development that has a capital investment value of more than $30 million for the purpose of the manufacture or reprocessing of the following (not including labelling or packaging):
- *(a) soap, detergent or cleaning agents,*
- *(b) paints, ink, dyes, adhesives, solvents,*
- *(c) pesticides or inorganic fertiliser,*
- *(d) pharmaceuticals or veterinary products,*
- *(e) ammunition or explosives,*
- *(f) oils, fuels, gas, petrochemicals or precursors,*
- *(g) polymers, plastics, rubber or tyres,*
- *(h) batteries or carbon black.*

(2) Development with a capital investment value of more than $30 million for any of the following purposes:
- *(a) liquid fuel depots,*
- *(b) gas storage facilities,*
- *(c) chemical storage facilities.*

(3) Development for the purpose of the manufacture, storage or use of dangerous goods in such quantities that constitute the development as a major hazard facility within the meaning of Chapter 6B of the Occupational Health and Safety Regulation 2001.

Given the quantity of materials to be stored within the proposed warehouse the proposed development constitutes Subclause (3) and is classified as SSD.

An application seeking DGRs for the preparation of an EIS for SSD was lodged with DoP&I on 06 October 2011. This EIS has been prepared in accordance with the DGRs issued and the State and Regional Development SEPP.

4.2.7 State Environmental Planning Policy (Western Sydney Employment Area) 2009

State Environmental Planning Policy (Western Sydney Employment Area) 2009 (Employment Area SEPP) applies to the site. The Policy aims to protect and enhance the Western Sydney Employment Area. The zoning plan provided under the Employment Area SEPP (**Figure 73**) zones all of the land within the site as IN1 General Industrial.

It is noted that while the IN1 zoning is recognised in the Planning Certificate issued by Penrith Council on 11 August 2011. The certificate notes that this zoning applies to only part of the site and the remainder is subject to zoning under *Penrith Local Environmental Plan 1994 (Erskine Park Employment Area*) (PLEP 1994) and *Interim Development Order No. 93 – Penrith*.

Since the issue of the Section 149 Certificate, *Penrith Local Environmental Plan 2010* (PLEP 2010) has been gazetted and formally repeals PLEP 1994. Section 4.4 below provides further consideration of the local planning framework outlined in the Planning Certificate.

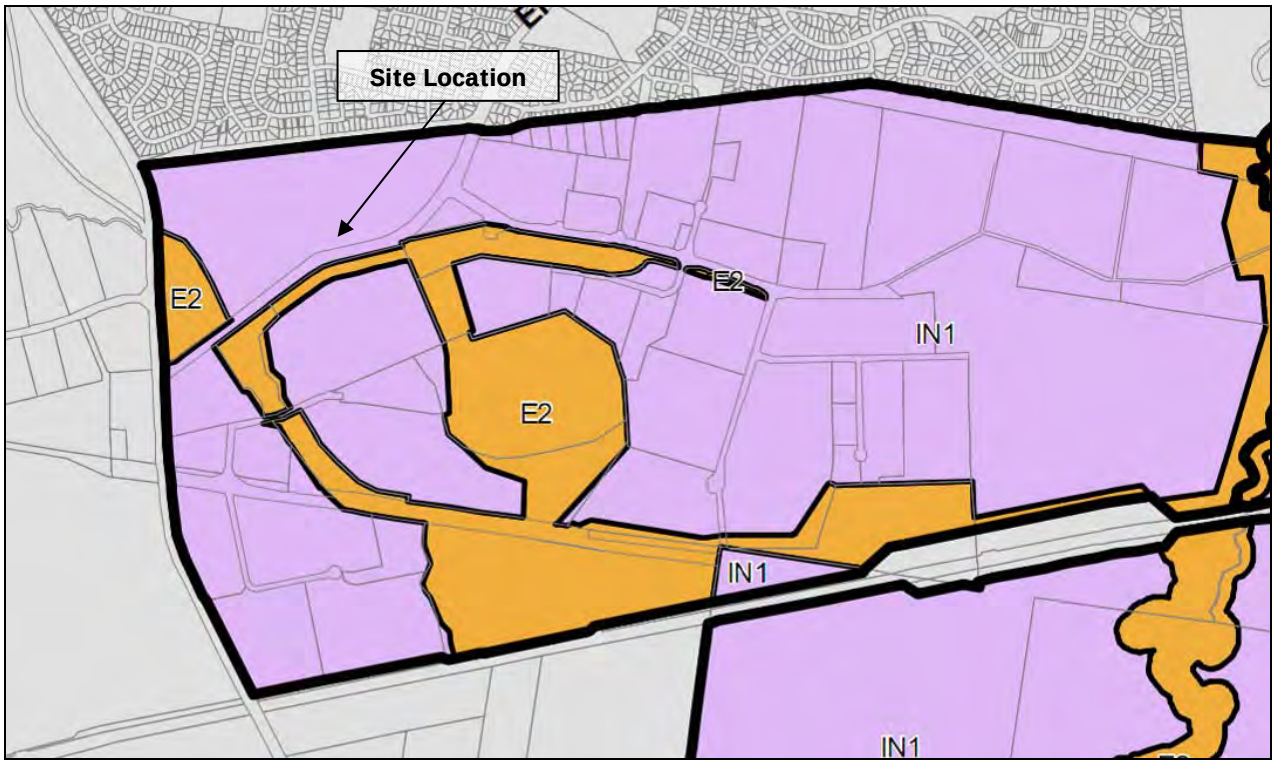

Figure 7 – SEPP (Western Sydney Employment Lands) 2009 *(Source: Department of Planning, 2009)*

The objectives of the IN1 General Industrial zone under the Employment Area SEPP are:

- *To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space.*
- *To encourage employment opportunities along motorway corridors, including the M7 and M4.*
- *To minimise any adverse effect of industry on other land uses.*
- *To facilitate road network links to the M7 and M4 Motorways.*
- *To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment.*
- *To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone.*

The proposal is consistent with the objectives of the zone as it allows for the continuation of the intended industrial use of the facility, provides employment, is compatible with the local context and will not result in any significant environmental impact.

Under the SEPP, the proposal can be defined as a '*warehouse or distribution centre*' which is permissible with development consent within the IN1 zone. For the purposes of the SEPP, a warehouses or distribution centre is defined as:

> "*a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made*".

It is also noted that the following developments are prohibited within the IN1 zone:

'hazardous industry' defined as:

> *"development for the purpose of an industry that, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would pose a significant risk in the locality:*
>
> *(a) to human health, life or property, or*
> *(b) to the biophysical environment."*

'hazardous storage establishment' *defined as:*

> *"any establishment where goods, materials or products are stored that, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on other land in the locality), would pose a significant risk in the locality:*
>
> *(a) to human health, life or property, or*
> *(b) to the biophysical environment."*

'offensive industry' *defined as:*

> *"any development for the purpose of an industry that would, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality."*

'offensive storage establishment' *defined as:*

> *"means any establishment where goods, materials or products are stored and that would, when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality."*

The Preliminary Hazard Analysis (PHA) prepared by Moore Consulting and Engineering (**Appendix 4**) concludes:

> *"The development of Warehouse B1 is below the risk criteria described in* [Hazardous Industry Planning Advisory Paper] *HIPAP No.4 and would not pose a significant risk in the locality.*

As no significant risk exists, the proposal does not meet the definitions of any of the land uses prohibited within the IN1 zone and is permissible with development consent as a warehouse and distribution facility.

It is noted that the land use term 'Major Hazard Facility' applies to the proposal under *State Environmental Planning Policy (State and Regional Development) 2011* – see Section 4.2.7 above, however this land use term is not included within Employment Lands SEPP for the purposes of determining permissibility.

4.2.8 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33) provides definitions for hazardous and offensive development as well as potentially hazardous and offensive development and outlines the items that a consent authority must consider to assess whether the development is hazardous or offensive.

The aims of SEPP 33 are:

(a) to amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and
(b) to render ineffective a provision of any environmental planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Policy, and
(c) to require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and
(d) to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and
(e) to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact, and
(f) to require the advertising of applications to carry out any such development.

Clause 3 of SEPP 33 states:

> ***potentially hazardous industry*** *means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:*
> *(a) to human health, life or property, or*
> *(b) to the biophysical environment,*
> *and includes a hazardous industry and a hazardous storage establishment.*
>
> ***potentially offensive industry*** *means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.*

The proposed activity could meet one or both of these definitions as the activities to be undertaken involve the storage and handling of materials that could pose a hazard under certain circumstances without the implementation of any mitigation measures.

A Preliminary Hazard Analysis (PHA) in accordance with the provisions of the SEPP and the Department of Planning's 'Multi-Level Risk Assessment' and 'Guidelines for Hazard Analysis' was therefore prepared by Moore Consulting and Engineering. The PHA is annexed as **Appendix 4**.

In terms of the proposed activities for Warehouse B1, the PHA found:

> *"the aerosols (Class 2.1 material) storage is predominantly for household products used for cleaning and pest control. The aerosols do not significantly increase the individual risks given the chemicals are suitable for retail sales and in low concentrations.*
>
> *The frequency of aerosols within a smoke plume were below the criteria established in HIPAP No.4. The location of Warehouse B1 at the southern boundary of Westpark means that there is no increase in the frequency events causing serious injury or being potentially injurious to sensitive receptors in residential areas to the north of Westpark site.*
>
> *The Class 8 material will be stored to meet the intentions and requirements of AS 3780, "The storage and handling of corrosive substances". The Class 8 material is unlikely to cause significant off-site effects for individuals or significant effect surrounding biophysical environment. The risk to the biophysical environment from spills and potentially contaminated fire-fighting water was found to be very low for events associated with Warehouse B1."*

When considered in a cumulative manner with existing dangerous storage facilities on the site, the PHA concluded:

> *"The Westpark site has other warehouses that contain dangerous goods of notable quantities. These warehouses are Warehouse A1, Warehouse A2, and Warehouse C3/C4. The hazards associated with Warehouse B1 do not increase the risks associated with Westpark to levels above the risk criteria described in* [Hazardous Industry Planning Advisory Paper] *HIPAP No.4. It was found that the frequency of potentially causing serious injury or being potentially injurious to sensitive receptors was below the criteria established in the HIPAP No.4 for the storage of dangerous goods for all the warehouses within Westpark. It was also found that the risk of propagation between warehouses at Westpark was very low.*
>
> *The development of Warehouse B1 is below the risk criteria described in HIPAP No.4 and would not pose a significant risk in the locality.*

Based on the findings of the PHA, the proposal will not result in any significant impact in the locality.

4.2.9 State Environmental Planning Policy No. 64 – Advertising Structures and Signage

Signage for the facility has been approved under DA 11-0302. No further signage is proposed.

4.2.10 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

As of 1 July 2009, regional environmental plans (REPs) no longer form part of the environmental planning instrument hierarchy. All existing REPs are now deemed State Environmental Planning Policies (deemed SEPPs). Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP 20) applies to the site.

SREP 20 covers water quality and quantity, environmentally sensitive areas, riverine scenic quality, agriculture, and urban and rural residential development. It controls development that has the potential to impact on the river environment. The plan applies to all parts of the catchment in the Sydney Region including the Penrith Local Government Area, except for land covered by Sydney REP No. 11 - Penrith Lakes Scheme.

The PHA finds that some materials intended to be handled at Warehouse B1 could have an impact on the natural environment, however, given the measures proposed to mitigate identified potential hazards, any spill is unlikely to reach the surrounding environment. Where the unlikely event of a spill into the environment does occur, the PHA indicates that the spill events are unlikely to have long-term effects on the environment.

4.2.11 Sydney Regional Environmental Plan No. 9 – Extractive Industry (No. 2)

As of 1 July 2009, regional environmental plans (REPs) no longer form part of the environmental planning instrument hierarchy. All existing REPs are now deemed State Environmental Planning Policies (deemed SEPPs). Sydney Regional Environmental Plan No. 9 – Extractive Industry (No.2) applies to the site.

SREP No. 9 aims to manage extractive material resources in an appropriate manner to balance environmental, social and economic values across a number of local government areas, including Penrith.

The proposal will not have an impact of natural resources greater than that previously assessed under the masterplanning and subsequent development approval for the site. no external works are to occur as part of this application.

4.3 REGIONAL PLANNING CONTEXT

4.3.1 Metropolitan Plan for Sydney 2036

In December 2005 the NSW Government launched City of Cities – A Plan for Sydney's Future. In December 2010 the Strategy was updated and integrated with the Metropolitan Transport Plan to deliver a new 25 year Metropolitan Plan for Sydney 2036 (the Metro Strategy). The Metro Strategy focuses on building the role of cities across the metropolitan area through integrating transport and land use planning, concentrating growth in centres to improve access to jobs, facilities and services and includes the following aims:

- *Mitigate and adapt to the impacts of climate change;*
- *Integrate infrastructure, particularly transport, with land uses as part of managing growth, city efficiency and sustainability;*
- *Strengthen governance, monitoring and implementation arrangements to secure delivery of outcomes;*
- *Address the Federal Government's new national criteria to improve capital city planning for all States and Territories, and*
- *Respond to the challenges of Sydney's faster than previously expected population growth.*

This project supports the Metropolitan Plan for Sydney 2036 by providing industry jobs and facilitating supply and distribution services for the region. It is an effective use of the approved industrial warehouse, suitable for the location and is compatible with other industrial uses on the site. The site is also within the Strategic Employment Lands in the Metropolitan Region as indicated in **Figure 8**.

The Metro Strategy specifically identifies the need to protect and enhance employment lands in the M7 Motorway Corridor. The Strategy formally recognises the area referred to as the Western Sydney Employment Hub – a precinct containing 1,500 hectares of zoned industrial land with the potential to generate over 1,000 hectares of additional employment land. The subject site is located within a Key precinct that makes up this hub (**Figure 9**) and is consistent with the employment generating intent for this area.

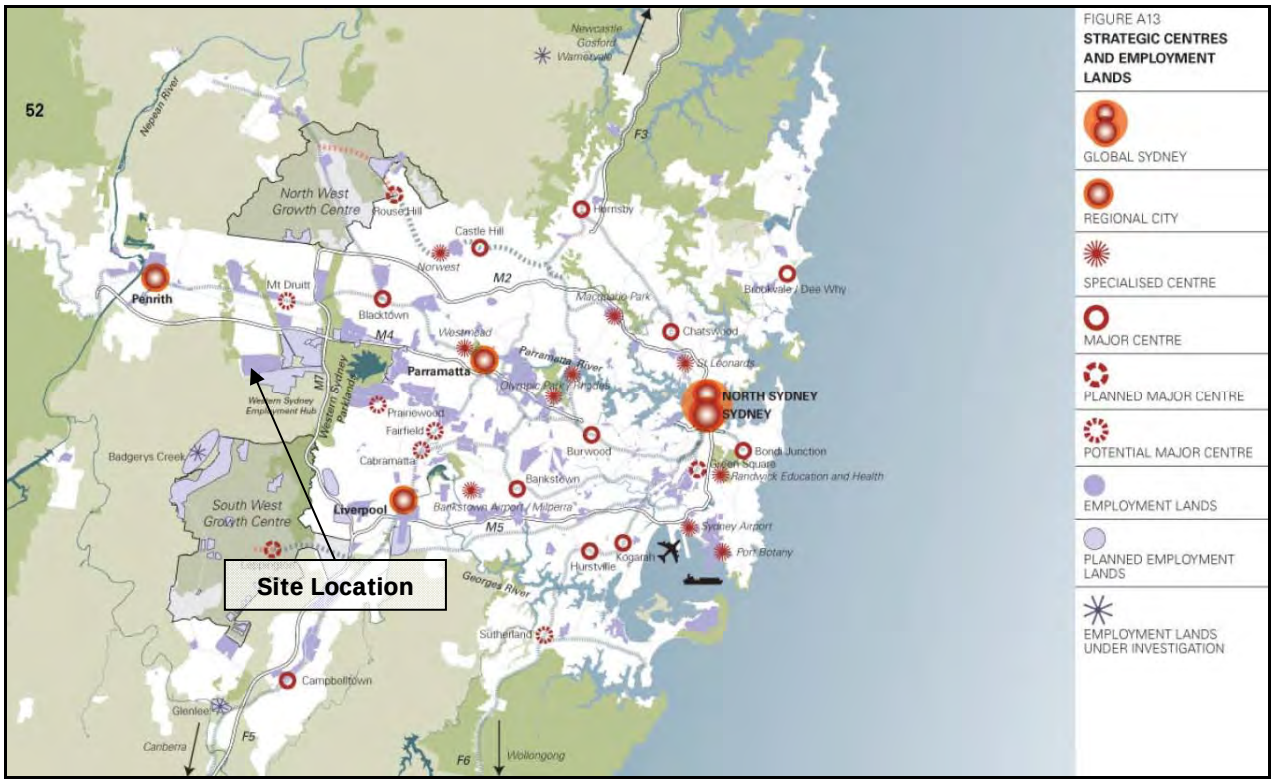

Figure 8 – Strategic Centres and Employment Lands (Source: Metropolitan Plan for Sydney 2036, NSW Department of Planning, 2010)

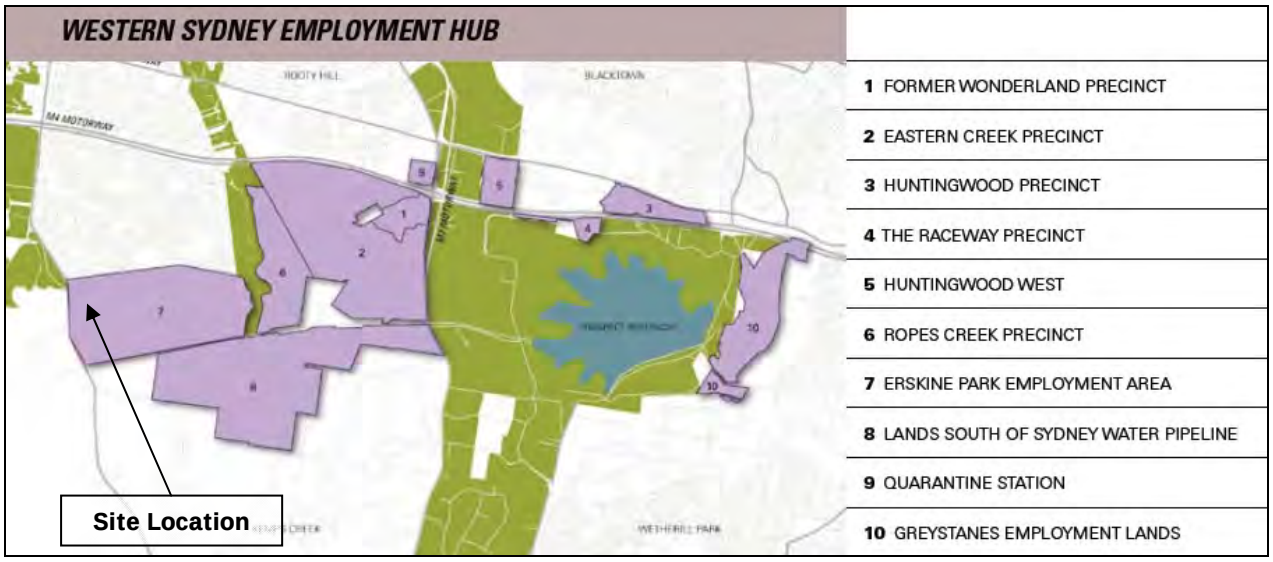

Figure 9 – Western Sydney Employment Hub Map (Source: Metropolitan Plan for Sydney 2036, NSW Department of Planning, 2010)

4.3.2 Metropolitan Transport Plan 2010

The Metropolitan Transport Plan 2010 'Connecting the City of Cities' is the NSW State Government's policy document for delivery of public transport services to a growing population across the Sydney Metropolitan area.

The Metropolitan Transport Plan 2010 aims to improve the commute to work, improve community access to transport and services, provide an efficient and integrated customer focused transport system and revitalise neighbourhoods with improved transport hubs.

The subject site has good access to the arterial road network making it easily accessible for the transportation of goods. Vehicle movements for the site have been previously approved and no significant disruption to existing level of service of the road network will result from the proposal.

4.3.3 Draft North-West Subregional Strategy

The Draft North West Subregional Strategy translates objectives of the NSW Government's Metropolitan Strategy and the State Plan to the local level. The North West Subregional Strategy includes the local government areas of Blacktown, Blue Mountains, Hawkesbury and Penrith. The strategy identifies 140,000 dwelling houses and 130,000 new jobs as a growth target for the subregion as a whole.

Under the Strategy Penrith is identified as a Regional City and has growth targets of 10,000 new dwelling houses and 10,000 new jobs by 2036. The subregion is identified to accommodate strong industrial growth.

Key employment areas in Penrith include:

- Emu Plains Industrial Area
- Kingswood Industrial Area
- Jamisontown Industrial Area
- Erskine Park Employment Area
- North Penrith Industrial Area
- Dunheved/ St Marys ADI
- North St Marys

The Draft North-West Strategy indicates that Erskine Park Employment Area is "*expected to make a major contribution to industrial land supply in the medium to long terms*".

The proposed use of Warehouse B1 is consistent with the Strategy in that it will:

- contribute to the development of Penrith as a Regional City.
- contribute to achieving employment targets for Penrith which require 11,000 new jobs by 2036.
- provide an appropriate use of industrial lands for industrial use and employment purposes.

4.4 LOCAL PLANNING CONTEXT

The Section 149 Certificate issued by Penrith City Council on 11 August 2011 (**Appendix 8**) states that the following local policies apply to the site:

- *Penrith Local Environmental Plan 1994 (Erskine Park Employment Area);*
- *Interim Development Order No. 93 – Penrith;* and
- *Penrith Local Environmental Plan No. 258 – Consent for Dwelling Houses and Other Development*.

Since the issue of the Section 149 Planning Certificate and the submission of this application to the Department of Planning and Infrastructure the *Penrith Local Environmental Plan 2010* (PLEP 2010) has been gazetted. Clause 1.8 of PLEP 2010 formally repeals PLEP 1994 and is considered below.

4.4.1 Penrith Local Environmental Plan 2010

Penrith Local Environmental Plan 2010 (PLEP 2010) recently commenced and repeals (amongst other instruments) *Penrith Local Environmental Plan 1994 (Erskine Park Employment Area)*.

The provisions of PLEP 2010 do not apply to the site.

4.4.2 Interim Development Order No. 93 – Penrith

The Section 149 Certificate notes that *Interim Development Order No. 93 – Penrith* (IDO93) applies to the site. The relevant provisions of this instrument are considered below:

Zoning and Permissibility

Under IDO93, the site is partly zoned 1(a1) Rural. The extent of this zoning within the site is unknown as no mapping could be sourced.

No objectives are provided for the 1(a1) zone under IDO93.

As far as can be discerned, the proposal will not be undertaken on any portion of the land zoned 1(a1). No other provision of this instrument applies to the proposal.

4.4.3 Penrith Local Environmental Plan No. 258 – Consent for Dwelling Houses and Other Development

Penrith Local Environmental Plan No. 258 – Consent for Dwelling Houses and Other Development (PLEP258) only relates to development involving dwellings and development ancillary to dwellings. The provisions of this LEP will not apply to the proposed development.

4.4.4 Penrith Development Control Plan 2010

Penrith DCP 2010 applies to lands which are covered by Penrith LEP 2010 (also known as the City-wide Plan). The subject site is outside this area; therefore the provisions of the Penrith DCP 2010 do not apply to the proposal.

4.4.5 Penrith Development Control Plan 2006

Penrith Development Control Plan 2006 (PDCP) was adopted 21 August 2006. Section 6.10 of PDCP specifically applies to 'Erskine Business Park' within which the site is located. Relevant controls applicable to the proposed development are addressed below:

Clause 6.1 Noise Pollution

The proposed land use will generate some noise impacts associated with traffic movements to and from the loading bays along the southern elevation of the existing building. These noise impacts are typical of any warehouse and distribution activity and were considered by Penrith City Council during the assessment of the original Development Application for the building.

The key mitigation measures which address the potential for noise impacts involve the design and location of Building B1. It is positioned so that all noise generated would be contained within the site as it is sufficiently separated from residential areas north of the site by existing buildings. The distance between the proposed activities and the rear boundary of residential properties will also serves to minimise the potential for noise impacts. The proposed level of noise generation is not unlike surrounding land uses on the Westpark Industrial Estate or within the greater WSEA.

Clause 6.2 Waste Management

The waste generated on the site will include general industrial waste such as paper, plastics, packing foam, cardboard, stretch wrap. General office waste from the site will also be generated (including paper and food waste). As the site is non-manufacturing, typically the bulk of the waste shall be generated from re-palletising and wrapping of the pallets for shipments and/or unloading of products. A Waste Management Plan for the construction phase has been provided as part of the Construction Management Plan attached as **Appendix 9**.

Goods shall be disposed of in accordance to the specific Material Safety Data Sheets available and are typically disposed of at an approved waste disposal facility. Any spills shall be contained and disposed of in accordance with the Product safety data sheets and current legislation. No on-site waste treatment facilities will be used. Storage bins shall be provided for waste storage.

Clause 6.3 Soil Erosion and Sediment Control

The proposed development will have little impact in regard to soil erosion and sediment control as the proposal relates only to use of the approved built form.

Clause 6.4 Air Pollution

The proposed development will generate very few air quality emissions as a result of the proposed warehouse and distribution activity. Air quality impacts will largely be generated by heavy vehicles travelling to and from the site. This is typical of any activity of a similar nature and will not be significant.

Clause 6.5 Storage, Transportation and/or Processing of Chemical Substances

The controls in the DCP aim to ensure that there is no detrimental impact on the environmental quality of the surrounding area. The DCP requirements are addressed below in **Table 8**.

TABLE 8 – DCP Requirements for Storage, Transportation and/or Processing of Chemical Substances

Requirement	***Comment / Compliance***
External storage of goods must be avoided wherever possible. Where the nature of the activity or the materials means that internal storage is impractical, all external storage areas must be located behind the front building setback. In addition, when assessing development applications involving external storage of goods, Council will take into consideration: - *The proposed height and on-site arrangement of stored goods* - *Visual impact of the storage area, and how this is proposed to be minimised* - *Access arrangements* - *Safety issues*	There will be no external storage.
Detailed description of the use and all methods/ procedures associated with the use, including flow diagrams	Refer to Preliminary Hazard Analysis at **Appendix 4** for further detail.
A floor plan of the subject premises depicting the dimensions of the building and indicating the internal layout of all equipment, storage and display areas	Refer to Development Plans at **Appendix 5** and Preliminary Hazard Analysis at **Appendix 4**.
A comprehensive list of all chemicals/ goods and quantities proposed to be utilised in the activity and actually stored on the subject premises	Refer to Section 3.2 of this EIS and Preliminary Hazard Analysis at **Appendix 4**.
A description of the method of storage of chemicals/ goods on the premises, and the type of containment or packaging to be used	Refer to Development Plans at **Appendix 5** and Preliminary Hazard Analysis at **Appendix 4**.
A description of the method of transportation of chemicals/ goods to/ from the premises (include the size and nature of vehicles, proposed routes and frequency of delivery to and from the site)	Refer to Section 3.2.3 of this EIS and Preliminary Hazard Analysis at **Appendix 4.**
Details regarding the number of vehicles likely to be involved with the use at any one time and the provision and allocation of storage/ standing areas for such vehicles	The number of truck movements approved by Penrith City Council under 11/0302 will not change. Refer to Part C of this EIS.
Details of onsite water quality control	Protection of water is to be managed through appropriate See Appendix
Details of waste treatment and transportation	All treatment of waste, storage and transport will be undertaken in accordance with the Material Safety Data Sheets for each product as contained in the PHA as well as any recommendations in the PHA or Environmental Protection Licence conditions at **Appendix 4**.

Clause 6.9 Trading/Operating Hours of Premises

DA 11/0302 approves the use of Building B1 as a warehouse and distribution centre that is permitted to operate between 6am and 10pm, seven (7) days a week.

Clause 7.2 Car Parking

The DCP stipulates controls for parking and vehicle manoeuvring. The warehouse has been approved with 18 dedicated loading docks and an allocation of 41 parking spaces. No change to this arrangement is proposed under this SSD application.

Clause 8.1 Biodiversity Conservation Area and Landscape Buffer

Warehouse B1 is separated by the adjacent biodiversity conservation area by an internal driveway and parking. All loading and handling areas are located on the northern elevation of the building away from the biodiversity area. The proposed development will not result in any additional clearing of vegetation or change to approved landscaping.

A Biodiversity Management Plan was adopted 25 July 2007 for the ecological area and is addressed in detail in Section 4.4.6 below.

4.4.6 Biodiversity Management Strategy

The Biodiversity Strategy prepared for the EPEA indicates that some areas are of national significance, due to the size and diversity of the remnant bushland present, the presence of three (3) endangered ecological communities and the continuity of vegetation across different types of landscape.

The EPEA contains some 161 ha of endangered ecological community, including one plant species presumed to be extinct. Development of all of these areas would have a significant adverse impact upon those communities, have an adverse impact on creeks and water systems within the area, and a corresponding impact on flora and fauna and the overall quality of water in Ropes Creek, South Creek and the Nepean River.

A Biodiversity Management Strategy which defines within Biodiversity Areas and Biodiversity Corridors has therefore been created. The Biodiversity Areas (**Figure 10**) represent the most valuable areas of native vegetation and fauna habitat, and the strategy considers that any development within those areas would be likely to have a significant adverse impact on flora and fauna. By conserving areas of vegetation in better condition and rehabilitating Biodiversity Corridors, the continuity of vegetation present in the area will be enhanced, and the overall biodiversity values of the site conserved. This will result in a more sustainable development outcome for the Employment Area and Western Sydney.

The proposal does not seek to undertake any activities within the areas protected under the Biodiversity Management Strategy.

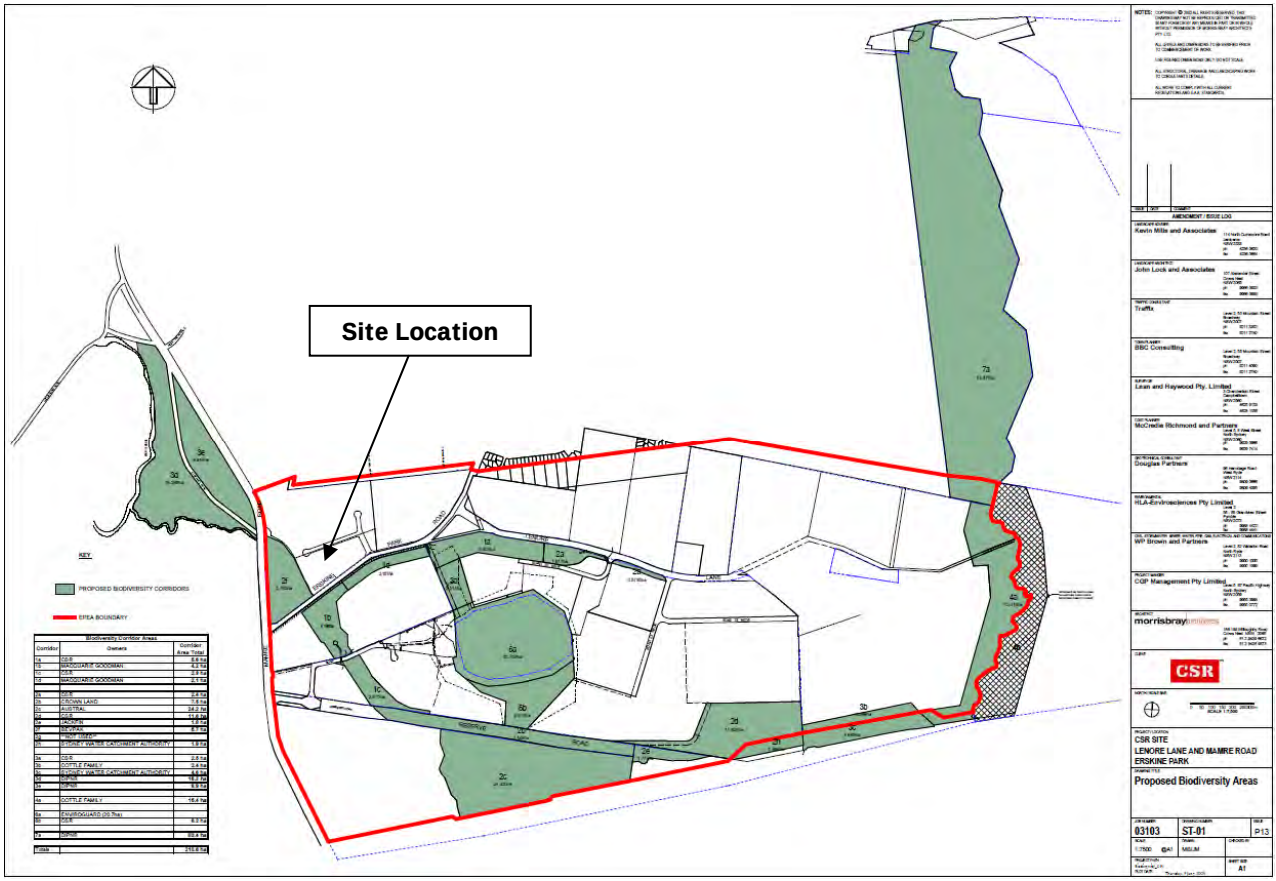

Figure 10 – Biodiversity Areas within the Erskine Park Employment Area (Source: HLV Environsciences, 2006)

4.4.7 Employment Lands Study 2003

An Employment Lands Study was prepared for the Penrith local government area in 2003. The study estimated a projected increase between 2001-21 industrial type jobs as follows:

- 2001 – 16,109 jobs
- 2011 – 20,445 jobs
- 2021 – 25,644 jobs

Based on these estimates the study identifies that by 2021 1,283 hectares of industrial land is required in Penrith. It also indicates that Penrith has suitable land for industrial development which is relatively flat, access to utilities and services, good access for B-doubles, proximity to arterial roads.

Erskine Park industrial area is well-located industrial land suitable for accommodating workforce growth such as the proposed development.

4.4.8 Employment Planning Strategy 2007

The Penrith Employment Planning Strategy makes recommendations for the strategic direction of employment planning for City Of Penrith and how it is to be managed in the 10 to 25 years from 2007.

When considering the development and management of employment activities in the City of Penrith, proposals should demonstrate that they satisfy all of the following principles:

- *Facilitating renewal of existing town and neighbourhood centres within an agreed retail hierarchy;*
- *Facilitating the creation of well planned and sustainable new communities, including new employment areas in appropriate locations;*
- *Providing for a land bank of employment land;*
- *Building on the strengths of key community assets (e.g. TAFE NSW – WSI, UWS and Nepean Hospital); and*
- *Providing reasonable access for Penrith workers to as wide a range of jobs as possible.*

The proposal is consistent with the adopted principles as it is to be undertaken within a key employment area that is intended to be utilised for the proposed activities. A high level of access to the site is also made available by the existing road network.

PART E CONSULTATION

In preparation of this application, the Project Team has consulted with the following:

- NSW Department of Planning and Infrastructure Major Projects Unit and Major Hazards Unit
- NSW Fire Brigade in relation to fire protection of the facility
- WorkCover NSW in relation to workplace safety / Major Hazard Facility
- NSW Office of Environment and Heritage, and
- Penrith City Council.

The outcomes of these consultations is summarised below.

5.1 NSW DEPARTMENT OF PLANNING AND INFRASTRUCTURE

Liaison was undertaken with Andrew Hartcher and Felicity Greenway of the Department of Planning and Infrastructure (DoP&I) prior to the introduction of *State Environmental Planning Policy (State and Regional Development) 2011* and the application for the Director-Generals Requirements for State Significant Development. At this time, the proposal was considered Designated Development under Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*.

Further liaison with DoP&I was held on Thursday 6th of October 2011 where the proposal was discussed in more detail in a formal meeting between the Project Team and DoP&I's Major Projects and Major Hazards units. Attendees at the meeting are outlined in **Table 9**.

TABLE 9 – Meeting Attendees – 3pm, 06 October 2011, DoP&I Office

Name	Organisation	Position
Felicity Greenway	DoP&I	Team Leader – Industry
Lilia Donkova	DoP&I	Major Hazards Unit – Hazards Specialist
Haley Rich	DoP&I	Environmental Planner – Industry
Andrew Hartcher	DoP&I	Planner – Industry
David Henderson	DHL	Operator/Tenant
Adrian Tesoriero	Goodman	Land Owner
Scott Griffin	Prime Constructions	Project Director
Daniel Swinnerton	Prime Constructions	Project Manager
Chris Wilson	McKenzie Group Consulting	Planner
Nathaniel Murray	McKenzie Group Consulting	Planner

It was agreed at this meeting that the project would be converted from a Designated Development application to the new State Significant Development (SSD) pathway that had commenced on the 1st of October 2011. The formal date of applying for Director-Generals Requirements for SSD was therefore the 6th of October 2011.

Requirements for the Preliminary Hazard Analysis (PHA) were also discussed with DoP&I staff and the Project Team on this date and liaison with WorkCover has commenced as recommended (see section 5.2 below).

5.2 PENRITH CITY COUNCIL

The project team is aware that the DoP&I has liaised directly with Penrith City Council since receiving the request for Director-General's Requirements.

Mr Nathaniel Murray of MGC Planning contacted Ms Tania Shephard of Penrith City Council on 11 November 2011 to determine whether any details not included in the DGRs would need to be considered in the preparation of the EIS.

Ms Shephard advised that the Penrith Council had provided all of its requirements to DoP&I and had no further requirements.

5.3 WORKCOVER NSW

The Project Team is statutorily required to notify WorkCover NSW of any proposal to operate a Major Hazard Facility and for any dangerous goods storage.

Dialogue regarding the proposal has been initiated with WorkCover by Mr John Marks of Moore Consulting and Engineering, notifying that the proposed storage facility in Erskine Park will be a Major Hazard Facility.

A copy of the final PHA was also included with this information. A response from WorkCover has not been received at the time of submission of this EIS.

The Project Team is of the understanding that the information submitted will satisfactorily meet the needs of WorkCover.

5.4 NSW OFFICE OF ENVIRONMENT AND HERITAGE

Mr Rod Fox from the Office of Environment and Heritage (OEH) was contacted by Mr Nathaniel Murray of MGC Planning via telephone on 10 November 2011 to determine whether any details not included in the DGRs would need to be considered in the preparation of the EIS.

Mr Fox advised that the OEH had provided all of its requirements to DoP&I and had no further requirements.

This consultation also confirmed that, on the basis of the proposed type and quantity of dangerous goods storage, an Environmental Protection Licence will be required under the *Protection of the Environment Operations Act 1997*.

It was recommended by Mr Fox that DHL lodge the appropriate documentation with OEH to initiate the licence application process towards the end of the commission stage, following approval by DoP&I as no licence can be issued until approval and accompanying conditions have been provided.

5.5 ROADS AND TRAFFIC AUTHORITY

Mr Owen Hodgson of NSW Roads and Maritime Services was contacted by Mr Nathaniel Murray of MGC Planning on 16 November 2011 to determine whether any additional details not included in the DGRs would need to be considered in the preparation of the EIS.

Mr Hodgson acknowledged that most transport and traffic issues had been addressed in the original Development Approval for the site and advised that the RTA had provided all of its requirements to DoP&I. No further requirements were identified.

PART F ENVIRONMENTAL RISK ASSESSMENT

6.1 DIRECTOR GENERAL'S REQUIREMENTS

The Director General's Environmental Assessment Requirements were received on 03 November 2011. The Key Issues include:

- Hazards and Risks
- Strategic and Statutory Context
- Infrastructure
- Transport, Access and Parking
- Air
- Noise
- Water
- Waste
- Design
- Fire and Incident Management
- Cumulative Impacts

Most of the issues listed in the DGRs were addressed for the existing approval for Building B1. These matters have been considered only to the extent that they relate to the introduction of storage of dangerous goods and the fit-out works required to accommodate this activity.

For the purpose of appropriately determining the potential cumulative impacts of the proposal, the following matters have been considered in addition to the Key Issues in the DGRs:

- Biophysical environment
- Ecologically sustainable development
- Heritage and indigenous archaeology
- Security
- Soil
- Visual impact
- Socio-economic impact

The matters are addressed in the following sections:

6.2 HAZARDS AND RISKS

A Preliminary Hazard Analysis (PHA) has been prepared by Moore Consulting and Engineering and is annexed as **Appendix 4**. This report provides a comprehensive analysis of the proposed storage of dangerous goods on site. The PHA was prepared on the basis of the following methodology:

1. *Identifying the potential hazards by evaluating the chemicals and processes undertaken within the warehouse. Identifying each of the hazards and potential sources of loss that are associated with their storage;*
2. *Undertaking a qualitative risk assessment of the identified potential hazards, with the implementation of controls associated with the hazard;*
3. *Evaluation of potential hazards to identify major hazards that require further quantification;*
4. *Estimation of the consequences of major hazardous events were determined quantitatively;*
5. *Evaluation of the effects of these consequences to determine if their effects would pose an off-site risk;*
6. *Estimation of the frequency of a hazardous incident occurring; and*
7. *Evaluation of the risks for the major hazardous incidents against the guidelines in the DOP&I Risk Criteria from Land Use Safety Planning – HIPAP No.4.*

A summary of maximum storage quantities for the dangerous goods to be stored is illustrated in **Table 10**.

TABLE 10 – Material Type and Quantity			
Dangerous Goods Class	***Group Description***	***UN Numbers***	***Quantity***
2.1	Aerosols	UN 1950	1,700,000Kg
8	Acidic Solids	UN 3260	101,100Kg
8	Acidic Liquids	UN 3264	44,700Kg
8	Alkali Liquids	UN1719 UN 3266	989,700Kg

The proposed quantities of dangerous goods that would be stored exceeds the criteria for a Major Hazard Facility under the definitions the *Occupational Health and Safety Regulation 2001*, and as such, is classified as a State Significant Development under Schedule 1, Clause 10(3) of *State Environmental Planning Policy (State and Regional Development) 2011*. The storage of the dangerous goods is the subject of this application.

A description of the materials, the risks and mitigation measures are provided in the following sections:

6.2.1 Materials

Aerosols

A total of 1,700 tonnes of Aerosol materials will be stored within Building B1. Aerosol cans are a Class 2.1 dangerous good containing a flammable gas as the propellant. The PHA indicates that the aerosol cans comply with the requirements of *AS 2278.1, Aerosol Cans* – Part 1: Metal Aerosol Dispensers of capacity 50 millilitres to 1000 millilitres inclusive. The *National Fire Protection Associations (NFPA) 30B Code for the Manufacture and Storage of Aerosol Products, 2011* describes three (3) levels for aerosol cans. For each level, a description of the product and the potential hazard is provided below.

> ***Level One*** *aerosol products include shaving cream, spray starch, window cleaners, alkaline oven cleaners, rug shampoos, some air fresheners, and some insecticides. The storage hazard of Level One aerosols is about the same as ordinary combustible goods in cartons. Storage should be arranged and protected accordingly. When a Level One aerosol can fails, the non-flammable product has a quenching effect on the flammable contents. Some products have very small quantities of flammable product. These products will have an overall chemical heat of combustion that is low.*
>
> ***Level Two*** *products include many personal care products such as deodorants (except for oil-based anti-perspirants), hair sprays, antiseptics, and anaesthetics. Other products may include some furniture polishes, and windshield de-icers. These products typically have a higher heat of combustion and are more difficult to extinguish than Level One products.*
>
> ***Level Three*** *products include many automotive products (engine and carburettor cleaners, undercoats), home products (some wood polishes), paints and lacquers, lubricants, some insecticides, and oil-based anti-perspirants. These products typically contain a liquid hydrocarbon, which in the event of a fire may result in a pool fire, in connection with the release of flammable gas.*

The proportion of each NFPA 30 Level of aerosols to be stored within Warehouse B1 is indicated in **Table 11**

TABLE 11 – Aerosol Contents		
Contents	***Proportion of Stock***	***Typical Product***
Level 1	10%	Over Cleaner Aerosol
Level 2	50%	Carpet Cleaner Aerosol
Level 3	40%	Fly Spray Aerosol

Acidic Solids

The Acidic Solids to be stored in Warehouse B1 are a Class 8 dangerous good. The contents of the Acidic Solids to be stored are shown in **Table 12**.

TABLE 12 – Acidic Solid Contents		
Contents	***Proportion of Stock***	***Typical Product***
Class 8 (UN 3260) material	100%	Household Bleaching Agent

Acidic Liquids

These Acidic Liquids to be stored in Warehouse B1 are a Class 8 dangerous good. The Acidic Liquids have a total product weight of 44,700 kilograms. The contents of the Acidic Liquids to be stored are shown in **Table 13**.

TABLE 13 – Acidic Liquid Contents		
Contents	***Proportion of Stock***	***Typical Product***
Class 8 (UN 3264) material	100%	Bathroom Cleaner

Alkali Liquids

These liquids are a Class 8 dangerous good. The Alkali Liquids have a total product weight of 989,700 kilograms. The contents of the Alkali Liquids to be stored are shown in **Table 14**.

TABLE 14 – Alkali Liquid Contents		
Contents	***Proportion of Stock***	***Typical Product***
Class 8 (UN 1719) material	50%	Hair Removal Clean
Class 8 (UN 3266) material	50%	Floor Cleaner Bathroom Cleaning Gel

6.2.2 Hazard Identification

The PHA identifies potential causes of hazardous event and the consequences of that event. A categorisation of the 'Risk' associated with each hazard is provided based on the criteria in **Table 15**.

TABLE 15 – Risk Criteria	
Risk Level	***Description of Risk***
Low	The storage is minor under relevant Australian Standard. The event described is unlikely to develop consequences that could result in significant impact on the operating personnel, neighbours or the environment.
Medium	The event may result in small impacts on the operating personnel, neighbours, or the environment. The event is unlikely to result in the propagation of the hazardous event; or The controls will maintain the consequences within the site boundaries and will have negligible impact on surrounding land use.
High	The event described may impact on the operating personnel, neighbours or the environment; or May propagate the hazardous event into other areas or involve other activities.

Potential events and possible consequences identified for the storage of dangerous materials within Warehouse B1 are outlined in detailed in the PHA. These are summarised in **Table 16** below.

TABLE 16 – Hazard Events and Possible Consequences

Site Activity	*Identified Event*	*Possible Consequence*	*Risk*
Storage of Aerosols	Release of aerosol can contents	▪ Inhalation of material by site personnel. ▪ Release into the environment of liquid material contained within the aerosol can.	Medium
	Fire in the warehouse	▪ Smoke generated in a building affecting operating personnel. ▪ Heat radiation projects off-site. ▪ Smoke generated and smoke plume affects adjacent residential area. ▪ Aerosol cans projecting into other areas of the facility	High
Storage of Acidic Solids	Release of contents of packages	▪ Inhalation of material, or skin contact with site personnel. ▪ Release into the environment of material contained within the package. ▪ Reactions with incompatible chemicals	Low
	Fire in warehouse	▪ Contamination of fire-fighting water and short term biophysical damage. ▪ Reactions with incompatible chemicals	Medium
Storage of Acidic Liquids	Release of contents of package	▪ Inhalation of material, or skin contact with site personnel. ▪ Release into the environment of liquid material contained within the package. ▪ Reactions with incompatible chemicals.	Low
	Fire in warehouse	▪ Contamination of fire-fighting water and short-term biophysical damage. ▪ Reactions with incompatible chemicals.	Medium
Storage of Alkali Liquids	Release of contents of package	▪ Inhalation of material, or skin contact with site personnel. ▪ Release into the environment of liquid material contained within the package. ▪ Reactions with incompatible chemicals.	Low
	Fire in warehouse	▪ Contamination of fire-fighting water and short-term biophysical damage. ▪ Reactions with incompatible chemicals.	Medium
Unloading and Loading operations	Release materials into environment.	▪ Inhalation of material by site personnel. ▪ Contact with skin of operating personnel. ▪ Release into the environment of liquid material.	Medium
	Fire in the loading/unloading area	▪ Heat radiation with impact on operating personnel. ▪ Smoke generated by fire. ▪ Heat radiation projects off-site. ▪ Release of material into the environment. ▪ Contaminated fire-fighting water enters the environment.	Medium

6.2.3 Mitigation

The controls to be implemented to mitigate against the identified hazards are outlined in **Table 17**. The residual risk following implementation of the controls is also provided.

TABLE 17 – Mitigation Controls

Site Activity	***Identified Event***	***Mitigation Controls***	***Residual Risk***
Storage of Aerosols	Release of aerosol can contents	▪ Training of personnel. ▪ Emergency Response Plan. ▪ PPE supplied for personnel. ▪ Bunding of the aerosol storage area. ▪ Spill kits.	Low
	Fire in the warehouse	▪ First Aid fire-fighting. ▪ Training of personnel. ▪ Control of ignition sources. ▪ Emergency Response Plan. ▪ PPE supplied for personnel. ▪ Automatic dial-out to the third party for notification of FRNSW. ▪ Aerosols pallets to be within a caged area as per FM 7-31 on all walls. ▪ Site Spill containment. ▪ Separation from other dangerous goods as per AS 3833. ▪ Charging of forklifts to be undertaken remote area. ▪ Sprinklers to be provided as per FM 7-31 (NFPA 30B).	Medium
Storage of Acidic Solids	Release of contents of packages	▪ Material is a solid and does not pool on release. ▪ Training of personnel. ▪ Emergency Response Plan. ▪ PPE supplied for personnel. ▪ Bunding of the aerosol storage area. ▪ Spill kits. ▪ Separation from incompatible chemicals	Low
	Fire in warehouse	▪ First Aid Fire Fighting ▪ ESFR Sprinkler System installed in general warehouse. ▪ Household products that do not have flammable contents. ▪ Simple inorganic chemicals unlikely to have long-term effects on the environment ▪ Separate bunding for acids and alkalis. ▪ Hardstand containment tank. ▪ Training of personnel. ▪ Emergency Response Plan. ▪ Spill kits.	Medium
Storage of Acidic Liquids	Release of contents of package	▪ Training of personnel. ▪ Emergency Response Plan. ▪ PPE supplied for personnel. ▪ Bunding of the acidic solids storage area. ▪ Spill kits. ▪ Separation from incompatible chemicals.	Low
	Fire in warehouse	▪ First Aid Fire Fighting ▪ ESFR Sprinkler System installed in general warehouse. ▪ Household products that do not have flammable contents. ▪ Simple inorganic chemicals unlikely to have long-term effects on the environment ▪ Separate bunding for acids and alkalis. ▪ Hardstand containment tank. ▪ Training of personnel. ▪ Emergency Response Plan. ▪ Spill kits.	Medium

Storage of Alkali Liquids	Release of contents of package	▪ Training of personnel. ▪ Emergency Response Plan. ▪ PPE supplied for personnel. ▪ Bunding of the aerosol storage area. ▪ Spill kits. ▪ Separation from incompatible chemicals	Low
	Fire in warehouse	▪ First Aid Fire Fighting ▪ ESFR Sprinkler System installed in general warehouse. ▪ Household products that do not have flammable contents. ▪ Simple inorganic chemicals unlikely to have long-term effects on the environment ▪ Separate bunding for acids and alkalis. ▪ Hardstand containment tank. ▪ Training of personnel. ▪ Emergency Response Plan. ▪ Spill kits.	Medium
Unloading and Loading operations	Release materials into environment.	▪ Training of personnel. ▪ Emergency Response Plan. ▪ PPE supplied for personnel. ▪ Site spill containment. ▪ Bunding of the aerosol storage area. ▪ Spill kits.	Low
	Fire in the loading/unloading area	▪ First Aid Fire Fighting Equipment. ▪ Training of personnel. ▪ Control of ignition sources. ▪ Emergency Response Plan. ▪ Automatic dial-out to the third party for notification of FRNSW.	Low

6.2.4 Further Investigation

The risk assessment undertaken in the PHA identified, qualitatively, the risks associated with the identified hazardous events. Those risks described as 'Low' after the implementation of mitigation controls are considered unlikely to contribute significantly to the risk produced by the warehouse operations and do not require any further quantification.

The hazardous events further investigated and the resulting risk for the potential hazard are as follows:

Fire in the Aerosol storage

The investigation into a possible fire in the aerosol storage could result in the overheating and pressurisation of the aerosol storage cans. The PHA concludes that the heat radiation does not extend to residential land uses.

Fire in the general storage of the Warehouse B1

Fire in general storage area could result in heat radiation affecting surrounding land uses. It has assumed that the fire will reach a steady state heat generation of 40 MW. This heat generation rate has been used to estimate the distance to heat radiation levels of concern using a point source method. The modelling indicates that the heat generation will be contained to Warehouse B1 and its immediate surroundings. No impact is to extend beyond the site.

Containment of potentially contaminated fire-fighting water

A fire event in Warehouse B1 could result in the contamination of the fire-fighting water. The ingredients within aerosol cans could be released into the water. The ingredients of the aerosol cans may have an impact on the surrounding environment. The ingredients, typically have short half-lives, being consistent with household products, and are unlikely to accumulate in the environment. The aerosol ingredients would have a relatively short-term impact.

The acids and alkalis are predominantly inorganic and in lower concentrations consistent with household use. These chemicals would alter the pH of fire-fighting water. This effect would be short-term and they are very unlikely to have an accumulating effect in the environment.

6.2.5 Cumulative Hazard Impact for Westpark Estate

The cumulative impact of the storage and handling or dangerous goods within Warehouse B1 with existing neighbouring warehouses that also comprise dangerous goods has been considered in detail within the Preliminary Hazard Analysis (PHA) at **Appendix 4**. The warehouses that contain dangerous goods are:

- Warehouse A1
- Warehouse A2, and
- Warehouse C3/C4.

A description of these warehouses and the goods stored, as outlined within the PHA, is provided below.

Warehouse A1

Kagan Logistics operates Warehouse A1, for the distribution of materials that include dangerous goods. The warehouse is used to store paints for domestic and commercial purposes, as well as aerosols and polymers.

The warehouse building is separated into two areas by a fire rated wall, with the eastern half proposed to house Kagan Logistics. A maximum volume of 6 million litres of paint products is typically stored in Warehouse A1. The paints include individual volumes, up to 10-litre containers, and are stored in cardboard packaging on pallet racks. Approximately 600,000 litres of the paints are classified as a Flammable Liquid. Class 2.1 aerosol products are stored in a caged area. There are 1,500 pallets of Class 2.1 (aerosols in package sizes of 150 grams to 300 grams). The aerosol cans are packed in cardboard boxes. Aerosol goods are segregated from other goods by a cage consisting of a chain wire mesh with chain wire sliding doors. Polyvinyl Butyral (PVB) rolls will be stored in the cool room. This material is not classified as a dangerous good and will be stored in the cool room at a temperature between 4-6°C. The cool room has sprinklers and fire retarded refrigerant panels.

The warehouse is then connected to the fire-fighting water containment system with a capacity for in excess of 90 minutes of fire-fighting water.

Warehouse A2

The Warehouse A2 will be used for the receipt, storage and dispatch of products, typically being cosmetics, pharmaceutical and household goods. The storage of cosmetic, pharmaceutical and household goods includes Class 2.1 (aerosols), Class 2.1 sub-risk 8, and Class 3 and Class 4.1 materials.

DHL operates the warehouse on behalf of Reckitt Benckiser (Australia) Pty Ltd (Reckitt Benckiser). Reckitt
Benckiser leases the warehouse.

The quantities of dangerous goods to be stored in Warehouse A2 are shown [below].

DG Class	Packing Group	Sub-risk	NFPA 30B Level	Units	Maximum Quantity
2.1			Level 1	kilograms	130,000
2.1			Level 2	kilograms	900,000
2.1			Level 3	kilograms	680,000
2.1		Class 8		kilograms	12,000
3	PGIII			litres	360,000
4.1	PGII			kilograms	1,200

The differentiation of the different types of aerosol to be stored provided information on the appropriate firefighting measures and the effectiveness of any controls used in the event of the Class 2.1 material being involved in a hazardous event.

The quantities presented in Table 2.1 are maximum quantities to be stored at the warehouse. Stock variations will occur and the quantities presented in Table 2.1 are the maximum levels.

Warehouse C3/C4

Kagan Logistics operates Warehouse C3/C4 for the storage of paint, paint related products, food additives and assorted agricultural chemicals. The Warehouse C3/C4 has 17,421m2 of warehouse floor area: and 508m2 of ancillary office area. A proportion of the floor area has been separated internally with a fire rated wall that extends 500mm above the roof of the warehouse. The area has been designed specifically to house the storage of the dangerous goods (warehouse Class 2.1, Class 3, Class 3 (sub-risk Class 8), Class 4.1, and Class 6.1 (sub-risk 8)) in the Warehouse C3/C4. This section of the Warehouse C3/C4 is called the Flammable Goods Storage (FGS) section. The FGS racking for storage of 1,300,000 litres of Class 3 material, 10,000 kilograms of Class 4.1 material, 40,000 kilograms of Class 6.1 (sub-risk 8), 1,000 kilograms of Class 3 (sub-risk 8) and a purpose built caged area for the storage of 2,000 litres of Class 2.1 material; a 240/240/240 FRL wall extends 500mm above the roof line; and fire protection is as per NFPA 30 Scheme A.

There is also the storage of general materials and storage of food grade packaging. For operations, this warehouse is effectively divided into three (3) areas. These areas are described as the Dangerous Goods Area, the General Products Area, and the Food Grade Area. Each area within the General Storage Section (GSS) of the warehouse will comprise approximately one-third of the available warehousing area. The dangerous goods section of the warehouse will contain Class 8 and Class 9 materials. The GSS of the warehouse is protected by an ESFR (Early-Suppression, Fast-Response) sprinkler system.

The PHA finds that the cumulative impact of storing dangerous storage facilities on a site already storing dangerous goods of notable quantities does not increase the risks associated with Westpark to levels above the risk criteria described in Hazardous Industry Planning Advisory Paper No.4. It was found that the frequency of potentially causing serious injury or being potentially injurious to sensitive receptors was below the criteria established in the HIPAP No.4 for the storage of dangerous goods for all the warehouses within Westpark. It was also found that the risk of propagation between warehouses at Westpark was very low.

The development of Warehouse B1 is below the risk criteria described in HIPAP No.4 and would not pose a significant risk in the locality.

6.2.6 Mitigation Controls

To maximise the safe handling and storage of aerosol materials in Warehouse B1, additional controls will be in place as outlined below:

- Aerosols will be block stacked and stored in accordance with the requirements of FM Global Data Sheet 7-31.
- The installation of wire mesh, as per Factory Mutual Data Sheet 7-31, will reduce likelihood of propagation of a fire from the aerosol storage area into adjacent storage areas.
- Firewalls on the eastern and western walls of the Warehouse B1 reduce the likelihood of a fire escalation from the adjacent warehouse, or to adjacent warehouses. These firewalls will have a four-hour fire rating and 15 metres of extension to protect Warehouse B2.
- The sprinkler protection provided to the aerosol storage area will be as per Factory Mutual Data Sheet 7-31 (NFPA 30B) with a 9.1-metre ceiling. The sprinklers provide cooling to any potential fire and are effective in controlling both fire development and propagation.
- The Class 2.1 material will be provided with a bunded area with containment for at least 20 minutes of sprinkler-applied water.

The controls to be implemented for the containment of spills or fire-fighting will be:

- Internal bunding of 435,000 litres, as 180,000 litres for aerosol storage area and 255,000 litres for general racked storage;
- Recessed Dock containment of 840,000 litres;
- Hardstand interceptor of 500,000 litres; and
- Valves for isolating stormwater runoff.

To control ignition sources for potential hazards, the following general controls will also be implemented:

- No smoking policy for the warehouse.
- Vehicles will not unload inside the warehouse; extinguishers available in the unloading area.
- Forklifts suitable for Zone 2 will be used within the aerosol storage cage.
- The staff are to be trained and will have access to spill kits available and materials will be examined on a regular basis for deterioration.
- The site will have a security fencing, internal security, and regular security patrols.
- A permit to work system and risk assessment prior to starting work.
- The forklifts will not be charged within the aerosol storage area of the warehouse. The charging area has been allocated an area within the general storage area.

Specific Fire Protection Methods for Warehouse B1 will include:

- Staff training in the use of first aid fire-fighting equipment; and first aid fire-fighting will be available within the warehouse.
- warehouse area protected by an ESFR sprinkler system (except aerosol area which is to be protected by a sprinkler system designed to FM Global Standards as outlined above).
- 4-hour firewall (both ways) will be installed between Warehouse B1 and Warehouse B2.

6.2.7 Conclusion

The PHA prepared by Moore Consulting and Engineering provides a qualitative risk assessment for the proposal. Hazards identified as having a 'Low risk' were deemed to not require further development of the consequence or frequency of the hazard, given the implementation of the nominated controls. Hazards that were found to be 'Medium' or 'High' risks were examined in more detail for both consequence and frequency to quantify the risk.

Based on the outcome of the investigations, the PHA found:

> "*The aerosols do not significantly increase the individual risks given the chemicals are suitable for retail sales and in low concentrations. The aerosol were examined as being potentially unreacted within a smoke plume and potentially causing serious injury or being potentially injurious to sensitive receptors. The frequency of aerosols within a smoke plume were below the criteria established in HIPAP No.4. The location of Warehouse B1 at the southern boundary of Westpark means that there is no increase in the frequency events causing serious injury or being potentially injurious to sensitive receptors in residential areas to the north of Westpark site.*
>
> *The Class 8 material will be stored to meet the intentions and requirements of AS 3780, "The storage and handling of corrosive substances". The Class 8 material is unlikely to cause significant off-site effects for individuals or significant effect surrounding biophysical environment. The risk to the biophysical environment from spills and potentially contaminated fire-fighting water was found to be very low for events associated with Warehouse B1."*
>
> *The Westpark site has other warehouses that contain dangerous goods of notable quantities. These warehouses are Warehouse A1, Warehouse A2, and Warehouse C3/C4. The hazards associated with Warehouse B1 do not increase the risks associated with Westpark to levels above the risk criteria described in HIPAP No.4. It was found that the frequency of potentially causing serious injury or being potentially injurious to sensitive receptors was below the criteria established in the HIPAP No.4 for the storage of dangerous goods for all the warehouses within Westpark. It was also found that the risk of propagation between warehouses at Westpark was very low.*
>
> *The development of Warehouse B1 is below the risk criteria described in HIPAP No.4 and would not pose a significant risk in the locality.*"

6.3 STRATEGIC AND STATUTORY CONTEXT

The strategic and statutory context is addressed in Part D of this EIS above.

The proposal is consistent with all relevant legislative and policy objectives. No variations to any controls are required to enable the proposed development to be approved or undertaken.

6.4 INFRASTRUCTURE

Warehouse B1 is serviced by all required utilise and infrastructure to operate the proposed facility. A Dial-Before-you-Dig enquiry was also made to confirm the location of infrastructure (Reference No. 5036471). This includes, water, sewer, power and communications infrastructure which are standard requirements for most industrial sites within the Sydney Metropolitan Area. A copy of the Dial-Before-You-Dig responses received is provided as **Appendix 11**.

Water

The Westpark Industrial Estate is serviced by Sydney Water with the provision of water and sewer. These connections were made at the time of construction and will remain unchanged by this land use proposal.

As the proposed land use involves storage of dangerous goods only, water usage will be limited to existing amenities within the building.

The approved warehouse development includes on-site detention and rainwater tanks.

Stormwater

The western portion of Erskine Park Employment Area drains under Mamre Road, to the north of the Erskine Park Road intersection, and into South Creek. It is dominated by an old quarry site, which splits the catchment into northern and southern sub-catchments.

Existing creek lines within areas of significant vegetation also form major trunk drainage functional elements and are not expected to be modified by development.

A stormwater management scheme was approved under the original application for the site and is currently being installed as part of the construction phase of Building B1. Minor alteration to this scheme is proposed as part of the storage of dangerous goods to ensure that the infrastructure is not contaminated in the event of an emergency or incident. The proposed works to the stormwater system only involve the installation of valves to the approved system for isolating stormwater runoff and prevention of contamination – no other works are proposed. The approved Concept Stormwater Plan including proposed amendments is annexed as **Appendix 7**.

Energy

The proposed use of Warehouse B1 is for a warehouse and distribution centre. There will be no significant impacts on energy consumption.

The northern portion of the site accommodates a (Transgrid) transmission line easement. No development is to occur within, or interrupt the operation of, this easement.

Communications

All necessary communication infrastructure is readily available and is to be commissioned as part of the current construction phase of Warehouse B1.

Sewerage

All necessary sewerage infrastructure is readily available and is to be commissioned as part of the current construction phase of Warehouse B1.

6.5 TRANSPORT, ACCESS AND PARKING

The proposed land use will generate car and heavy vehicle movements to and from the site on a 24 hour basis, although such traffic will be within the RTA's guidelines for traffic generation. The proposed traffic implications were assessed as part of the original Development Application (DA07/0879.01) for the construction of Building B in the Westpark Industrial Estate and again under DA 11/0302.

This assessment was undertaken on the basis of calculating generic warehousing and distribution land uses, utilising the standard RTA traffic generating development guidelines. These were, and continue to represent conservative calculations which exceed that of typical warehouse activity. Further, the approved Section 96 modification under DA reduced the area of the warehouse and office for Warehouse B1 and was approved on the basis that 41 spaces would be allocated to the tenancy.

As outlined in Section 3.2.3, Vehicle movements for deliveries involve semi trailers and B-doubles are as follows:

Incoming deliveries

Container deliveries will be via "drop trailers" and/or driver-operated trailers or side loaders. Most deliveries are turned around and dispatched within 1 hour of receipt at the site. Empty containers are normally removed from site during nominated working hours.

Trucks will deliver incoming goods typically from 6:00am till 10:00pm. Containers will be unloaded by both hand and forklift unloading. The site is expected to receive up to 20 container loads on a daily basis, most of which are unloaded immediately. The unloading is undertaken via the recessed loading docks.

Outgoing deliveries

Typically, semi-trailers and B-doubles will be used for the transportation of products to product retailers. Vehicles will be loaded between 6:00am and 4:00pm with an expectation that up to 40 vehicles will travel to and from the site on a daily basis.

18 loading docks and hardstand area on the northern side of the building will facilitate adequate loading, unloading and manoeuvring space for incoming and outgoing deliveries.

The approved transport and traffic arrangements on the site are suitable for the proposed use. The site is also well connected to the arterial road network which is to be enhanced with the new Erskine Park Link Road (expected to be completed in 2013). The new link road will:

- Provide a vital link between the Western Sydney Employment Area and the M7 and M4 motorways;
- Reinforce the Western Sydney Employment Area as a significant employment hub;
- Reduce industrial traffic on the existing Erskine Park Road and adjoining local roads;
- Improve traffic flow in western Sydney with direct connection to and from the M7 Motorway;
- Provide a new shared cycle/pedestrian path; and
- Reduce transport costs for industry located in the Western Sydney Employment Area.

The general location of the link road is shown in **Figure 11**.

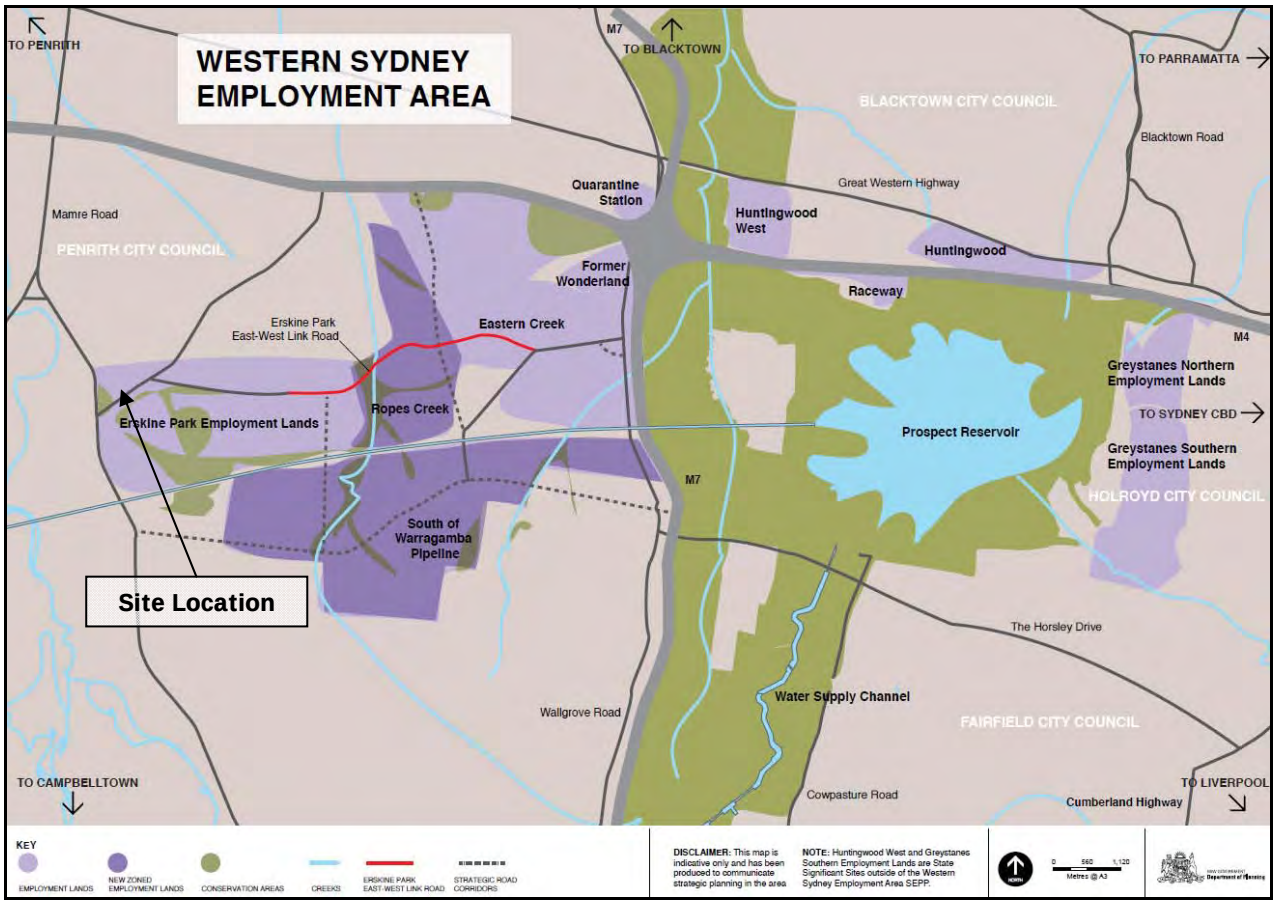

Figure 11 – Location of Link Road within the Western Sydney Employment Area (Source: Department of Planning, 2010)

6.6 AIR QUALITY AND ODOUR

The proposed development will generate very few air quality or odour emissions as a result of the proposed warehouse and distribution activity. Air quality impacts will be generated by heavy vehicles travelling to and from the site. This is typical of any activity of a similar nature and formed part of Penrith City Council's original assessment.

No odour impact on adjoining land is anticipated from the storage of dangerous goods as the extent of any spill will be contained to the site and primarily within Warehouse B1. The site will conduct operations in accordance with the Material Safety Data Sheet for each product (see PHA at **Appendix 4**) and any licensing requirements issued by the Office of Environment and Heritage.

The proposed storage of dangerous goods will not affect the air quality of the surrounding environment as all goods will be pre-packaged off site. Minimal odours will be emitted from the facility. It is therefore not considered necessary to undertake any further analysis of this issue.

6.7 NOISE

The proposed land use will generate some noise impacts associated with traffic movements to and from the loading bays along the southern elevation of the existing building. These noise impacts are typical of any warehouse and distribution activity and were considered by Penrith City Council during the assessment of the original Development Application for the building and subsequent first use approval.

Warehouse B1 is located within the southern portion of the site away from residential development. Whilst there will be noise generated from delivery vehicles and the loading and unloading of goods, these noise impacts are not considered significant.

No further assessment is considered necessary as part of this application given that DHL's activity, excluding dangerous goods, has already been approved by Penrith City Council. This application therefore relates only to the storage of dangerous goods within the warehouse.

6.8 WATER

Water is addressed as part of the Infrastructure considerations in Section 6.4 above.

6.9 WASTE

The waste generated on the site will include; general industrial waste (including glass, paper, liquids), packing materials in the containers (including foam and cardboard), stretch wrap of the pallets (including sticky tape and plastic) and general waste from the site (including glass, paper and food waste). As the site is nonmanufacturing, typically the bulk of the waste will be generated from re-palletising and wrapping of the pallets.

Goods shall be disposed of in accordance to the specific Product Safety Data Sheets available and are typically disposed at an approved waste disposal facility. Any spills shall be contained and disposed of in accordance with the Product safety data sheets and current legislation. No on-site waste treatment facilities will be used. Storage bins shall be provided for waste storage.

A Waste Management Plan for the construction phase has been provided as part of the Construction Management Plan attached as **Appendix 9**.

6.10 DESIGN

The proposal does not include any external alterations to the building design by Penrith Council under 11/0302. Only internal fit-out work to accommodate the introduction of dangerous goods storage is to be undertaken and will arranged as three (3) distinct storage areas to minimise the opportunity of hazards spreading between substances.

The proposed fit-out has been designed to address the recommendations included in the PHA and is shown in the plans annexed as **Appendix 5**. In particular, the proposal will incorporate:

A. *Storage of aerosol to be undertaken in accordance with Factory Mutual (FM) Global data sheet 7-31 and include:*
   i. *Caging;*
   ii. *Bunding; and*
   iii. *Storage as described by FM 7-31.*
B. *Fire separation from Warehouse B2;*
C. *Storage of the Acid Solids and liquids in a separate bunded area to the Alkali liquids; and*
D. *Spill and contaminated fire water containment.*

6.11 FIRE AND INCIDENT MANAGEMENT

As the first step in incident management, the management of materials in accordance with the recommendations of the PHA will be implemented. With the recommendations of the PHA in force, the risk of an incident is considered to be low. To address the unlikely event of an incident, the building and its internal fit-out have been designed to contain all incidents to within Warehouse B1 and reduce any opportunity for propagation of incidents in adjoining facilities. To maximise the safe handling and storage of aerosol materials in Warehouse B1, the following controls will be in place as outlined below:

- Aerosols will be block stacked and stored in accordance with the requirements of FM Global Data Sheet 7-31.
- The installation of wire mesh, as per Factory Mutual Data Sheet 7-31, will reduce likelihood of propagation of a fire from the aerosol storage area into adjacent storage areas.
- Firewalls on the eastern and western walls of the Warehouse B1 reduce the likelihood of a fire escalation from the adjacent warehouse, or to adjacent warehouses. These firewalls will have a four-hour fire rating and 15 metres of extension to protect Warehouse B2.
- The sprinkler protection provided to the aerosol storage area will be as per Factory Mutual Data Sheet 7-31 (NFPA 30B) with a 9.1-metre ceiling. The sprinklers provide cooling to any potential fire and are effective in controlling both fire development and propagation.
- The Class 2.1 material will be provided with a bunded area with containment for at least 20 minutes of sprinkler-applied water.

Specific Fire Protection Methods for Warehouse B1 will include:

- Staff training in the use of first aid fire-fighting equipment; and first aid fire-fighting will be available within the warehouse.
- Warehouse area protected by an ESFR sprinkler system (except aerosol area which is to be protected by a sprinkler system designed to FM Global Standards as outlined above).
- 4-hour firewall (both ways) will be installed between Warehouse B1 and Warehouse B2.

The controls to be implemented for the containment of spills will be:

- Internal bunding of 435,000 litres, as 180,000 litres for aerosol storage area and 255,000 litres for general racked storage;
- Recessed Dock containment of 840,000 litres;
- Hardstand interceptor of 500,000 litres; and
- Valves for isolating stormwater runoff.

To control ignition sources for potential hazards, the following general controls will also be implemented:

- No smoking policy for the warehouse.
- Vehicles will not unload inside the warehouse; extinguishers available in the unloading area.
- Forklifts suitable for Zone 2 will be used within the aerosol storage cage.
- The staff are to be trained and will have access to spill kits available and materials will be examined on a regular basis for deterioration.
- The site will have a security fencing, internal security, and regular security patrols.
- A permit to work system and risk assessment prior to starting work.
- The forklifts will not be charged within the aerosol storage area of the warehouse. The charging area has been allocated an area within the general storage area.

No external storage of any materials will be undertaken and the building has been designed without any material that would present a significant fire load.

Fire Services outlined in **Appendix 6** will be implemented to provide fire suppression in the event of any emergency.

6.12 BIOPHYSICAL ENVIRONMENT

The site has been substantially disturbed, including the removal of almost all vegetation. Impacts on the adjoining biodiversity area from the development of the site were carefully considered and addressed in the DA for the base build of the warehouse.

The PHA at **Appendix 4** notes that the materials now intended to be handled at Warehouse B1 could have an impact on the natural environment in the unlikely event of a spill. There are chemicals which could harm aquatic, bird and plant life if a spill was to find its way into a watercourse. HIPAP No.4 criteria for the assessment of risk to the biophysical environment are related to the threat to the long-term viability of a species or eco-system. This threat must occur after an accidental event and not from the result of continuous operations.

The frequency was found to be a very low event and does not significantly increase the risk to the surrounding biophysical environment. It is unlikely that there would be any adverse impacts on the adjoining biodiversity area from the intended operations with the mitigation proposed.

The proposed land use will take place within an existing building. No clearing is proposed as part of this application. It is unlikely that any flora and fauna impacts will be generated by the proposed occupation by DHL. The existing Biodiversity Corridor to the west of Building B will not be affected or compromised by the proposed occupation.

The primary potential incidents investigated in the PHA that could affect the biophysical environment are addressed as follows:

Release of Aerosols Contents

Aerosols contain materials used for household use and contain low concentrations of pesticides or cleaning agents. These products are unlikely to accumulate to a level where a significant spill would be released. The warehouse will contain over 180,000 litres of material in the aerosols bunded area and any spill is unlikely to reach the surrounding environment.

Release of Acids/Alkalis Spills

The acids and alkalis are predominantly inorganic and in lower concentrations, consistent with household use. These chemicals would alter the pH of any aquatic environment. This effect would be short-term and they are very unlikely to have an accumulating effect in the environment. The warehouse will contain over 255,000 litres of material in the general warehouse and any spill is unlikely to reach the surrounding environment.

Unloading/Loading Operations

There is the potential for a release of material from unloading and loading operations. The spill events are unlikely to have long-term effects on the environment. The recessed loading dock will contain over 845,000 litres of material and any spill in unloading activity is unlikely to reach the surrounding environment.

Release of Contaminated Fire Fighting Water

A fire event in Warehouse B1 could result in the contamination of the fire-fighting water. The ingredients within an aerosol could be released into the water. The ingredients of the aerosol cans may have an impact on the surrounding environment. The ingredients of aerosols, inorganic acids and alkalis, typically have short halflives, being consistent with household products and are unlikely to accumulate in the environment. The aerosol ingredients would have a relatively short-term impact.

6.13 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Throughout all operations, DHL is working to accelerate the reduction of its carbon footprint and has developed and implemented greenhouse gas reduction strategies by assessing, reducing, replacing, and in some cases neutralizing direct and indirect carbon emissions.

DHL is committed to following the strictest standards in the transport and storage of goods and carries out a number of ESD initiatives, including:

- investing heavily in training;
- setting demanding performance targets; and
- measuring progress to ensure continuous improvement in safety, security, health, and environmental performance.

In addition to the above measure, Warehouse B1 has been designed, and will be operated, with the following ESD features:

Building Design

Warehouse B1 has been designed to maximise natural ventilation and lighting where possible to minimise the need for artificial climate control.

Part J of the BCA

Building B, as part of the Westpark Industrial Estate was designed and constructed in accordance with Part J of the Building Code of Australia (BCA).

Stormwater Reuse

Stormwater for development in the northern part of the Westpark Industrial Estate is detained within the stormwater basins and reused for the purposes of irrigation.

Building B1 will utilise the stormwater management scheme approved under the original application for the site. This infrastructure is currently being installed as part of the construction phase of Building B1. Minor alteration to this scheme is proposed as part of the storage of dangerous goods to ensure that the infrastructure is not contaminated in the event of an emergency or incident. The proposed works to the stormwater system only involve the installation of valves to the approved system for isolating stormwater runoff and prevention of contamination. The approved Concept Stormwater Plan including proposed amendments is annexed as **Appendix 7**.

Fittings, Appliances and Equipment

Low energy and water consumption fittings and appliances are to be installed throughout Warehouse B1. All equipment will be regularly serviced and maintained to ensure appropriate performance and minimise potential for environmental impact through malfunctions.

6.14 HERITAGE AND INDIGENOUS ARCHAEOLOGY

The proposed land use will take place within an existing building. No earthworks or land clearing is proposed as part of this proposal. The site does not contain any items of Aboriginal or European heritage significance. It is therefore not considered necessary to undertake further analysis of this issue.

6.15 SECURITY

The Warehouse B1 is to be fully electronically alarmed with 24/7 monitoring by a contracted security firm. There will be closed circuit television installed at the warehouse and access to the warehouse area will be restricted at all times.

6.16 SOIL

The proposed development does not include excavation. No impact is to occur from the proposal.

6.17 VISUAL IMPACT

The proposed land use will take place within an existing building which was approved by Penrith City Council. No changes are proposed to the external facade of the building as part of this proposal.

No signage is proposed as part of this application.

6.18 SOCIO-ECONOMIC IMPACT

The proposed warehouse and distribution centre is a suitable use of industrial land and will provide industry jobs for the region.

6.19 CUMULATIVE IMPACTS

As outlined in Section 6.2.5, there are other warehouses at Westpark storing dangerous goods that could have potential off-site effects. The PHA undertakes a detailed examination of the consequences of potentially hazardous incidents associated with the storage of dangerous goods at Warehouse A1, Warehouse A2 and Warehouse C3/C4. The risks of the storage of dangerous goods at Warehouse A1, Warehouse A2 and Warehouse C3/C4 have then been combined with the risks associated with storage of dangerous goods at Warehouse B1 to produce a cumulative risk associated with all on-site activities.

The investigation reveals that the cumulative impact of risks on the site would be contained within the site boundaries of the Westpark estate. The PHA finds that the cumulative risks for all activities storing dangerous goods at Westpark do not exceed the DoP&I criteria for Land Use Safety Planning.

The radiant heat from a fire event in Warehouse B1 will not have consequences that impact on Building A or on Building C. It is unlikely that the propagation from Warehouse B1 to other buildings (Building A and Building C) would occur. Likewise, propagation from fire events if Building A or Building C are unlikely to propagate into Warehouse B1.

Additionally, the cumulative effect of potential smoke events containing unreacted chemicals increased for land uses to the south. The location of the Warehouse B1 is at the most southerly side of Westpark. This increase does not increase the frequencies above the criteria established in HIPAP No.4. Warehouse B1 is

located 300 metres from residential areas in the north and the risks to this land uses does not increase significantly by the proposed storage of dangerous goods in Warehouse B1

The PHA finds that the cumulative impact of storing dangerous storage facilities on a site already storing dangerous goods of notable quantities does not increase the risks associated with Westpark to levels above the risk criteria described in Hazardous Industry Planning Advisory Paper No.4. It was found that the frequency of potentially causing serious injury or being potentially injurious to sensitive receptors was below the criteria established in the HIPAP No.4 for the storage of dangerous goods for all the warehouses within Westpark. It was also found that the risk of propagation between warehouses at Westpark was very low.

Therefore, from a hazards perspective, the development of Warehouse B1 is below the risk criteria described in HIPAP No.4 and would not pose a significant risk in the locality.

No other cumulative impact is identified or anticipated to result from the construction or operational phases of the proposal given its context in a developing area that has been identified for the intended activities. The proposal is also suitably separated from residential areas and is serviced by adequate infrastructure, including a capable road network. The proposal will only include minor internal fit-out work and will not cause any significant visual impact in the locality.

It is expected that the provision of employment will be a beneficial outcome for the region and will contribute to the growth of New South Wales in accordance with all legislative and policy requirements.

PART G STATEMENT OF COMMITMENTS

by	DHL Supply Chain (Australia) Pty Ltd
in relation to	Storage and handling of dangerous goods
at	Building B1, 23-107 Erskine Park Road, Erskine Park

DHL Supply Chain (Australia) Pty Ltd (DHL) will undertake the proposed occupation of Building B1 in accordance with the following commitments:

The following defines some of the terms and abbreviations used in the Statement of Commitments:

Approval	The Minister's approval to the Project
BCA	Building Code of Australia
Council	Penrith City Council
Department	Department of Planning and Infrastructure
Director-General	Director-General of the Department (or delegate)
EIS	Environmental Impact Statement
EP&A Act	*Environmental Planning and Assessment Act 1979*
OEH	Office of Environment and Heritage
Project	The development as described in the EIS
Site	Land to which the project application applies

ADMINISTRATIVE COMMITMENTS

Commitment to Minimise Harm to the Environment

1. DHL will implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the project.

Occupation Certificate

2. DHL will obtain an Occupation Certificate prior to the occupation of the facility for the purposes of storing dangerous goods.

Terms of Approval

3. DHL will carry out the project generally in accordance with the:

    a) Environmental Impact Statement;
    b) Preliminary Hazard Analysis (Revision 05);
    c) Drawings (Nettleton Tribe Drawing – 3298_911 Rev A);
    d) This Statement of Commitments; and
    e) Any Conditions of Approval.

4. If there is any inconsistency between the above, the Conditions of Approval shall prevail to the extent of the inconsistency.

5. DHL will comply with any reasonable requirement/s of the Director-General of the Department of Planning and Infrastructure arising from the Department's assessment of:

    a) Any reports, plans, programs, strategies or correspondence that are submitted in accordance with this Approval; and

    b) The implementation of any recommended actions or measures contained in reports, plans, programs, strategies or correspondence submitted by the Project Team as part of the application for Approval.

Structural Adequacy

6. DHL will ensure that all new buildings and structures on the site are constructed in accordance with the relevant requirements of the BCA

Construction Traffic Management Plan

7. Goodman will prepare and implement a Construction Traffic Management Plan in consultation with Council, and to the satisfaction of the Director-General. This plan will:

    a) be submitted to the Director-General for approval prior to the commencement of construction;

    b) describe the traffic volumes and movements to occur during construction;

    c) detail proposed measures to minimise the impact of construction traffic on the surrounding network, including driver behaviour and vehicle maintenance; and

    d) detail the procedures to be implemented in the event of a complaint from the public regarding construction traffic.

Operation of Plant and Equipment

8. DHL shall ensure that all plant and equipment used on site is maintained and operated in proper and efficient manner, and in accordance with relevant Australian Standards.

SPECIFIC ENVIRONMENTAL COMMITMENTS

Noise

9. Construction on the site will only be undertaken between 7am and 6pm Monday to Friday, and 7am and 1pm on Saturdays. No construction will be allowed on site on Sundays or public holidays.

10. DHL will comply with the operational hours as approved in Penrith Council's development consent (DA11/0302) being 6am to 10pm seven (7) days per week.

Air

Construction Traffic

11. During construction:

    a) all trucks entering or leaving the site with loads have their loads covered;

    b) trucks associated with the project do not track dirt onto the public road network; and

    c) the public roads used by these trucks are kept clean.

Dust Management

12. During the construction phase of the project, all reasonable and feasible measures to minimise the dust generated by the project.

Hazard and Risk

Pre-Occupation Certificate

13. Prior to the occupation of the facility (associated with storage of dangerous goods), DHL will prepare a Fire Safety Study that shall address the relevant aspects of the Department of Planning and Infrastructure's *Hazardous Industry Planning Advisory Paper No. 2 – Fire Safety Study Guidelines*. The Fire Safety Study shall be kept on site and presented to the Director-General on request.

Pre-commissioning

14. Prior to the commencement of commissioning of the project, DHL will develop and implement the plans and systems set out under subsections (a) to (b) below.

    a) Emergency Plan
    A comprehensive Emergency Plan and detailed emergency procedures will be prepared for the proposed land use. This plan will include detailed procedures for the safety of all people outside of the development who may be at risk from the development. The Plan shall be in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1 – Industry Emergency Planning Guidelines*.

    b) Safety Management System
    A document setting out a comprehensive Safety Management System, covering all onsite operations and activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records will be kept onsite and will be available for inspection by the Council upon request. The Safety Management System will be developed in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 9 – Safety Management*.

Ongoing

15. The following actions will be undertaken by DHL on an ongoing basis as part of the proposed development as outlined in subsections (a) and (b) below.

    a) Incident Report
    Within 24 hours of any incident or potential incident with actual or potential significant offsite impacts on people of the biophysical environment, a report will be supplied to the Department outlining the basic facts. A further detailed report will be prepared and submitted following investigations of the causes and identification of necessary additional preventive measures. That report will be submitted to the Department no later than 14 days after the incident or potential incident.

    b) Hazard Audit
    Twelve months after the commencement of operations of the proposed development or within such further period as the Department may agree, DHL will carry out a comprehensive Hazard Audit of the proposed development and within one month of the audit submit a report to the Department.

    The audit will be carried out at DHL's expense by a duly qualified independent person or team approved by the Department prior to commencement of the audit. Further audits will be carried out every three years or as determined by the Department and a report of each audit will, within one month of the audit, be submitted to the Department. Hazard Audits will be carried out in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5 – Hazard Audit Guidelines*.

    The audit will include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit. The audit report will be accompanied by a program for the implementation of all recommendations made in the audit report. If DHL intends to defer the implementation of a recommendation, justification will be included.

Waste Management

16. DHL will ensure that all waste generated on site during operation is classified in accordance with the Office of Environmental and Heritage's *Waste Classification Guidelines: Part 1 Classifying Waste* and disposed of to a facility that may lawfully accept the waste.

END

Name:

Signed:

Date:

PART H PROJECT JUSTIFICATION

The proposal is considered to be justified in the context of environmental, social and economic terms and is compatible with the locality in which it is proposed.

This application is lodged on the basis of:

Supporting State, Regional and Local planning objectives

The proposal is consistent with the objectives and strategies outlined within the *Metropolitan Plan for Sydney 2036*, the *North West Subregional Strategy*, and *State Environmental Planning Policy (Western Sydney Employment Area) 2009*. The proposal is also consistent with all relevant environmental strategies for the locality.

Appropriate use of an approved industrial building

The proposal will retain and contribute to the growth of important manufacturing and distribution services for the region. The strengthening of the service sector is important strategy for the economic welfare of Western Sydney as a region as well as NSW.

Environmental impacts have been minimised

Specialist hazard consultants have assessed the risks and determined that the development can be undertaken with minimal environmental impacts. No significant risk to the locality is to result from the proposal.

Compatibility with surrounding development

The proposed use is compatible with existing uses on the subject site and adjacent land. The investigations undertaken as part of this application conclude that no significant cumulative impact is to occur from the proposed use of existing Warehouse B1 for the storage of dangerous goods.

PART I CONCLUSION

The proposed use and fit-out of Warehouse B1 at 23-107 Erksine Park Road, Erskine Park (Westpark Estate) for the purposes of storage of dangerous goods is consistent with the intended use of the Westpark Estate as originally approved by Penrith City Council. The proposed storage of dangerous goods can be accommodated without generating impacts above that considered appropriate by the relevant legislation.

A Preliminary Hazard Analysis (PHA) has been prepared to address these issues in detail and concludes that from a hazards perspective, the proposal is below the risk criteria described in HIPAP No.4 and would not pose a significant risk in the locality.

No other cumulative impact is identified or anticipated to result from the construction or operational phases of the proposal given its context in a developing area that has been identified for the intended activities. The proposal is also suitably separated from residential areas and is serviced by adequate infrastructure, including a capable road network. The proposal will only include minor internal fit-out work and will not cause any significant visual impact in the locality.

The proposal is consistent with the document entitles *NSW 2021: A Plan to Make NSW Number One* and the Sydney Metropolitan Strategy by allowing an existing business to develop and expand (within NSW) and creating employment opportunities in the WSEH. The proposed development is also consistent with the legislative and policy framework for the local and regional area.

Based on the findings of this EIS, the proposal supports the continued development of the EPEA, providing employment and contributing to the retention and growth of manufacturing, distribution and supply industry in Sydney. The proposal is suitable for the local context and is appropriate based on social, cultural, economic and environmental considerations.

As such, it is recommended that the proposal be supported by the Department of Planning and Infrastructure.

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APPENDIX 1

CONSENT FOR DA 11/0302

APPENDIX 2

DIRECTOR-GENERALS REQUIREMENTS

APPENDIX 3

OWNERS CONSENT

APPENDIX 4

PRELIMINARY HAZARD ANALYSIS

APPENDIX 5

FIT-OUT DEVELOPMENT PLANS

APPENDIX 6

FIRE SERVICES PLAN

APPENDIX 7

CONCEPT STORMWATER PLAN

APPENDIX 8

SECTION 149 CERTIFICATE

APPENDIX 9

CONSTRUCTION MANAGEMENT PLAN

APPENDIX 10

EXISTING INFRASTRUCTURE (DIAL-BEFORE-YOU-DIG RESEPONSE)