

9 March 2021

2200444

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

ATTN: Mr Thomas Bertwhistle

Dear Thomas,

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

We refer to the above Section 4.55(1A) Modification and the Department of Planning, Industry and Environment's (DPIE) request dated 8 March 2021 outlining matters identified by Liverpool City Council requiring resolution/additional information. The applicant, ESR Developments (Australia) Pty Ltd has considered Council's letter and provide the following responses.

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

It is acknowledged that the original application noted that there would be no storage of dangerous goods, however, given the nature of third part logistics businesses, operational requirements with customers are subject to evolve through the design and construction process.

The SEPP 33 Assessment prepared by Riskcon Engineering and submitted with the modification concluded that:

“The proposed DHL site at Skyline Crescent, Horningsea park NSW has been assessed for the application of the State Environmental Planning Policy No. 33 – Hazardous and Offensive Developments (SEPP 33) based on the proposed storage of DGs at the facility. The NSW Department of Planning and Environment (DPE) has published a guideline to assist regulators in determining the application of SEPP 33, which contains threshold levels of DGs above which SEPP 33 would apply.

The analysis conducted in this study has identified that the proposed quantities of DGs to be stored at the DHL site do not exceed any SEPP 33 thresholds. Further, the transport of DGs does not exceed the threshold levels published in Applying SEPP 33, nor do any offensive operations occur at the site which may result in environmental emissions. Therefore, it is concluded that the SEPP 33 policy does not apply to this site.”

Acoustic Assessment

SLR Consulting prepared a statement addressing the acoustic impacts of refrigerated trucks accessing the site. The noise generated by the trucks is considered to be louder than the noise generated by additional plant. SLR Consulting concluded that:

“...the proposed modification in relation to refrigerated trucks and are of the opinion that the modification would be unlikely to alter noise emissions for the following reasons:

- The surrounding nearest receivers are all over 200 m away.*
- The south-west corner of the site where the refrigerated trucks would idle/be loaded is shielded from line of sight to the nearest receivers by the development buildings and the adjacent buildings.*

- *Noise levels at the nearest receivers in the south-west corner are already 5 dB below the night-time criteria and are not expected to be significantly increased by the proposed modification.”*

In addition, condition B23 requires that a Noise Management Plan is prepared and implemented prior to commencement of the operations.

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

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

Yours sincerely,



Jim Murray
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