



**PROPOSED PRINTING, WAREHOUSE AND DISTRIBUTION
FACILITIES**

MAJOR PROJECT APPLICATION NO 08_0016

**SUBMISSIONS REPORT PURSUANT TO SECTION 75(H) OF
ENVIRONMENTAL, PLANNING & ASSESSMENT ACT, 1979**

**133-145 LENORE DRIVE ERSKINE PARK
LOT 62 DP 1090695**

ERSKINE PARK EMPLOYMENT AREA

APRIL 2010

CONTENTS OF SUBMISSIONS REPORT

Table 1 Comments from Authorities

1.1 Penrith City Council	1
1.2 Department of Environment and Climate Change	3
1.3 Sydney Regional Development Advisory Committee	3
1.4 Transgrid	4
1.5 Integral Energy	4
1.6 Sydney Water	4

Table 2 Comments from the Community

2.1 Ian Bradshaw	6
2.2 Stephen McLoughlin Landscaping	9
2.3 Stephen McLoughlin Explosion Hazard	11
2.4 Stephen McLoughlin Miscellaneous	12
2.5 Peter Thom	13

Appendices

Appendix 1 Site Plan Drawing No 080255-DA-002 C	14
Appendix 2 Correspondence from Integral Energy	16
Appendix 3 Photographs	19
Appendix 4 Sectional Studies of Landscape Screen	26
Appendix 5 Submissions	28

Table 1 Comments from Authorities

1.1 PENRITH CITY COUNCIL COMMENTS	Response to Authorities
1. Council requests that due regard to PLEP 1994 and SEPP WSEA is made during the assessment of the subject Project Application.	Noted. Both PLEP 1994 (Pages 67 to 68) and SEPP WSEA (pages 51 to 57) have been considered in Volume 1 of the Environmental Assessment.
2. It is noted that the adjoining site known as Lot 63 DP 1090695 is located to the west and does not form part of the subject site. Council has made clear its position on the exclusion of that site as part of the subject development site in previous submissions to the Department and continues to maintain this position.	We refer to the comments on pages 52 and 53 of Volume 1 of the Environmental Assessment. The preference has always been to amalgamate the Blackwell property with the subject site but it is not possible to force a landowner to sell their property even though amalgamation with the subject site may be desirable from a Council viewpoint. We believe that the development has been designed with high architectural merit to Lenore Drive.
3. With respect to Clause 29 of SEPP WSEA, the Department is requested to ensure that the subject Project Application provides applicable contributions where required.	Noted
4. Variation to Council's parking rates. Notwithstanding, the Department should ensure that the site can readily accommodate the full complement of car parking by virtue of Council's DCP in the event that the proposed tenant of each building changes ownership and require additional parking.	It is not desirable to create unnecessary areas of sealed carparking for ESD reasons. If at some future time a change of use occurs on the site then that circumstance would be subject to a Development Application, which would be required to address the parking needs of the new use and the ability to provide those spaces on the site.
5. Council is in receipt of a number of ongoing concerns from residents within the Erskine Park locality to the north in relation to noise generation from Erskine Business Park. Council recommend that the Acoustic Report should be incorporated as a condition of consent with additional conditions relating to compliance and the ongoing resolution of impacts should they arise during the operation of development.	Noted.
6. It is noted that the rear of the subject site would have substantial view to existing	We will consider an architectural treatment to the northern elevation of

residential properties in the Erskine Park locality to the north. The Department is requested to consider the architectural treatment to the northern elevation, landscape treatment along that boundary and additional landscape works. This may necessitate the provision of a landscape berm along the transmission easement to ensure that the visual prominence of the proposed development is adequately screened to nearby residential development.	the building as well as the proposed landscape treatment to the far northern boundary of the site.
7. State Environmental Policy No 33 and it's requirements.	Comments noted. Please note the concluding comments in the "Preliminary Hazard Analysis" report by Benbow Environmental. "The risk assessment evaluation has found that the operation of the proposed development meets the criteria provided in the SEPP 33 Screening Thresholds, and would not cause any risk, significant or minor, to the community. Furthermore, the site's proposed operations are not an offensive or hazardous industry based on the applicable Department of Planning guidelines." "It is the conclusion of this assessment that the proposed site and it's operations would meet all the safety requirements stipulated by the Department of Planning. Hence, this facility would not be considered to be an offensive or hazardous development.
8. State Environmental Planning Policy No 55 – Remediation of Land.	There are no issues with contamination on this site.
9. "However, Council encourages the uses of solar panels for electricity generation given the expanse of roof space and numerous opportunities for such facilities and the significant benefits that such alternative energies provides".	A requirement to install solar panels is not a statutory requirement. We are providing rain water harvesting and energy efficient lighting and building design.
10. A drainage basin is located within the front setback to Lenore Drive. Council prefers that all developments immediately addressing Lenore Drive be provided with a	It has been agreed with Penrith City Council that a drainage basin is acceptable provided the area is presentable.

substantial landscape scheme that complements the surrounding natural and built environment. Consideration should be made to an attractive landscape scheme that enhances and embellishes the surrounding streetscape.	
1.2 DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE COMMENTS	
“However, it is noted that the proponent has not provided the details about the quantity of prescribed waste to be stored on the premises. An environment protection licensing under POEO Act is required for the category “Printing, packaging and visual communications” when more than 5 tonnes of prescribed waste is stored on a premises at any time. Hence the proponent should clearly state in the Environmental Assessment that they do not intend to store more than 5 tonnes of prescribed waste on the premises at any time.	The only waste of significant quantity and over 5 tonne will be waste paper which is not prescribed waste. The bailed waste paper would be loaded into a container and picked up by the waste contractor.
1.3 SYDNEY REGIONAL DEVELOPMENT ADVISORY COMMITTEE COMMENTS	
1. The layout of the proposed car parking areas associated with the subject development (including grades, turn paths, sight distance requirements, aisle widths, and parking bay dimensions) should be in accordance with AS 2890.1 – 2004 and AS 2890.2 – 2002 for heavy vehicles.	Noted.
2. Council is to ensure that appropriate contributions are made if required to the extension of Lenore Drive in accordance with any appropriate contributions scheme for the subject land.	Noted.
3. Directional line marking and signage should be provided to direct heavy vehicles, staff and visitors to the relevant parking areas, loading docks and exits to ensure smooth, safe traffic flow.	Noted. Directional line marking and signage will be provided.
4. Council is to consider the provision of bicycle parking at a safe and convenient location and bicycle facilities such as showers, change rooms and lockers to promote the use of alternative modes of transport.	Noted. Bicycle parking and bicycle facilities will be provided.
5. All truck access points should be located to accommodate the turning path of a B – double for all movements on the correct	The swept path analysis contained in the “Assessment of Traffic and Parking Implications” prepared by Transport

side of the road / driveway for vehicles entering and exiting simultaneously.	and Traffic Planning Associates illustrates that the access points accommodate the turning path of a B Double for all movements on the correct side of the road / driveway. Page 17 of the above report states "The driveways have been designed in accordance with the requirements AS2890 Part 2 and are appropriate in relation of the frontage road type, being a local road, and for access using 25 metre B-Double vehicles.
6. Vehicles must be wholly contained onsite before being required to stop.	Complies. See Drawing No 080225-DA-002 Appendix 1.
7. All vehicles must enter/exit the property in a forward direction.	Complies. See Drawing No 080225-DA-002 Appendix 1.
8. All works associated with the development are to be at no cost to the RTA.	Noted.
1.4 TRANSGRID COMMENTS	
An onsite meeting was held with representatives of Paclib and Transgrid in the early stages of the design for this project. At that meeting it was indicated by Paclibs representatives that a commitment would be given to Transgrid, to provide an ongoing means of access to our assets through this property. An access way is shown on their plans and it is assumed this access way will be available to Transgrid plant and personnel. Providing, Paclib remain true to their commitment of access then no objections will be raised to this project."	We confirm that an ongoing means of access to Transgrid assets will be provided through the property.
1.5 INTEGRAL ENERGY COMMENTS	
"However i have been in contact with the Paclib people last year and provided them with Integral Energies easement management guidelines in connection with this site. Skimming the paperwork supplied by you i couldn't see any reference to my correspondence with them, but maybe there is no reason why there would be.	Please see attached correspondence dated the 13 th August 2009 from Ray Wood from Integral Energy Appendix 2.
1.6 SYDNEY WATER COMMENTS	
1. Sydney Water will further assess the impact of the development when the proponent applies for a Section 73 Certificate. This assessment will enable Sydney Water to specify any works required as a result of the development and to assess if amplification and/or changes to the system	

<p>are applicable. Sydney Water requests the Department continue to instruct proponents to obtain a Section 73 Certificate from Sydney Water.</p> <p>2. The proponent must fund any adjustments needed to Sydney Water infrastructure as a result of any development. The proponent should engage a Water Servicing Co-ordinator to get a Section 73 Certificate and manage the servicing aspects of the development. Details are available from any Sydney Water Customer Centre on 13 20 92 or on Sydney Waters Website at www.sydneywater.com.au.</p>	<p>Noted</p> <p>Noted</p>
--	---------------------------

Table 2 Comments from the Community

2.1 IAN BRADSHAW	Response to Community
<p>1. Noise The representatives have been talking to some residents, stating that there will be little noise in the daytime and no production at night. The newspaper industry operates in a competitive field and as such produces newspapers and magazines in timely fashion in order to be on the Newsagents floor by the time the Newsagents are open for business. This cannot be achieved if the presses do not roll around the clock. Also there may be a significant increase in noise in the early hours of the mornings as the transport vehicles come in to load before their early morning haste to deliver newspapers and magazines.</p>	<p>To our knowledge, at no stage has any representative of the applicant talked to local residents about the proposed print facility and warehouse operating times. The application is for a 24 hour by 7 day operation and it is envisaged that operations within the facility will operate over at least 2 shifts. Night-time outdoor transport activities will be limited as per the transport movement table and employee cars will be located on the southern end of the warehouse and entering and exiting in a southern direction. An acoustic wall is located near the rear loading to prevent noise impacts.</p>
<p>2. Security as well as Normal lighting. The security lighting around the perimeter of the site, which is all ready a problem Council is ignoring in the area, is disturbing. This has been sited in a few cases by residents, who claim they have had to install curtains or drapes to block the night lights from security lights which is greater distance than the proposed construction will be. The lights from transport vehicles coming and going in the early hours of the morning will add to this. I have been told that at least two (2) valuable homes were on the market; now withdrawn due to lights illuminating the homes and the noise which is further away that the proposed development is also causing annoyance.</p>	<p>Security lighting for the proposed warehouse will be focussed vertically downwards and towards the building and contained on site so should not affect the residents. Security lighting will be designed in accordance with the relevant Australian Standards. The building is set back considerably, approximately 250 metres, from the adjoining residents giving a large buffer between the residents and the building. There will be added vegetation screening along the site boundary adjacent to the residents homes that will aid in minimising any effect of the security lighting. There will also be an acoustic wall on the northern end of the warehouse in line with the driveway that will preclude truck lights from shining on residents homes. The building is set down substantially along the northern boundary along most of it's length forming a barrier to any possible light spill. Additionally, fire sprinkler storage</p>

	<p>tanks and a fire sprinkler pump room are located in the north east corner of the site at the end of the main driveway which will form a further barrier to any possible light spill. See photographs contained in Appendix 3.</p>
<p>3. Property Values Since this development was announced some properties which were up for sale in the immediate area have had to be withdrawn. The proximity of the development has reduced some properties from their official valuation by as much 15%. With this sudden downturn the vendors would not be able to meet the needed resources to purchase the homes they wanted to purchase and have withdrawn sale.</p>	<p>As developers of this site, we cannot be held responsible for property values in the residential area that have reduced due to the Industrial zoning (employment) of the adjacent area that occurred many years ago. This building is just one application in an existing subdivision amongst many existing developments. As responsible developers, we will attempt wherever possible to minimise any effect that our proposed operations will have on the nearby residents.</p>
<p>4. Current Revaluation of Land. Recently the notices were received by residents in the area that: the Valuer General has raised the value of the land in this area. This would appear to have been done before the project was proposed for the area.</p>	<p>This proposed development is one of many that have already and will in the future occur in the zoned industrial Erskine Park. This development has nothing to do with domestic government valuations and is not a planning consideration.</p>
<p>5. The Penrith Council Increase Rates. This is the normal course of events when the Valuer General raises land values the Council increase their rates, but not in the same proportion as the valuation rises. Council rises are historically greater. With this development it has already shown some were looking at the prospect of leaving the area due to the construction, when the intended construction was announced..</p>	<p>The proposed development has nothing to do with Valuer General valuations and as a consequence Penrith Council rates. In fact, the reverse is true in that with increased industrial presence in the Penrith area, Penrith Council has a greater base on which to levy the rates, thereby hopefully helping to minimise rate increases. This is not a planning consideration.</p>
<p>6. Transport. While it is understood that: being able to move saleable products to the market place, and that the area is not yet fully developed, the peak traffic times are already seriously under resourced. Heavy traffic heading to the industrial area from the F4 is very slow, traffic from the direction from the Great western Highway</p>	<p>It is planned that Lenore Drive will be extended to the M7 in the near future and then that will really reduce the amount of traffic on the present feeder roads coming from the M4 and Great Western Highway. The company that is intending to move into this warehouse development does not have its own employees at present</p>

<p>is nearly as bad. This would to me indicate that the major work forces are from out of the Penrith area. Indeed, large proportions are from the sites previously occupied by the companies they work for. The need for the companies to have access to the M7 and F4 is crucial. There is no planning in the pipeline to provide public transport from the railway stations, Mt Druitt being the most direct. This contradicts the Governments claim that public transport is to be promoted.</p>	<p>and therefore there is a great opportunity for local residents to obtain employment in this facility or as a consequence of the commencement of operations here, for employees to move into the nearby residential area thereby driving prices of homes up rather than down.</p> <p>The RTA have no objections to the development.</p> <p>The conclusions of the traffic and parking assessment state:</p> <ol style="list-style-type: none"> 1. The traffic generation of the proposed development will be consistent with the anticipated development of the area. 2. The traffic generation of the proposed development will not present any adverse traffic implications. 3. The proposed parking provision will satisfy the demands of the proposed facilities. 4. The proposed access, internal circulation and parking arrangements will be appropriate to current design standards.
<p>7. The Operation Times. The hours in which an industrial area operates vary by industry, some are normal day shift hours "say" 07 ;30 to 16 ;30 hrs, some have two shifts, "say" 07 ;00 to 15 ;00 and then from 15 ;00 to 23 ;00 hrs. And then is quite for the night. Other businesses such as the large printing and distribution industry do not operate this way. Unless of course if they can train the world to stop still while they shut down until morning, news does not comply.</p>	<p>Operation times are as stated above and in the formal assessment and in most cases will operate on the 2 shift model (depending on workload).</p>
<p>8. New Jobs sought. New development does bring some new jobs for the people living in the area, in which it migrates to, but the majority will migrate with the company.</p>	<p>Please see comment above on new employees. The proposed company at this stage does not have its own employees and will be employing from scratch. The proposed development will generate approximately 80-100 jobs during construction and</p>

	approximately 178 jobs during operation.
<p>9. Relocation of Employees</p> <p>In the case of Penrith, the traffic from the east is lighter than to the east and traffic from the mountains has less distance to travel. But before considering the development for approval the number of NEW not migrated employees who will be employed must be considered. Modern warehousing systems may be huge but only require a small number of employees to operate it. Use local staff first.</p> <p>This would have a far better effect on the viability of Penrith's as the while the major work force travels out of the area to go home and for the weekend they will not inject a proportional amount of cash flow into the Penrith financial district..</p>	We believe that most employees in this facility will either move into the area or will come from local sources
<p>10. Future Development</p> <p>If this development goes ahead as the developer wishes, there is nothing to stop the Penrith Council from continuing to allow these businesses to be the ruination of the district by their unbridled expansion. No opportunity to submit any objection the Council's intentions is given to the rezoning and development of the area, nor its effect of established businesses.</p> <p>Property prices will continue to hover well below mean property value, and the resale to escape to what some [including myself] thought was a pristine environment with a low crime rate will be hardly worth the effort to put on the market.</p>	It is expected that all of the Erskine Park Industrial area will be developed in the next few years, bringing huge employment opportunities to the area. The area has been very carefully planned and will be amongst the most desirable areas of Sydney in which to work. With that comes the need by employees to minimise their travel times and cost and therefore we would expect a significant number to relocate to the area. There are good education, shopping and sporting facilities being developed in the surrounding areas and all of these will contribute to making the surrounding suburbs highly desirable
2.2 STEPHEN McLOUGHLIN LANDSCAPING COMMENTS	
1. It is highly appropriate that such a landscaped barrier be constructed.	We will be installing a suitable vegetation screen along the northern boundary of the property. Details of the vegetation screen are included in the "Visual Impact Assessment" contained in Volume 2 Appendix 8 of the Environmental Assessment.
2. However, it is highly inappropriate that the	We originally proposed to Transgrid to

<p>height of these trees selected should be only 4 meters This will NOT shield the view of this development for the residents in Regulus Street Erskine Park. At least 8 metres if not 10 meters high would be required. It would be folly to only consider the residents on the lower side of Regulus Street. (ie the south-side only).</p>	<p>plant species that would grow to a height of 4 to 5 metres to which Transgrid agreed. We now propose to request to increase the height of the trees to 10 metres as suggested by the local resident. However, we plan to retain the screen line along the northern boundary as indicated in our submission thereby catering for residents on both sides of Regulus Street. See Figure 3 of the Visual Impact Assessment Appendix 4.</p>
<p>3. Obviously, such taller vegetation cannot be grown directly under the Transgrid powerlines.</p>	<p>These trees will be well away from the Transgrid power lines and in the outer 2 metres of the easement.</p>
<p>4. It is highly inappropriate that such a landscaped visual barrier be located on the land belonging to another corporation. Even worse is that Transgrid has not yet even given permission for such a barrier to be grown on their land. If i was working for Transgrid, I would NOT give permission to grow trees 8-10 metres tall under power transmission lines.</p>	<p>Upon a site inspection with representatives from TransGrid, Transgrid advised that they would raise no objection to the planting of vegetation on the outer 3 metres of the easement area at the rear of the properties. We are proposing a two metre wide vegetation strip for visual screening. See figure 3 of the visual impact assessment. We will not be planting 8-10 metre tall trees under power transmission lines.</p>
<p>5. My suggestion is for much taller trees along the entire northern border of Lot 62 DP 1090695. This will NOT require a sizeable redesign of the site, as this landscaped visual barrier will be where the future development zone is marked now.</p>	<p>The tree line proposed is on the northern side of the transmission line easements rather than the suggested position alongside the building as being located there would interfere with the Integral Energy easement and the proposed mandatory fire service road around the warehouse. There are currently existing trees and shrubs immediately north of the transmission line easement and in front of the proposed building. As a result a significant area of the northern facade will be obscured. We believe that this fact combined with the proposed two metre landscaped strip along the northern edge of the transmission line easement at the rear of the properties will produce a superior visual barrier.</p>

	See photographs in Appendix 3.
6. Simple geometry will indicate why such taller trees are required for the elevated residents on the north-side of Regulus Street (see above).	Agreed. They will now be catered for.
7. A responsible development would take of this barrier on its own land so that it can properly maintain this landscaping. Why is this NOT the case with this development??	The proposed barrier is located on land that allows the developers including ourselves and those to the east of this proposed development to maintain the trees as they grow.
2.3 STEPHEN McLOUGHLIN MINIMIZING EXPLOSION HAZARDS COMMENTS	
What will be the rating of the equipment used in the flammable atmospheres?? There is no mention of the following:	
1. There is no mention of IECEx approved equipment (standard in Australia since 2006). <ul style="list-style-type: none"> a. Intrinsically safe – to what zone ratings where across the site. I presume that you are adhering to AS 60079-11 for Ex i rating. b. Dust Ignition Proof – no mention of this in relation to ink and paper dust. In these applications AS 61241-11 (<i>Electrical apparatus for use in the presence of combustible dust – Part 11: Protection by intrinsic safety 'iD'</i>) is a more appropriate. For more details visit www.iecex.com/standards.htm 	<p>Please see the following comment by the proposed user of this facility:</p> <p>The offset printing process does not produce a flammable atmosphere. None of the consumables are highly flammable.</p> <p>The one area that needs special attention is the bailer and dust collector as paper dust is very flammable. The bailer and dust equipment is designed for this and the electrical installation would comply with AS/NZ 3000.</p> <p>Australian Fire standards have recently been updated and have now been based on a lot of the FM standards. FM standards have always been above Australian Standards and where an Australian standard does not cover a particular area (i.e. roll paper storage) authorities will always accept UL or FM standards.</p> <p>All equipment brought in Australia needs to comply with Safety of Australia Standard AS4024 and all of our equipment would be comply.</p> <p>The category class of various bits of equipment is determined by the risk to personal and every bit of equipment is different. As there are hundreds of bits of equipment we do not intend to list them all, however as the equipment is installed, commissioned and operated they will have the appropriate risk assessments done to make sure the correct category of equipment is installed.</p>

	The part 3A submission is not the place to list all our OH&S policy.
2. There is no mention of UL and FM approved equipment (ie USA approval) but this is NO longer acceptable in Australia unless you have a “letter of no objection” for each and every piece of equipment installed. Do the developers realise that the NSW authorities will NOT let this operation start with such unapproved electrical devices in such a potentially hazardous atmosphere??	Please see comment above
It is highly disappointing that a resident has to make these point clear. It does NOT inspire confidence in the engineering competence of this project. What makes this proposal even more negligent is that this development is using flammable goods in the direct vicinity of major power lines – the consequents can be staggering.	The applicant will not be using flammable goods in the direct vicinity of the power lines, in fact the envisaged production facilities will be located more than 100m away from the commencement of the Integral easement.
Further there is no mention of AS4024.1501 (Machine Safety). Has a more in-depth risk assessment been conducted than the glib Appendix 7 Preliminary Hazard Analysis? If such a Risk assessment has been done then what Safety Category has been select for the equipment used in the various parts of the plant?? Cat #2, Cat #3, Cat #4 etc ????. Under NSW OHS Legislation failure to conduct and formalise the Risk Assessment exposes the company to substantial financial penalties. Similarly lack of risk management devices and monitoring also attract substantial financial penalties.	Please see comment above
2.4 STEPHEN McLOUGHLIN MISCELLANEOUS	
I am not suggesting that the project does NOT go ahead. Rather , i am demanding that it be planned and engineered properly.	As the intended installed plant will cost in excess of \$100million dollars, and will be world’s best practice, rest assured that it will be properly engineered.
Please also understand that i will be monitoring both LEL and noise levels from my neighbours across the street’s property. This equipment will be calibrated first	The resident will be free to monitor both LEL and noise levels as he wishes.

before it use. I will regularly check what you claim to be safe or no-impact is in fact true.	
I expect a formal reply to my submission that details how these issues will be rectified. I do not want to use my contacts with various NSW government agencies, but if i am ignored i will be left with no other option.	
2.5 PETER THOM COMMENTS	
I would like to know who is responsible for the stormwater and the rubbish that comes out, and sits there for months on end, and this causes a smell all year round. I would like to know what is going on under the electrical wires behind us.	<p>The applicant has been asked by both Transgrid and Integral to allow them access through our site to enable them to maintain the easements. The plans illustrate this access.</p> <p>The applicant already operates large warehouses in Sydney and prides itself in keeping its sites neat and tidy with bi-monthly garden maintenance etc. The easement area under the transmission lines will be kept neat and tidy as it is part of our property. The area under the transmission lines will be fenced off to maintain security and no dumping or even access other than by the necessary authorities will be allowed.</p>