



Planning

***MAJOR PROJECT ASSESSMENT:
Printing, Warehouse & Distribution
Facilities***



Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

July 2010

Cover image: Artists impression of the proposed
Printing, Warehouse & Distribution Facilities

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EXECUTIVE SUMMARY

The Proponent (Lot 62 Erskine Park Pty Ltd) proposes to construct and operate printing, warehouse and distribution facilities on a site within the Erskine Park Employment Area (EPEA) in the Penrith local government area.

The site is strategically located within the Western Sydney Employment Area (WSEA) which is identified in the Metropolitan Strategy as being critical to achieving the projected growth in jobs and economic development in Western Sydney, with approximately 36,000 additional jobs expected from this area.

The development has a capital investment value (CIV) of \$32.9 million and would generate approximately 80-100 jobs during the construction phase and approximately 180 during operation.

The proposal constitutes a 'major project' under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves development for the purpose of storage and distribution facilities with a capital investment value of more than \$30 million. Consequently the Minister for Planning is the approval authority for this development.

The Department exhibited the Environmental Assessment for the project from 10 February 2010 to 15 March 2010, and received 9 submissions on the proposal: 6 from government authorities, and 3 from the general public. The primary concerns raised in the submissions related to noise, visual amenity, and traffic.

The Department has assessed the merits of the project in detail, in accordance with the relevant requirements of the EP&A Act.

The assessment found that the main issues associated with the project relate to traffic and access, noise, and visual amenity. The Department is satisfied however, that these impacts can be adequately mitigated and managed to ensure an acceptable level of performance and has recommended a range of conditions to ensure this occurs.

In addition, the Department's assessment recognises the significance and need for the project in terms of promoting the development of the Western Sydney Employment Area and the EPEA. The project is consistent with the objectives of the Sydney Metropolitan Strategy providing for the early development of employment lands and generating jobs in Western Sydney.

The Department is satisfied that the project has significant social and economic benefits for the Western Sydney community and that it is therefore in the public interest. Consequently, the Department recommends that the Printing, Warehouse and Distribution Facilities project be approved, subject to conditions.

1. BACKGROUND

1.1 Project Site and Surrounds

The Proponent (Lot 62 Erskine Park Pty Ltd) proposes to construct and operate printing, warehouse and distribution facilities on a site within the Erskine Park Employment Area (EPEA) in the Penrith local government area.

The site is around 13.49 hectares in size and is strategically located within the Western Sydney Employment Area (WSEA) with nearby access to the M4 Motorway, which also links with the M7 Motorway. The WSEA, some 2,450 hectares of employment land, is identified in the Metropolitan Strategy as being critical to achieving the projected growth in jobs and economic development in Western Sydney, with approximately 36,000 additional jobs expected from this area.

The site is located within an industrial precinct with industrial developments located to the south and west of the site. Easements for transmission and power lines (respectively Integral Energy and TransGrid) are located on the northern portion of the property, occupying approximately 3 hectares of available land, leaving 10.52 hectares of developable land. The closest residential properties are approximately 180 metres to the north beyond the transmission easement at Erskine Park (see Figure 1).



Figure 1: Regional Context

The subject site is vacant and bulk earthworks have been completed on site, in accordance with a development consent issued by Penrith Council (Council) on 25 March 2008 (DA 07/1527) (see Figure 2).

As part of the bulk earthworks approval, some existing dams and flora on the site were removed. Works were also undertaken to resolve a contamination issue on the site. Similarly, issues pertaining to aboriginal heritage were addressed by Council at this stage and are no longer relevant to the Part 3A project application.

The site is zoned 4(e1)(Employment Restricted) pursuant to *Penrith Local Environmental Plan 1994-Erskine Park Employment Area (PLEP 1994)*. The proposed development for printing, warehouse and distribution facilities is permissible with development consent and meets the zone objectives (refer to Section 3).



Figure 2: Subject site following completion of Bulk Earthworks

2. PROPOSED PROJECT

2.1 Project Description

The key components of the project are summarised in Table 1, and depicted in Figure 3. The project is described in full in the Proponent's Environmental Assessment (EA), which is attached as Appendix D.

Table 1: Major Components of the Project

Aspect	Description
Project Summary	Construction and operation of printing, warehouse and distribution facilities and associated infrastructure
<i>Warehouse buildings</i>	Construction of two separate buildings (3,655m ² and 55,621m ² in size). The larger building would be split into two separate warehouse units, referred to here after as Warehouse 2 and 3. Warehouse 1 is freestanding. Refer Figure 3.
<i>Associated Infrastructure</i>	Each warehouse would accommodate ancillary office space and loading bays.
<i>Access</i>	Access to the site would be from Lenore Lane on the sites southern boundary. A new vehicular driveway would be constructed to service warehouses 2 and 3. The existing driveway would be upgraded to service warehouse 1. Internal circulation has been provided to accommodate 25 metre B-doubles. A turning area, designed to accommodate vehicles up to 19 metres in length, would be constructed in the north-western corner of the site.
<i>Parking</i>	245 car spaces would be provided on-site. Adequate internal truck/queuing spaces would be provided on site. Bicycle parking and associated facilities would be provided.
<i>Traffic Generation per day</i>	The project would result in 138 heavy vehicle movements and 482 car movements per day: a total 620 vehicle movements per day.
<i>Water Management</i>	A Stormwater Management Plan provides for: <ul style="list-style-type: none"> an on-site detention system capable of reducing the discharge from the site to pre-development conditions; roof runoff to be separated from the surface runoff; a 100,000 L capacity rainwater reuse tank; gross pollutant traps; and a bio-retention swale within the landscaped setback fronting Lenore Lane.

Aspect	Description
	Wastewater would be treated and released to sewer in accordance with a trade waste agreement with Sydney Water.
<i>Landscaping</i>	<p>A Landscape Concept Plan has been prepared for the site in accordance with Penrith Council's landscape design requirements. Landscaping includes:</p> <ul style="list-style-type: none"> ▪ setback zones to integrate a bio-swale along the Lenore Lane frontage; ▪ native buffer tree plantings along the allotment boundary; and ▪ landscaped buffer on land to the north within the TransGrid easement.
<i>Signage</i>	<p>An estate sign (3000mm x 1250mm) is proposed at the front of the property. Business identification signage (for tenants) and directional signage is also proposed.</p> <p>Signage would be subject to further detail design and approval.</p>
<i>Employment</i>	
- Construction	▪ approximately 80-100
- Operation	▪ approximately 180
<i>Hours of Construction</i>	7am to 6pm Monday to Friday, 8am to 1pm Saturday. No work on Saturday or public holidays.
<i>Hours of Operation</i>	24 hours a day, 7 days a week.
<i>Building Height</i>	
- Building 1	▪ 12.06 metres (warehouse 1)
- Building 2	▪ 12.98 metres (containing warehouse 2 and 3)
<i>Capital Investment Value</i>	\$32.9 Million includes printing, warehouse and distribution facilities.
<i>Construction Staging</i>	Construction would commence mid 2010 and be undertaken in stages subject to market demand.
<i>Utilities</i>	Services available to the site without the need for significant augmentation include electricity, gas, communications, water and reticulated sewer.

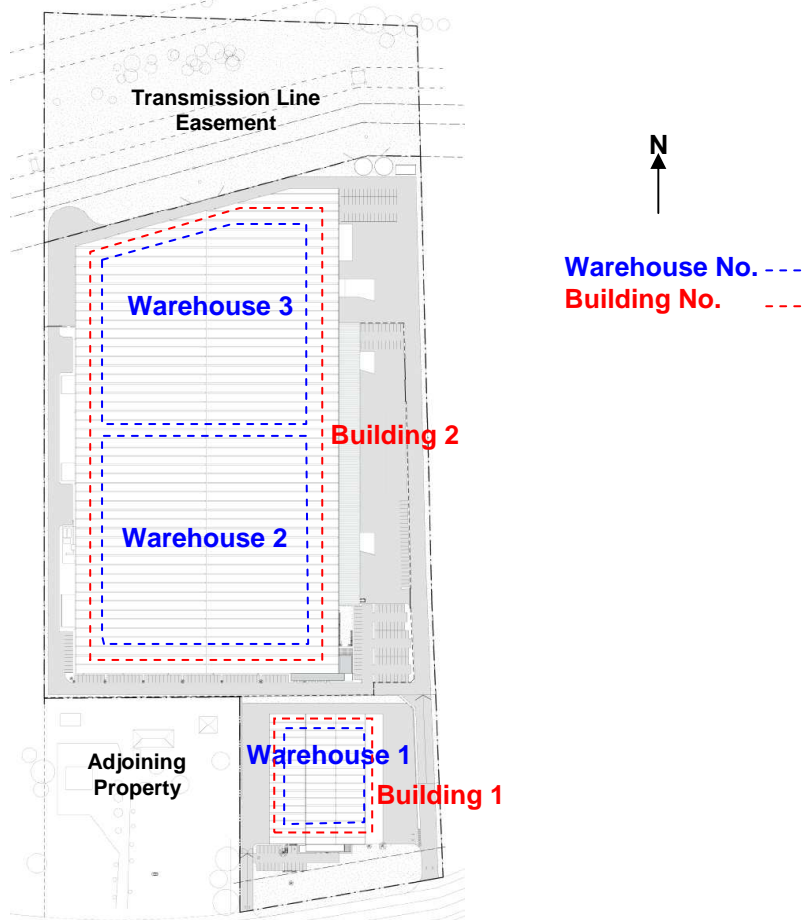


Figure 3: Site Plan

2.2 Project Need

The Proponent has provided the following justification for the project:

- the subject site is zoned 4(e1)(Employment Restricted) and the proposed printing, warehouse and distribution facilities are permissible with consent;
- bulk earthworks have been completed on the proposed site and the site is suitable for commercial/industrial use;
- the project would create 80-100 short-term construction jobs and approximately 180 long-term employment opportunities in Western Sydney;
- over \$30 million in capital investment would be injected into Western Sydney; and
- the proposed project would provide state-of-the-art cross docking printing, warehouse and distribution facilities accessible by a major local and regional transport hub (M4-M7 intersection).

3. STATUTORY CONTEXT

3.1 Major project

The proposal is classified as a major project under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act), because it constitutes development for the purpose of distribution and storage that has a capital investment value (CIV) of more than \$30 million and therefore triggers the criteria in Clause 12 of Schedule 1 of *State Environmental Planning Policy (Major Development) 2005*.

Consequently the Minister for Planning is the approval authority.

On 25 January 2010, the Minister delegated his powers and functions as an approval authority for certain projects under section 75J of the EP&A Act to the Deputy Director-General of Development Assessment and Systems Performance. This project application meets the terms of this delegation. Under these circumstances, the Deputy Director-General may determine the application under delegated authority.

3.2 Permissibility

Under Section 75J of the EP&A Act, the Minister cannot approve the carrying out of a project that would be wholly prohibited under an environmental planning instrument.

The site is zoned 4(e1) Employment Restricted under the *Penrith Local Environmental Plan 1994 (Erskine Park Employment Area)* and the project is permissible with consent under this zone. Consequently, the Minister may approve the carrying out of the project.

3.3 Exhibition and Notification

Under Section 75(3) of the EP&A Act, the Director-General is required to make the Environmental Assessment (EA) of a project publicly available for at least 30 days.

After accepting the EA for the project, the Department:

- made it publicly available from Wednesday 10 February until Monday 15 March 2010:
 - on the Department's website;
 - at the Department's Information Centre;
 - at Penrith City Council; and
 - at the Nature Conservation Council.
- notified landowners in the vicinity of the site about the exhibition period by letter;
- notified relevant State government authorities and Penrith City Council by letter; and
- advertised the exhibition in the Penrith Press.

This satisfies the requirements in Section 75H(3) of the EP&A Act.

During the assessment process the Department also made a number of documents available for download on the Department's website. These documents included the:

- project application;
- Director-General's environmental assessment requirements;
- EA; and
- the Proponent's response to issues raised in submissions.

3.4 Environmental Planning Instruments

Under Section 75I of the EP&A Act, the Director-General's report is to include a copy of or reference to the provisions of any:

- *State Environmental Planning Policy (SEPP) that substantially govern the carrying out of the project; and*
- *environmental planning instrument that would (but for Part 3A) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project.*

In relation to this particular project, the key EPIs are:

- *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development;*
- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy (Major Development) 2005;*
- *State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP);*
and
- *Penrith Local Environmental Plan (LEP) 1994 (Erskine Park Employment Area);*

The Department has considered the project against the relevant provisions of several environmental planning instruments (including Major Development SEPP, Infrastructure SEPP, WSEA SEPP, SEPP 55 and the *Penrith Local Environmental Plan 1994*). The Department is satisfied that, subject to the implementation of the recommended conditions of approval, the proposal is generally consistent with the aims and objectives of these instruments. A copy of the environmental planning instruments is provided in Appendix C.

3.5 Objects of the Environmental Planning and Assessment Act 1979

The Minister is required to consider the objects of the EP&A Act when he makes decisions under the Act. These objects are detailed in Section 5 of the Act, and include:

'The objects of this Act are:

- (a) *to encourage:*
 - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*
 - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.'*

With respect to ecologically sustainable development (ESD), the EP&A Act adopts the definition in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD 'requires the effective integration of economic and environmental considerations in decision-making processes' and that ESD 'can be achieved through' the implementation of the principles and programs including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms. In applying the precautionary principle, public decisions should be guided by careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment and an assessment of the risk-weighted consequences of various options.

The Department has fully considered the objects of the EP&A Act, including the encouragement of ESD, in its assessment of the project application. The Department is satisfied that the project is able to be undertaken in a manner that is consistent with the objects of the EP&A Act.

3.6 Statement of Compliance

Under Section 75I of the EP&A Act, the Director-General's report is required to include a statement relating to compliance with the environmental assessment requirements with respect to the project.

The Department is satisfied that the environmental assessment requirements have been complied with.

4. CONSULTATION

The Department exhibited the environmental assessment of the project from Wednesday 10 February until Monday 15 March 2010.

During the exhibition period, the Department received a total of 9 submissions on the project:

- 6 from public authorities; and
- 3 submissions from the general public.

A summary of the issues raised in submissions is provided below. A full copy of these submissions is attached in Appendix E.

4.1 Public Authorities

The **Department of Environment, Climate Change and Water** (DECCW) did not object to the project. Based on the information provided in the EA, the DECCW advised an environmental protection licence (EPL) would not be required and it would be unlikely they would be involved in the future regulation of the site. However, DECCW noted that the EA did not provide any details about the quantity of prescribed waste to be stored at the premises. An EPL is required under the POEO Act for the category 'Printing, packaging, and visual communications' when more than 5 tonnes of prescribed waste is stored on a premises at any time.

Penrith City Council (Council) did not object to the project. However, in their submission concerns were raised in regard to the exclusion of the adjoining property (Lot 63 DP 1090695) from the project, WSEA SEPP contributions, parking provisions, noise, hazards and drainage.

Integral Energy did not object to the project and advised that the Proponent has been provided with Integral Energy's *Easement Management Guidelines*.

TransGrid did not object to the project provided that the Proponent provides ongoing means, to TransGrid plant and personnel, to access to TransGrid's assets through the project site.

The **Roads and Traffic Authority** (RTA) and Sydney Regional Development Advisory Committee (SRDAC) raised no objection to the project. However, the RTA recommended a number of conditions be included in the consent should the project be approved. These conditions related to: contribution schemes for the extension of Lenore Lane, the provision of bicycle parking and associated facilities, and access for B-doubles.

Sydney Water (SW) requested the Department advise the Proponent to obtain a Section 73 Certificate. Once the Proponent applies for the certificate, Sydney Water would specify any works required as a result of the development and assess if amplification and/or changes to the system are applicable.

4.2 General Public

Three submissions were received from the community. No specific objections were received; however, issues were raised in relation to noise, property value, traffic and transport, visual screening and amenity, and hazards.

4.3 Response to Submissions

The Proponent has provided a response to the issues raised in submissions (see Appendix F). The response to submissions was made publically available on the Department's website.

The Department has considered the issues raised in submissions, and the Proponent's response to these issues, in its assessment of the project.

5. ASSESSMENT

In assessing the merits of the project, the Department has considered:

- the environmental assessment, submissions and response to submissions on the project (see Appendices D to F);
- the relevant environmental planning instruments, guidelines and policies;
- the objects of the EP&A Act, including the object to encourage ecologically sustainable development; and
- the relevant statutory requirements of the EP&A Act and Regulation.

The following provides the Department's assessment of the key issues associated with the project. Other issues are summarised in Table 2.

5.1 Noise

Issue

The Project would generate noise and could potentially cause amenity impacts.

Consideration

A noise assessment for the proposal was undertaken for the project in accordance with the Industrial Noise Policy (INP) and considered the potential noise impacts from the proposed operation of the printing facility, in conjunction with the distribution and warehouse facility. This included consideration of the site operating on a twenty-four hour a day basis, typical truck and gas fork lift loading activities, fixed mechanical printing activities and exhaust fans.

The assessment identified that noise from printing activities is likely to be the main contributor to noise from the facility.

The noise assessment concluded that the project would meet the relevant noise criteria for the operation of the facility. However, it also predicted that there would be a marginal exceedance of up to 0.8 dB during night time periods at some receivers under adverse weather conditions.

In order to mitigate noise impacts, the Proponent has proposed a number of measures in the design and operation of the proposal. These include:

- roof and wall cladding of the warehouses;
- use of fast acting roller doors for the warehouse buildings to contain noise from internal operations;
- construction of a 3 metre acoustic wall adjacent to the night drop off zone;
- where practical fixed and mobile plant be fitted with low level or broadband "quacker" reversing alarms; and
- night-time container drop off to Building 2 (Warehouse 2 and 3) be restricted to the specified drop-off area.

Conclusion

While the Department is satisfied with the noise predictions made in the assessment, it is noted that these predicted noise levels relate to printing, warehouse and distribution facilities.

Should the printing component not proceed on the site, then the Department has recommended that a lower limit apply as the warehouse and distribution component would generate less noise. As such, the approval has recommended specific noise limits for the operation of printing activities with warehouse and distribution activities, and noise limits for warehouse and distribution alone.

Notwithstanding, the Department has also recommended a number of conditions to ensure noise impacts are managed. The recommended conditions require the Proponent to:

- undertake a detailed acoustic review of the facility prior to construction (once the final design plans, traffic plans, and equipment specifications have been determined) to demonstrate the projects compliance with the project noise limits. The acoustic review shall be prepared by a qualified acoustic expert to the satisfaction of the Director-General;
- prepare and implement a Noise Management Plan including a noise monitoring program for the project;
- prepare and implement a Transport Code of Conduct for the project that describes the measures to be implemented to minimise the impact of the project on the local and regional road network, including traffic noise;
- conduct a noise impact validation within 3 months of commencement of operations to demonstrate compliance with the project noise criteria; and
- restrict night time drop off and collection to the north-eastern loading dock of Warehouse 2.

The Department is therefore satisfied that noise impacts from the project would be adequately managed.

5.2 Traffic and Access

Issue

The project would generate increased traffic volumes.

Consideration

A detailed traffic assessment considered traffic to be generated by the project, the proposed parking provisions, the suitability of the proposed vehicle access points, internal circulation and servicing arrangement of the project.

Construction traffic

The construction of the project is expected to commence mid 2010 and would be undertaken in stages subject to market demand. Bulk earthworks have been completed on-site in accordance with a development consent issued by Penrith Council. As such, the construction duration would be shorter than normal and the traffic generation would be less than anticipated for such facilities. Construction traffic was not raised as a concern in submissions. The Department agrees that the proposed works are unlikely to generate significant impacts on the public road network due to the fact that the majority of traffic-intensive site works have already been completed and the construction of the warehouse components would be staged. Further, the Proponent has committed to preparing a Construction Management Plan which would include protocols to ensure that construction traffic is adequately managed.

The Department considers that the proposed works are unlikely to generate significant impacts on the public road network.

Operational Traffic

The proposed project is anticipated to generate approximately 482 car movements (241 inbound, 241 outbound) and 138 heavy vehicle movements (69 inbound, 69 outbound) per day. This equates to a total of 620 vehicle movements each day for the site.

The delivery, dispatch and servicing movements would involve a range of vehicle types including B-doubles, semi-trailers and large/medium rigid vehicles. The peak traffic activity is anticipated to occur between 2pm and 3pm when shift change occurs within the printing facility. Much of the traffic generated would occur outside of the typical road network AM and PM peak.

The projected peak vehicle movements generated by the project would comprise around 6 to 7 truck movements per hour and is considered to be relatively minor.

The volume of traffic generated by the project was not raised as a concern in any agency submissions and the Department is satisfied that the existing and proposed road network would have sufficient capacity to accommodate this traffic in addition to other regional traffic. Lenore Lane has been upgraded to accommodate the existing and projected traffic generated in the Erskine Park Employment Area (EPEA). It consists of a 4-lane carriageway with a future provision for 6 lanes. In addition, the proposed project is consistent with other industrial uses (being warehouse, distribution and industrial developments) in the EPEA and therefore traffic is not considered an issue. Notwithstanding, the recommended conditions of approval require the Proponent to make payments to Council for the upgrade and maintenance of the regional road network in accordance with Council's Erskine Park Employment Area Development Contributions Plan.

Parking allocation

Building 1 (warehouse 1) would include 24 parking spaces and 8 loading docks. Building 2 (warehouse 2 and 3) would include a total of 221 parking spaces and 24 loading docs. This equates to a combined total of 245 parking spaces for the proposed project. Bicycle parking and associated facilities would also be provided on-site. While the proposed parking allocation is substantially less than required under the Penrith DCP 2006, it is substantially greater than the rate stipulated in the RTA Guidelines.

Both Council and the Department consider the parking provision adequate.

Internal circulation

The primary access leading to Building 2 (warehouse units 2 and 3) would require shared use by cars and delivery vehicles. However, the width of this roadway, being over 10 metres, in conjunction with the straight alignment provides a suitable arrangement not dissimilar to a road situation. All manoeuvring relating to the loading docks and parking spaces would occur in separate areas with no impact on vehicles travelling along the access road.

An assessment of the swept paths for the largest vehicle accessing the site was undertaken for the project which demonstrated that 25-metre B-Double vehicles can maneuver throughout the loading areas and that they are in accordance with current design standards. A vehicle turning area, designed to accommodate vehicles up to 19 metres in length, would be constructed in the north-western corner of the site to allow for waste removal trucks.

The Department considers the internal traffic circulation and access arrangements to be suitable for the site.

Conclusion

Given that bulk earthworks have already been completed in accordance with a development consent issued by Penrith Council, construction traffic is unlikely to generate significant impacts on the public road network as the construction duration would be shorter than normal and the traffic generation would be less than anticipated for such facilities.

In regard to operational traffic, the project is located within a large employment area with access roads designed to accommodate such facilities. While the project would result in additional traffic, the Department believes the level of service of the road network would not be compromised and the existing infrastructure would have sufficient capacity to accommodate this traffic in addition to other regional traffic.

Further, adequate provision has been made to ensure access and traffic issues within the site have been addressed.

Notwithstanding the above and the Proponent's commitments, the Department has included a number of conditions to ensure any potential traffic impacts would be adequately mitigated and managed to an acceptable level. These conditions require the Proponent to:

- ensure that the internal road network and car parking areas are designed, constructed and maintained in accordance with the latest versions of the Australian Standards;

- ensure all parking generated by the project is accommodated on site and the project does not result in any vehicles queuing on the public road network;
- restrict use of the turning area in the north-western corner of the site to vehicles and semi-trailers up to 19 metres in length;
- prepare an operational management plan that includes measure to manage traffic impacts from the project; and
- prepare and implement a Transport Code of Conduct that describes the measures to be implemented to minimise the impact of the project on the local and regional road network, including traffic noise.

5.3 Landscape and Visual Amenity

Issue

The project would impact on the visual amenity of the area and the residents adjacent the northern boundary beyond the transmission line easement.

Consideration

The site is located on the boundary of an industrial precinct and residential area. Industrial developments are located to the south and west of the site. There are also two easements at the rear of the site, one for TransGrid's transmission lines and one for Integral Energy's power lines. The easements occupy approximately 3 hectares of the site, leaving 10.52 hectares of developable land. The closest residential properties are approximately 180 metres to the north beyond the easements at Erskine Park (see Figure 4). These residences have significant views to the Erskine Park industrial precinct with existing views dominated by the overhead power lines as well as the existing industrial buildings (including Corporate Express and Strandbags).



Figure 4: Subject site in its local context

PacLib Group undertook an assessment of the visual impacts of the project and prepared a Landscape Design Report and Landscape Concept Plan. The Assessment concluded that the proposed project would be consistent with the desired future character of the industrial area, as reflected in the Penrith DEC 2006, and would not significantly impact on the visual qualities of the area.

The proposed development has included a number of design features to mitigate the visual impact of the development including:

- building setbacks that comply with the Penrith DCP 2006 standards, including a 20 metre setback from Lenore Lane;
- vegetation within the existing transmission line easement buffer between the proposed warehouses and residential properties to the north (tree heights up to 10 metres on the outer 3 metres of the easement area);

- hardstand and loading bay areas situated at the sides of the proposed warehouses and therefore are not facing Lenore Lane or the residential properties to the north;
- different sized building pads and heights with the smaller building fronting Lenore Lane breaking up the bulk of the warehouse structures and giving the visual impression of a smaller industrial scale;
- site coverage of 47.8% which is below the Erskine Park Business Area DCP 2006 development standard of 50%.
- landscaping on all sides of the proposed warehouses to shield from adjacent visual receivers and incorporating:
 - plantings of approximately 4 metres in height along the northern boundary of the site;
 - a planted basin within the setback zone to integrate the bioswale along the Lenore Lane frontage;
 - shade tree planting and landscaping of carpark areas and staff outdoor spaces;
 - native shrub and grass plantings along the western allotment boundary; and
 - native buffer tree plantings along the eastern allotment boundary and the north-eastern corner.

Conclusion

The landscape concept plan was refined by the Proponent to address concerns raised by the Department and in public submissions with regard to visual amenity. Specifically, the amendments increase screen planting at the rear of the site adjacent to warehouse 3 and require the Proponent to investigate the opportunity to plant within 3 metres from the rear of the residential properties within the transmission easement. At the request of the Department, the Proponent entered into discussions with TransGrid, who have agreed to allow planting within the transmission easement.

The Department considers that visual impacts of the development have been adequately addressed by the Proponent. The architectural design of the proposed facilities is consistent with that of an industrial precinct and ultimately the future development and desired character of the industrial area.

Further, the Department considers that the Proponent has responded to Council's request to present an attractive landscape scheme that enhances the surrounding streetscape.

Notwithstanding the above and the Proponent's commitments, the Department has included a number of conditions to ensure that potential visual impacts would be adequately mitigated and managed to an acceptable level. These conditions require the Proponent to:

- undertake landscaping in accordance with the EA, Landscape Design Report and Landscape Concept Drawings prepared by Environmental Partnership;
- ensure that planting within the transmission easement to the north of the site is undertaken with the approval of TransGrid;
- ensure that the landscaping, fencing and signage on site do not impede the sight lines of any road users, including pedestrians and cyclists; and
- ensure that all the lighting installed on the site is in accordance with the latest version of Australian Standard AS 4282(INT)- 2007-Control of Obtrusive Effects of Outdoor Lighting and is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

5.4 Summary of Other Impacts

Table 2: Consideration of Other Issues

Issue	Potential Impacts/Consideration	Recommendation
<i>Building Height</i>	<ul style="list-style-type: none"> ▪ The maximum building height permitted in the 4(e1) zone is 12 metres. ▪ The Proponent is proposing that building 1 (warehouse 1) incorporates a ridge height of 12.06 metres and building 2 (warehouse 2 & 3) incorporates a ridge height of 12.98 metres. ▪ Council raised no objection to the proposed building heights and the Proponent has justified the departure to the building height development 	No specific conditions are recommended.

	<ul style="list-style-type: none"> control. The Department is satisfied that the visual impacts from the increased ridge height are negligible when considered with the proposed landscaping and in the context of the character of the industrial area. 	
<i>Business Identification Signage</i>	<ul style="list-style-type: none"> The project includes an estate sign (3000mm x 1250mm) to be located at the entrance of the site, and two business identification signs ('Cameron Interstate' and 'PBL Media'). Directional signage is also proposed. The Department considers that insufficient detail has been provided to make an informed assessment of the proposed signage. 	<p>Recommended conditions require the Proponent to:</p> <ul style="list-style-type: none"> not install any signage or fencing on site without the written approval of the Director-General; and submit detailed plans to the Director-General, of the proposed signage or fencing following consultation with Council.
<i>Stormwater Management</i>	<ul style="list-style-type: none"> A Stormwater Management Plan & Strategy prepared by S&G Consultants was submitted as part of the EA for the project. The Plan was prepared in accordance with Part C of the Penrith DCP 2006 which outlines requirements for water management. The Strategy provides for: <ul style="list-style-type: none"> an on-site detention system capable of reducing the discharge from the site to pre-development conditions, roof runoff to be separated from the surface runoff a 100,000 L capacity rainwater reuse tank; gross pollutant traps; and a bio-retention swale within the landscaped setback fronting Lenore Lane. Council has agreed to the location of the proposed drainage basin. The Department considers the stormwater design to be adequate and is satisfied that impacts from stormwater can be adequately managed through the proposed Stormwater Management Scheme. Notwithstanding, the Department recommends a final Stormwater and Drainage Management Plan be prepared in consultation with Council and submitted to the Department for approval prior to commencement of construction. 	<p>Recommended conditions require the Proponent to:</p> <ul style="list-style-type: none"> submit a final Stormwater and Drainage Management Plan, prepared in consultation with Council, to the Department for approval prior to commencement of construction
<i>Waste</i>	<ul style="list-style-type: none"> A Waste Management Plan was submitted as part of the EA. This plan nominates the storage and collection of wastes and recyclables and ensures adequate storage areas on site. Due to the nature of the operations, there would be a large amount of waste paper produced. This would be pelletised and collected daily. Reverse osmosis treated water would be produced on site from town water supply. It is anticipated that 3,125 litres of treated water would be required for the printing process (cooling) per hour if all machines are operational. Of this quantity, 625 litres/hour would be bled off and used as grey water and for onsite irrigation. The Department is satisfied that the amount of waste produced by the proposed facility can be reduced and managed to an acceptable level. 	<p>Recommended conditions require the Proponent to:</p> <ul style="list-style-type: none"> implement all reasonable and feasible measures to minimise the waste generated by the project; ensure that all waste generated by the project during construction and operation is classified in accordance with the DECCW's Waste Classification Guidelines 2008; prepare and implement an Operational Waste Management Plan for each of the warehouse units; and discharge all wastewater generated by the project, including treated wastewater, to sewer in accordance with a trade waste agreement with Sydney Water.

Exclusion of the adjoining property (Lot 63 DP 1090695) from the project	<ul style="list-style-type: none"> ▪ Council has advised that it is not in favour of the exclusion of Lot 63 DP 1090695 (the property adjoining the south-west corner of the site) from the proposed development site. The proposed development would isolate the site and would not represent sound planning principles with respect to the promotion and co-ordination of the orderly and economic use and development of the land. Further, the external architectural merit of the proposed development to Lenore Lane would be diminished by the exclusion of this parcel of land. ▪ The Proponent has indicated a preference to amalgamate this property with the subject site however, it is not possible to force a landholder to sell their property. ▪ The Department considers the amalgamation to be unfeasible at this point in time. However, the Proponent should give further consideration to the purchase of this Lot when it becomes available. 	No specific conditions are recommended.
<i>Air Quality</i>	<ul style="list-style-type: none"> ▪ The printing processes have the potential to produce dust and emit Volatile Organic Compounds (VOC) into the atmosphere. ▪ The results of the assessment demonstrated that the proposed facilities would operate within the concentration limits defined in the <i>Protection of the Environment Operations</i> (Clean Air) Regulation. Further, that the printing industry contributes very low if not negligible concentrations of air pollutants. ▪ The Proponent has committed to the implementation of safeguards to mitigate air quality impacts from the project. These include: <ul style="list-style-type: none"> – undertaking routine housekeeping to mitigate dust; – maintaining the dryer burners; – maintaining the ventilation louvers; – ensuring stack heights of the dryers are 5m above the apex of the building and have a stack discharge velocity of 15m/sec. ▪ The Department is satisfied that the potential emissions from the proposed facility can be adequately mitigated through the implementation of the Proponents safeguards. 	<p>Recommended conditions require the Proponent to:</p> <ul style="list-style-type: none"> ▪ construct, operate and maintain the project in a manner that prevents and/or minimises dust emissions from the site.
<i>Infrastructure & Contributions</i>	<ul style="list-style-type: none"> ▪ The Department is satisfied that the existing utilities and services available to the site have adequate capacity to service the project. ▪ Under the S94 contributions plan for the area the Proponent is required to pay \$2,096,995.00. This includes contributions towards Lenore Lane, which would ultimately form part of the regional road network. ▪ As the S94 payment equates to approximately \$200,000.00/ha, the Department considers that no additional payment for regional infrastructure is required. 	<p>Recommended conditions require the Proponent to:</p> <ul style="list-style-type: none"> ▪ pay Council \$2,096,995.00 in accordance with the Erskine Park Employment Area Development Contributions Plan
<i>Greenhouse Gas</i>	<ul style="list-style-type: none"> ▪ A Greenhouse Gas Report was prepared to address energy production and consumption of the proposed printing, warehouse and distribution facilities. ▪ Based on greenhouse gas (GHG) calculations presented in the report, the facility would exceed the threshold under the <i>National Greenhouse and Energy Reporting Act</i> (NGER Act) and the Proponent would be required to report annual Scope 1 and Scope 2 GHG emissions and energy use. ▪ The Proponent has committed to the implementation of a GHG Action Plan at the facility 	<p>Recommended conditions require the Proponent to:</p> <ul style="list-style-type: none"> ▪ prepare and implement a Greenhouse Gas (GHG) Action Plan for the project to the satisfaction of the Director-General

	<p>which would include:</p> <ul style="list-style-type: none"> - verification of the Base Year GHG Inventory; - annual reporting of GHG emissions; and - the identification of activities to reduce GHG emissions. <p>▪ The Department recommends this commitment be included as a condition of approval.</p>	
<i>Hazards</i>	<p>▪ A preliminary hazards assessment (PHA) was undertaken for the proposed printing, warehouse and distribution facilities.</p> <p>▪ The PHA summarised the proposed inventory of the dangerous goods and compares the total storage quantity against the storage screening threshold of SEPP 33. The quantities of the proposed dangerous goods were shown to fall below the threshold screening quantity.</p> <p>▪ The Proponent has committed to the implementation of hazardous zones for equipment and areas where flammable liquids are stored. Further, the Proponent has committed to isolate the ink tank farm from the building by either fire rated walls or separation distances in accordance with Australian Standards, and to submit a fire safety study for the project prior to occupation.</p> <p>▪ Based on the information provided, the Department agrees with the outcome of the PHA. Since the proposed development is not hazardous and the Proponent has committed to additional measures to further reduce the likely occurrence of risks in the design of the project, no hazards related conditions are recommended.</p>	No specific conditions are recommended.

The Department has assessed the project, in accordance with the requirements of Clause 8B of the *Environmental Planning and Assessment Regulation 2000*, and considers that all potential impacts of the project can be suitably managed to ensure an acceptable level of environmental performance.

6. RECOMMENDED CONDITIONS

The Department has prepared recommended conditions of approval for the project (see Appendix B) and summarised these conditions in Appendix A. These conditions are required to:

- prevent, minimise, and/or offset adverse impacts of the project;
- set standards and performance measures for acceptable environmental performance;
- ensure regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.

The Department consulted with Council regarding the draft conditions of approval for the project. Council advised that they were satisfied with the conditions as they require the Proponent to consult with Council prior to the finalisation of the various management plans and the construction of various components of works. Further, Council confirmed the amount payable by the Proponent under the Erskine Business Park Development Contributions Plan 2008.

The Proponent has reviewed and accepts the recommended conditions.

7. CONCLUSION

The Department has assessed the EA, submissions, and the Proponent's response to submissions, in accordance with the requirements of the EP&A Act, and is satisfied that the impacts of the project would be relatively minor and can be mitigated and/or managed to ensure an acceptable level of environmental performance.

It has also found that that the project would provide a range of economic, social and environmental benefits, including the creation of 80-100 construction jobs and approximately 180 operational jobs in the Western Sydney Region, and injecting additional capital investment into Erskine Park.

Consequently, the Department believes that the project is in the public interest and should be approved, subject to conditions.

8. RECOMMENDATION

It is RECOMMENDED that the Deputy Director-General:

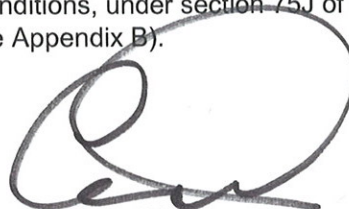
- consider the findings and recommendations of this report;
- approve the project application, subject to conditions, under section 75J of the EP&A Act; and
- sign the attached instrument of approval (see Appendix B).


Chris Ritchie
Manager Industry

5/7/10.


Richard Pearson
Deputy Director-General

12/7/10



Chris Wilson
Executive Director

5.7.10

APPENDIX A: SUMMARY OF CONDITIONS OF APPROVAL

Aspect	Condition	Requirement
Schedule 2: Administrative Conditions		
<i>Limits of Approval</i>	5	approval relates to the establishment of the Printing, Warehouse and Distribution Facilities, as described in the EA
	6	approval shall lapse within 5 years if the Proponent does not physically commence the proposed development
<i>Section 94 Contributions</i>	10	pay Council funds required for road and drainage works in the Erskine Park Employment Area in accordance the Section 94 Plan
Schedule 3: Specific Environmental Conditions		
<i>Traffic & Access</i>	1	provide TransGrid and Integral Energy with ongoing access to their assets
	3	restrict night drop off and collection to the north-eastern loading dock of Warehouse 2
	3	restrict use of the turning area in the north-western corner of the site to vehicles and semi-trailers up to 19 metres in length
	4	internal road network and car parking areas to be designed, constructed and maintained in accordance with Australian Standards
<i>Soils and Water</i>	6	implement suitable erosion and sediment control measures on site during construction
	7	comply with Section 120 of the Protection of the Environment Operations Act 1997
	8	discharge all wastewater generated by the project to sewer in accordance with a Section 73 Certificate obtained from Sydney Water
	9	store all liquid chemicals, fuels and oils in appropriately bunded areas
<i>Noise</i>	10	prepare and implement a Stormwater and Drainage Management Plan
	11 and 12	project specific construction and operation hours and noise limits
	13	undertake an acoustic review of the facility prior to construction to demonstrate the projects compliance with the project noise limits
	14	prepare and implement a Noise Management Plan including a monitoring program and Transport Code of Conduct
	15	conduct a noise impact validation within 3 months of commencement of operations
<i>Visual Amenity</i>	16	undertake architectural design of the facilities in accordance with the Architectural Design Drawings prepared by PacLib Industrial Pty Ltd
	17	undertake landscaping in accordance with the Landscape Design Report and Landscape Concept Drawings prepared by Environmental Partnership (NSW)
	20	submit detailed plans of the proposed signage or fencing for approval prior to construction
<i>Waste</i>	23	ensure that all waste is managed in accordance with the Waste Management Plan for Printing, Warehouse and Distribution Facilities, dated July 2010
	24	prepare and implement Operational Waste Management Plan for each of the warehouse units
<i>Greenhouse Gas</i>	25	implement all reasonable and feasible measures to minimise energy use
	26	prepare and implement a Greenhouse Gas (GHG) Action Plan for the project
Schedule 4: Environmental Management, Monitoring Auditing and Reporting		
<i>Environ. Management</i>	1	prepare and implement an Environmental Management Strategy for the project
	2	prepare and implement an Operational Management Plan for the project
<i>Environ Reporting</i>	6	within 24 hours of detecting an exceedance/incident notify the Department and relevant authorities
	7	one year after the commencement of operations, and annually thereafter, the Proponent must review the environmental performance of the project.
	8	within 1 year of the commencement of operations, and every 3 years thereafter, the Proponent must commission and pay the full cost of an Independent Environmental Audit of the project

APPENDIX B: CONDITIONS OF APPROVAL

APPENDIX C: CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

APPENDIX D: ENVIRONMENTAL ASSESSMENT

APPENDIX E: SUBMISSIONS

APPENDIX F: PROPONENT'S RESPONSE TO SUBMISSIONS
