

Brendan Liew - Modification Application - 08_0016 Mod 1

From: Wood Peter <PWood@penrithcity.nsw.gov.au>
To: "brendan.liew@planning.nsw.gov.au" <brendan.liew@planning.nsw.gov.au>
Date: 2/6/2013 5:02 PM
Subject: Modification Application - 08_0016 Mod 1
CC: Craig Robert <rcraig@penrithcity.nsw.gov.au>, Fulton Carlie <cfulton@penrithcity.nsw.gov.au>, Veron Alison <averon@penrithcity.nsw.gov.au>

Our Ref: IMS3838186

Dear Brendan,

Re: Modification of Application for Printing Warehouse and Distribution Facilities at 133-145 Lenore Drive Erskine Park

Thankyou for the opportunity to comment on this proposal. We have reviewed the documentation submitted and provide the following comments for the Department's consideration in determining the proposal:

- *Application Type* - Apart from Warehouse 1, the proposal represents a totally new development in terms of land use and built forms which should not be construed as a modification to the existing approval. Any reasonable assessment of the changes from a qualitative and quantitative analysis could not conclude that the proposal represents substantially the same development. No aspect of the built form, site configuration or land uses proposed are the same as that originally approved. The proposal should be the subject of a new development application.
- *Site Configuration* - The new proposal presents a poorer outcome in terms of presentation and setbacks to the northern and western boundaries. BCA compliance and NSW firebrigade acceptance of the reduced setback of the building to the western boundary, which appears to limit perimeter access, should be confirmed. The location of loading/unloading docks on the northern boundary presents concerns regarding acoustic impacts, visual amenity and lighting impacts on residents adjoining to the north.
- *Acoustic Impacts* – Further to the above point, it is noted that the proposal results in a slight exceedance of the noise criteria established for the development. The Acoustic Report recommends that the development of a site Operational Noise Management Plan will manage this exceedance. Council has historically received a number of complaints from residents regarding noise from the Erskine Park Industrial Estate. In turn, it is requested that the Department consider the acoustic impacts of the development and incorporate the recommendation of the Acoustic Report as a condition of the approval, with further conditions requiring compliance monitoring once the development is operational with any associated documentation to be reviewed by the Department and Council.
- *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* – The modification proposes to increase the amount of Dangerous Goods stored on the premises. On review of the Preliminary Hazard Analysis (PHA) submitted by the applicant, it appears that sufficient mitigation measures will be implemented to ensure that the development will not be hazardous or offensive. In this regard, suitable conditions should be applied to ensure that only those maximum quantities and classes of Dangerous Goods as assessed in the PHA are permitted on the site, and that the recommendations of the PHA are included as a part of the approval (particularly the

development of environmental procedures as per Section 5 and Section 6).

We trust that the Department will duly consider these matters in its determination of the application but recommend that the proposal be the subject of a new Development Application.

Please contact me if you have any questions further to the above.

Regards,

PETER WOOD

DEVELOPMENT ASSESSMENT CO-ORDINATOR

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