

# Project Approval

## Section 75J of the *Environmental Planning and Assessment Act 1979*

Under the Minister for Planning's delegation of 4 March 2009, I approve the project application referred to in Schedule 1, subject to the conditions in Schedule 2 to 4.

These conditions are required to:

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

*SHaddadi*  
Sam Haddad  
Director-General

Sydney *26<sup>th</sup>* *August* 2009

---

### SCHEDULE 1

<b>Application Number:</b>	09_0084
<b>Proponent:</b>	Reckitt Benckiser (Australia) Pty Limited
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	Lot 1 DP 1128233, Building A2, Westpark Industrial Estate, Erskine Park
<b>Project:</b>	Dangerous Goods Warehouse Project

---

## TABLE OF CONTENTS

<b>DEFINITIONS</b>	<b>1</b>
<b>ADMINISTRATIVE CONDITIONS</b>	<b>2</b>
Obligation to Minimise Harm to the Environment	2
Terms of Approval	2
Management Plans	2
Occupational Certificate	2
Operation of Plant and Equipment	2
<b>SPECIFIC ENVIRONMENTAL CONDITIONS</b>	<b>3</b>
Hazards	3
Waste	4
Air	4
Water	4
<b>ENVIRONMENTAL MANAGEMENT REPORTING &amp; AUDITING</b>	<b>5</b>
Environmental Management Strategy	5
Environmental Reporting & Auditing	5
Auditing	5
<b>APPENDIX A: SITE PLANS</b>	<b>6</b>

## DEFINITIONS

BCA	Building Code of Australia
Council	Penrith City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DECCW	Department of Environment, Climate Change and Water (formerly DECC)
Department	Department of Planning
Director-General	Director-General of Department of Planning, or delegate
EA	Environmental Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environmental Protection Licence
Evening	The period from 6pm to 10pm
Minister	Minister for Planning, or delegate
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
OC	Occupational Certificate
Project	The development as described in the EA
Proponent	Reckitt Benckiser (Australia) Pty Ltd, or its successors in title
POEO Act	Protection of the Environment Operations Act 1997
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
RTA	Roads and Traffic Authority
Site	The land referred to in Schedule 1
Statement of Commitments	The Proponent's commitments in the EA

## **SCHEDULE 2 ADMINISTRATIVE CONDITIONS**

### **Obligation to Minimise Harm to the Environment**

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

### **Terms of Approval**

2. The Proponent shall carry out the project generally in accordance with the:
  - a) EA;
  - b) Drawings (Drawing 32870\_014-B dated June 2008 and Drawings 3298\_001-P1 dated 06.07.07);
  - c) Preliminary Hazards Analysis titled *Preliminary Hazard Analysis, Warehouse A2, West Park Industrial Estate*, rev.6, dated 11 June 2009
  - d) statement of commitments; and
  - e) conditions of this approval.
3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
4. The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
  - any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and
  - the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.

### **Management Plans**

5. With the approval of the Director-General, the Proponent may submit any management plan required by this approval on a progressive basis.

### **Occupational Certificate**

6. The Proponent shall obtain an Occupational Certificate prior to the occupation of the facility for the purpose of storing dangerous goods.

### **Operation of Plant and Equipment**

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

### SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

#### HAZARDS

##### Pre-Occupation Certificate

8. At least two months prior to the occupation of the project (associated with storage of dangerous goods), or within such further period as the Director-General may agree, the Proponent shall prepare and submit for the approval of the Director-General the studies set out under subsections 8(a) and (b).
- a) Fire Safety Study  
A Fire Safety Study for the project. This study shall cover the relevant aspects of the Department of Planning's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's 'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'. The study shall also be submitted for approval, to the NSW Fire Brigades.
  - b) Final Hazard Analysis  
A Final Hazard Analysis of the project prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 6, 'Guidelines for Hazard Analysis'.

##### Pre-Commissioning

9. At least two months prior to the commencement of commissioning of the project (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Director-General may agree, the Proponent shall prepare and submit for the approval of the Director General the studies set out under subsections (a) and (b).
- a) Emergency Plan  
A comprehensive Emergency Plan and detailed emergency procedures for the project. This plan shall include detailed procedures for the safety of all people outside of the project who may be at risk from the project. The plan shall be consolidated with the Emergency Plan for the Westpark Industrial Estate. The plan shall be in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1, 'Industry Emergency Planning Guidelines'.
  - b) Safety Management Plan  
A document setting out a comprehensive Safety Management System, covering all on-site operations and associated transport 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 shall be kept on-site and shall be available for inspection by the Director-General upon request. The Safety Management System shall be developed in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.
10. Construction, other than of preliminary works, shall not commence until these plans and systems have been approval by the Director-General and, with respect to the Fire Safety Study, approval has also been given by the Commissioner of the NSW Fire Brigades.

##### Pre-startup compliance report

11. One month prior to the commencement of operation of the project, the Proponent shall submit to the Director-General, a report detailing compliance with conditions 8 and 9, including:
- dates of study/plan/system submission, approval, commencement of construction and commissioning;
  - actions taken or proposed, to implement recommendations made in the studies/plans/systems; and
  - responses to each requirement imposed by the Director-General under conditions 8 and 9.

##### Post-startup

12. Post-startup Compliance Report  
Three months after the commencement of operation of the project, the Proponent shall submit to the Director-General, a report verifying that:
- the Emergency Plan required under condition 9(a) is effectively in place and that at least one emergency exercise has been conducted; and
  - the Safety Management System required under condition 9(b) has been fully implemented and that records required by the system are being kept.

## Ongoing

### 13. Hazard Audit

Twelve months after the commencement of operations of the project or within such further period as the Director-General may agree, the Proponent shall carry out a comprehensive Hazard Audit of the project and within one month of the audit submit a report to the Director-General.

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

The audit shall 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 must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Proponent intends to defer the implementation of a recommendation, justification must be included.

### 14. Further Requirements

The Proponent shall comply with all reasonable requirements of the Director-General in respect of the implementation of any measures arising from the reports submitted in respect of conditions 8 to 14 inclusive, within such time as the Director-General may agree.

## WASTE

15. The Proponent shall ensure that all waste generated on site during operation of the project is classified in accordance with the DECC's *Waste Classification Guidelines: Part 1 Classifying Waste*, and appropriately disposed of to a facility that may lawfully accept the waste.

## AIR

16. The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the *Protection of the Environment Operations Act 1997*.

*Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the Proponent must not cause or permit the emission of any offensive odour from the site, but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.*

17. The Proponent shall carry out reasonable and feasible measures to minimise dust generation by the project.

## WATER

18. Except as may be expressly provided in an EPL for the project, the Proponent shall comply with Section 120 of the POEO Act.

**SCHEDULE 4**  
**ENVIRONMENTAL MANAGEMENT REPORTING & AUDITING**

**ENVIRONMENTAL MANAGEMENT STRATEGY**

19. The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must be submitted to the Director-General prior to carrying out any development on site, and:
- a) provide the strategic context for environmental management of the project;
  - b) identify the statutory requirements that apply to the project;
  - c) describe in general how the environmental performance of the project would be monitored and managed;
  - d) describe the procedures that would be implemented to:
    - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
    - receive, handle, respond to, and record complaints;
    - resolve any disputes that may arise during the course of the project;
    - respond to any non-compliance;
    - manage cumulative impacts; and
    - respond to emergencies; and
  - e) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the project.

**ENVIRONMENTAL REPORTING & AUDITING**

**Incidents**

20. Within 24 hours of detecting an exceedance of the limits/performance criteria in this approval or the occurrence of an incident with actual or potential significant on-site or off-site impacts, the Proponent shall notify the Department and other relevant agencies of the exceedance/incident.
21. Within 6 days of notifying the Department and other relevant agencies of an exceedance/incident, the Proponent shall provide the Department and these agencies with a written report that:
- describes the date, time, and nature of the exceedance/incident;
  - identifies the cause (or likely cause) of the exceedance/incident;
  - describes what action has been taken to date; and
  - describes the proposed measures to address the exceedance/incident.

The Proponent shall maintain a register of accidents, incidents and potential incidents. The register shall be made available for inspection at any time by an Auditor and/or the Director-General.

**AUDITING**

22. Within 12 months of the commencement of operations, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project.

## **APPENDIX 1 - Site Plans**

---





site area (transmission easement) (conservation area)	38.84 Ha (14.16 Ha) (5.90 Ha)
developable area	17.07 Ha
proposed for whole of the site	1.0:26.5
proposed for developable area	1.0:62
total landscape area	22.76 Ha

	a	b	c	total
building				
warehouse	34762	29787	37900	102449
office	1000	1500	1280	3780
cfe	-	-	180	180
Total	35762	31287	39360	106409

building	a	b	c	total
Hardstand	8825	8189	11475	28489

building	a	b	c	total
basement workhouse and 100 meters DCU	347	298	379	
office space Estate Park DCU	25	38	32	
cafeteria 10 spaces + 1 space/20m2 red floor space Estate Park DCU	-	-	20	
Total Required (Excluded from DCU)	372	336	431	1139

building	a	b	c	total
workshops (grn. buildings)	116	100	126	
office per 400 sq. m grn. buildings	4	38	32	
cdfe 10000 sq. m 10000 sq. m small floor space grn. buildings (excl. test. D2)	-	-	20	
Total Required (grn. buildings)	120	138	178	436
Total Provided	221	218	224	663





1

2

3

4

5

6

7

8

9

10

11

12

DIMENSIONS IN MILLIMETRES

A22 A21 A20 A19 A18 A17 A16 A15 A14 A13 A12

NOTE: ALL FIT-OUT COMPONENT WORKS ARE TO BE PLANNED IN SUCH A WAY TO ALLOW MAKE GOOD OF FACILITY EASILY.

REV	DATE	AMENDMENTS	CHECKED
B	22.01.09	REVISED DG AREA SURROUND	PA
C	26.01.09	ADDED ELEVATIONS, BAYS REVISED TO 27130/E	PA

PROJECT

WESTPARK WAREHOUSE

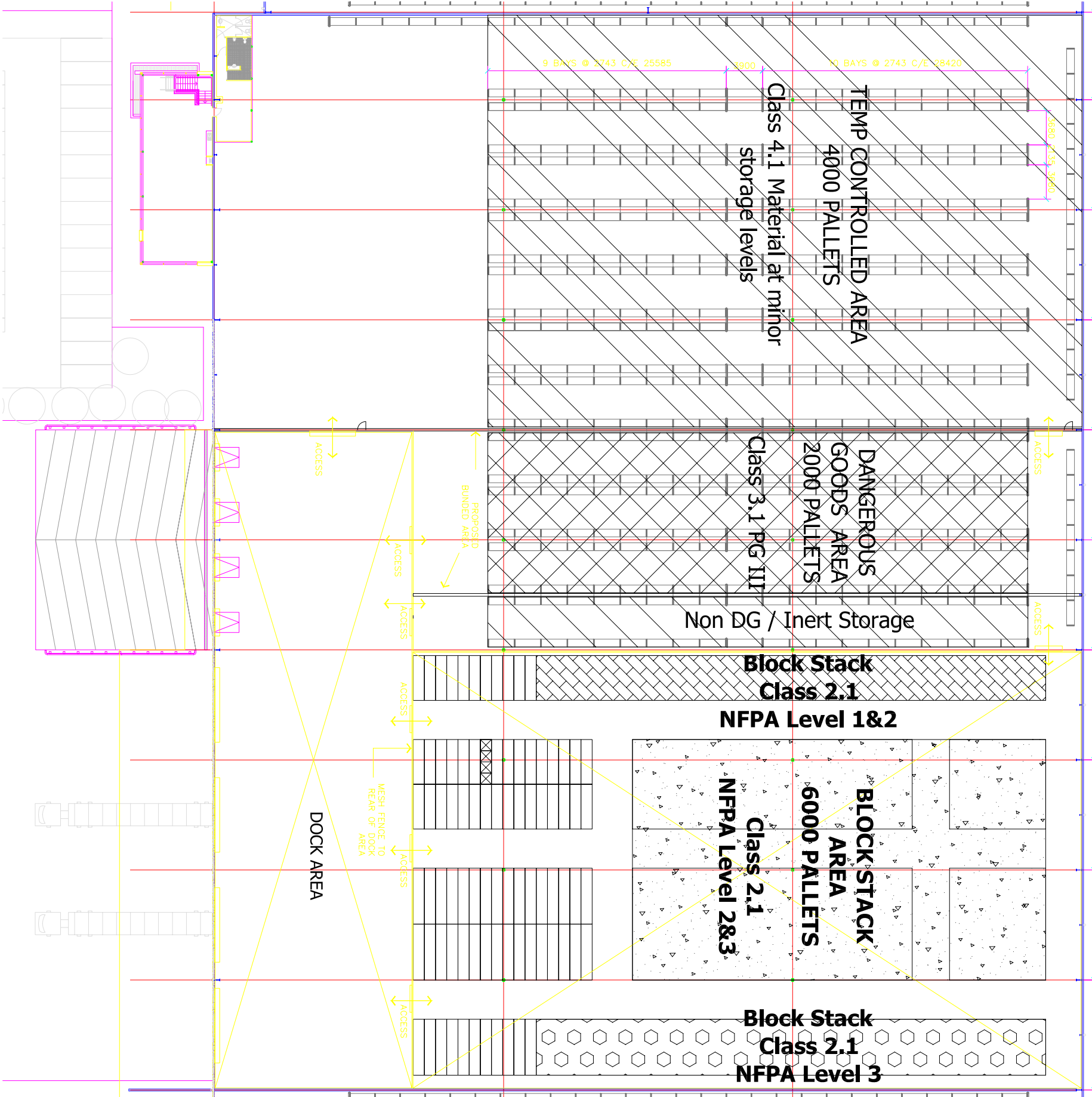
CLIENT

RECKITT BENCKEISER

CONSULTANT



MOORE CONSULTING & ENGINEERING  
UNIT B9, PARKVIEW BUSINESS CENTRE, 11 MALLAND PLACE,  
BAULKHAM HILLS NSW 2154.  
T: (02) 9894 4551  
F: (02) 9894 1318



PLAN - WAREHOUSE LAYOUT

DRAWING STATUS			
PRELIMINARY			
DRAWING TITLE			
WESTPARK WAREHOUSE LAYOUT			
SCALE	DRAWN BY	PA	DATE FIRST CREATED
NTS @ A3	PA		21.01.2009
PROJECT No.	DWG No.	REV	
8056	LAY-HAZ-008	C	