



## **Modification to State Significant Development SSD-4953**

**Dangerous Goods Storage Facility  
23-107 Erskine Park Road, Erskine Park NSW 2759  
(Lot 1 DP 1128233)**



**November 2012**

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## EXECUTIVE SUMMARY

McKenzie Group Consulting Planning (NSW) Pty Ltd has been engaged by Goodman Property Services (Aust) Pty Ltd to prepare this modification to SSD 4953 to enable 24-hour operations of the DHL Dangerous Goods Warehouse and Distribution Development at 23-107 Erskine Park Road, Erskine Park NSW.

Development Consent SSD 4953 was issued by the Department of Planning and Infrastructure on 21 May 2012. The Consent provided for the use of Warehouse B1 at Westpark Industrial Estate as a warehouse and distribution centre for dangerous goods, comprising 20,000sqm warehouse storage and 650sqm office. The development includes 18 loading docks.

The proposed modification to the Development Consent seek an increase in the approved hours of operation (current approved hours are 6:00am to 10:00pm, seven days per week) to enable 24-hour operations, seven days per week.

This modification is supported by an acoustic report and remains substantially the same development as that approved under SSD 4953 as it will:

- continue to be operated by DHL for the approved purpose of warehousing and distribution
- not alter the approved building, landscaping, or parking/access design
- not alter the type or quantity of goods to be stored or handled on site;
- not result in any significant environmental impact; and
- maintain consistency with the approved relevant planning provisions.

It is requested that favourable consideration is given to the proposed extended hours of operation.



## PART A PRELIMINARY

### 1.1 INTRODUCTION AND BACKGROUND

McKenzie Group Consulting Planning (NSW) Pty Ltd has been engaged by Goodman Property Services (Aust) Pty Ltd to prepare this modification to SSD 4953 to enable 24-hour operations of the DHL Dangerous Goods Warehouse and Distribution Development at 23-107 Erskine Park Road, Erskine Park NSW.

The site is owned by Goodman Industrial Funds Management Ltd (Goodman) and is leased to, and operated by, DHL Supply Chain (Australia) Pty Ltd. The operations include storage and handling of goods including aerosol cans, acidic solids, acidic liquids and alkali liquids. Other non-dangerous goods and materials are also stored on the site including household cleaning agents, dishwashing detergent, laundry powder and disinfectants. Products will be packaged for retail sale (no manufacturing occurs on-site).

This modification report describes the site and proposed development, provides relevant background information and responds to the DGR's and assesses the proposed development in terms of the relevant matters set out in relevant legislation, environmental planning instruments and planning policies.

The structure of the report is as follows:

- Part A Preliminary
- Part B Site Analysis
- Part C Proposed Modification
- Part D Legislative and Policy Framework
- Part E Consultation
- Part F Environmental Risk Assessment
- Part G Statement of Commitments
- Part H Conclusion

### 1.2 BACKGROUND

The quantity of materials stored and handled on the site trigger the definition of a Major Hazard Facility within the meaning of Chapter 6B of the *Occupational Health and Safety Regulation 2001*. As such, the proposal constitutes State Significant Development (SSD) under *State Environmental Planning Policy (State and Regional Development) 2011*.

A Request for Director Generals Requirements (DGRs) was submitted to the New South Wales Department of Planning and Infrastructure (DoPI) on 06 October 2011. DGRs were issued on 03 November 2011 and an Environmental Impact Statement (EIS) was submitted for assessment on 24 November 2011.

The EIS was placed on public exhibition between 12 December 2011 and 31 January 2012. Submissions received during the exhibition period were subsequently reviewed and a Response to Submissions report was issued to DoPI on 23 March 2012. Following consideration of the project documentation and submissions, Development Consent was issued on 21 May 2012. A copy of the Development Consent is annexed as **Appendix 1**.

The Development Consent permits the use of existing Warehouse B1 for the storage and handling of dangerous goods (aerosols cans, acidic solids, acidic liquids and alkali liquids). Fit-out works associated with the storage requirements of these goods was also approved.

Warehouse B1 will comprise 20,000m<sup>2</sup> of warehouse storage and 650sqm of office space. The office is located on the ground floor at the south-western end of the building and will contain meeting rooms and amenities. The facility will also comprise 18 loading docks. These features of the base building were previously approved by Penrith City Council under DA 11/0302.



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The approved hours of operation are 6am to 10pm, seven (7) days per week.

Specific activities to be conducted at Warehouse B1 will include:

- unloading and receipt of finished goods via trucks and shipping containers;
- management of inventory in a racked and block stacked environment;
- storage of goods;
- order fulfilment including picking and packing of finished orders to customers;
- loading of transport vehicles;
- management of product returns;
- inspection of goods for QA purposes;
- product embellishment (e.g. stickering, neck-hangers, custom packs assembly, etc).

No manufacturing of products would occur within, or in areas surrounding Building B1. There is no decanting, filling or mixing of products to be undertaken on site.

No retailing is to occur on the site. All products will be delivered to customers for re-sale in stores, off-site.

The quantities of dangerous goods that would be stored exceeds the criteria for a Major Hazard Facility under the definitions the Occupational Health and Safety Regulation 2001, and as such, is classified as a State Significant Development under Schedule 1, Clause 10(3) of State Environmental Planning Policy (State and Regional Development) 2011.

The warehouse will store other (non-dangerous) materials in Warehouse B1, including:

- Household cleaning agents
- Dishwashing detergent
- Laundry powder
- Disinfectants
- Pharmaceutical Products; and
- Consumer Health and Personal Care Products.

Approved vehicular access to the site is from an internal road within the estate which connects to Erskine Park Road. No change to this arrangement was sought.

A total of 41 parking spaces have been approved for Warehouse B1. No change to this arrangement was proposed.





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### **1.3 DHL SUPPLY CHAIN (AUSTRALIA) PTY LTD**

DHL Supply Chain (Australia) Pty Ltd is Part of Deutsche Post DHL (DHL) which offers integrated services and tailored, customer-focused solutions for managing and transporting letters, goods and information.

Since its founding in San Francisco in 1969, DHL has continued to expand to become the global market leader of the international express and logistics industry. Today, DHL's international network links more than 220 countries and territories worldwide. DHL also offers unparalleled expertise in express, air and ocean freight, overland transport, contract logistics solutions as well as international mail services. Services were introduced to Australia in 1972.

DHL comprises four divisions:

1. Express Division
2. Global Forwarding, Freight Division
3. Supply Chain Division
4. Global Mail Division

This application relates to DHL's Supply Chain Division which designs and implements customised supply chain and corporate information solutions for market leaders across more than 50 countries. Warehouses and distribution centres are an integral part of the forward supply chain solutions provided through this Division.

DHL Supply Chain's finished goods warehouse services include:

- Customised warehouse/distribution centre design and consultancy
- Shared-user or dedicated operations
- Ambient, chilled, frozen and composite operations
- Customs/bonded warehousing
- Rail-connected warehousing
- Automation and auto-sortation systems
- Cross-docking
- Provision of IT solutions (e.g. WMS and interfacing)
- Inventory management and optimization
- Receipt and put-away
- Bar-coding, RFID tagging and labelling
- Storage
- Picking (unit, case and pallet), packing and dispatch
- Value-added services (e.g. labelling and co-packing)
- Returns processing
- Recycling of packaging, End-Of-Life (EOL) products and waste materials
- Re-usable transit equipment management

The proposal will enable DHL to carry out its corporate operations in an efficient and safe manner that will have economic benefits across the Sydney Region.





## PART B SITE ANALYSIS

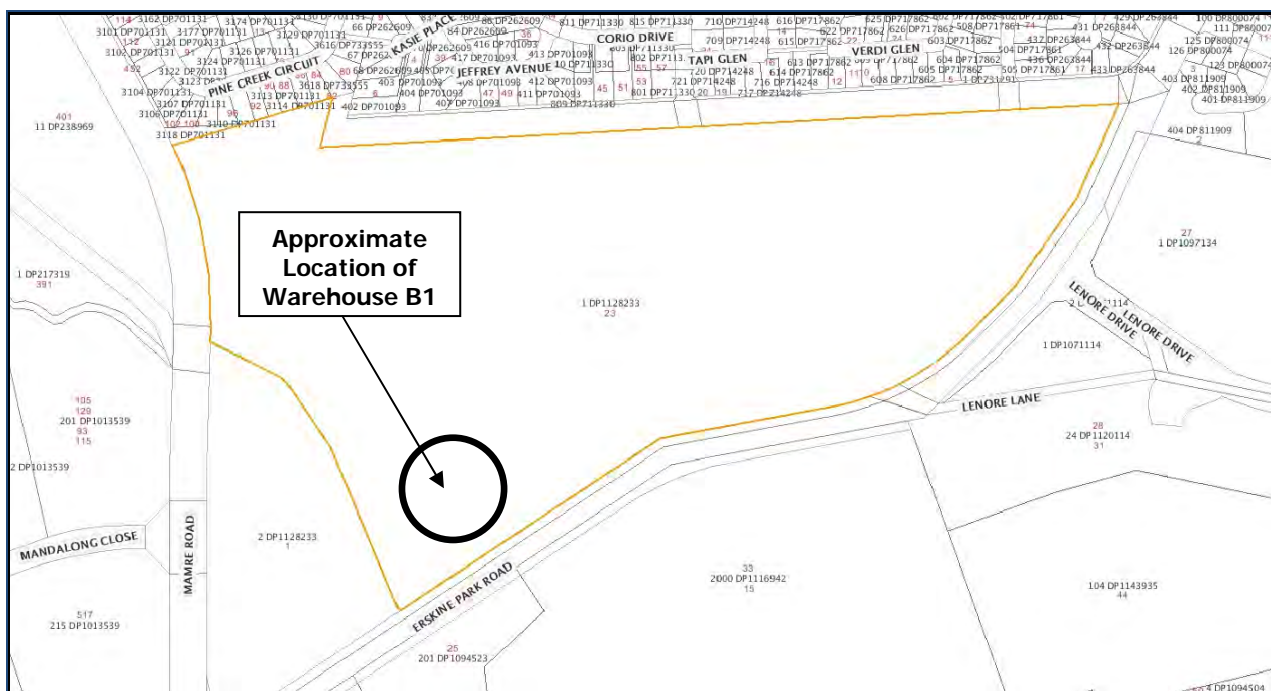
### 2.1 SITE LOCATION

This modification relates to 23-107 Erskine Park Road, Erskine Park, known as 'Westpark Industrial Estate', and situated on the corner of Mamre and Erskine Park Roads, Erskine Park. The site spans approximately 600m along Mamre Road and 1,150m along Erskine Park Road with an area of 38.84 hectares.

The proposed storage and handling of dangerous goods is proposed to be undertaken within Warehouse B1 currently being constructed in the south-west corner of the site.

The site is detailed in **Table 1** and shown in **Figure 1**.

<b>TABLE 1 – Site Details</b>	
<b>Address</b>	23-107 Erskine Park, Erskine Park, NSW 2759
<b>Property Description</b>	Lot 1 DP1128233
<b>Local Government Area</b>	Penrith
<b>Land area</b>	38.84 hectares
<b>Development Location</b>	Building B1



**Figure 1 – Site Location** (Source: NSW Land and Property Information, 2011)

### 2.2 LAND OWNERSHIP

The land owner is Goodman Industrial Funds Management Limited (Goodman).



## **2.3 EXISTING SITE CHARACTERISTICS**

There are a number of warehouses on the site. This application applies to Building B which is being constructed in the south-west portion of the site. Building B will two (2) tenancies. The tenancy to which this application applies is referred to as 'Warehouse B1'.

Warehouse B1 has been setback 10m from Erskine Park Road. The warehouse is designed with a ridge height RL of 51.425 with a lower ground RL of 34.125. Vehicular access to the site is from an internal road within the estate which connects to Erskine Park Road. Parking for the warehouse will be located along the western boundary of the site (41 parking spaces approved).

Palisade fencing runs along the southern boundary of the site along Erskine Park Road. Approximately 14 hectares of the northern portion of the site is bounded by a transmission easement that runs parallel to the northern lot boundary. This easement also accommodates on-site detention for existing development and creates a large setback between the industrial development on the site and the residential development further north.

Warehouse B1 sits amid a number of industrial developments also located on the subject site, some of which already accommodate dangerous goods. The existing activities within the Westpark Industrial Estate are outlined in **Table 2**.

<b><i>TABLE 2 – Existing Activities within Westpark Industrial Estate</i></b>	
<b><i>Warehouse A1</i></b>	Storage of paint and related products
<b><i>Warehouse A2</i></b>	Storage of household chemicals and cosmetics
<b><i>Warehouse A3</i></b>	Storage of digital equipment
<b><i>Warehouse C1</i></b>	Storage of aluminium products and systems
<b><i>Warehouse C2</i></b>	Storage of household hygiene products
<b><i>Warehouse C3</i></b>	Storage of paint and related products, food additives and assorted agricultural chemicals

Construction for the tenancy immediately adjoining Warehouse B1 (known as Warehouse B2) has only just been commenced and a future tenant is yet to be allocated.

An aerial photograph of the site, showing the ongoing construction of Warehouse B1 and Warehouse B2 (as at 23 October 2011) is provided as **Figure 2**.





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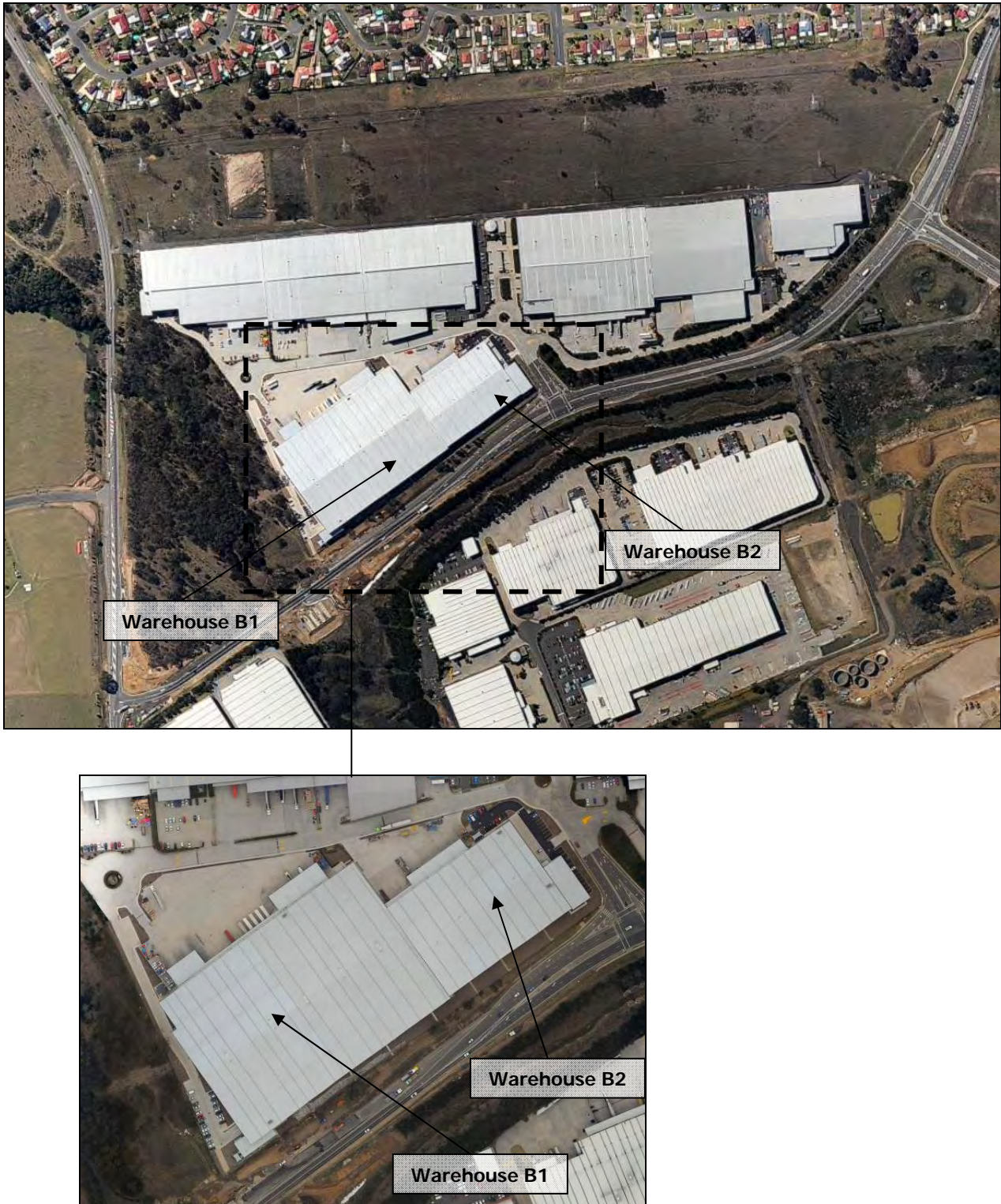


Figure 2 – Aerial Photograph at 01 November 2012 (Source: NearMap, 2011)





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### 2.4 LOCAL CONTEXT

The suburb of Erskine Park is located on the eastern fringe of the Penrith Local Government Area. The eastern boundary is Ropes Creek to the south where the southern boundary is located along the Sydney Water Supply Pipeline. The suburb's western border runs along Mamre Road and the Erskine Park Road till the M4 Motorway and up to Ropes Creek.

The location of the site is within close proximity to several major regional roads including the M4 and Westlink M7 Motorways providing a high level of connectivity to destinations across the Greater Sydney Region.

While the locality has traditionally been rural in character, with some extractive industries in more recent years, the housing boom of the 1990s has significantly changed this suburb into an urban environment characterised by a mix of employment, housing and commerce interspersed with large areas of recreation. A large portion of land toward the intersection of Mamre Road and Erskine Park Road is also set aside for ecological conservation purposes (and is subject to a Biodiversity Management Plan).

Land on the southern side of Erskine Park Road is occupied by existing industrial development while the area north of the site is predominantly residential in nature. The area west of Mamre Road exists as large lot residential development.

The location of the site within the locality is shown in **Figure 3**.



Figure 3 – Local Context (Source: NearMap, 2011)



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### 2.5 REGIONAL CONTEXT

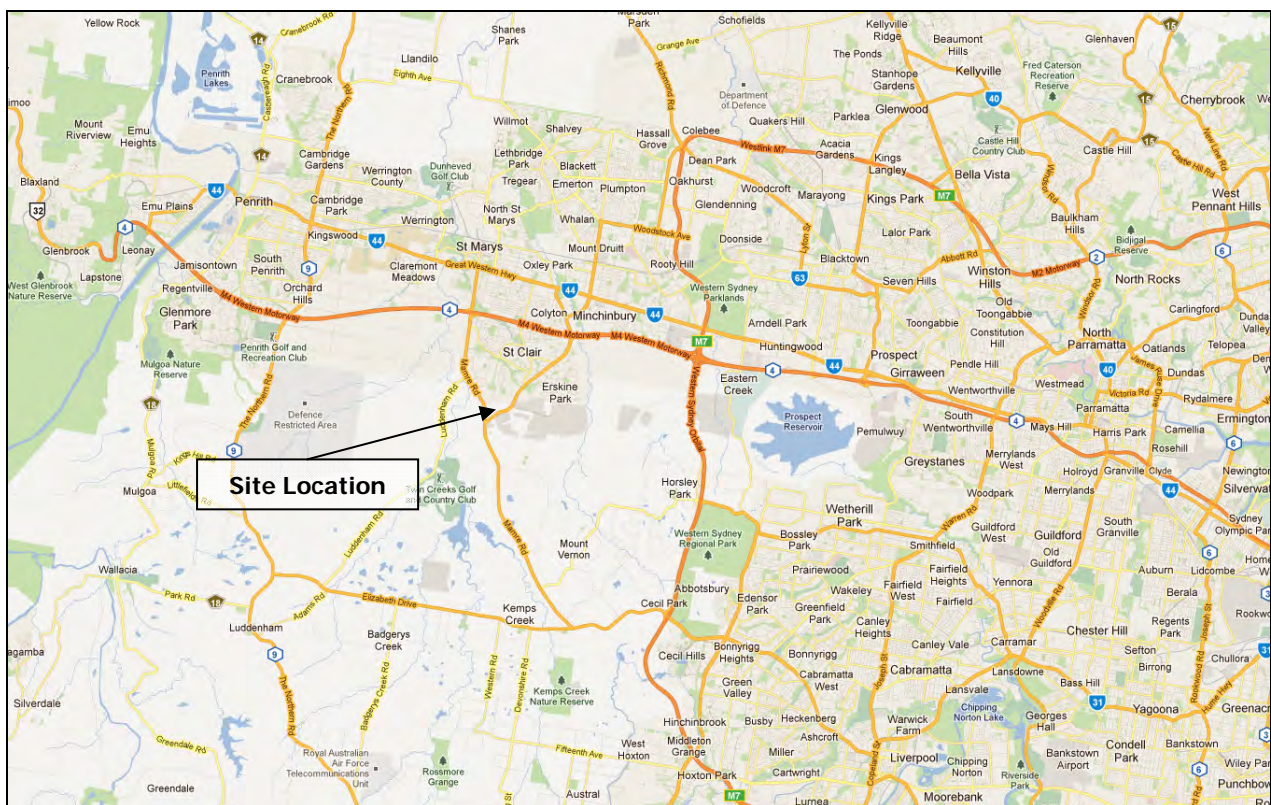
Erskine Park is located approximately 42km west of Sydney Central Business District on the eastern fringe of the Local Government Area of Penrith. The area has undergone significant development since the 1990s and comprises a range of uses including industry, community and residential. Penrith forms part of the North West subregion which is a key employment driver for the Greater Western Sydney Region.

The site forms part of the Erskine Park Employment Area (EPEA) which spans 500 hectares. It is strategically located in near the intersection of the M4 Western Motorway and Westlink M7 Motorway. The land enjoys excellent access to a full range of services, facilities and transport networks that extend far beyond Western Sydney.

The region comprises established urban areas, greenfield sites for future growth, rural and resource land and important natural assets including the Blue Mountains, Sydney Olympic Park and Western Sydney Parklands.

Commercial and retail development in the region consists of Westfield Parramatta and Westfield Penrith. Major education facilities include University of Sydney (Cumberland Campus), University of Western Sydney and Western Sydney Institute of TAFE.

The regional context of the site is shown in **Figure 4**.



**Figure 4 – Regional Context** (Source: Google Maps, 2011)



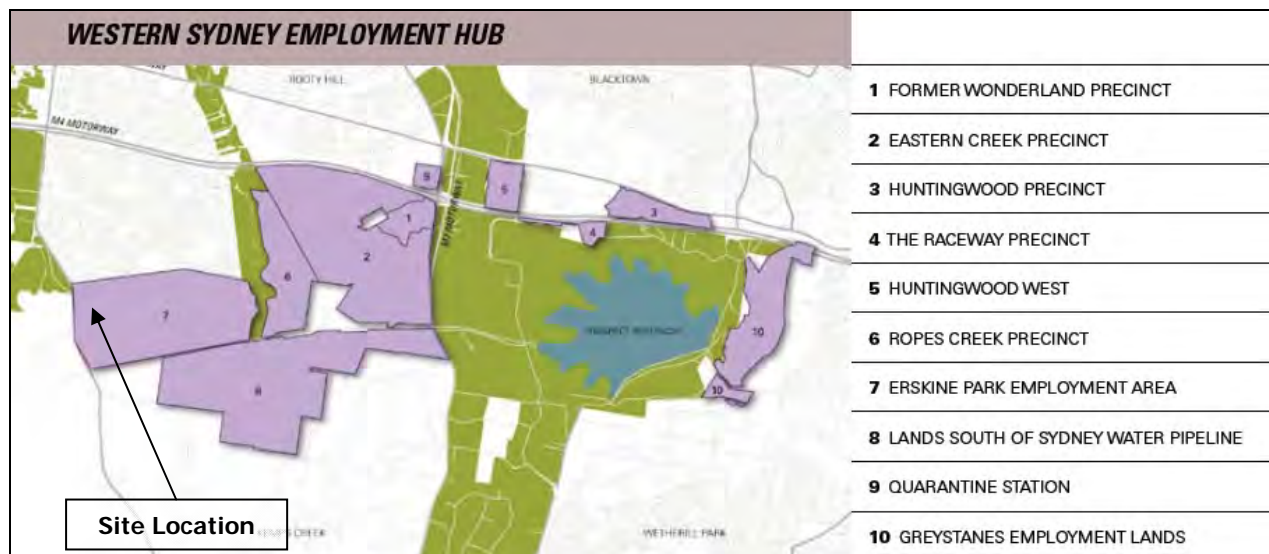


## 2.6 SUB REGIONAL CONTEXT

Under the State Government's North West Subregional Strategy, the site is recognised as a significant employment centre. The Strategy also indicates this subregion is the fastest growing in NSW and will have the highest housing and job growth in the Sydney Region.

Due to Penrith's strategic location in Sydney's North West growth centre, the demand for industrial space is projected to continue to grow in the subregion. With the redevelopment of many older industrial areas in the Sydney region the continued use of Erskine Park for industrial uses is required to adequately cater to the needs of the industry well into the future.

The site's position within the Western Sydney Employment Hub is shown in **Figure 5**.



**Figure 5 – Western Sydney Employment Hub Map** (Source: Metropolitan Plan for Sydney 2036, NSW Department of Planning, 2010)

## 2.7 SITE SUITABILITY

The subject site is appropriately zoned to permit the proposed use which will be compatible with other existing uses on the site.

The site is also located close to major roads making it a convenient location with good accessibility to and within the region. Activities will be suitably removed from residential areas with no significant impact to eventuate.



## PART C PROPOSED MODIFICATION

This modification application seeks approval for extended operating hours to enable 24-hour operations seven days per week within the approved Dangerous Goods Storage Facility within Warehouse B1 of the Westpark Industrial Estate at 23-107 Erskine Park Road, Erskine Park.

The hours of operation already approved for the warehouse are 6am to 10pm, based on a two-shift rotation with shifts starting at 6am and 1pm. Estimated staff numbers include 30 staff for the day shift, 20 for the evening shift and 10 office staff. The facility will operate seven (7) days per week.

Specific activities to be conducted at Warehouse B1 will include:

- unloading and receipt of finished goods via trucks and shipping containers;
- management of inventory in a racked and block stacked environment;
- storage of goods;
- order fulfilment including picking and packing of finished orders to customers;
- loading of transport vehicles;
- management of product returns;
- inspection of goods for QA purposes;
- product embellishment (e.g. stickering, neck-hangers, custom packs assembly, etc).

No manufacturing of products would occur within, or in areas surrounding Building B1. There is no decanting, filling or mixing of products to be undertaken on site.

No retailing is to occur on the site. All products will be delivered to customers for re-sale in stores, off-site.

No change to the approved building design or materials to be handled on the site is proposed. Similarly, no alterations to the approved vehicular access or parking arrangements are proposed.





## PART D LEGISLATIVE AND POLICY FRAMEWORK

This Part of the EIS assesses and responds to the legislative and policy requirements for the project in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the DGRs.

The following current and draft Commonwealth, State, Regional and Local planning controls and policies have been considered in the preparation of this application:

### ***Commonwealth Planning Context***

- *Environment Protection and Biodiversity Conservation Act 1999*

### ***State Planning Context***

- *Environmental Planning and Assessment Act 1979*
- *Protection of the Environment Operations Act 1979*
- *Threatened Species Conservation Act 1995*
- *NSW 2021 : A Plan to Make NSW Number One*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Western Sydney Employment Area) 2009*
- *State Environmental Planning Policy No.33 – Hazardous and Offensive Development*
- *State Environmental Planning Policy No.64 – Advertising Structures and Signage*

### ***Regional Planning Context***

- *Metropolitan Plan for Sydney 2036*
- *Metropolitan Transport Plan 2010*
- *Draft North West Subregional Strategy*
- *Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River*

### ***Local Planning Context***

- *Penrith Local Environmental Plan 2010*
- *Penrith Development Control Plan 2006*
- *Penrith Development Control Plan 2010*
- *Erskine Park Employment Area Biodiversity Management Strategy*
- *Penrith Employment Lands Study 2003*
- *Penrith Employment Planning Strategy 2007*

This planning framework is considered in detail in the following sections:



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### 4.1 COMMONWEALTH PLANNING CONTEXT

#### 4.1.1 Environment Protection and Biodiversity Conservation Act 1999

The proposed 24-hours operations will not have any impact on matters listed under the EPBC Act 1999.

### 4.2 STATE PLANNING CONTEXT

#### 4.2.1 Environmental Planning and Assessment Act 1979

Section 89C of the *Environmental Planning and Assessment Act 1979* (EP&A Act) outlines that State Significant Development (SSD) is development that is declared under this section to be State significant development. Section 89C(2) states:

*"A State environmental planning policy may declare any development, or any class or description of development, to be State significant development."*

The original project application was State Significant Development under Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* – see Section 4.2.7 below.

This modification application is made pursuant to Section 96(1A) of the EP&A Act.

#### 4.2.2 Protection of the Environment Operations Act 1979

The facility has been issued with an Environmental Protection Licence by the Environmental Protection Authority to enable chemical storage. The licence will be updated to address 24-hour operations as required.

#### 4.2.3 Threatened Species Conservation Act 1995

The proposed 24-hours operations will not have any impact on matters listed under the TSC Act 1995.

#### 4.2.4 NSW 2021: A Plan to Make NSW Number One

*NSW 2021* was developed by the NSW State Government to set economic, social and environmental directions for NSW. It sets targets, priorities and actions for delivery of services across the State. The strategies outlined in the Plan include:

- *Rebuild the economy*
- *Return quality services*
- *Renovate infrastructure*
- *Strengthen our local environment and communities*
- *Restore accountability to government*

DHL is a large company providing significant employment throughout NSW. The proposed 24-hour use of Warehouse B1 for DHL operations represents an important move by the company to enhance the efficiency of current operations within NSW with significant flow on effects across many economic sectors expected to result.

#### 4.2.5 State Environmental Planning Policy (State and Regional Development) 2011

Proposals involving activities that are listed in Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* are declared to be State Significant Development (SSD) under the framework introduced in October 2011.



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The approved development was identified under Schedule 1 as:

### **10 Chemical, manufacturing and related industries**

- (1) *Development that has a capital investment value of more than \$30 million for the purpose of the manufacture or reprocessing of the following (not including labelling or packaging):*
- (a) *soap, detergent or cleaning agents,*
  - (b) *paints, ink, dyes, adhesives, solvents,*
  - (c) *pesticides or inorganic fertiliser,*
  - (d) *pharmaceuticals or veterinary products,*
  - (e) *ammunition or explosives,*
  - (f) *oils, fuels, gas, petrochemicals or precursors,*
  - (g) *polymers, plastics, rubber or tyres,*
  - (h) *batteries or carbon black.*
- (2) *Development with a capital investment value of more than \$30 million for any of the following purposes:*
- (a) *liquid fuel depots,*
  - (b) *gas storage facilities,*
  - (c) *chemical storage facilities.*
- (3) *Development for the purpose of the manufacture, storage or use of dangerous goods in such quantities that constitute the development as a major hazard facility within the meaning of Chapter 6B of the Occupational Health and Safety Regulation 2001.*

An application seeking DGRs for the preparation of an EIS for SSD was lodged with DoP&I on 06 October 2011. Subsequently, an EIS was prepared in accordance with the DGRs issued and approved on 21 May 2012.

The proposed modifications do not alter the status of the development under the State and Regional Development SEPP.

### **4.2.6 State Environmental Planning Policy (Western Sydney Employment Area) 2009**

*State Environmental Planning Policy (Western Sydney Employment Area) 2009* (Employment Area SEPP) applies to the site. The Policy aims to protect and enhance the Western Sydney Employment Area. The zoning plan provided under the Employment Area SEPP (**Figure 6**) zones all of the land within the site as IN1 General Industrial.

The objectives of the IN1 General Industrial zone under the Employment Area SEPP are:

- *To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space.*
- *To encourage employment opportunities along motorway corridors, including the M7 and M4.*
- *To minimise any adverse effect of industry on other land uses.*
- *To facilitate road network links to the M7 and M4 Motorways.*
- *To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment.*
- *To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone.*

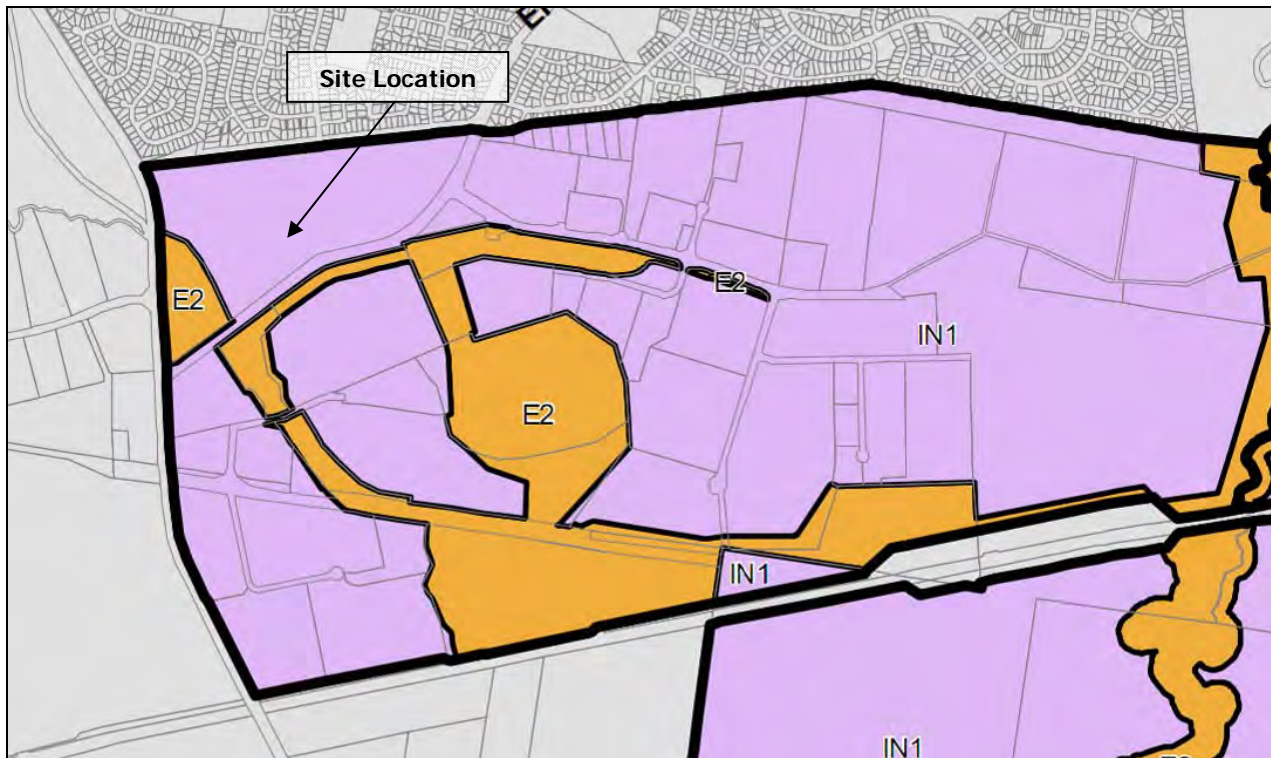
The proposed modification is consistent with the objectives of the zone as it allows for the continuation of the approved industrial use of the facility, which provides employment, is compatible with the local context and will not result in any significant environmental impact.



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**Figure 6 – SEPP (Western Sydney Employment Lands) 2009** (Source: Department of Planning, 2009)

Under the SEPP, the proposal can be defined as a 'warehouse or distribution centre' which is permissible with development consent within the IN1 zone. For the purposes of the SEPP, a warehouses or distribution centre is defined as:

*"a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made".*

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

*State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* (SEPP 33) provides definitions for hazardous and offensive development as well as potentially hazardous and offensive development and outlines the items that a consent authority must consider to assess whether the development is hazardous or offensive.

The original application contained a Preliminary Hazard Analysis (PHA) in accordance with the provisions of the SEPP and the Department of Planning's 'Multi-Level Risk Assessment' and 'Guidelines for Hazard Analysis' was therefore prepared by Moore Consulting and Engineering.

Following approval under SSD 4953, a Final Hazard Analysis has been prepared and submitted to the Department of Planning and Infrastructure.

No change to the type or quantity of goods to be stored or handled on the site is proposed under this modification.

### 4.2.8 State Environmental Planning Policy No. 64 – Advertising Structures and Signage

No signage modification is proposed.



#### **4.2.9 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River**

No change to the type or quantity of goods to be stored or handled on the site is proposed under this modification. Additionally, no additional activities are sought.

The extended hours of operation will not create any increased impact on the river catchment.

### **4.3 REGIONAL PLANNING CONTEXT**

#### **4.3.1 Metropolitan Plan for Sydney 2036**

In December 2005 the NSW Government launched City of Cities – A Plan for Sydney's Future. In December 2010 the Strategy was updated and integrated with the Metropolitan Transport Plan to deliver a new 25 year Metropolitan Plan for Sydney 2036 (the Metro Strategy). The Metro Strategy focuses on building the role of cities across the metropolitan area through integrating transport and land use planning, concentrating growth in centres to improve access to jobs, facilities and services and includes the following aims:

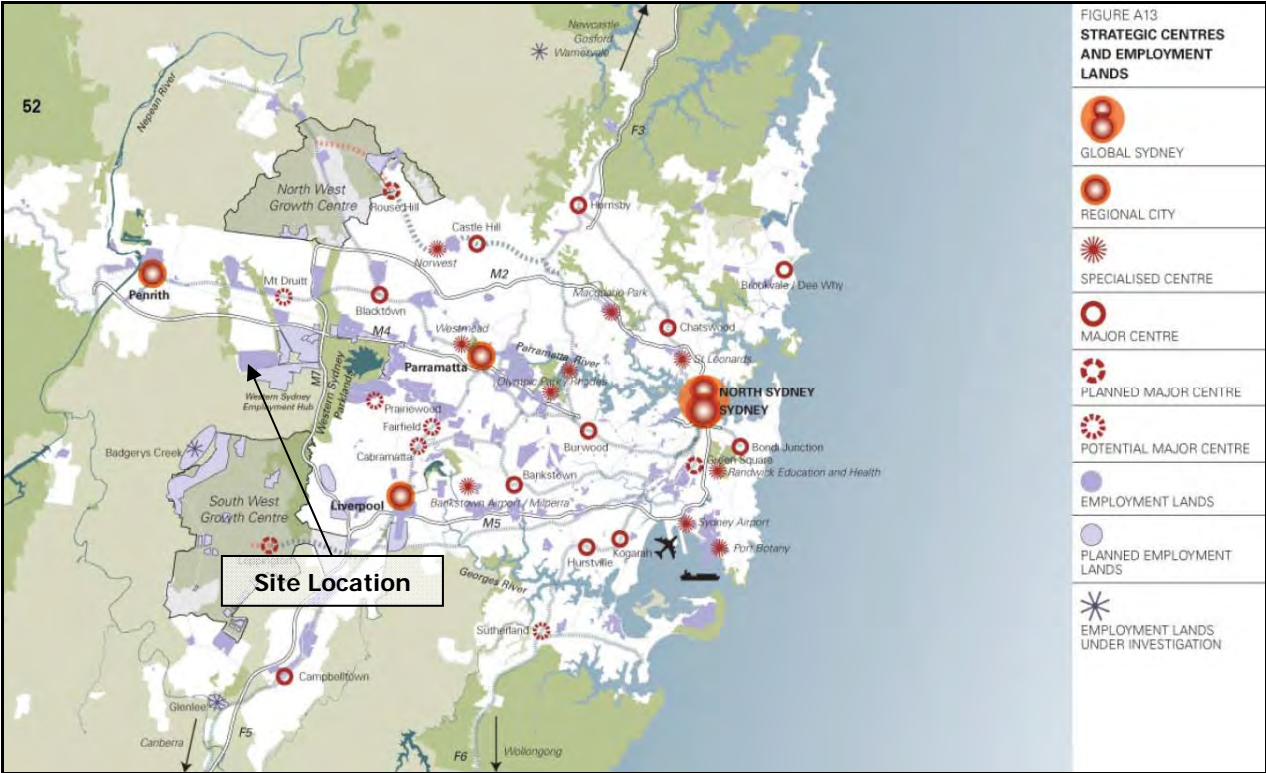
- *Mitigate and adapt to the impacts of climate change;*
- *Integrate infrastructure, particularly transport, with land uses as part of managing growth, city efficiency and sustainability;*
- *Strengthen governance, monitoring and implementation arrangements to secure delivery of outcomes;*
- *Address the Federal Government's new national criteria to improve capital city planning for all States and Territories, and*
- *Respond to the challenges of Sydney's faster than previously expected population growth.*

This project supports the Metropolitan Plan for Sydney 2036 by providing industry jobs and facilitating supply and distribution services for the region. It is an effective use of the approved industrial warehouse, suitable for the location and is compatible with other industrial uses on the site. The site is also within the Strategic Employment Lands in the Metropolitan Region as indicated in **Figure 7**.

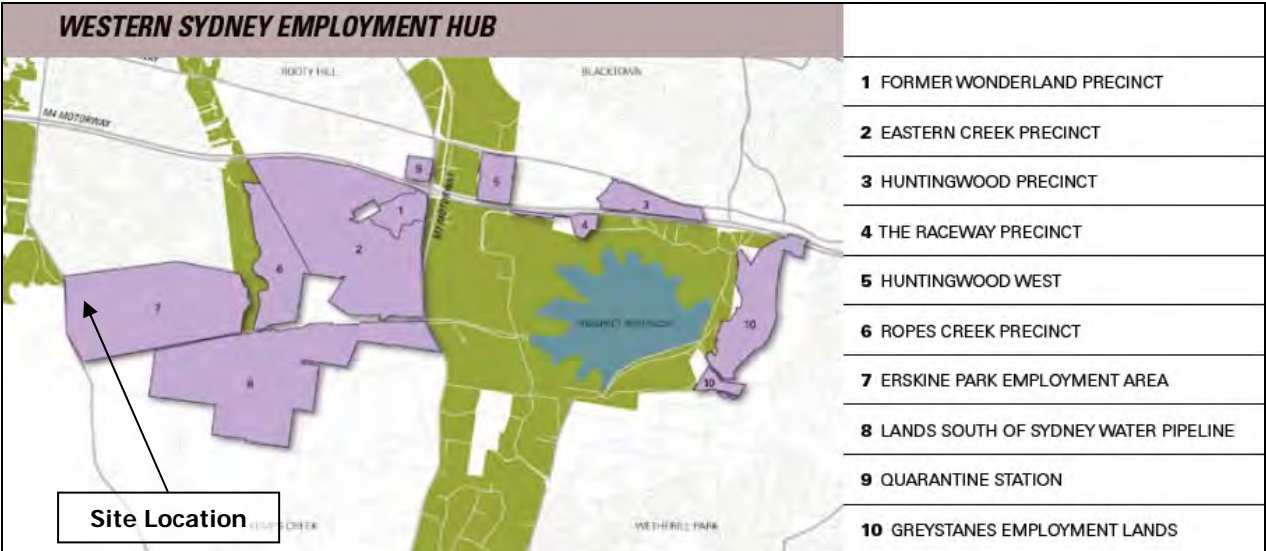
The Metro Strategy specifically identifies the need to protect and enhance employment lands in the M7 Motorway Corridor. The Strategy formally recognises the area referred to as the Western Sydney Employment Hub – a precinct containing 1,500 hectares of zoned industrial land with the potential to generate over 1,000 hectares of additional employment land. The subject site is located within a Key precinct that makes up this hub (**Figure 8**) and is consistent with the employment generating intent for this area.







**Figure 7 – Strategic Centres and Employment Lands** (Source: Metropolitan Plan for Sydney 2036, NSW Department of Planning, 2010)



**Figure 8 – Western Sydney Employment Hub Map** (Source: Metropolitan Plan for Sydney 2036, NSW Department of Planning, 2010)



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### 4.3.2 Metropolitan Transport Plan 2010

The Metropolitan Transport Plan 2010 'Connecting the City of Cities' is the NSW State Government's policy document for delivery of public transport services to a growing population across the Sydney Metropolitan area.

The Metropolitan Transport Plan 2010 aims to improve the commute to work, improve community access to transport and services, provide an efficient and integrated customer focused transport system and revitalise neighbourhoods with improved transport hubs.

The subject site has good access to the arterial road network making it easily accessible for the transportation of goods. Vehicle movements for the site have been previously approved and no significant disruption to existing level of service of the road network will result from extended hours.

### 4.3.3 Draft North-West Subregional Strategy

The Draft North West Subregional Strategy translates objectives of the NSW Government's Metropolitan Strategy and the State Plan to the local level. The North West Subregional Strategy includes the local government areas of Blacktown, Blue Mountains, Hawkesbury and Penrith. The strategy identifies 140,000 dwelling houses and 130,000 new jobs as a growth target for the subregion as a whole.

Under the Strategy Penrith is identified as a Regional City and has growth targets of 10,000 new dwelling houses and 10,000 new jobs by 2036. The subregion is identified to accommodate strong industrial growth.

Key employment areas in Penrith include:

- Emu Plains Industrial Area
- Kingswood Industrial Area
- Jamisontown Industrial Area
- Erskine Park Employment Area
- North Penrith Industrial Area
- Dunheved/ St Marys ADI
- North St Marys

The Draft North-West Strategy indicates that Erskine Park Employment Area is "*expected to make a major contribution to industrial land supply in the medium to long terms*".

The proposed 24-hour operations are consistent with the Strategy in that it will:

- contribute to the development of Penrith as a Regional City.
- contribute to achieving employment targets for Penrith which require 11,000 new jobs by 2036.
- provide an appropriate use of industrial lands for industrial use and employment purposes.





#### **4.4 LOCAL PLANNING CONTEXT**

##### **4.4.1 Penrith Local Environmental Plan 2010**

Penrith Local Environmental Plan 2010 (PLEP 2010) recently commenced and repeals (amongst other instruments) *Penrith Local Environmental Plan 1994 (Erskine Park Employment Area)*.

The provisions of PLEP 2010 do not apply to the site.

##### **4.4.2 Penrith Development Control Plan 2010**

Penrith DCP 2010 applies to lands which are covered by Penrith LEP 2010 (also known as the City-wide Plan). The subject site is outside this area; therefore the provisions of the Penrith DCP 2010 do not apply to the proposal.

##### **4.4.3 Penrith Development Control Plan 2006**

*Penrith Development Control Plan 2006* (PDCP) was adopted 21 August 2006. Section 6.10 of PDCP specifically applies to 'Erskine Business Park' within which the site is located. Relevant controls applicable to the proposed development are addressed below:

###### ***Clause 6.1 Noise Pollution***

The proposed land use will generate some noise impacts associated with traffic movements to and from the loading bays along the southern elevation of the existing building. These noise impacts are typical of any warehouse and distribution activity.

In compliance with the Conditions of Consent for SSD 4953, noise monitoring has been carried out for the approved development. The Noise Monitoring Report prepared by SLR Consulting is attached as **Appendix 2** and has been prepared with reference to Australian Standard AS 1055:1997 *Description and Measurement of Environmental Noise* Parts 1, 2 and 3 and in accordance with the Environmental Protection Authority (EPA), *NSW Industrial Noise Policy* (INP).

The nearest affected residential receivers to the site are to the north and west of the development. Noise levels were measured at all nearest potentially affected residential receiver locations as follows:

- Receiver 1 (517 4 537 Mamre Road, Orchard Hills) - Eastern Boundary of Property
- Receiver 2 (100 Pine Creek Circuit, St Clair) - Southern Boundary of Property
- Receiver 3 (45 Corio Drive, St Clair) - Southern Boundary of Property
- Receiver 4 (80 Cowarra Drive, St Clair) - Southern Boundary of Property

Operator attended noise measurements were conducted during the day and morning shoulder periods on Wednesday 12 September 2012, Friday 14 September 2012 and Monday 17 September 2012, during peak period times and represent a worst4case scenario.

The outcome of the monitoring indicated that noise from the operation of the project site complies with the operational and sleep disturbance development consent noise limits for morning shoulder, day, evening and night periods. A copy of the Noise Monitoring Report has been issued to each of the Department of Planning and the Environmental Protection Authority.

As part of the subject modification application to increase the hours of operation to 24-hours, seven days per week a new Noise Impact Assessment has also been prepared (**Appendix 3**). The Assessment has been prepared with reference to Australian Standard AS 1055:1997 *Description and Measurement of Environmental Noise* Parts 1, 2 and 3 and in accordance with the Office of Environment and Heritage (OEH) *NSW Industrial Noise Policy* (INP).



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Where issues relating to noise are not addressed in the INP, such as sleep disturbance, reference has been made to the NSW Environmental Noise Control Manual (ENCM), Interim Construction Noise Guideline and the Road Noise Policy (RNP).

The methodology and results of the investigations are further detailed in Section 6.7 below and found that, it is unlikely that the noise emissions from the operations of project site will cause sleep disturbance at the residential locations even under worst-case weather conditions.

### ***Clause 6.2 Waste Management***

As approved, the waste generated on the site will include general industrial waste such as paper, plastics, packing foam, cardboard, stretch wrap. General office waste from the site will also be generated (including paper and food waste). As the site is non-manufacturing, typically the bulk of the waste shall be generated from re-palletising and wrapping of the pallets for shipments and/or unloading of products. Goods shall be disposed of in accordance to the specific Material Safety Data Sheets available and are typically disposed of at an approved waste disposal facility.

### ***Clause 6.3 Soil Erosion and Sediment Control***

The proposed modification will have no impact in regard to soil erosion and sediment control as the proposal relates only to use of the approved built form.

### ***Clause 6.4 Air Pollution***

The proposed modifications will generate no significant air quality impacts to those approved. Air quality impacts will largely be generated by heavy vehicles travelling to and from the site. This is typical of any activity of a similar nature and will not be significant.

### ***Clause 6.5 Storage, Transportation and/or Processing of Chemical Substances***

With the exception of extended hours, no operational changes are proposed. Approved material quantities will be retained and managed in accordance with approved procedures.

### ***Clause 6.9 Trading/Operating Hours of Premises***

SSD 4953 approves the use of Building B1 as a dangerous goods warehouse and distribution centre that is permitted to operate between 6am and 10pm, seven (7) days a week. The proposed modification seeks approval to extend operating hours to 24-hours a day, seven (7) days per week.

As outlined in this application, the site is suitably located within an emerging industrial estate which is able to accommodate such operations. No significant impact on nearby receivers is expected to occur.

### ***Clause 7.2 Car Parking***

No change to the parking arrangement is required or proposed under this modification application.

### ***Clause 8.1 Biodiversity Conservation Area and Landscape Buffer***

Warehouse B1 is separated by the adjacent biodiversity conservation area by an internal driveway and parking. All loading and handling areas are located on the northern elevation of the building away from the biodiversity area. The proposed development will not result in any additional clearing of vegetation or change to approved landscaping.

The extended hours of operation do not produce any conflicts with the Biodiversity Management Plan that was adopted 25 July 2007 for the ecological area.



#### **4.4.4 Employment Lands Study 2003**

An Employment Lands Study was prepared for the Penrith local government area in 2003. The study estimated a projected increase between 2001-21 industrial type jobs as follows:

- 2001 – 16,109 jobs
- 2011 – 20,445 jobs
- 2021 – 25,644 jobs

Based on these estimates the study identifies that by 2021 1,283 hectares of industrial land is required in Penrith. It also indicates that Penrith has suitable land for industrial development which is relatively flat, access to utilities and services, good access for B-doubles, proximity to arterial roads.

The proposed hours of operation enable the Erskine Park industrial area to be used economically and logically without significant impact.

#### **4.4.5 Employment Planning Strategy 2007**

The Penrith Employment Planning Strategy makes recommendations for the strategic direction of employment planning for City Of Penrith and how it is to be managed in the 10 to 25 years from 2007.

When considering the development and management of employment activities in the City of Penrith, proposals should demonstrate that they satisfy all of the following principles:

- *Facilitating renewal of existing town and neighbourhood centres within an agreed retail hierarchy;*
- *Facilitating the creation of well planned and sustainable new communities, including new employment areas in appropriate locations;*
- *Providing for a land bank of employment land;*
- *Building on the strengths of key community assets (e.g. TAFE NSW – WSI, UWS and Nepean Hospital); and*
- *Providing reasonable access for Penrith workers to as wide a range of jobs as possible.*

The proposal is consistent with the adopted principles as it is to be undertaken within a key employment area that is intended to be efficiently utilised for the approved activities.



## PART E CONSULTATION

In preparation of this modification application, the Project Team has consulted with the Department of Planning and Infrastructure (DoPI) and the Environmental Protection Authority (EPA).

DHL has received advice from the EPA that they are only able to issue a licence for the operating hours listed in the Development Consent McKenzie Group Consulting. As the consent currently restricts the hours of operations to 6:00am to 10:00pm, seven (7) days per week, not 24-hour operations can be covered by the EPA-issued Environmental Protection Licence.

McKenzie Group Consulting advised Andrew Hartcher of DoPI of the outcome of the EPA consultation and it was confirmed that if the EPA are not willing to issue a licence for extended hours based on the current consent, then we need to undertake a modification to the SSD approval. This application has been made on the basis of this advice.



## **PART F ENVIRONMENTAL RISK ASSESSMENT**

### **6.1 DIRECTOR GENERAL'S REQUIREMENTS**

The Director General's Environmental Assessment Requirements were received on 03 November 2011. The Key Issues include:

- Hazards and Risks
- Strategic and Statutory Context
- Infrastructure
- Transport, Access and Parking
- Air
- Noise
- Water
- Waste
- Design
- Fire and Incident Management
- Cumulative Impacts

For the purpose of appropriately determining the potential cumulative impacts of the proposal, the following matters were considered in addition to the Key Issues in the DGRs:

- Biophysical environment
- Ecologically sustainable development
- Heritage and indigenous archaeology
- Security
- Soil
- Visual impact
- Socio-economic impact

The following sections address these matters as they relate to the proposed modification to enable 24-hour operations. All other information for SSD 4953 as approved by the Department of Planning and Infrastructure on 21 May 2012 remains valid.

### **6.2 HAZARDS AND RISKS**

No change to the materials to be stored or handled on the site is proposed.

The approved risk management procedures and design elements will be retained and implemented into the extended operating hours.

### **6.3 STRATEGIC AND STATUTORY CONTEXT**

The proposal is to be carried out within the EPEA which has become a major new employment precinct for Greater Western Sydney with the potential for as many as 10,000 jobs being made available within the precinct upon full capacity.

The potential of the area to accommodate industrial activity with high employment numbers was recognised in the early 1990's and after an extensive period of consultation with the local Erskine Park and St Clair residential communities, from which a number of key principles and objectives for development of EPEA were developed.

The framework established under *Penrith Local Environmental Plan 1994 (Erskine Park Employment Area) 1994* (PLEP 1994) gave formal recognition of the area to be developed as a future employment precinct and was supplemented by the adoption of a Development Control Plan and Section 94 Contributions Plan for the area in December 2002.



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The upfront planning of the area made allowance for the new Erskine Park Link Road, connecting the EPEA to industrial lands covered by *State Environmental Planning Policy No 59 – Central Western Sydney Economic & Employment Area* and the M7 Motorway. The *Metropolitan Plan for Sydney 2036* (Metro Strategy) released by the State Government in December 2005 specifically nominated the, then named, EPEA-M7 Link Road as a major piece of infrastructure to be provided by landowner contributions.

Upon its introduction, the Metro Strategy also recognised the important employment role of the EPEA and grouped the precinct with lands within adjoining local government areas to create the larger Western Sydney Employment Hub (WSEH).

In January 2007, Penrith Council staff met with the Minister for Planning and senior management from Blacktown, Fairfield and Holroyd Councils in relation to the advancement of planning for the WSEH. It was then decided that that land north of the Sydney Water pipeline that dissects the area (including the subject site) would be developed prior to land south of the pipeline and that development would be controlled under a new SEPP.

In 2008, the NSW Government exhibited a draft State Environmental Planning Policy (SEPP) for this area which was gazetted in August 2009 as *State Environmental Planning Policy (Western Sydney Employment Area) 2009*. The subject site is zoned IN1 General Industrial under this Policy. The current legislative and policy framework for the proposal is considered in detail in Part D of this EIS.

The proposal is consistent with all relevant legislative and policy objectives. No variations to any controls are required to enable the proposed development to be approved or undertaken.

### 6.4 INFRASTRUCTURE

Warehouse B1 is serviced by all required utilise and infrastructure.

### 6.5 TRANSPORT, ACCESS AND PARKING

The proposed land use will generate car and heavy vehicle movements to and from the site on a 24-hour basis, although such traffic will be within the RTA's guidelines for traffic generation.

The road network is capable of supporting the traffic generated by the facility in peak hours and will accommodate off-peak traffic generated during the 10:00pm to 6:00am period without significant impact.

### 6.6 AIR QUALITY AND ODOUR

The proposed development will generate very few air quality or odour emissions as a result of the proposed warehouse and distribution activity. Only minor air quality impacts resulting from vehicles travelling to and from the site will be generated.

### 6.7 NOISE

As part of the subject modification application to increase the hours of operation to 24-hours, seven days per week a new Noise Impact Assessment has been prepared (**Appendix 3**). The Assessment has been prepared with reference to Australian Standard AS 1055:1997 *Description and Measurement of Environmental Noise* Parts 1, 2 and 3 and in accordance with the Office of Environment and Heritage (OEH) NSW Industrial Noise Policy (INP). Where issues relating to noise are not addressed in the INP, such as sleep disturbance, reference has been made to the NSW Environmental Noise Control Manual (ENCM), Interim Construction Noise Guideline and the Road Noise Policy (RNP).



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The following assumptions were made in predicting emission levels from the existing and proposed developments:

- 12 forklifts operate continuously outside the factory building at any one time.
- 12 delivery trucks are on site and operating continuously.
- 8 External Condenser units operating continuously
- 19 rooftop exhaust fans
- 4 battery change exhaust fan

The nearest affected residential receivers to the site are identified as being to the north and west of the development as follows:

- Receiver 1 (517 4 537 Mamre Road, Orchard Hills) - Eastern Boundary of Property
- Receiver 2 (100 Pine Creek Circuit, St Clair) - Southern Boundary of Property
- Receiver 3 (45 Corio Drive, St Clair) - Southern Boundary of Property
- Receiver 4 (80 Cowarra Drive, St Clair) - Southern Boundary of Property

The following scenarios were modelled at the residences identified above:

Scenario 1 -

- Proposed on-site operations
- Calm weather conditions

Scenario 2 -

- Proposed on-site operations
- Worst case weather conditions (class F temperature inversion)

The potential for sleep disturbance at nearby residential locations has been assessed as the facility is proposed to operate between 6 am and 7 am which is considered a night time. The predicted sleep disturbance worst case scenario noise levels associated with the following operations:

- Truck departure/arrival
- Condenser unit (single unit)
- Gas powered forklift
- Exhaust fans

The results of the investigations are summarised below:

### Operational Noise Assessment

Noise levels for the proposed operations under worst case weather conditions are predicted to meet the INP project specific noise criteria at all residences under both meteorological conditions.

### Sleep Disturbance Assessment

Noise levels are predicted to be less than the sleep disturbance noise goals described in project specific noise goals. Therefore, it is unlikely that the noise emissions from the operations of project site at night-time will cause sleep disturbance at the residence locations.

## 6.8 WATER

Water provision is addressed as part of the Infrastructure considerations in Section 6.4 above.

No impact on water quality is to result from the proposed extension of operating hours.

## 6.9 WASTE

The type of waste generated on the site will not to be altered and includes general industrial waste (including glass, paper, liquids), packing materials in the containers (including foam and cardboard),





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stretch wrap of the pallets (including sticky tape and plastic) and general waste from the site (including glass, paper and food waste). As the site is nonmanufacturing, typically the bulk of the waste will be generated from re-palletising and wrapping of the pallets.

Goods shall be disposed of in accordance to the specific Product Safety Data Sheets available and are typically disposed at an approved waste disposal facility. Any spills shall be contained and disposed of in accordance with the Product safety data sheets and current legislation. No on-site waste treatment facilities will be used. Storage bins shall be provided for waste storage.

### **6.10 DESIGN**

The proposal does not include any external alterations to the building design, internal fit-out, landscaping, access or parking.

### **6.11 FIRE AND INCIDENT MANAGEMENT**

No increased risk of fire is to result from the proposed extended hours of operations. No modification to incident management is required.

All approved operational measures will be implemented into the extended hours period.

### **6.12 BIOPHYSICAL ENVIRONMENT**

No physical alterations to the approved design are proposed. Additionally, no additional activities to those approved will be undertaken.

No impact on the biophysical environment is expected.

### **6.13 ECOLOGICALLY SUSTAINABLE DEVELOPMENT**

Throughout all operations, DHL is working to accelerate the reduction of its carbon footprint and has developed and implemented greenhouse gas reduction strategies by assessing, reducing, replacing, and in some cases neutralizing direct and indirect carbon emissions. These strategies will be implemented into the extended hours.

### **6.14 HERITAGE AND INDIGENOUS ARCHAEOLOGY**

The site does not contain any items of Aboriginal or European heritage significance.

### **6.15 SECURITY**

Warehouse B1 is fully electronically alarmed with 24/7 monitoring by a contracted security firm. Closed circuit television is installed at the warehouse and access to the warehouse area will be restricted at all times.

The proposed 24-hour use will provide additional casual surveillance and ensure the site is staffed at all times.

### **6.16 SOIL**

The proposed modification does not include excavation. No impact is to occur from the proposal.



#### **6.17 VISUAL IMPACT**

The activities will take place within an existing building. No changes are proposed to the external facade of the building or other parts of the site as part of this proposal.

#### **6.18 SOCIO-ECONOMIC IMPACT**

The warehouse and distribution centre is a suitable use of industrial land and will provide industry jobs for the region. The proposed 24-hour operations represent effective and logical use of the site.

#### **6.19 CUMULATIVE IMPACTS**

No cumulative impact is identified or anticipated to result from the operation of the facility given its context in a developing industrial area that has been identified for such activities. The proposal is also suitably separated from residential areas and is serviced by adequate infrastructure, including a capable road network. No building works are proposed.



## PART G STATEMENT OF COMMITMENTS

No proposed modifications will be undertaken in accordance with the Statement of Commitments approved under Development Consent SSD 4953 except where required by this report and supporting documentation.



## PART H CONCLUSION

The proposed modification to enable 24-hour for the DHL Dangerous Goods Warehouse and Distribution Centre at 23-107 Erskine Park Road, Erskine Park (Warehouse B1, Westpark Estate) is substantially the same as that approved under Development Consent SSD 4953.

No alterations to any building components, type or quantity of materials stored, landscaping, access or car parking is proposed.

The Acoustic Report prepared to assess the potential acoustic issues associated with 24-hour operations concludes that the proposal will not result in noise impacts above the criteria described in HIPAP No.4 and would not pose a significant impact to the locality.

No other cumulative impact is identified or anticipated to result from the proposed extended operational hours given the site context in a developing industrial area that has been identified for the intended activities. The proposal is also suitably separated from residential areas and is serviced by adequate infrastructure, including a capable road network.

The proposed development is consistent with all legislative and policy planning provisions for the local and regional area.

It is recommended that the proposal be supported by the Department of Planning and Infrastructure.



## APPENDIX 1

### DEVELOPMENT CONSENT SSD 4953





## APPENDIX 2

### DIRECTOR-GENERALS REQUIREMENTS



## APPENDIX 3

### OWNERS CONSENT



## APPENDIX 4

### PRELIMINARY HAZARD ANALYSIS



## APPENDIX 5

### FIT-OUT DEVELOPMENT PLANS



## APPENDIX 6

### FIRE SERVICES PLAN





## APPENDIX 7

### CONCEPT STORMWATER PLAN



## APPENDIX 8

### SECTION 149 CERTIFICATE



## APPENDIX 9

### CONSTRUCTION MANAGEMENT PLAN



## APPENDIX 10

### EXISTING INFRASTRUCTURE (DIAL-BEFORE-YOU-DIG RESEPNSE)

