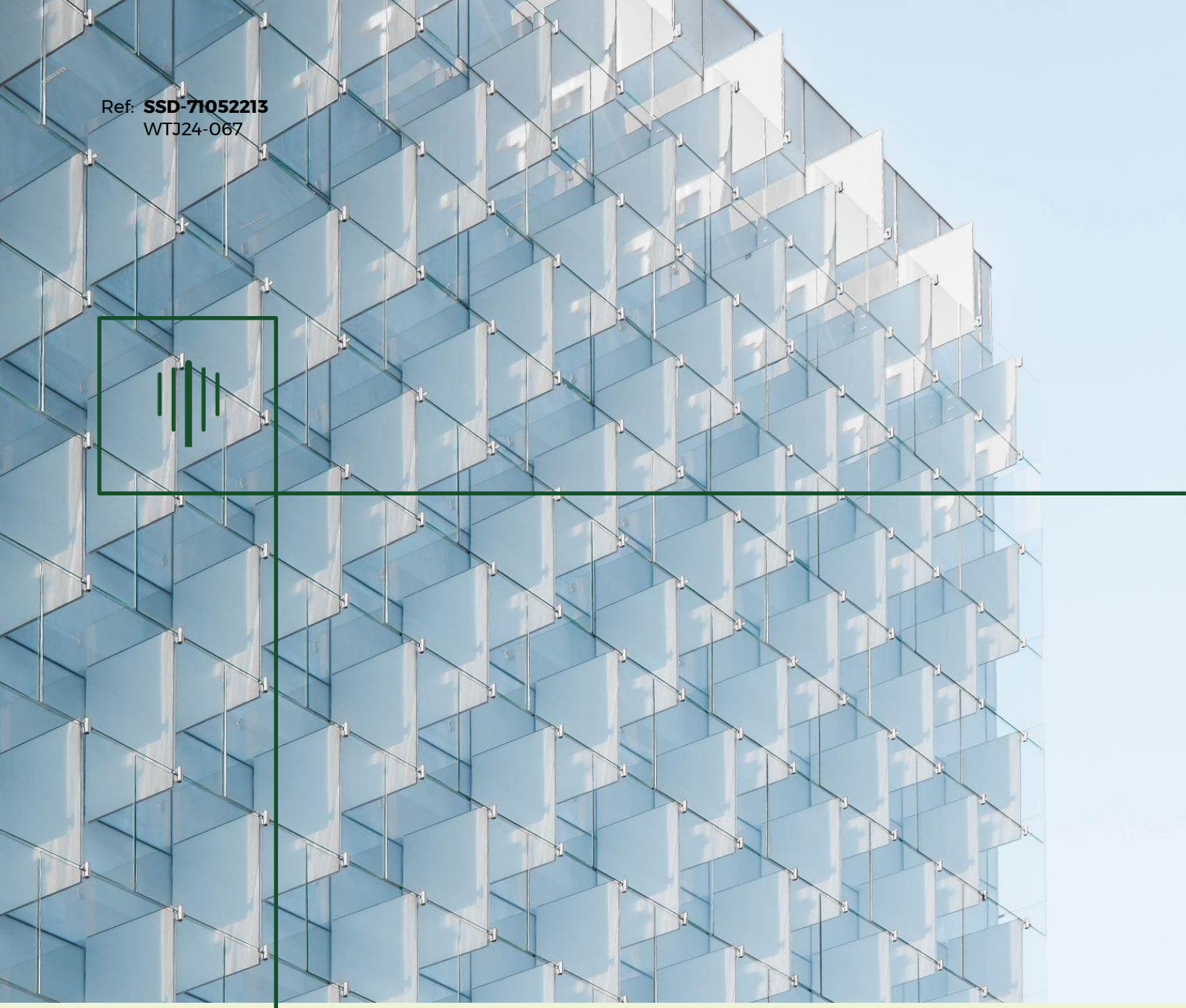

Ref: **SSD-71052213**
WTJ24-067

WILLOWTREE PLANNING

# RESPONSE TO SUBMISSIONS REPORT:
## PROPOSED CHEMICAL MANUFACTURING AND ASSOCIATED WAREHOUSE OR DISTRIBUTION CENTRE

15 and 20 Gow Street, Padstow
Lot 100 DP1011185 and Lot 53 DP1064349

Prepared by Willowtree Planning Pty Ltd
on behalf of Selleys (Dulux Group Australia Pty Limited)

**28 May 2025**

**SYDNEY**

—

165 Walker Street
North Sydney NSW 2060

**BRISBANE**

—

Level 3, 240
Queen Street
Brisbane QLD 4000

02 9929 6974
enquiries@willowtp.com.au
**willowtreeplanning.com.au**

WILLOWTREE
PLANNING

**In the spirit of reconciliation and recognition, Willowtree Planning acknowledges the Traditional Owners of this Country throughout Australia and their continuing and ongoing connections to land, waters and community. We show our respect to Elders – past and present. We acknowledge that we stand on this Country which was and always will be recognised as Aboriginal Land. We acknowledge the Traditional Owners of the Lands in this Local Government Area, belonging to the local Aboriginal People, where this proposal is located upon.**

| DOCUMENT CONTROL TABLE | | | |
|---|---|---|---|
| Document Reference: | SSD-71052213 RTS | | |
| Contact: | Cameron Gray | | |
| Version and Date | Prepared by | Checked by | Approved by |
| Version No. 1 - 12/05/2025 | Cameron Gray<br>Associate Director | Andrew Cowan<br>Director | Andrew Cowan<br>Director |
| Version No. 2 - 28/05/2025 | Cameron Gray<br>Associate Director | Andrew Cowan<br>Director | Andrew Cowan<br>Director |
| | | | |
| | | | |

# TABLE OF CONTENTS



# TABLES

# APPENDICES LIST

# EXECUTIVE SUMMARY

This Response to Submissions Report (RTS) has been prepared by Willowtree Planning Pty Ltd (Willowtree) on behalf of Selleys (Dulux Group Australia Pty Limited) (Applicant) in relation to State Significant Development Application (SSDA) SSD-71052213 which seeks development consent for the construction and operation of a chemical manufacturing facility and associated warehouse or distribution centre at 15 and 20 Gow Street, Padstow (Lot 100 DP1011185 and Lot 53 DP1064349).

Specifically, this RTS seeks to respond to the comments received by the Department of Planning, Housing and Infrastructure (DPHI), Canterbury Bankstown Council (Council) and all relevant agencies.

Based on the responses provided throughout, it is considered that the proposed development appropriately responds to those matters raised and is worthy of approval.

# PART 1 INTRODUCTION

## 1.1 PROJECT OVERVIEW

The development proposed under SSD-71052213 involves the construction and operation of a chemical manufacturing facility and associate warehouse and distribution centre, pertaining to the following scope of works:

- Demolition of existing warehouse and maintenance building;
- Strip out and refurbishment of existing warehousing space to create a state of the art manufacturing facility with ancillary raw materials storage which will continue to be operated by the Dulux Group and Selleys;
- Construction of external tank storage and tanker unloading area; and
- Remodeling of the existing vehicle access to allow uni-directional truck flow.

The proposed development is to be located at 15 and 20 Gow Street, Padstow, more formally described as Lot 100 DP1011185 and Lot 53 DP1064349.

The Subject Site is located within the Canterbury-Bankstown Local Government Area (LGA) and is zoned IN1 General Industrial, pursuant to the *Canterbury-Bankstown Local Environmental Plan 2023* (CBLEP2023). The proposed development falls within the definition of 'general industries', which is permissible with consent in the IN1 General Industrial zone of the CBLEP2023.

The proposal satisfies the definition of SSD pursuant to:

- Schedule 1, Section 10 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP), being development for the purposes of the manufacture of adhesives with an Estimated Development Cost (EDC) of more than $30 million.

## 1.2 APPLICATION PROCESS OVERVIEW

Development consent is being sought for the proposal, as SSD, under Division 4.1, Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). In accordance with section 89F of the EP&A Act and the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), the EIS for the proposal is required to be placed on exhibition for not less than 30 days.

The proposed development was exhibited from 4 February 2025 to 3 March 2025, during which a number of submissions were provided to the DPHI, as discussed within this RTS.

## 1.3 PURPOSE OF THIS REPORT

The purpose of this RTS is to detail and respond to matters raised in the submissions received for SSD-71052213.

The RTS has been set out to address each submission matter, and is structured in accordance with the *SSD Guidelines – Preparing a Submissions Report*, as follows:

| | |
|---|---|
| **PART 1** | provides an overview of the project, the application process and the RTS purpose and structure; |
| **PART 2** | provides an analysis of the submissions received; |
| **PART 3** | provides an overview of the actions taken since exhibition of the project; |
| **PART 4** | provides responses to each of the issued raised in the submissions received; |
| **PART 5** | provides an updated project justification (as relevant); |
| **APPENDIX A** | provides an updated project description (as relevant); |
| **APPENDIX B** | provides a summary of the submissions received; |

**APPENDIX C** provides copies of any supporting information required by the received submissions**;** and

**APPENDIX D** provides a revised set of project management and mitigation measures, following the review of submissions and technical responses.

## 1.4 CHANGES TO THE PROPOSAL AS EXHIBITED

Following the exhibition phase, and upon review of all submissions received, minor amendments have been made to the proposal. It is noted that these amendments have also captured changes resulting from more detailed design. The changes are further explained in **PART 4** this RTS.

# PART 2 ANALYSIS OF SUBMISSIONS

## 2.1 SUBMISSIONS PROCESS

The proposed development was exhibited from 4 February 2025 to 3 March 2025, during which a number of submissions were provided to DPHI.

Section 59(2) of the EP&A Regulation permits the Planning Secretary of DPHI to request that the Applicant to provide a written response in relation to the issues raised within any submissions made during public exhibition. This RTS aims to fulfil the request from the Planning Secretary.

## 2.2 SUBMISSIONS RECEIVED

A total of nine (9) submissions were received during the exhibition period from government agencies as summarised below. No public submissions were received.

**Government Agencies:**

- NSW DPHI;
- Council;
- Department of Climate Change, Energy, the Environment and Water (DCEEW) – Conservation Programs, Heritage and Regulation Program (CPHR);
- DCEEW – Heritage NSW;
- Environment Protection Authority (EPA);
- Ausgrid;
- Transport for New South Wales (TfNSW); and
- NSW Fire and Rescue.

Of the nine (9) submissions, the following is noted:

- Five (5) submissions provide support, no comment and/or conditions of consent; and
- Four (4) submissions provide comment and request additional information.

## 2.3 RESPONSE TO SUBMISSIONS REQUEST

The following section provides an overview of the matters of concern raised by the abovementioned submitters and summarised in the Request RTS Letter provided by NSW DPHI on 20 March 2025.

An itemised response to each matter raised in the submissions is provided in **TABLE 1**.

# PART 3 ACTIONS TAKEN SINCE EXHIBITION

## 3.1 CHANGES TO THE PROPOSAL AS EXHIBITED

### 3.1.1 Project Description

As detailed below, the proposed physical changes to the proposed development are minor in nature and would not warrant a change to the description of the proposal as part of the EIS.

### 3.1.2 Project Design

Minor design amendments have been made to the proposed development as a result of design development. These include the following:

- Deletion of the overflow parking area;
- Inclusion of a new footpath is proposed along the site frontage;
- Inclusion of a pedestrian crossing on Gow Street is proposed between Driveways 3 and 5;
- Inclusion of a loading bay for waste vehicles;
- Inclusion of the installation of bollards for accessible car parking spaces;
- Inclusion of nine (9) bicycle spaces;
- Further refinement of the materiality and finishes;
- Revision of the landscaping around the water tank; and
- The large grassed area is now shown as an area for staff recreation and includes a shaded area.

The modifications to the proposed development are shown clouded and noted in the Amended Architectural Plans provided at **Appendix C1** and Amended Landscape Plans provided at **Appendix C2**.

## 3.2 ADDITIONAL IMPACT ASSESSMENT

Additional impact assessment has been undertaken by relevant specialist consultants, where necessary, to respond to submissions, outline changes and provide further assessment where required by the proposed refinements.

Additional assessments carried out to support this Submissions Report are appended to this Submissions Report as follows:

- **Appendix C3** Air Quality Response Letter;
- **Appendix C4** Amended Transport Impact Assessment; and
- **Appendix C7** Noise and Vibration Response Letter.

In addition to the above, the following documents have been updated, where necessary, to respond to administrative and assessment clarifications raised in the submissions:

- **Appendix C1** Amended Architectural Plans;
- **Appendix C2** Amended Landscape Plans; and
- **Appendix C5** Civil Engineering Response Letter.

# PART 4 RESPONSE TO SUBMISSIONS

## 4.1 RESPONSE TO SUBMISSIONS

This section seeks to tabulate all submissions received from all stakeholders and provide a detailed response to each matter.

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| **DPHI** | Pedestrian Access | 1. Further information is required regarding the pedestrian access around the site, for example it is currently unclear how pedestrian's path of travel between the new and refurbished warehouse and manufacturing areas to the dedicated office spaces or staff amenities areas can be undertaken safely. | Pedestrian access around the Subject Site will primarily utilise the existing footpaths currently available within the Subject Site.<br><br>For the proposed development, pedestrian routes between the warehouse, office areas, and amenities are illustrated in Figure 10 to Figure 12 of the amended Transport Impact Assessment (TIA) provided in **Appendix C4**.<br><br>It is also noted that, based on the amended Architectural Plans provided in **Appendix C1**, a new footpath is proposed along the Subject Site frontage to enhance pedestrian connectivity. |
| | Traffic Parking & Access | 2. The Traffic Impact Assessment (TIA) implies that a 26.0m B-Doubles may utilise the site in the future. Confirmation of the largest vehicle that access the site is required. If B-Doubles are to access the site swept paths are to be provided for driveway access (both ingress/egress) and the internal hardstand areas to confirm the proposal can safely accommodate the anticipated B-Double. | The largest vehicle expected to access the Subject Site is 20m articulated vehicles (AVs). These vehicles will enter the Subject Site via Access Point 3 and exit via Access Point 5, as shown in Sections 4.2 and 7.2 of **Appendix C4**.<br><br>Appendix B of **Appendix C4** includes detailed swept path assessments. |
| | | 3. Swept path analysis for the range of heavy vehicles entering the site via the proposed driveways is to be provided to show that on-street parking on both sides of Gow Street are not impacted, with the heavy | The Swept path assessment provided in Appendix B of **Appendix C4** shows the proposed entry and exit point for heavy vehicles will be able to accommodate |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | vehicles being able to enter and exit without utilising on-street car parking spaces. | movement of a 20m AV, the largest vehicle expected for the proposed development.<br><br>Swept path analyses have also been undertaken for the 12.5m heavy rigid vehicle (HRV) fire truck and the 8.8m medium rigid vehicle (MRV), as these are the expected heavy vehicles accessing the Subject Site, as shown in Appendix B of **Appendix C4**.<br><br>Approximately four (4) on-street parking spaces will need to be removed to accommodate the AV exit movement. The on-street car parking survey results show that there are 10 available parking spaces on the street, which would compensate for the loss of four (4) spaces. This means that after the proposal, six (6) on-street spaces will remain available.<br><br>A revised assessment of parking occupancy for on-street spaces has been undertaken in Section 5.1.1 of **Appendix C4** which confirms that there would be sufficient availability of spaces during the busiest times despite the loss of the spaces. |
| | | 4. The TIA states that the proposal will provide for overflow car parking (25 car parking spaces) within the landscaped areas on the site. The Department considers that these car parking spaces remove vital landscaped areas within the site. Also, there are no details in order for the Department to be satisfied the car parking spaces are in accordance with the relevant Australian Standards. It is recommended that these car parking spaces be removed from the proposal and corresponding architectural plans. | The overflow car parking spaces have been removed from **Appendix C1**.<br><br>The current total car parking provision, without this overflow car parking, is 223 car parking spaces which is deemed sufficient on the following basis:<br><br>▪ There is no increase in staffing numbers for the Subject Site. The parking assessment has assumed a potential increase in staffing that correlates with the increase in floor area on the Subject Site, which is deemed to be a |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | | conservative approach to accommodate potential staff increases on-site; and<br>▪ Based on on-site and on street parking surveys, there is spare capacity for car parking.<br>Further detailed assessment of on-site parking is undertaken in Section 6 of **Appendix C4**. |
| **Council** | Waste | A plan is required to demarcate the loading bay for waste collection near the bins. There is adequate space for this to be done. | A waste loading bay has been shown on the amended Architectural Plans provided in **Appendix C1**. |
| | Environmental Health | The application must be referred to the NSW Environment Protection Authority (EPA), as the premises is carrying out a scheduled activity for which the applicant, DuluxGroup (Australia) Pty Ltd currently holds an environmental protection license (license number 7106) for.<br><br>On the completion of remediation works, a copy of the long-term environmental management plan is to be provided for Council's records.<br><br>Further, the premises currently has one registered cooling tower in operation. The operation of the existing tower and the installation of any additional towers or mechanical ventilation, must comply with the requirements of the Public Health Act and relevant Australian Standards. | The application has been referred to the EPA and those comments have been considered below.<br><br>All towers and mechanical ventilation will be installed and comply with the relevant standards, and this may be confirmed as a condition of consent. |
| | Tree Management | Approval of this SSDA is to be subject to the following conditions: | Noted. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | The Impact Assessment Report is amended in Section 7.2 Tree Retention and Protection – As currently it only mentions T4<br><br><u>CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION</u><br><br><u>Compliance with Arborist Report</u><br>The consent holder shall ensure full compliance with the recommendations numbered in the Arborist Report prepared by Capability Green Co. dated 18/2/2024, which was submitted to Council as part of this application.<br><br><u>CONDITIONS TO BE SATISFIED DURING CONSTRUCTION</u><br><br><u>Utility Services: Underground</u><br>Underground services should use common trenches outside the Tree Protection Zone. If services need to be run within the Tree Protection Zone then all utility pipes and similar are to be installed using appropriate directional boring techniques. No tree roots are to be severed or damaged during this work.<br><br><u>Utility Services: Overhead General</u><br>The consent holder shall ensure all overhead electrical wires between the power pole and approved structures are located outside the crowns of existing trees and in accordance with the clearances specified by the energy authority. The overhead wires are also to be located to avoid future conflict with any trees | |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | planted in accordance with the development consent.<br><br><u>Compliance with Arborist Report</u><br>The consent holder shall ensure full compliance with the recommendations numbered in the Arborist Report prepared by Capability Green Co. dated 18/2/2024, which was submitted to Council as part of this application.<br><br><u>Monitoring of Trees</u><br>A qualified arborist - minimum Australian Qualification Framework (AQF) Level 5 Diploma of Horticulture (Arboriculture) and/or equivalent experience - shall be retained and regularly consulted throughout all demolition, clearing and construction work to ensure protection of the trees retained and compliance of all work with Australian Standard AS4373-2007 Pruning of amenity trees and Australian Standard AS4970-2009 Protection of trees on development sites.<br><br><u>Compliance with AS4373 – 2007 and AS4970 – 2009</u><br>All work carried out on or around protected trees during demolition, clearing and construction shall comply with Australian Standard AS4373-2007 Pruning of amenity trees and Australian Standard AS4970-2009 Protection of trees on development sites. Site specific conditions relating to tree protection shall take precedence over this requirement. | |

| **TABLE 1: RESPONSE TO SUBMISSIONS** | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | Traffic | <u>Traffic Vehicular Crossings:</u><br><br>Since Access Points 1, 2, 3, and 5 are designated for heavy vehicles (20m Articulated Vehicles), the Applicant must:<br><br>▪ Confirm the largest heavy vehicle expected to use these access points.<br>▪ Demonstrate compliance with AS 2890.2 regarding driveway width (12.5m) and splays using turning path analysis.<br>▪ Widths of all the 6 driveways both existing and proposed are to be shown on the drawing.<br>▪ Drawings should also include existing No Stopping and No Parking signs.<br><br>Section 3.2.2 of the AS2890.1:2004 explicitly states "Reversing movements to public roads shall be prohibited wherever possible". Given the future growth of traffic, it is essential to ensure compliance with this standard. Can be conditioned. | The largest vehicle expected to access the Subject Site is a 20m AV. These vehicles will enter the Subject Site via Access Point 3 and exit via Access Point 5.<br><br>The largest vehicle expected to use Access Points 1 and 2 is an 8.8m MRV, which will enter via Access Point 2 and exit via Access Point 1.<br><br>It is noted that Access Driveways 1, 2, 3, and 5, which are used by heavy vehicles, are proposed to operate as one-way. In this regard, the followings are notable:<br><br>▪ The 12.5m driveway width requirement in AS 2890.2:2018 applies to two-way access driveways only;<br><br>▪ AS 2890.2:2018 does not specifically stipulate a minimum driveway width for one-way driveways leading to a minor road (Gow Street is classified as a local road). It requires that the access driveway shall be assessed based on swept path analysis; and<br><br>▪ Swept path assessments have been undertaken to assess compliance with AS 2890.2:2018, as shown in Appendix B of **Appendix C4**, demonstrating the suitability of the access points to accommodate the nominated design vehicles.<br><br>The widths of the access driveways are measured and illustrated in Appendix B of **Appendix C4**. |

| **TABLE 1: RESPONSE TO SUBMISSIONS** | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | | For the location of existing "No Stopping" and "No Parking" signage, refer to Figure 14 of **Appendix C4**.<br><br>No reversing movements to public roads will occur at the access points of the proposed development. |
| | | <u>Staff Crossing Facility</u><br><br>Since a significant number of staff are using the car park on the opposite side of the factory, it is recommended that a refuge island be installed between Driveways 3 and 5, fully funded by the Applicant. This measure will enhance pedestrian safety and support the Applicant's commitment to the Green Travel Plan by encouraging safer pedestrian movement. | Regarding the refuge island, the followings are notable:<br><br>▪ As outlined in Appendix C (Section C.1.3) of *Austroads Guide to Road Design Part 4: Intersections and Crossings (AGRD-4)*, refuge islands in the centre of the road are recommended to enable a staged crossing where volumes are greater than 3,000 vehicle per day.<br><br>Based on the surveyed traffic volumes and analysis (refer to Appendix A of **Appendix C4**), traffic volumes on Gow Street (both direction) are expected to be 130 and 140 vehicles per hour during the AM and PM peak periods, respectively, for the 2026 Project Case.<br><br>Using a conversion factor of 12 (refer to Section A.4.3 in Appendix A of *Austroads Guide to Traffic Management Part 3: Transport Study and Analysis Methods)* to convert peak period volumes to daily volumes results in a maximum daily volume of approximately 1,680 vehicles per day, which is well below the 3,000 vehicle per day threshold.<br><br>Additionally, as the width of Gow Street is approximately 11m, introducing a refuge island would reduce the effective carriageway |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | | width, potentially impacting vehicles manoeuvrability.<br>▪ Staff, not visitors, are the primary users accessing the car park from the development. These staff members are familiar with the Subject Site layout and the existing conditions on Gow Street, reducing the risk typically associated with unfamiliar pedestrian movements;<br>▪ Staff are already accessing the car park under current conditions. The proposal does not seek to increase staff numbers, alter the internal footpath arrangements, or change the access point geometries. Therefore, there is no change to the existing situation, which, based on crash data analysis, shows no history of pedestrian-related incidents within the vicinity of the Subject Site.<br>▪ The width of Gow Street at this location is approximately 11m. At an average walking speed of 1.2m/s, it would take approximately nine (9) seconds for a pedestrian to cross. Considering the posted 50km/h speed limit on Gow Street and the relatively low traffic volumes, pedestrian safety concerns are considered minor.<br>Nonetheless, to further enhance pedestrian safety, a pedestrian crossing on Gow Street is proposed between Driveways 3 and 5 and shown in **Appendix C1**. |
| | | <u>Accessible Parking</u> | The amended Architectural Plans (**Appendix C1**) plans incorporate the installation of bollards for accessible car parking spaces. The proposed spaces have been |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | While the number of accessible parking spaces may be sufficient, it is noted from the street view that the existing accessible parking outside Access Point No. 4 lacks a bollard within the shared area. This does not comply with AS 2890.6, which requires a bollard to deter illegal parking. The Applicant must address this non-compliance. | assessed for compliance with AS 2890.6:2022, as shown in Appendix B of **Appendix C4**. |
| | | <u>Bicycle Spaces</u><br><br>According to Austroads Guide to Traffic Management Part 11: Parking C2.2, bicycle spaces should be provided for office staff and visitors based on their floor area and User Class. | Nine (9) bicycle spaces are now proposed, as shown in **Appendix C1**, which complies with the requirements of Canterbury-Bankstown Development Control Plan 2023 (CBDCP2023). |
| | | <u>Pedestrian and Bicycle Access</u><br><br>Although the report mentions a potential future Green Travel Plan, the Applicant must prioritize installing a footpath along the entire site frontage and outside the car park at No. 20 | A footpath is now proposed to be installed along the Subject Site frontage, as shown in **Appendix C1**. |
| | | <u>Green Travel Plan</u><br>To align with the objectives outlined in the Green Travel Plan (GTP), the Applicant must consider the following measures:<br><br>▪ Safe Footpath Installation: The installation of a safe footpath along the site's frontage is essential to removing barriers to active transport and improving pedestrian accessibility.<br>▪ Staff Bus Service: The Applicant could consider providing free staff bus rides to reduce reliance on private vehicles and | A footpath is now proposed to be installed along the Subject Site frontage as shown in **Appendix C1**.<br><br>The Green Travel Plan aims to reduce reliance on private vehicles and encourage a gradual shift to public or active transport. A staff bus service is not considered necessary to do so.<br><br>The proposed development includes three (3) lockers, six (6) showering facilities (three (3) male and three (3) female), and two (2) changerooms (one (1) male and |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | encourage a gradual shift to public or active transport.<br>▪ Shower and Change Facilities: While the report states that providing 9 bicycle parking spaces does not require a shower or change room under DCP 2023, the Applicant must still consider installing these facilities to encourage staff to cycle to work.<br>▪ Refuge Island Installation: As per Comment No. 3, a refuge island should be installed between Driveways 3 and 5, fully funded by the Applicant. | one (1) female) to meet the requirements of the Planning Guidelines for Walking and Cycling.<br><br>A pedestrian crossing is now proposed between Driveways 3 and 5 as shown in **Appendix C1**. |
| | | <u>Pedestrian Sight Distance</u><br><br>Sight lines for pedestrians must be demonstrated on all exits by providing the 2m x 2.5m sight triangles to comply with AS2890.1:2004 – Fig 3.3, and conditioned to be kept clear of any obstruction. This should be illustrated on plans submitted with the Construction Certificate. Can be conditioned. | Minimum dimensions for access driveway sight splays for pedestrians have been assessed for compliance with AS2890.1:2004 and AS2890.2:2018, as shown in Appendix B of **Appendix C4**. |
| | | <u>Sight Distance for Exiting Motorists</u><br><br>The Applicant is to apply for the parking restrictions a minimum of three months prior to occupation of the premises for the adjustment of the existing No Stopping and No Parking restrictions. Can be conditioned. | Noted. |
| | | <u>Existing Services</u><br><br>If there are services including signs that need to be relocated / removed, this need to be shown on the drawing and comply with the required clearance as per Council's Standard Drawing S004. | The location of on-street parking spaces impacted by the AVs swept path at Access Point 5 is illustrated in Appendix B of **Appendix C4**.<br><br>It is noted that any proposed changes to on-street parking are subject to approval by the Local Traffic |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | | Committee (LTC) and must comply with the relevant Council's Standard Drawings. |
| | Urban Design | <u>General Comments</u><br><br>Generally, the proposal has a sensitive approach to the placement and design of the new building. The overall character of the site would not deviate too much from the existing context and scale through the proposed design, but future considerations should be made to the façade design and landscape components to further reduce the visual impact of the development, improving the environmental quality, and the pedestrian approach to the site:<br><br>Requested design improvements (prior to development consent being granted) | Further refinement of the materiality and finishes has been proposed as shown in **Appendix C1**. It is considered that façade design is of a high quality and is appropriate within the surrounding context.<br><br>As confirmed in the Visual Impact Assessment undertaken as part of the original lodgement, the proposed development would not result in any adverse visual impacts. |
| | | <u>Public Domain Interface</u><br><br>The development uses a predominantly concrete palette for the façade of the new building. The proponent should utilise more bricks in the new façade design to better reflect the character of the local context.<br><br>The development has not proposed any changes to the main pedestrian entry point on Gow Street which only has a narrow-painted pedestrian lane through the parking area. The proponent should include the main entry within the scope of the proposed upgrade work to refurbish and reconfigure it, improving accessibility and wayfinding for pedestrians. | Further refinement of the materiality and finishes has been proposed as shown in **Appendix C1**. It is considered that façade design is of a high quality and is appropriate within the surrounding context.<br><br>As discussed above, improvements to the pedestrian areas at the Subject Site frontage is proposed. |

| **TABLE 1: RESPONSE TO SUBMISSIONS** | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | <u>Landscape</u><br><br>The development has shown the new water tank located on a turfed area along the proposed truck exit. The proponent should utilise mixture of hardy groundcovers and low grass in lieu of turf such as Grevillea juniperina 'Gold Cluster', Scaevola humilis and Lomandra 'Tanika' to provide a better visual amenity and environmental outcome.<br><br>The proponent should utilise tree planting between the proposed water tank and site boundary such as Elaeocarpus Eumundi and Tristaniopsis laurina to reduce the visual impact of the water tank whilst providing additional canopy cover for the site.<br><br>The development has shown the large grassed area in the centre of the site to be retained. The proponent should consider utilising the lawn area for staff recreational facilities, or improving the environmental sustainability of the site via endemic planting and water sensitive urban design initiatives. | The landscaping around the water tank has been revised accordingly, as shown in **Appendix C2**.<br><br>The large grassed area is now shown as an area for staff recreation and includes a shaded area as shown in **Appendix C2**. |
| | | <u>Sustainability</u><br><br>The development has not proposed the inclusion of any new solar panels for the roof of the new building. The proponent should consider installing solar panels on the new roof to increase the use of renewable energy on site. | As detailed in the Environmentally Sustainable Design (ESD) Report provided as part of the original lodgement, solar panels are proposed to be installed on the roof. |
| | Flooding, Stormwater & Drainage | Requested additional information (prior to development consent being granted) | As detailed in the Civil Engineering Response Letter provided in **Appendix C5**, the pre-development modelling demonstrates that the proposed works |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | The following are comments relating to the Flood Impact and Risk Assessment (FIRA) undertaken for the proposed development:<br><br>▪ Flood modelling shall be undertaken for the post-development scenario based on the earthworks shown in Drawing C014984.00 – SSDA301 to confirm there would be no adverse impact on off-site and downstream flood behaviour.<br>▪ Council notes the cut and fill changes could potentially alter the overland flow path around the eastern side of the development extent.<br>▪ Flood impact maps shall be prepared for all the simulated flood events to demonstrate the impacts on peak flood levels and velocities. | extent does not experience mainstream flooding in all storms up to the PMF. Minor encroachment of the overland flow path is experienced in the hardstand area towards the south-east of the proposed development.<br><br>As shown in the earthworks cut/fill heatmap on Drawing CO14984.00-SSDA301 of the Civil Engineering Plans provided as part of the original lodgement, filling works are generally not proposed within the flood affected area, with the area being mostly in minor cut. As the proposed development maintains the levels in the flood affected area and introduces additional inground drainage within the flooded area, it is expected that there will be no additional off-site flood affectation resulting from the proposed works and the overland flow path is generally maintained. Therefore, post-development modelling is expected to be consistent with pre-development modelling.<br><br>Since the proposed development is not affected by the Subject Site flood conditions, flood afflux modelling and mapping is redundant. |
| | Payment of Section 7.12 Development Contributions | The development proposal triggers the requirement for Section 7.12 Contributions in accordance with Section 7.12 and Section 7.13 of the Environmental Planning and Assessment Act 1979.<br><br>In the event of a development consent being issued by the Department of Planning, Housing and Infrastructure, a condition of consent will be imposed | Noted. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | that requires the applicant to pay the required contributions to Council prior to the issue of a Construction Certificate. Council requests that applicants contact Council on (02) 9707 9000 or council@cbcity.nsw.gov.au following receipt of the development consent to obtain the invoice.<br><br>Please note the invoice has a payment term of 10 days and development contributions paid are non-refundable in accordance with the Canterbury Bankstown Local Infrastructure Contributions Plan 2022. | |
| | Other | Design excellence must be considered as part of the proposed development. Council notes it is not a requirement in the SEARs, therefore we request the applicant submits the proposal in accordance with Council's Design Review Panel procedures:https://www.cbcity.nsw.gov.au/development/design-review-panel<br><br>Council requests the amendment of the numbering of industrial dwellings/units to prioritise the main street address, ensuring properties closest to the primary street receive the lowest numbers. | As confirmed in the DPHI correspondence provided in **Appendix C6**, addressing the design excellence provisions of the CBLEP2023 through this process will contribute to a satisfactory demonstration of design excellence and may be considered appropriate in lieu of a formal Design Review Panel assessment.<br><br>The proposed development has been designed to achieve a high quality architectural response which is of a consistent form and scale with the surrounding industrial development and meets the operational demands of the proposed development.<br><br>The proposed design responds to the setting of the area by providing a high-quality industrial facility which is proposed as an upgrade to the existing Subject Site, improving the overall look of Gow Street with a carefully articulated building facade, that |

| **TABLE 1: RESPONSE TO SUBMISSIONS** | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | | respects the existing office buildings giving a more human scale to the street whilst at the same time considering access and the visual and acoustic impacts on the nearby properties.<br><br>The street façade maintains the existing two-story office buildings to address the bulk and scale of the new industrial building that will provide a high quality façade as the background. The main façade on Gow Street will be improved with the demolition of an old existing canteen building to be replaced with a new truck exit and landscape area.<br><br>As such, the proposed development is considered satisfactory having regard to the provisions of Clause 6.15 of CBLEP2023. |
| **DCEEW CPHR** | Flooding | <u>Flooding</u><br><br>CPHR notes:<br><br>▪ The site would have flood affectation under an 1% AEP event due to a major overland flow path located in the south-eastern portion of the site and the floodwater depth of 0.25 m would be expected within the flood affected areas.<br>▪ The site would be significantly flood affected under the probable maximum flood (PMF) event due to combined effects of overland flooding from the south-west direction and mainstream flooding from Salt Pan Creek. | As detailed in **Appendix C5**, the Subject Site is affected by two (2) mechanisms of flooding, being an overland flow path between the M5 Motorway and Salt Pan Creek, and fluvial flooding from Salt Pan Creek. Flood affectation is generally limited to the eastern Subject Site extent in all storms up to the PMF due to the Subject Site topography.<br><br>It should be noted that the proposed works are limited to the western portion of the Subject Site which is generally beyond the flood extent for all storms up to the PMF. There is immaterial change in |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | ▪ The mainstream flooding from Salt Pan Creek would approach the site entry and exit points located on Gow Street along with a floodwater depth of 1 m or higher, along with high flood hazards. The mainstream flooding from Salt Pan Creek would inundate a considerable portion of 15 Gow Street and the car parking facility at 20 Gow Street would likely to be completely inundated with a floodwater depth of 1 m and higher. This would lead to the isolation of the proposed facilities on the eastern portion of 15 Gow Street under the PMF Event for about 1.5 hours.<br>▪ The western portion of the site would not have any flood affectation under the PMF Event due to elevation differences from the eastern portion of the site.<br><br>CPHR recommends that the proponent revises the Flood Planning Area (FPA) and Flood Planning Level (FPL) in consultation with Council to ensure that the finished floor level of proposed facilities would be above 1% AEP flood level. The proponent should consult with Council to determine the appropriate freeboard based on flooding impacts from overland and mainstream flooding sources under an 1% AEP Event.<br><br>Recommended actions:<br><br>The proponent<br>▪ review and update the FPA and FPL for site in consultation with Council | flood affectation between the Subject Site's existing condition and the proposed development.<br><br>The north-western Subject Site access point is shown to be completely clear of the PMF flood extent in several regional flood assessments (Salt Pan Creek, and Fairford Road), Council's SSR, and the Flood Impact Assessment Report (FIA) provided as part of the original lodgement. While the access points further east is completely inundated in the PMF, the Subject Site remains accessible in all storm events through the north-west, thus allowing emergency services to access the Subject Site and facilitating evacuation of occupants. The property at 20 Gow Street is noted to be a non-habitable carpark. Inundation of this Subject Site does not pose any safety concerns.<br><br>The *Salt Pan Creek Catchments Flood Plain Risk Management Study and Plan* identifies the Subject Site to be within a "Medium Risk Flood Precinct" (refer to Figure 4.1). In accordance with Part B12 – Flood Risk Management of the CBDCP2023, industrial developments within a Medium Flood Risk Precinct are subject to a minimum floor level requirement of the 100-year flood level plus 500mm freeboard. The 1% AEP flood level around the Subject Site varies – ranging from RL 8.00 in the M5 Motorway to RL 3.20 in Salt Pan Creek. The overland flow path through the Subject Site reaches RL 5.40-6.00 as it travels from west to east. The finished floor level of the proposed warehouse extension is set at RL9.00, consistent with the existing warehouse structure. Therefore, the |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | ▪ implement appropriate controls to address and mitigate the risk of inundation at the site. | development floor level meets the requirements of Council. |
| | | <u>Emergency Risk Management</u><br><br>The proponent needs to develop a Flood Emergency Response Plan (FERP) in consultation with the SES and Council to ensure that the flooding risk during major events including the PMF event is appropriately addressed and managed at this site. The proponent should investigate opportunities within the site for workers to move from flood impacted areas to flood free areas under the PMF event. This would allow workers and visitors in the flood impacted areas to retreat into flood free areas within the site as well as flood free areas towards Fairford Road. The proponent may consider the pre-emptive closure of site based on severe weather warnings from relevant agencies to mitigate potential risks to workers and visitors.<br><br>The proponent should address and manage flooding risks in consultation with the SES and in accordance with the EM01 Guideline (Support for Emergency Management Planning) based on anticipated hazard levels under the PMF event. The modelling results indicate that the car parking facility at the site would be inundated during the PMF event, which would limit or eliminate opportunities to evacuate the site using vehicles. In developing the FERP, the proponent should consider the extent of flood affectation within the site and its adjoining areas, and flood free facilities within the site. | The Subject Site's flood emergency response is contained within Section 10 of the FIA. A standalone Flood Emergency Response Plan will be submitted prior to the issue of a Construction Certificate in consultation with SES and Council.<br><br>It is understood that the precinct is prone to flash flooding from Salt Pan Creek in infrequent storm events. Additionally, it is noted that the Subject Site is expected to be partially impacted by high hazard flood waters in high-intensity storm events caused by elevated water levels in Salt Pan Creek.<br><br>The FIA determined that flood levels in Salt Pan Creek are expected to peak at approximately two (2) hours in the 1% AEP, and 1.5 hours in the PMF storm. This provides ample opportunity for occupants within the flood affected building to relocate to flood-free areas of the Subject Site.<br><br>With the above in mind, flood management strategies will include an on-site response plan that addresses what measures should be undertaken once the threat of a flood is determined to be imminent. The two (2) main types of responses to a flood emergency are to evacuate site occupants, or to have occupants shelter-in-place on site until floodwaters recede.<br><br>Evacuation of the Subject Site is the preferred flood response, given the risks of evacuating are considered acceptable. Occupants are to evacuate to areas |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | The proponent indicated that a local monitoring network, such as water level and weather information, may be considered to address and manage risks at the site. It is CPHR's view that a local level monitoring network would be unlikely to provide appropriate flood warning for evacuating the impacted areas of the site, given the flash flooding nature of the Salt Pan Creek Catchment and potential inundation of the site in a rapid manner following the onset of a PMF event.<br><br>Recommended action:<br>▪ The proponent should implement flood emergency management measures in consultation with the SES and in accordance with EM01 Guideline for the development site. | beyond the reach of PMF floodwaters via safe evacuation pathways developed in consultation with SES and Council. However, evacuation without the appropriate early warning systems available may expose Subject Site users to the risk of entrapment given the proliferation of flash flooding throughout the precinct.<br><br>Alternatively, a shelter-in-place strategy is to be considered where the risks of evacuating are higher than the risks of sheltering on Subject Site (ie. if insufficient lead time to the onset of flooding is provided and evacuees would potentially be at risk). As shown in the FIA, a significant portion of the Subject Site is located above the PMF flood level and can provide adequate refuge. Tenants will be able to safely seek refuge on site should visual indicators of flooding (such as ponding in adjacent streets) be evident. Provisions shall be made in the flood emergency plan to ensure sufficient emergency supplies are available for potential extended periods of isolation.<br><br>All flood management strategies will to be developed in consultation with Council, SES and other relevant authorities to ensure the safety of the Subject Site's future occupants and regularly reviewed to ensure relevance in future flood conditions. |
| | Biodiversity | The Biodiversity Development Assessment Report (BDAR) (Écologique, 15 January 2025) outlined several mitigation and management measures. | Noted. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | Recommended action:<br>▪ Mitigation and management measures outlined in Table 8-1 of the BDAR should form part of the conditions of consent. | |
| **DCEEW Heritage NSW** | Heritage | The proposed SSD project area does not contain, nor is in the vicinity of any State Heritage Register (SHR) items. Heritage NSW note that no stand-alone Statement of Heritage Impact (SoHI) was included in the submission, but that a summary paragraph was included in the EIS. The Historical Archaeological Assessment (HAA) did not identify any listed or potential archaeological relics within the site and concluded that the project will therefore have a neutral impact to archaeological resources. The assessment recommended that an Unexpected Finds Procedure is implemented for the project.<br><br>Heritage NSW that as per Section 8.1 of the ACHAR, the works proposed under the current SSD application are confined within the boundary of 15 Gow Street and that any future works within 20 Gow Street will require further assessment.<br><br>Heritage NSW agrees with the outcomes of the HAA and the built heritage summary in the EIS. We have included recommended draft conditions of approval in Attachment A. | Noted. |
| | ACHAR | The Aboriginal Cultural Heritage Assessment Report (ACHAR) and Archaeological Report (AR) has been prepared with reference to the relevant guidelines as required by the Secretary's Environmental Assessment Requirements (SEARs). Heritage NSW | Noted. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | note that as per Section 1.1 of the ACHAR, the works proposed under the current SSD application are confined to within the boundary of 15 Gow Street and that any future works within 20 Gow Street will require further assessment.<br><br>Heritage NSW supports the proposed management Measures and Recommendations (Section 6 and 7 of the ACHAR). Recommendations in relation to Draft Conditions of Consent are included in Attachment A. | |
| **EPA** | Matters to be Addressed Prior to Determination | 1. Environment Protection Licence<br><br>There is limited discussion in the EIS regarding the environment protection licence (EPL). Appendix C 'Statutory Compliance Table' of the EIS states: "The proposed development will exceed the chemical production and storage capacity and, as such, an EPL is required for the proposed development." However, the EIS does not mention the existing licence covering the premises (EPL 7106), and there is no discussion as to whether or what variations would be required.<br><br>The use as described – chemical production and storage – appears consistent with current licencing, however it appears the development may result in an intensification of this activity indicated by:<br><br>▪ the operating times proposed to change from 24/5 to 24/7;<br>▪ anticipation that a new Trade Waste Agreement would be necessary based on increased volumes of wastewater; and | A tap in request has been raised for a new trade waste agreement (application number 2021884).<br><br>The proposed development, including existing operations, would not exceed the current limits in Condition A1.1 of EPL 7106. The capacities are reviewed annually by Selleys and if required, a separate application will be made should these capacities be exceeded. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | ▪ the general discussion that this development would accommodate growing demands for Selleys products.<br><br>Therefore, it is not clear if the current limits in condition A1.1 of EPL 7106 would need to be adjusted.<br><br>The EPA recommends the Applicant clarifies how the development would affect the current licencing at the premises.<br><br>The Applicant should also be aware that as a requirement of an EPL, the EPA will require the Proponent to prepare, test and implement a Pollution Incident Response Management Plan and/or plans in accordance with Section 153A of the POEO Act. | |
| | | 2. Air quality<br><br>a. Emission Points<br><br>The AQIA has nominated emission points for the premises. However, there is not sufficient detail to enable the EPA to complete its assessment.<br><br>The EPA recommends that the Applicant provides:<br><br>▪ a map of all emission points including labelling points that have and have not been assessed.<br>▪ The emission inventory nominates the emission source type (such as point, fugitive, mobile, volume) and a description such as exhaust point or roller door. | An Air Quality Response Letter is provided in **Appendix C3** which provides further detail and assessment regarding the nominated emission points, including a map of all emission points and description. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | b. Management measures<br><br>The Secretary's Environmental Assessment Requirements (SEARs) requested details of proposed mitigation, management and mitigation measures. Chapter 8.1.2 does not appear to provide sufficient detail on all the management and mitigation measures existing and proposed at the premises. This includes measures such as the location and details of baghouses, vapour recovery systems, material handling and any other measure.<br><br>The EPA recommends the Applicant provides a comprehensive list of all existing and proposed air quality and odour management measures and controls including but not limited to dust collection and vapour recovery systems, and benchmark it against best practice. | Further details of the proposed mitigation measures are included, noting that either pollutant concentrations are calculated to be below relevant criteria at the point of emission or are predicted to be at concentrations below the relevant criteria at the sensitive receptor locations. An emissions testing program is proposed within 60 days of commissioning to confirm the assumptions of the assessment and, if required, implement additional controls. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | c. Odorous chemicals<br><br>The EPA notes that Methyl isobutyl ketone is listed in Table 16 of the Approved Methods as an odorous air pollutant, however it was not identified as odorous in the AQIA.<br><br>The EPA recommends that the Applicant identifies and assess all odorous emissions. | Whilst the criterion associated with methyl isobutyl ketone has not been labelled as odorous in the Air Quality Impact Assessment (AQIA) provided as part of the original lodgement (in error), there is only one (1) criterion associated with methyl isobutyl ketone listed in the Approved Methods. Application of that one (1) criterion within the AQIA therefore appropriately covers the potential for odour impacts to be assessed.<br><br>Considering that the calculated emission concentration of methyl isobutyl ketone from the proposed development was calculated to be significantly below the criterion outlined in the Approved Methods (less than 0.1 % of the criterion), there is considered to be a minimal risk of odour impacts at surrounding receptors associated with methyl isobutyl ketone.<br><br>In relation to other potential odorous emissions from the proposed development, emissions of ethanol were identified and assessed. Concentrations of ethanol were calculated to have the potential to be above the relevant criterion (odour) at the point of emission, and a dispersion modelling exercise was performed. This provided predicted ethanol concentration at all surrounding receptors of 0.4 % of the criterion for odour.<br><br>No other pollutants with an associated odour criterion in the Approved Methods were identified as having the potential to be emitted from the proposed operation. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | 3. Noise and vibration<br><br>a. Noise monitoring<br><br>The background noise monitoring in NCA1 and NCA2 appears to be significantly affected by adverse weather during the day period, resulting in the exclusion of a large number of samples. Noise Policy for Industry (NPfI) (EPA, 2017) Fact Sheets A and B provide the requirements for data collection for establishing the rating background level. However it's not clear if the presented monitoring data meets the requirements of the NPfI.<br><br>The EPA recommends that the Applicant clarifies if sufficient data was collected to be representative of the rating background level and meet the requirements of Fact Sheets A and B of the Noise Policy for Industry.<br><br>Chapter 3.2 of the NVIA states that attended monitoring was carried out, however the notes and results are not provided in the document. The attended monitoring and noise environment characterisation may be required to demonstrate the factors influencing the small variation between background levels during the day, evening and night.<br><br>The EPA recommends that the Applicant supply the results and notes from the attended noise monitoring. | A Noise and Vibration Response Letter is provided in **Appendix C7** which confirms that sufficient data was collected. While a number of periods were excluded from the background noise monitoring during the day period, the wind speed threshold used to exclude data is considered conservative and wind speeds would be lower at the microphone height. Including additional data results in a higher calculated rating background level (RBL) and as such the levels used in the Noise and Vibration Impact Assessment (NVIA) provided as part of the original lodgement are likely to be lower than the background noise environment. Additionally, sufficient data has been captured during the evening and night periods to set the intrusiveness noise levels.<br><br>Notes and results from attended noise monitoring, along with a summary of the monitoring equipment and long-term results, are provided in Table 3 and Table 4 of **Appendix C7** for the two (2) monitoring locations respectively. At both monitoring locations road traffic and industrial noise were dominant. |
| | | b. Amenity category | Table 2.3 of the Noise Policy for Industry (NPfI) provides guidance for selecting the residential |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | The NVIA has assigned residential receivers the urban amenity category for the purpose of establishing the Project Noise Trigger Levels. However, the land use zoning of the residential areas is R3 which according to NPfI Table 2.3 is a suburban amenity area.<br><br>Any changes to the amenity category outside of the land use zoning should be justified, which could include evidence as described in Determining The Noise Policy For Industry Noise Amenity Category For Residential Receivers (Acoustics Australia Vol. 50, No. 3, September 2022). This could include attended noise monitoring which demonstrates the noise sources which contribute to the noise environment. Currently the NVIA does not provide sufficient justification to assign the urban amenity category to residential receivers.<br><br>The EPA recommends that the Applicant provides a sufficient justification for the amenity category assigned to residential receivers. NVIA Chapter 5.1.7 assess cumulative noise using the suburban amenity category, which is inconsistent with other sections of the report that use the urban amenity category for all receivers to set the Project Noise Trigger Levels.<br><br>The EPA recommends that the Applicant clarifies and justifies the appropriate amenity category for operational and cumulative noise. | amenity category and planning/ and use zoning is one (1) of three (3) columns included for consideration in this table. While the land use zoning of the residential areas in the study area fall in the categories listed for suburban residential amenity category, the existing background noise levels and description of the environment for the urban residential amenity category more closely align with the noise environment of the study area.<br><br>Background noise levels presented in Table 3.1 of the NVIA indicate that the RBLs, particularly the evening and night RBLs, are well above 45, 40 and 35 for the day evening and night periods respectively. The project is located in an existing industrial area and is located adjacent to the M5 South-Western Motorway. Observations taken during attended monitoring described above indicate that the noise environment at the residential areas is dominated by industrial and road traffic noise.<br><br>The amenity category has been chosen using Table 2.3 of the NPfI, the measured background noise levels and the observed description of the environment. The area is dominated by industrial source noise and traffic heavy and continuous traffic along the motorway. As such the amenity category for urban residences has been deemed appropriate for the study area.<br><br>The use of the suburban amenity criteria in Section 5.1.7 is an error, and the cumulative noise should be |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | | assessed to the urban amenity noise category as justified above. |
| | | c. Noise modelling<br><br>The modelling parameters in Table 5.8 assume all receivers are at 1.5 metres above ground level, however a review of the receiver area indicates double storey houses are present.<br><br>The EPA recommends the Applicant clarify if double storey receivers accounted for and amends the assessment as required.<br><br>The noise contour map presented for day and evening operations show the location of point sources and buildings, however they do not show moving point sources, such as trucks, nor forklift area sources. The contour lines also appear to show noise levels at least 5 dB below the point to point calculations for the worst affected receivers.<br><br>The EPA recommends the Applicant review and clarify that all relevant noise sources were included in the model, and amend the assessment accordingly including providing contour maps for all modelled scenarios. Table 5.7 of the NIVA presents the modelled noise sources, however there is no information on the location (including which building they are assigned to) or height of the modelled noise sources as required by NPfI Section 3.3. | The original assessment did not include predictions at the second storey. The noise modelling has been updated to include receivers at the ground floor, 1.5m above the ground, and first floor, 4.5m above the ground. A summary of the ground floor and first floor results at the worst affected residential receivers is provided in Table 6 of **Appendix C7** and indicated the predicted noise levels at the ground and first floor are compliant with the project noise trigger levels. Detailed results for all modelled receivers are provided in Appendix A of **Appendix C7**.<br><br>The contours presented in Figure 5.1 of the NVIA incorrectly included a legend item for 30-35dBA. The nearest residential receivers fall within the 35-40dBA contour and aligns with the modelling results. Results presented in the report above 40dBA at residential receivers include a correction for low frequency noise which was misreported as not being included. Updated noise contour figures are presented in Figure 2 and Figure 3 of **Appendix C7** for day/evening and night periods respectively.<br><br>The location of modelled sources is shown in Figure 1 and Table 7 of **Appendix C7** has been updated to include the status of each source, existing or proposed, and the height of the source. Building |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | The EPA recommends that information required by NPfI Section 3.3 for noise modelling parameters is provided.<br><br>The modelling was based in part on the existing operations. However, it's not clear if there was any comparison of the predicted noise level with actual noise emissions to validate the noise model.<br><br>The EPA recommends the Applicant clarify if any model validation was carried out by comparing measured levels with modelled levels of the existing operation. | breakout noise measured at the existing manufacturing building was applied to the new proposed building. The height of the buildings is 13.7m, the area sources extent the height of the walls, louvres were modelled extending 8m in the centre of the façade, as observed whilst on-site.<br><br>Comparison of modelled noise levels to measurements taken on-site was used to validate the noise modelling assumptions. Table 8 presents the measured noise level at the locations shown in Figure 4 (**Appendix C7**) alongside the predicted levels at the same locations and the difference in these two (2) levels. The difference at all locations is less than 2dB with the exception of the louvres at V1 that is overpredicting by 2.7dB. The average of the difference in the modelled and measured levels is -0.3dB indicating that the model validates and is appropriate to predict noise levels to surrounding receivers. |
| | | d. Assessment of annoying characteristics<br><br>Chapter 5.3.3. of the NVIA states that an assessment of annoying characteristics has been conducted. However, no details, calculations or other information in provided in the report. The EPA recommends the Applicant demonstrates the assessment has been conducted according to NPfI Fact Sheet C requirements. | Chapter 5.3.3 of the NIVA incorrectly states that no tonal or low frequency characteristics were found in the analysis of annoying characteristics. This analysis was completed in accordance with Fact Sheet C of the Noise Policy for Industry (NPfI) whereby the third octave noise levels modelled were analysed at each receiver as well as the A- and C-weighted noise levels to determine if the two (2) thresholds for low frequency or the threshold for tonality were met. It was found that both thresholds for low frequency were met at a number of receivers and a 2dB or 5dB |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | | correction was applied to the overall noise level predicted. The noise levels presented in the NVIA are inclusive of this correction. The threshold for tonality was not met at any of the receivers in the study area.<br><br>Details of the predicted A- and C- weighted noise levels as well as third-octave band noise levels at all receivers is provided in Appendix A of **Appendix C7**. The results include indicators where the low frequency noise and tonal noise triggers are met and the applied correction for each as well as the corrected noise levels at each receiver. Compliance with the project noise trigger levels is predicted at all receivers with the inclusion of any modifying corrections added. |
| | | e. Construction noise assessment<br><br>Table 4.9 of the NIVA indicated noise levels between LAeq,15min 95 and 99 dB are predicted at adjacent industrial/commercial receivers. These are very high noise levels and represent potentially harmful levels of noise. There does not appear to be any specific measures in the construction assessment to address this level of noise. The EPA recommends that the Applicant provides specific construction noise mitigation and management measures for the very high noise levels predicted at adjacent land uses. | The following measures would be used to manage impacts from construction at neighbouring industrial sites:<br><br>▪ It is recommended that notification should be provided to neighbouring properties when works are likely to be at this worst-case level and indicate that persons should avoid outdoor areas adjacent to the construction works during this time; and<br><br>▪ Controls should be implemented to reduce noise at the source and in transmission where reasonable and feasible to do so. Table 10 of **Appendix C7** provides details of such controls and their anticipated noise reductions sourced from Appendix C of AS2436-2010. Note should be made that barriers and control in transmission is only effective when |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | | the line of sight from source to receiver is blocked. |
| | | 4. Greenhouse Gas Emissions<br><br>The EPA's Guide for Large Emitters was released on May 2024 and applies to all planning applications that require an EPL and that will emit over 25,000 tonnes CO2-e of Scope 1 and Scope 2 emissions in any operational year.<br><br>The EPA recommends the Applicant confirms if the EPA's Guide for Large Emitters applies to this premises. | As confirmed in the ESD Report provided as part of the original lodgement, the proposed development will not emit over 25,000 tonnes CO2-e of Scope 1 and Scope 2 emissions in any operational year. Therefore, the EPA's Guide for Large Emitters does not apply. |
| | Matters to be Addressed with Conditions | 5. Contaminated Land<br><br>The EPA considers that the combined Preliminary and Detailed Site Investigation Report (PSI/DSI) generally meets the requirements of the statutory guidelines made or approved under s105 of the Contaminated Land Management Act (CLM Act). The report aligns with the requirements of a PSI and a DSI outlined in the Consultants Reporting on Contaminated Land: Contaminated Land<br><br>Guidelines (EPA, 2020). The EPA notes the DSI report identified asbestos contamination in fill material and potential localised aesthetic and hydrocarbon impacts at the site. The EPA considers the Remediation Action Plan (RAP) is generally adequate and meets the requirements of the SEARs and EPA made or approved guidelines. The EPA considers that an NSW EPA accredited site auditor be required as | Noted. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | part of the SSD conditions of approval, if approved to provide a Section A2 site audit statement confirming the site is suitable for the proposed use subject to implementation of an EMP. The EPA considers the requirement for an auditor is appropriate given:<br><br>▪ uncertainties of potential remaining primary sources of contamination on-site (including potential USTs);<br>▪ data gaps where contamination has not been investigated during the DSI due to feasible and accessibility issues;<br>▪ that remediation is required to be carried out with consideration of asbestos management and potential acid sulphate soils management; and<br>▪ that some contamination is proposed to remain on-site and an Environmental Management Plan is required to manage the residual contamination long-term.<br><br>The EPA recommends that if the Department of Planning, Housing and Infrastructure (DPHI) approve the Application, a Site Auditor is engaged subject to the following:<br><br>a. The applicant must engage an NSW EPA-accredited Site Auditor throughout the duration of works to ensure all works required in relation to contamination at the site are appropriately managed.<br>b. Prior to commencing with the remediation, the applicant must submit Interim Audit Advice or a Section B Site Audit Statement from by the NSW EPA accredited Site Auditor that certifies that the site can | |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | be made suitable for the proposed use subject to the implementation of the Remedial Action Plan.<br>c. The applicant must adhere to the management measures in the Remedial Action Plan which were approved by the NSW EPA accredited Site Auditor.<br>d. Any variations to the approved Remedial Action Plan must be approved in writing by the NSW EPA accredited Site Auditor.<br>e. The applicant must obtain a Section A1 Site Audit Statement - or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan - from an NSW EPA<br>accredited Site Auditor and submit it to the consent authority prior to occupation of the site. The Site Audit Statement must certify the site is suitable for the proposed use.<br>f. A copy of any Interim Audit Advice and the Site Audit Statement/s must be provided to the consent authority within 14 days of issue by the Site Auditor.<br>g. All works required in relation to contamination and subsequent reports must be done in accordance with the guidelines made and approved under section 105 of the Contaminated Land Management Act 1997, and all reports must be written by, or reviewed and approved by, a consultant certified by either the:<br>h. Environment Institute of Australia and New Zealand - Certified Environmental Practitioner (Site Contamination) (CEnvP (SC)); or the<br>i. Soil Science Australia - Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) schemes. | |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | j. During occupation and/or use of the land, the Applicant or site owner (if different) must comply with the ongoing obligations of any EMP approved by the NSW EPA accredited site auditor. | |
| | | 6. Water<br><br>The EPA recommends the following conditions are considered by DPHI if the Application is approved:<br><br>a. Unless otherwise authorised by an EPL, the Applicant must ensure that none of the development stages will cause any water pollution, as defined under Section 120 of the Protection of the Environment Operations Act 1997.<br>b. Except as expressly provided for by the EPL, the Proponent must not discharge any wastewater from the production activities.<br>c. The applicant must ensure that materials and waste to be either stored inside the buildings, under an awning or in weatherproof containers.<br>d. The Applicant must:<br>i. ensure that all storage areas are suitably bunded according to the relevant Australian Standard for the material being stored.<br>ii. ensure that all liquid waste captured on-site is classified, transported, and disposed of at a facility that can lawfully accept the waste.<br>iii. minimise any spills of hazardous materials or hydrocarbons and clean up any spills as soon as possible after they occur<br>e. Prior to the commencement of the construction activities, the Applicant must develop and implement | Noted. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | a Water Management Plan to manage surface water and groundwater.<br>f. An Erosion and Sediment Control Plan (ESCP) must be prepared for all aspects of the construction phase of the development and must be implemented. Implementation of the scheme must avoid or minimise the impacts of stormwater runoff from and within the premises during construction. The Stormwater Management Plan should be consistent with the practices and principles contained in Managing Urban Stormwater – Soils and Construction, Volumes 1 and 2 (Landcom, 2004; DECC, 2008).<br>g. The proponent must prepare a Soil and Water Management Plan to address all proposed activities and potential impacts associated with the project. The Plan must set out the procedures for investigating, and if necessary, mitigating surface water, erosion and /or sedimentation impacts of the project | |
| **Ausgrid** | Ausgrid Underground Cables are in the Vicinity of the Development. | Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.<br><br>It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA). | Noted, this may be confirmed as a condition of consent. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | In addition to BYDA the proponent should refer to the following documents to support safety in design and construction:<br><br>▪ SafeWork Australia – Excavation Code of Practice.<br>▪ Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables.<br><br>The following points should also be taken into consideration.<br><br>Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.<br><br>Should ground levels change above Ausgrid's underground cables in areas such as footpaths and driveways, Ausgrid must be notified, and written approval provided prior to the works commencing.<br><br>Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable. | |
| | Ausgrid Chamber Substation in the vicinity of the development | The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant | Noted, this may be confirmed as a condition of consent. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.<br><br>In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.<br><br>Exterior parts of buildings within 3 metres in any direction from substation ventilation openings, including duct openings and louvered panels, must have a fire rating level (FRL) of not less than 180/180/180 where the substation contains oil-filled equipment, or 120/120/120 where there is no oil filled equipment and be constructed of non- combustible material.<br><br>The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 kHZ) (ICNIRP 2010).<br><br>For further details on fire segregation requirements refer to Ausgrid's Network Standard 113.<br><br>Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24- | |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid.<br><br>For further details refer to Ausgrid's Network Standard 143. | |
| | New Driveways - Proximity to Existing Poles | Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance. | Noted, this may be confirmed as a condition of consent. |
| | New or Modified Connection | To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; https://www.ausgrid.com.au/Connections/Get-connected | Noted, this may be confirmed as a condition of consent. |
| | Easements | Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24-hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid.<br><br>For further details refer to Ausgrid's Network Standard 143.<br><br>Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". | Noted, this may be confirmed as a condition of consent. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries | |
| **TfNSW** | - | Nil | - |
| **NSW Fire and Rescue** | - | FRNSW therefore recommend the following conditions:<br><br>1. Prior to construction a Fire Safety Study (FSS) is developed in accordance with the requirements of the Hazardous Industry Planning Advisory Paper (HIPAP) No.2 and submitted to FRNSW for review.<br><br>▪ The FSS is to be used to inform the design and as such it is FRNSW Position that the FSS be developed to the satisfaction of FRNSW prior to any further submission being made to FRNSW; this includes: an Initial Fire Safety Report (IFSR) and / or Performance-Based Design Brief / Fire Engineering Brief Questionnaire (FEBQ).<br>▪ The FSS should be prepared consistent with the relevant FRNSW Fire Safety Guidelines and FRNSW Technical Information Sheets.<br><br>2. Prior to occupation or commissioning an Emergency Plan (EP) is developed for the site in accordance with HIPAP No.1.<br><br>3. Prior to occupation or commissioning an Emergency Services Information Package (ESIP) is | Noted. |

| TABLE 1: RESPONSE TO SUBMISSIONS | | | |
|---|---|---|---|
| **SUBMITTER** | **MATTERS RAISED** | **COMMENTS / REQUESTS** | **FORMAL RESPONSE** |
| | | developed for the site in accordance with FRNSW fire safety guideline – Emergency services information package and tactical fire plans. | |

# PART 5 UPDATED PROJECT JUSTIFICATION

The proposed development is justified on environmental, social, and economic grounds and is compatible with the locality in which it is proposed. This Submissions Report seeks to provide an updated justification and evaluation, as required, for the proposed development as a whole.

Various components of the biophysical, social, and economic environments, as well as the proposed developmetsl's alignment with the objects of the EP&A Act and other statutory instruments applicable to the Site have been examined in the original EIS for the Proposal and are summarised below.

## 5.1 SUPPORT STATE, REGIONAL AND LOCAL PLANNING OBJECTIVES

The proposed development is consistent with the objectives, provisions and vision contained within *A Metropolis of Three Cities – Greater Sydney Region Plan* the *South District Plan* and CBLEP2023. The proposal would contribute to employment generation in an area already earmarked for employment through both State and Regional planning policies.

## 5.2 DEMONSTRATES AN APPROPRIATE USE OF A PERMISSIBLE DEVELOPMENT

The proposed development would retain and contribute to the growth of new industry for the immediate locale and the wider region. The proposed development would be a highly appropriate and compatible (given its contiguousness to other existing warehousing and industrial developments) response to the strategic goals and objectives of the whole region as set out in *A Metropolis of Three Cities – Greater Sydney Region Plan* and the *South District Plan*, which all envisage employment-generating land uses at this location

## 5.3 MINIMISES ENVIRONMENTAL IMPACTS

Specialist consultants have assessed the potential impacts of the proposed development, determining that it could be undertaken with minimal environmental impacts. The commissioned reports have collectively concluded that no significant risk to the locality would result from the proposed development. Where impacts have been identified, these fully-developed strategies are set out in detail for management and mitigation.

## 5.4 CREATES COMPATIBILITY WITH SURROUNDING DEVELOPMENT

The proposed development is compatible with existing land uses on adjacent lands, all of which provide very similar industrial functions. All are within the immediate vicinity of the proposed development. Detailed investigations undertaken, as part of this application, conclude that no significant environmental cumulative impacts, would occur from the proposed development.

## 5.5 DELIVERS ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The principles of ESD as outlined in Clause 193 of the EP&A Regulation have been carefully considered in the formulation of this proposal and are addressed as follows.

### 5.5.1 Precautionary Principle

After careful assessment by both the project team and expert consultants, it is concluded that no unmanageable threat or irreversible damage to the environment, would result from the proposed development.

### 5.5.2 Inter-Generational Equity

The project team and expert consultants have examined the overall effects of the proposed development, on both the natural environment and the existing built environment within the vicinity of the Subject Site.

This detailed assessment has concluded that no unreasonable use of resources, affectation of environmental processes or prevention of the use of land for future generations would occur from the proposed development. The proposed development would improve the status of the Subject Site and contribute to the economies of the region through both substantial investment and new employment, thereby improving the inter-generational equity

### 5.5.3 Environmental Management

The proposed development implements significant and elaborate measures that avoid, contain and address any possible biodiversity, air quality, noise, waste and pollution impacts, through avoidance, better design and management. This is exemplified through the measures, which would be implemented throughout both the construction and operational phases of the proposed development.

# APPENDIX A
# PROJECT DESCRIPTION

SSD- 71052213

# UPDATED PROJECT DESCRIPTION – SSD-71052213

| | |
|---|---|
| **By:** | Selleys (Dulux Group Australia Pty Limited) |
| **In relation to:** | State Significant Development Application (SSD-71052213)<br>For Gow Street Manufacturing and Warehouse Facility |
| **Site:** | 15 and 20 Gow Street, Padstow (Lott 100 DP1011185 and Lot 53 DP1064349) |

the proposed physical changes to the proposed development are minor in nature and would not warrant a change to the description of the proposal as part of the EIS which is as follows:

The development proposed under **SSD-71052213** involves the refurbishment of a chemical manufacturing facility and associate warehouse and distribution centre.

The proposed development involves the following scope of works:

- Demolition of existing warehouse and maintenance building;
- Remediation of the Subject Site;
- Strip out and refurbishment of existing warehousing space to create a state of the art manufacturing facility with ancillary raw materials storage which will continue to be operated by the Dulux Group and Selleys;
- Construction of external tank storage and tanker unloading area; and
- Remodelling of the existing vehicle access to allow uni-directional truck flow

# APPENDIX B
# SUBMISSIONS REGISTER

SSD- 71052213

| **SSD-71052213 – SUBMISSIONS REGISTER** | | |
|---|---|---|
| **Stakeholder** | **Name** | **Section where submission is addressed in Submissions Report** |
| **Government** | **NSW DPHI** | Refer to **TABLE 1**, **Appendices C1** and **C4**. |
| | **Council** | Refer to **TABLE 1**, **Appendices C1**, **C2**, **C4**, **C5** and **C6**. |
| | **DCEEW CPHR** | Refer to **TABLE 1** and **Appendix C5**. |
| | **DCEEW Heritage NSW** | Refer to **TABLE 1**. |
| | **EPA** | Refer to **TABLE 1**, **Appendices C3** and **C7**. |
| | **Ausgrid** | Refer to **TABLE 1**. |
| | **TFNSW** | Refer to **TABLE 1**. |
| | **NSW Fire and Rescue** | Refer to **TABLE 1**. |

# APPENDIX C
# SUPPORTING DOCUMENTS

SSD-71052213

# APPENDIX D
# UPDATED MITIGATION MEASURES TABLE

SSD-71052213

| | |
|---|---|
| **By:** | Selleys (Dulux Group Australia Pty Limited) |
| **In relation to:** | State Significant Development Application (SSD-71052213)<br>For Gow Street Manufacturing and Warehouse Facility |
| **Site:** | 15 and 20 Gow Street, Padstow (Lott 100 DP1011185 and Lot 53 DP1064349) |

Selleys plan to undertake the construction and operation of the proposed development, in accordance with the following planned management and mitigation measures.

| **PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213** | | |
|---|---|---|
| **ID** | **Management / Mitigation Measure** | **Timing** |
| **Administrative Commitments** | | |
| **A1** | **Commitment to Minimise Harm to the Environment**<br>Selleys will commit to implement all reasonable and feasible measures, to prevent and/or minimise any harm to the environment, that may result from the construction or operation of the proposed development | Prior to construction, during construction, and during operation. |
| **A2** | **Terms of Approval**<br>Selleys will carry out the project generally in accordance with the:<br>(a) Environmental Impact Statement;<br>(b) Drawings;<br>(c) Management and Mitigation Measures;<br>(d) Any Conditions of Approval.<br>If there is any inconsistency between the above, the Conditions of Approval shall prevail to the extent of the inconsistency. | Prior to construction, during construction, and during operation. |
| **A3** | **Occupation Certificate**<br>Selleys will ensure that Occupation Certificates are obtained prior to the occupation of the facilities. | Prior to operation. |
| **A4** | **Compliance**<br>Selleys will ensure compliance with any reasonable requirement(s) of the Secretary of the NSW DPE arising from the assessment of:<br>(a) Any reports, plans, programs, strategies or correspondence that are submitted in relation to this Approval; and<br>(b) The implementation of any recommended actions or measures contained in reports, plans, programs, strategies or correspondence submitted by the Project Team as part of the application for Approval. | Prior to construction, during construction, and during operation. |
| **A5** | **Structural Adequacy**<br>Selleys will ensure that all new buildings and structures on the Subject Site are constructed in accordance with the relevant requirements of the National Construction Code. | During construction. |
| **A6** | **Construction Environmental Management Plan** | Prior to construction. |

| PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213 | | |
|---|---|---|
| **ID** | **Management / Mitigation Measure** | **Timing** |
| | Prior to the commencement of construction, Selleys would prepare a Construction Environmental Management Plan (CEMP) that addresses the following:<br>(a) Air Quality;<br>(b) Noise and Vibration;<br>(c) Waste Classification;<br>(d) Erosion and Sediment Control;<br>(e) Materials Management Plan;<br>(f) Remediation<br>(g) Acid Sulfate Soils and Salinity; and<br>(h) Community Consultation and Complaints Handling. | |
| **A7** | **Site Induction**<br>All staff employed on the site by the construction contractor will be required to undergo a site induction. | Prior to construction. |
| **A8** | **Operation of Plant and Equipment**<br>Selleys will ensure that all plant and equipment used on-site, is maintained and operated in proper and efficient manner, and in accordance with relevant Australian Standards. | During operation. |
| **A9** | **Monitoring the State of Roadways**<br>Selleys will monitor the state of roadways leading to and from the subject site, during construction, and will take all necessary steps to clean up any adversely impacted road pavements as directed by the Canterbury-Bankstown Council. | During construction. |
| **A10** | **Waste Receipts**<br>Selleys will ensure that a permanent record of receipts, for the removal of both liquid and solid waste from the Subject Site, be kept and maintained up to date at all times. Such records will be made available to authorised person upon request. | During construction and operation. |
| **A11** | **Complaints Handling**<br>Selleys will prepare an Operational Complaints Handling Protocol for the development, prior to the commencement of operations. | Prior to operation. |
| **A12** | **Soil and Water Management**<br>A Soil and Water Management Plan (SWMP) and Erosion and Sediment Control Plan (ESCP), or equivalent, will be implemented for the construction of the proposed development. | Prior to and during construction. |
| **Specific Environmental Commitments** | | |
| **Tree Management** | | |
| **TM1** | Selleys will implement all necessary tree protection measures. | Prior to and during construction. |
| **Traffic and Transport** | | |

| PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213 | | |
|---|---|---|
| **ID** | **Management / Mitigation Measure** | **Timing** |
| **TT1** | Selleys will finalise and implement the Construction Traffic Management Plan (CTMP). | Prior to and during construction. |
| **TT2** | Ason Group will finalise and implement the Green Travel Plan (GTP). | Prior to and during operation |
| **Noise and Vibration** | | |
| **NV1** | Noise and vibration management and monitoring will form part of the CEMP, to be prepared for the project, as outlined in **A6**. | Prior to and during construction and operation |
| **Hazards & Risks** | | |
| **HR1** | Multiple spill kits will be provided around the DG storage areas to ensure spills can be cleaned up immediately following identification. | During operation. |
| **HR2** | Aerosols shall be stored in a dedicated storage area which prevents rocketing cans from escalating the incident (i.e. storage in an aerosol cage, separate storage area, or in palletised aerosol cages). | During operation. |
| **HR3** | The Subject site shall be designed to contain any spills or contaminated water from a fire incident within the boundaries of the site. | Prior to construction. |
| **HR4** | Acid Sulfate Soil and Salinity management will form part of the CEMP, to be prepared for the project, as outlined in **A6**. | Prior to construction. |
| **HR5** | Adopt a construction stormwater management plan and associated erosion and sediment control measures in accordance with Landcom Blue Book and Council requirements. | Prior to construction. |
| **HR6** | An occupational hygienist shall provide a clearance certificate for the Subject Site following the demolition of existing buildings and removal of all slabs etc from the Subject Site. Once the hygienist has provided a clearance, a geo-environmental consultant shall undertake validation testing to confirm that remnant contaminants are not present at the Subject Site, prior to excavation, detailed waste classification (as required) and removal of soils for off-site disposal. | Following demolition |
| **HR7** | Appropriate inspections shall be undertaken during site works, such as inspection during stripping of the upper fill/topsoil for potential HBM including asbestos. The works shall be undertaken in accordance with an unexpected finds protocol (UFP). | During construction |
| **HR8** | Bulk excavation shall be undertaken with reference to strategic segregation and stockpiling of upper soils and other fill layers from underlying natural soils, and also segregation of carbonaceous natural soils from other natural soils, to maximise the beneficial re-use of excavated soils and minimise soils requiring disposal to landfill. | During construction |
| **HR9** | All existing wells/mine subsidence bores and any future bores that intersect the coal seams/workings shall be grouted to the surface as a precautionary measure in order to remove the possible gas migration pathway between the | During construction |

| PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213 | | |
|---|---|---|
| **ID** | **Management / Mitigation Measure** | **Timing** |
| | workings/seams to the surface or underside of the proposed basement slab. | |
| **HR10** | Remediation of the Subject Site is to be undertaken in accordance with the Remedial Action Plan | During construction |
| **Cultural Heritage** | | |
| **H1** | An Unexpected Finds Policy will be developed, in the unlikely event that relics are identified during ground disturbing works. | Prior to construction. |
| **H2** | Unexpected Aboriginal objects remain protected by the *National Parks and Wildlife Act 1974*. If any such objects, or potential objects, are uncovered in the course of the activity, all work in the vicinity will cease immediately. A qualified archaeologist would be contacted to assess the find and Heritage NSW and Metropolitan Local Aboriginal Land Council would be notified. | During construction. |
| **H3** | If human remains, or suspected human remains, are found in the course of the activity, all work in the vicinity will cease, the site would be secured, and the NSW Police and Heritage NSW would be notified | During construction. |
| **H4** | All relevant staff, contractors and subcontractors will be made aware of their statutory obligations for heritage under the NSW *Heritage Act 1977* and best practice as outlined in *The Burra Charter 2013*, during site inductions. | Prior to construction. |
| **Socio-Economic** | | |
| **SE1** | Selleys will notify surrounding businesses and residents one (1) week before commencement of construction activities. Notices should include:<br>▪ Details of the proposal, including contact details of management team<br>▪ Hours and expected period of construction<br>▪ Details regarding process should businesses or residents have concerns, questions or complaints | Prior to construction. |
| **SE2** | Selleys will set up a feedback process to manage and respond to stakeholder concerns, questions, or complaints. Selleys will ensure that this process is clear and accessible to stakeholders such as surrounding businesses and residents. | Prior to and during construction. |
| **SE3** | Selleys will prioritise engaging with local businesses, where practicable, e.g. site induction for visiting workers to include profile of surrounding food and beverage retailer. | During construction. |
| **Waste Management** | | |
| **WM1** | Effective management of construction materials and construction and demolition waste, including options for reuse and recycling where applicable and practicable, would be conducted. Only wastes that cannot be cost effectively reused or recycled will be sent to landfill or appropriate disposal facilities. | During construction. |

| **PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213** | | |
|---|---|---|
| **ID** | **Management / Mitigation Measure** | **Timing** |
| **WM2** | Waste materials produced from the Subject Site preparation and construction activities will be separated at the source and stored separately on-site. | During construction. |
| **WM3** | The Site Manager or equivalent role will:<br>▪ Arrange for suitable waste collection contractors to remove any construction waste from site<br>▪ Ensure waste bins are not filled beyond recommended filling levels<br>▪ Ensure that all bins and loads of waste materials leaving site are covered<br>▪ Maintain waste disposal documentation detailing, at a minimum:<br>o Descriptions and estimated amounts of all waste materials removed from site<br>o Details of the waste and recycling collection contractors and facilities receiving the waste and<br>o recyclables<br>o Records of waste and recycling collection vehicle movements, for example, date and time of loads<br>o removed, licence plate of collection vehicles, tip dockets from receiving facility, and<br>o Waste classification documentation for materials disposed to off-site recycling or landfill facilities.<br>▪ Ensure lawful waste disposal records are readily accessible for inspection by regulatory authorities such as Blacktown City Council, SafeWork NSW or NSW EPA, and<br>▪ Remove waste during hours approved by Council. | During construction and during operation |
| **WM4** | Site inductions, as required under **A7** will ensure the following training is covered:<br>▪ Legal obligations and targets<br>▪ Emergency response procedures on-site<br>▪ Waste priorities and opportunities for reduction, reuse, and recycling<br>▪ Waste storage locations and separation of waste<br>▪ Procedures for suspected contaminated and hazardous wastes<br>▪ Waste related signage<br>▪ The implications of poor waste management practices, and<br>▪ Responsibilities and reporting, including identification of personnel responsible for waste management and individual responsibilities. | Prior to construction. |

| **PLANNED MANAGEMENT AND MITIGATION MEASURES FOR SSD-71052213** | | |
|---|---|---|
| **ID** | **Management / Mitigation Measure** | **Timing** |
| **Air Quality** | | |
| **AQ1** | Selleys will finalise and implement an odour management plan / complaint procedure to record and action verified odour complaints in a systemic, auditable and pro-active manner | Prior to and during operation |
| **Flooding** | | |
| **F1** | Selleys will finalise and implement the Flood Safety and Evacuation Strategy | Prior to and during operation |