

ASSESSMENT REPORT

DEVELOPMENT APPLICATION (DA 153-06-01): PROPOSED ALTERATIONS AND ADDITIONS TO THE CHULLORA FREIGHT TERMINAL



1. SUMMARY

National Rail Corporation Ltd. (the Applicant) is proposing to alter the Sydney Freight Terminal which is located at Dasea Street, Chullora in the Bankstown local government area.

The proposal involves:

- Extending and strengthening the failing pavement to the south of the existing terminal buildings;
- Relocating the railway tracks leading to the terminal buildings;
- Relocating an existing fence to the southern boundary of the property;
- Demolishing ancillary sheds to the south of the existing terminal buildings, and removing the end walls of the Annex B terminal building; and
- Improving the fire services, stormwater drainage and other ancillary infrastructure at the terminal.

On 28 June 2001, the Applicant lodged a development application (DA) for the proposal with the Department.

Under the *Environmental Planning and Assessment Act 1979* (the Act), the proposal is classified as State Significant and Integrated Development. The Minister is the consent authority for the DA, but the proposal requires an additional approval from DLWC under the *Rivers and Foreshores Improvement Act 1948*.

Between 13 July and 10 August 2001, the Department exhibited the DA in accordance with the requirements for public participation in Division 6, Part 6 of the *Environmental Planning and Assessment Regulation 2000* (the Regulation).

During the exhibition period, the Department received 3 submissions on the DA: 2 from public authorities (the Environment Protection Authority and Bankstown Council), and 1 from the general public. The public authorities raised no objections to the proposal, but recommended conditions to address some of the potential impacts of the proposal. The remaining submission complained about the potential noise impacts of a third railway line at Chullora, even though this is **not** part of the proposal.

The Department of Land and Water Conservation (DLWC) has granted its General Terms of Approval for the proposal.

The Department has assessed the DA and submissions, and recommends that the Minister approve the DA subject to conditions.

2. SITE CONTEXT

The Sydney Freight Terminal is located in Dasea Street, Chullora, approximately 17km south-west of the Sydney CBD (see figure 1).

This terminal forms part of a commercial/industrial complex, which includes the Potts Hill Reservoir, the Fairfax and News Limited printing presses, and the Waste Services Recycling Centre. On the southern and western periphery of this complex, there is broad expanse of

residential development, but to the north, there are two golf courses (Carnarvon and Strathfield), the Lidcombe Hospital, the University of Sydney Cumberland College Campus and the Rookwood Necropolis.

On 20 July 1998, following a Commission of Inquiry, the Minister for Urban Affairs and Planning approved the redevelopment of the terminal. This approval includes three stages:

- Stage 1: Construct new operational sidings for trains of up to 1,500 metres;
- Stage 2: Upgrade the existing inter-modal freight terminal; and
- Stage 3: Establish a container storage park.

The Applicant is in the process of implementing stage 2 of the development.

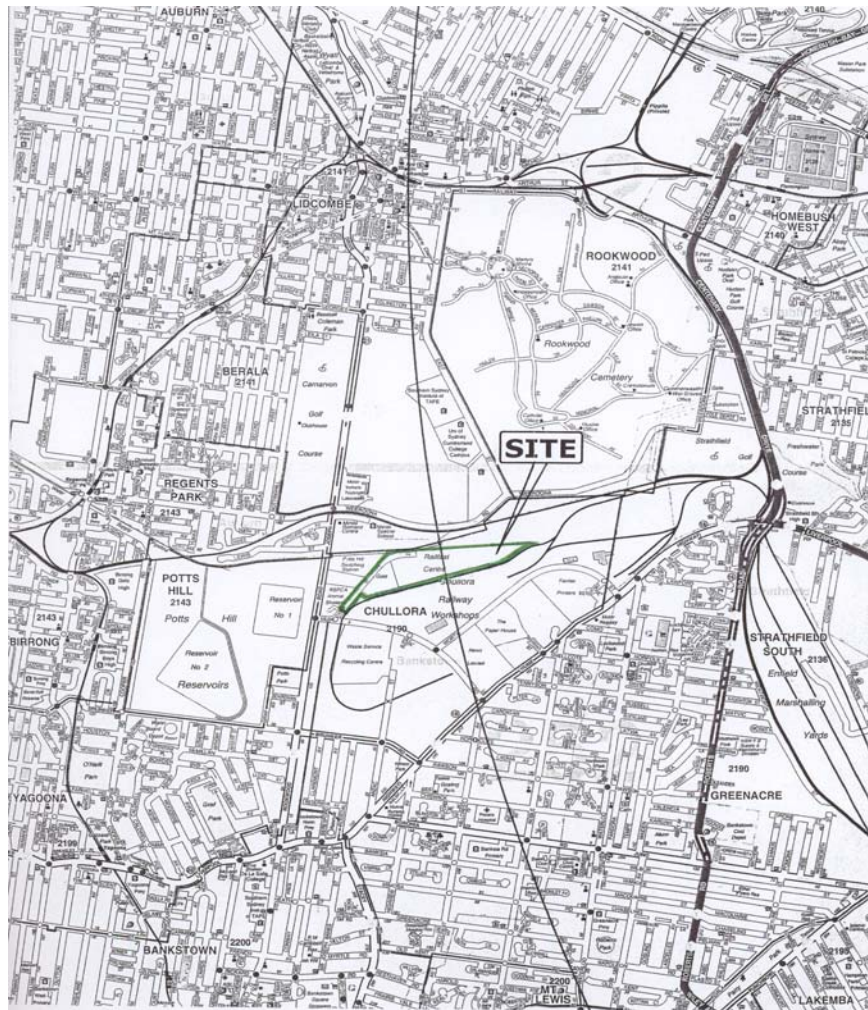


Figure 1: The Sydney Freight Terminal and its Surrounds

The site consists of two lots: Lot 241 in DP 1007363 and Lot 35 in DP 1007367 (see Figure 2). Most of the existing development is on Lot 35, which includes:

- Three main railway lines, which split into several operational sidings where the trains are loaded and unloaded by rail-mounted gantry cranes and mobile loading equipment
- The main Trackfast building, which has two large annexures (Annex A and B);
- Assorted sheds and office buildings;
- A large hardstand area to the south of the Trackfast building;
- Car parking; and
- Two areas of vegetation, one to the east of the site surrounding Freshwater Creek, and the other to the west of the buildings.



Figure 2: Aerial Photo of the Site

3. THE PROPOSED DEVELOPMENT

The proposal involves:

- Extending and strengthening the failing pavement to the south of the existing terminal buildings;
- Relocating the railway tracks leading to the terminal buildings;
- Relocating an existing fence to the southern boundary of the property;
- Demolishing ancillary sheds to the south of the existing terminal buildings, and removing the end walls of the Annex B terminal building; and
- Improving the fire services, stormwater drainage and other ancillary infrastructure at the terminal.

The Applicant says these works are necessary to:

- Repair the existing hardstand because it cannot cope with the weight of the heavy loading equipment;
- Improve the efficiency of the terminal's operations.

Since the exhibition of the DA, however, the Applicant has asked the Department to consider a minor readjustment to the proposed layout of the new tracks, which would bypass the existing refuelling and provisioning area and reduce delays.

4. STATUTORY FRAMEWORK

Permissibility

Under the *Bankstown Planning Scheme Ordinance* the site is zoned as 4(c) Flexible Industry "C"; while under the draft *Bankstown Local Environmental Plan 2000* it is zoned 4(a) General Industry.

The proposed development is permissible with consent in both zones.

State Significant Development

On 3 August 1999, the Minister declared railway freight terminal development to be State Significant Development under Section 76A(7)(b)(iii) of the Act, if in the opinion of the consent authority:

- (1) *The project has been identified in a Freight Strategy prepared by the Department of Transport adopted by the Director-General; or*
- (2) *The project employs more than 100 people; or*
- (3) *The capital investment value of the project is \$20M or more; or*
- (4) *The project is to be located in an "environmentally sensitive area of State significance".*

The Sydney Freight Terminal is considered to be a **project** of State Significance because:

- The redevelopment of the terminal was approved by the Minister on 20 July 1998;
- It employs more than 100 people; and
- It has a capital investment value of more than \$ 20 million.

As this proposal forms part of the redevelopment of a project of State Significance, it is considered to be State Significant Development, and the Minister is consequently the consent authority for the DA.

Integrated Development

The proposal requires an additional approval from the DLWC under Part 3A of the *Rivers and Foreshores Improvement Plan 1948*, and is consequently classified as Integrated Development under Section 91 of the Act.

Designated Development

The proposal is classified as an alteration to a designated development, and is therefore potentially designated development.

However, under Clause 35 of Part 2 of Schedule 3 of the Regulation, development involving alterations or additions to development (whether existing or approved) is not designated development if:

In the opinion of the consent authority, the alterations or additions do not significantly increase the environmental impacts of the total development (that is the development together with the additions or alterations) compared with the existing or approved development.

The proposal involves minor alterations to the existing terminal, which would not alter the scale or nature of operations at the terminal, and would not generate any significant environmental impacts. Essentially, these alterations would help to improve the efficiency and environmental performance of the existing terminal.

Consequently, the Department is satisfied that the proposal is not designated development.

Relevant Planning Instruments/Policies

The proposal has been assessed against the relevant provisions in the following planning instruments and policies:

- *State Environmental Planning Policy No.55 - Remediation of Land;*
- *Bankstown Planning Scheme Ordinance;*
- *Draft Bankstown Local Environmental Plan 2000;*
- *Development Control Plan No.12 - Soil Erosion and Sedimentation;* and
- *Development Control Plan No.24 - Chullora SRA Lands;*

This assessment concludes that the proposal is consistent with the relevant aims and objectives of these instruments, and satisfies the relevant assessment criteria.

5. CONSULTATION

On 28 June 2001, the Applicant lodged a DA for the proposal with the Department.

The Department subsequently:

- Notified the surrounding property owners in writing;
- Advertised the DA in the local newspapers, *The Express* and the *Parramatta Advertiser*;
- Notified the relevant local and State Government agencies;
- Exhibited the DA between 13 July and 10 August 2001; and
- Put up public notices about the DA on the site;

This satisfies the requirements for public participation in Division 6, Part 6 of the *Environmental Planning and Assessment Regulation 2000*.

During the exhibition period, the Department received 3 submissions on the DA: 2 from public authorities and 1 from the general public. The public authorities - the EPA and Bankstown Council - raised no objections to the proposal, but recommended certain conditions to address some of the potential impacts of the proposal. The remaining submission complained about the potential noise impacts of a third railway line at Chullora, even though this is not part of the proposal.

6. CONSIDERATION OF ISSUES

The primary impacts of the proposal are associated with its construction, rather than its operation, as it would not alter the scale or nature of the terminal's operations.

Erosion and Sedimentation

During construction, the proposal would disturb soil on certain parts of the site, which could damage Freshwater Creek.

To minimise these potential impacts, the Applicant is proposing to prepare and implement a detailed Erosion and Sediment Control Plan in accordance with the Department of Housing's publication *Managing Urban Stormwater*.

In addition, DLWC has included several requirements to address these potential impacts in its General Terms of Approval for the development, which requires a Part 3A Permit under the *Rivers and Foreshores Improvement Act 1948*.

The Department is satisfied that these measures would prevent any adverse soil and water quality impacts of the development.

Surface Water Quality

The proposal involves some minor changes to the existing stormwater drainage system, but these changes would not alter the general operation of the system, which discharges into Freshwater Creek following treatment.

Noise

The proposal would generate construction noise which could affect residents living in the vicinity of the terminal.

Although the Applicant says this noise would be insignificant compared to existing terminal operations, the Department believes the Applicant should be required to:

- Comply with the construction noise goals in the EPA's *Environmental Noise Control Manual*;
- Carry out construction work during regular business hours; and
- Prepare and implement a Construction Noise Management Plan.

After reviewing the draft conditions, the Applicant asked the Department to allow any track work that would disrupt critical rail services to be carried out after regular business hours.

The Department believes this request is reasonable, particularly since this is common practice on the railway network in Sydney, but has included additional conditions requiring the Applicant to notify anybody who may be affected by these works before they may be carried out.

Dust

The proposal would generate dust emissions during construction. Although the Applicant says it would use standard dust suppression techniques to minimise these emissions, the Department believes the Applicant should be required to prepare and implement a detailed Dust Management Plan for the construction works.

Waste Management

The proposal would generate a fair amount of construction waste. The Applicant expects some of this waste to be re-used in the proposed works, but is proposing to take the rest off-site to a registered landfill.

In principle, the Department is satisfied with these arrangements, but believes that the Applicant should be required to prepare and implement a detailed Waste Management Plan for the construction works.

Alternative Track Layout

Since the exhibition of the DA, the Applicant has asked the Department to consider a minor readjustment to the proposed layout of the new tracks, which would bypass the existing refuelling and provisioning area and reduce delays.

The Department supports this proposed amendment as it would increase the efficiency of the terminal without generating any additional environmental impacts.

Environmental Management

The Applicant should be required to update its existing Environmental Management Plan to incorporate the proposed changes.

7. SECTION 79C CONSIDERATION

Section 79C of the Act sets out the matters that a consent authority must take into consideration when it determines a DA.

The Department has assessed the DA against these heads of consideration (see Appendix A), and is satisfied that the proposal is consistent with the relevant statutory controls, would not generate any significant environmental or socio-economic impacts, and is in the public interest.

8. RECOMMENDED CONDITIONS OF CONSENT

The Department has prepared a set of proposed conditions of consent for the proposal, which are intended to:

- Minimise the potential impacts of the proposal; and
- Incorporate the proposal into the existing environmental management framework for the terminal's ongoing operations.

The Applicant is satisfied with these conditions.

9. CONCLUSION

The Department has assessed the DA and submissions, and is satisfied that the proposal involves only minor alterations to the existing terminal, which would improve the efficiency of the terminal's operations without generating any significant environmental impacts.

Consequently, the Department believes the Minister should approved the DA subject to conditions.

10. RECOMMENDATION

It is recommended that the Minister:

- (a) Consider the findings and recommendations of this report;
- (b) Approve the DA subject to conditions, under Section 80 of the Act; and
- (c) Sign the Instrument of Consent.

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