Intermodal Logistics Centre at Enfield

Modification Application No. 6 ECI Detailed Design Adjustments and Subdivision

Response to Submissions

July 2012

Revision 1.0

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SYDNEY PORTS

FIRST PORT. FUTURE PORT

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Abbreviations

ARI	Average Recurrence Interval
AWS	Automatic Weather Station
BoM	Bureau of Meteorology
BTEX	Benzene, toluene, ethylbenzene and xylenes
CoA	Condition of Approval
DP&I	Department of Planning and Infrastructure
EA	Environmental Assessment
ECI	Early Contractor Involvement
ECS	Empty Container Storage
EPA	Environment Protection Authority
EP&A Act	*Environmental Planning & Assessment Act 1979*
GGBF	Green & Golden Bell Frog
GPT	Gross Pollutant Trap
ILC	Intermodal Logistics Centre
LEP	Local Environment Plan
LGA	Local Government Area
LIC	Light Industrial Commercial Area
OCP	Organochlorine Pesticide
OEH	Office of Environment and Heritage
ONMP	Operational Noise Management Plan
OPP	Organophosphate Pesticide
PAH	Polycyclic aromatic hydrocarbon
PPR	Preferred Project Report
SMC	Strathfield Municipal Council
Sydney Ports	Sydney Ports Corporation
TPH	Total petroleum hydrocarbon

1 Background

1.1 Introduction

Sydney Ports Corporation (Sydney Ports) submitted an application including assessment report for ECI Detailed Design Adjustments and Subdivision (referred to in this current document as Modification Application 6) dated April 2012, to the Department of Planning & Infrastructure (DP&I). The purpose of Modification Application 6 is to modify the Project Approval granted by the Minister for Planning on 5 September 2007 under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the development of an Intermodal Logistic Centre (ILC) at Enfield (Application Number 05_0147).

Modification Application 6 was submitted under Section 75W of the EP&A Act and mainly applied to site layout adjustments proposed as a result of the early contractor involvement (ECI) process used on the ILC at Enfield project, as well as the proposed subdivision of the ILC site.

As part of the assessment process, DP&I placed Modification Application 6 on public exhibition for 2 weeks from 22 May to 7 June 2012. Advertisements regarding the public exhibition were placed in the Canterbury Bankstown Express on Tuesday 22 May 2012 and the Inner West Courier on 7 June 2012. Copies of Modification Application 6 were displayed at the DP&I Information Centre Sydney, Nature Conservation Council Newtown and Strathfield City Council Customer Service Centre. An electronic version was also made available in DP&I's website. DP&I sent copies of the application to Strathfield Municipal Council (SMC) and Qenos, the owner of the high pressure ethylene gas pipeline located on the eastern side of the ILC site and Mt Enfield, in early May.

Submissions received by DP&I in response to the application were forwarded to Sydney Ports for consideration and response. Sydney Ports has prepared this report to address the comments made in the submissions. Section 2 provides responses to the comments made in the submissions.

1.2 Submissions

Key issues raised in the submissions are summarised below. All submissions are attached in Appendix A.

1.2.1 Department of Planning & Infrastructure (DP&I)

Issue	Section where addressed
▪ Review of existing approval required to identify any changes to approval conditions required to allow the use of the Toll lease site	2.1.2
▪ Assessment of the potential environmental impacts associated with the proposed use of the Toll Lease Area required	2.1.2
▪ Details on changes in the bio-retention basin B area required	2.2.2
▪ Noise levels need to be assessed against CoA 2.17 criteria not Modification 4	2.3.2
▪ Full noise assessment of proposed changes to noise walls required	2.3.2

1.2.2 Environment Protection Agency (EPA)

Issue	Section where addressed
▪ Further details of acoustic modelling required	2.3.2
▪ Measures to limit noisy activities north of high voltage power line tower to be identified	2.3.2
▪ Existing noise limits in Approval should be retained and new condition imposed to preclude container handling in area north of power line tower	2.3.2
▪ Meteorological station should be retained during operation of facility to assist in the assessment of operational noise compliance	2.6.2
▪ Use of BoM data when meteorological station offline for repairs/maintenance	2.6.2

1.2.3 Office of Environment and Heritage (OEH)

Issue	Section where addressed
▪ Modification 6 design changes for detention basin and noise walls will not impact Green and Golden Bell Frog (GGBF) or extent of GGBF habitat, provided pre-clearance surveys are carried out and exclusion fences are put in place as for original development.	N/A

1.2.4 Strathfield Municipal Council (SMC)

Issue	Section where addressed
Revised Site Layout Plan	
▪ The 'Ecological and Community Area' should be indicated on the plan and represent all the land to the southern side of Coxs Creek consistent with the original approval.	2.5.2
▪ The amount of general landscape areas along the eastern side of the site has been reduced from that in the original approval which is detrimental to the landscape aesthetics and biodiversity opportunities.	2.5.2
▪ 'The fenced access track to the marshalling yards for rail maintenance 4 m wide' (to north of Tarpaulin Factory) enters Cosgrove Road opposite residential properties and should be relocated to reduce impacts.	2.5.2
Draft Subdivision Plan	
▪ The subdivision pattern conflicts with the original approval for the southern section of the site becoming a 'Community, Heritage and Ecological Area'	2.4.2
▪ The subdivision pattern conflicts with the originally approved amount of general landscape areas particularly to the eastern side of the site.	2.5.2

Issue	Section where addressed
Inclusion of Former Toll Lease Area ▪ The environmental impacts of the proposed inclusion of the former Toll site need to be considered in greater detail.	2.1.2
Drainage Changes The proposed site design and drainage scheme does not adequately address: ▪ reconfiguration of site sub-catchments; ▪ the issue of surface runoff from upstream properties including adequate surface flow paths to convey all flows to a 100 year Average Recurrence Interval (ARI) standard; ▪ raising surface ground levels above pre-development levels will adversely impact overland flow and potential flooding of adjoining properties; ▪ the proposed method of storm water runoff management does not meet Council's standards.	2.2.2
Meteorological Station ▪ The proposed modification to the condition concerning the on-site monitoring station is not acceptable as this station needs to constantly remain operational to assist monitoring issues such as dust, rather than rely on related data from other monitoring sites.	2.6.2
Noise Wall ▪ Utilising containers as acoustic barriers is not an acceptable approach for a number of reasons including: o Poor visual amenity o Insufficient containers may be available from time to time for use as temporary noise walls	2.3.2
▪ Train noise from shunting operations at night needs to be assessed	2.3.2
▪ Need to be able to address complaints and issues of concern as they arise – not just linked to annual throughput periods	2.3.2

SMC's submission relating to flooding and drainage issues was based on its submission on the ILC Environmental Assessment (EA) and did not specifically address the proposed changes in Modification 6. Notwithstanding, Sydney Ports have addressed council's issues as they relate to the proposed Modification 6 changes.

1.2.5 Qenos

No response was received from Qenos, the owner of the high pressure ethylene gas pipeline located on the eastern side of the ILC site and Mt Enfield.

2 Response to Submissions

The following sections identify and address the areas of concern identified from the submissions.

2.1 Toll Lease Area

2.1.1 Summary of Modification

Sydney Ports proposed that the former Toll lease area and the terminal related operations at the former Toll lease area described in Modification 6 application be included in the ILC Project Approval.

2.1.2 Response to Submissions

SMC raised the need for the contamination, drainage and construction traffic impacts of including the former Toll lease area within the ILC Project Approval to be considered in further detail.

Contamination

Contamination levels at the Toll lease area were previously investigated by CH2MHILL in 1999 (*Enfield Marshalling Yards Part A Environmental Contamination Assessment*). Two sample locations (BH36 and BH37) were sampled within the area leased by Toll Holdings. A total of ten samples (including one duplicate sample) were collected. Two samples (at an average of one sample from each location) were analysed for heavy metals, TPH/BTEX, PAH/phenolics and OCP/OPPs. The results of sampling indicated the analyses were below the threshold criteria for the use of the site as an industrial facility.

Should any excavation in the area be required, a contamination investigation would be undertaken in accordance with the requirements of CoA 2.42 and any necessary remediation undertaken in accordance with the *Contaminated Land Management Act 1997* and the *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (EPA 1997).* Site Audit Statements would be obtained in accordance with the requirements of CoA 2.43.

Drainage

Drainage from the Toll lease area is directed to Detention Basin B where the flow is attenuated and treated prior to discharge to the central culvert. Further discussion of the performance of the drainage system is provided in Section 2.2.

Construction Traffic

It is estimated that if re-pavement of the Toll lease area is required, up to 1300 trucks would be required to bring additional suitable sub-base material to the site over a period of several weeks. Within the context of existing and future truck movements to the site for similar purposes, this is not a significant change to construction traffic frequency and is unlikely to generate any significant additional traffic impacts.

Amendment of CoAs

DP&I advised that consideration would need to be given to ensuring the use of the Toll lease area is encompassed within the existing conditions of approval and any modifications needed to put this into effect should be identified. A review of the existing conditions of approval indicates that the following modifications are needed to ensure the Toll lease area can be covered by the Project Approval:

1. The description of 'Project' in Schedule 1 of the approval needs to include a bullet point allowing the use of the former Toll lease site for *either warehousing and/or terminal operations*; and

2. CoA 1.6 needs to be amended to allow for 7 warehouses (A – G) and Table 1 should be amended to include the existing Toll lease warehouse (Warehouse G) with a maximum footprint of 3000 m[21].

2.2 Drainage Changes

2.2.1 Summary of Modification

Sydney Ports proposes to relocate stormwater Detention Basins D and B and modify the catchment areas draining to the basins to improve the site drainage conditions. This has resulted in some changes to the configuration of the basins. The performance, in terms of pre and post-development discharges, were provided in Table 2.3 of Modification Application 6 and the revised layout shown in Figure 3 of Modification Application 6. Figure 3 has been updated and included as Figure 1 of this Response to Submissions report.

2.2.2 Response to Submissions

Water Quality

DP&I noted that the volume of Detention Basin B, which includes a bioretention system, is to be reduced as part of Modification 6 and requested confirmation that the reduction in basin size will not result in the reduction of the percentage load reduction achieved in regards to TSS, TP and TN.

The volume of Detention Basin B is proposed to be reduced due to design changes resulting mainly from the relocation of the basin and the modification of the inlet drainage design. This resulted in changes to basin levels, the outlet/inlet drainage configuration and the basin volume required to achieve the design criteria.

The overall treatment performance of the ILC water quality system comprising Detention/Bioretention basins, inlet forebay areas and Gross Pollutant Traps (GPTs) is summarised in Table 2.1. The Best Practice Stormwater Targets adopted by the Cooks River Sustainability Initiative, of which Strathfield Council is a member, for the South Strathfield catchment and the targets for bio-retention systems provided in *Managing Urban Stormwater: Harvesting and Reuse (DECCW, 2006)* are also provided in Table 2.1.

Table 2.1 Water Quality System Performance

Catchment Basin	Bioretention Basin Area (m^2)	% Load Reduction TSS	TP	TN
Target Reduction[1]		85	65	45
Target Reduction[2]		70–90	50–80	30–50%
B	1,300	89	76	46
C (F)	500	85	73	49
D	1,825	89	76	46

[1] Best Practice Stormwater Targets, Cooks River Sustainability Initiative
[2] Managing Urban Stormwater: Harvesting and Reuse (DECCW, 2006)

It can be seen that the performance of the basins achieves the targets in the Cooks River Sustainability Initiative and are within the acceptable ranges for bio-retention basins in *Managing Urban Stormwater: Harvesting and Reuse*.

[1] The existing warehouse on the Toll lease area is less than 12 metres in height.

Reconfiguration of internal site sub-catchments

SMC's submission includes issues relating to the reconfiguration of internal site sub-catchments and the area of impervious surface of the site which will be diverted to Coxs Creek.

The general re-configuration of existing sub-catchments as described in the Environmental Assessment (EA) (SKM, 2005) and Preferred Project Report (PPR) (SKM, 2006) was initially approved in the 2007 Project Approval. Additional minor re-configuration of the catchments was approved in Modification 4. Modification 6 decreases the area draining to Basin D, which discharges to Coxs Creek, and increases the area draining to Basin B, which discharges via the "central drain" to Strathfield Council's stormwater system in Cosgrove Road from the arrangement proposed in Modification 4. The pre- and post-development catchment areas are provided in Table 2.2. Drawings showing the catchments draining to each basin are provided in Appendix C.

Table 2.2 also provides the pre- and post-development basin discharges. It can be seen that the reconfiguration of the catchment areas does not impact on the ability of the detention basin system to reduce the post-development flows to less than the pre-development flows.

Table 2.2: Detention Basin Performance Mod 6
(AECOM Design Report, July 2012)

Catch-ment	Area (ha)		Min Basin Vol (m^3)	Peak Discharges (m^3/s)					
				2 year ARI		10 year ARI		100 year ARI	
	Pre	Post		Pre	Post	Pre	Post	Pre	Post
B	9.4	16.5	8,002	0.7	0.9	1.5	1.0	2.3	1.1
C/F	16.3	5.6	2,722	0.9	0.3	1.5	0.5	2.3	1.2
D	21.2	25.4	15,500	1.2	1.1	2.3	1.4	3.9	3.4
Total	**46.9**	**47.5**	**26,224**						

Pre- and post-development discharges to Coxs Creek are provided in Table 2.3. It can be seen that peak flows entering Coxs Creek will decrease under the developed scenario. It is therefore considered that the re-configuration of the site sub-catchments is not expected to increase discharges to Coxs Creek.

Table 2.3: Pre and Post Development Flows to Coxs Creek

Event (ARI) (years)	Pre-devel flow to Coxs Creek (m^3/s) (Table 5 EA, 2005)	Post-devel flow to Coxs Creek (m^3/s) (Mod 6 Design Report)
2	1.3	1.1
10	2.2	1.4
100	3.7	3.4

Flood Levels in Coxs Creek

SMC's submission includes issues relating to flood levels in Coxs Creek.

Table 2.3 above shows that flows discharging from the site to Coxs Creek under developed conditions are less than those for existing conditions, therefore the construction of the ILC is not expected to exacerbate flooding due to increased runoff.

As part of the detailed design of the ILC, AECOM undertook additional hydraulic modelling to confirm that the development would not exacerbate flood levels in Coxs Creek either upstream or downstream of RailCorp's Marshalling Yards or the ILC site. For this purpose, SKM's MIKE 11 model, developed as part of the EA studies, was used to assess the potential impacts on Coxs Creek flood behaviour. The model used inflow hydrographs for the 10, 20 and 100 year ARI event derived from SKM's XP-RAFTS hydrological model which were also independently derived and verified by AECOM.

The MIKE 11 model commences upstream of RailCorp's Marshalling Yards near Juno Parade. The model cross-sections for existing conditions within the ILC site were updated to include the proposed ILC detailed design and new ground survey obtained as part of the design works. The following modifications were made to include the detailed design changes:

- filling of the ILC pavement area in the southern portion of the site;
- construction of Detention Basin D at the southern edge of the ILC pavement;
- incorporation of proposed frog ponds within the Community and Ecological area;
- minor land reshaping (cut and filling earthworks) associated with the Community and Ecological area;
- construction of a new railway line across Coxs Creek on the western boundary of the ILC site. The new line will remain on-grade across the Coxs Creek floodplain and only start to rise after entering the ILC pavement area.

Flood levels were identified at critical locations within the Coxs Creek floodplain, including at locations upstream and downstream of RailCorp's Marshalling Yards and upstream of the Cosgrove Road culverts. The resulting 10, 20 and 100 year ARI flood levels for pre- and post-development conditions are summarised in Table 2.4 below. The relative differences in flood levels are also provided to indicate the potential impacts on flood levels.

Table 2.4: Flood Levels in Coxs Creek (Pre and Post Development) (m AHD)

Location	10 Year ARI			20 Year ARI			100 Year ARI		
	Pre	Post	Diff (m)	Pre	Post	Diff (m)	Pre	Post	Diff (m)
Upstream Enfield Marshalling Yards at culvert entrance	16.14	16.13	-0.01	16.33	16.31	-0.02	16.76	16.75	-0.01
Boundary between Enfield Marshalling Yards and ILC	16.11	16.09	-0.02	16.31	16.28	-0.03	16.75	16.73	-0.02
Downstream of railway arch culverts	12.63	12.63	-	12.63	12.63	-	12.63	12.63	-
Upstream of Cosgrove Rd culverts	13.08	13.08	-	13.14	13.14	-	13.26	13.26	-

Notes: Results are quoted to the nearest 0.01 m which is considered the limit of modelling accuracy.
A negative value indicates a reduction in flood level under post development conditions.
Values shown as "-"indicate the relative difference value is negligible, being less than 0.01 m.

The flood modelling predicts that the proposed ILC development will not result in any adverse impacts on flood levels for flood events up to the 100 year ARI event at either the upstream or downstream boundaries of RailCorp's Marshalling Yards, downstream of the ILC site at Cosgrove Road, or for overland flows through the ILC development.

On-Site Detention

SMC's submission raised concerns that the proposed method of stormwater runoff management shown on Figure 3 of the Modification 6 report does not meet Council's standard requirements. SMC's submission states that "*stormwater runoff from each sub-catchment shall be collected and discharged to the existing downstream drainage culvert via On-site Stormwater Detention Storage*."

Figure 3 of Modification 6 (refer Figure 1 of this Response to Submissions Report) show that runoff from the site sub-catchments are directed to Detention Basins B, C or D for both flow attenuation and water quality treatment. Drawings showing the catchments draining to each basin and the discharge points for each basin are provided in Appendix C.

The results provided in Table 2.2 above demonstrate that the stormwater detention system has been designed in accordance with the SMC's *Stormwater Management Code* (October 1994) such that post development flows are limited to pre-development conditions for storm events up to the 100 year ARI event.

The Warehouse and Light Industrial and Commercial developers will also be required to comply with Council's *Stormwater Management Code* and install on-site detention.

2.3 Noise Wall Adjustments

2.3.1 Summary of Modification

Sydney Ports proposes the following changes to the noise walls (refer to Figure 3 of Modification 6 and Figure 1 of this Response to Submissions Report):

- northern noise wall to be shortened at its northern end by approximately 75 m leaving a total length of 300 m comprised of two overlapping walls; and
- south-eastern noise wall to be extended from 43 metres to 77 m in length on a modified curved L-shaped layout around Detention Basin D.

The northern noise wall has been shortened at its northern end due to the presence of a high tension overhead transmission line and high voltage tower (refer to Figure 4 of Modification 6). The high voltage tower is located at the northern end of Empty Container Storage (ECS) area B, between an unpaved batter to the east (part of the ECS B lease but does not involve container operations) and the site boundary fence to the west. The location of the high voltage tower restricts the operations that can be undertaken north of the tower, as there is limited space available for large container handling equipment to move in this area. There are also safety considerations in moving heavy equipment in close proximity to the high voltage tower, in particular the lifting of containers using forklifts past the pinch points located east and west of the tower, as a result of the proximity of the rail to the east and top of the batter to the west. Consequently, forklift container stacking operations north of the tower are not feasible or desirable.

Operations to the north of the tower will typically comprise materials storage and maintenance activities including movement, storage and repair of single level containers, parking, movement and maintenance of equipment and similar activities that are consistent with the detailed acoustic modelling assumptions (one truck or forklift moving in this area) that meet the noise limits set out in CoA 2.17.

The eastern noise wall has been reconfigured due to the relocation of Detention Basin D and Warehouse A.

2.3.2 Response to Submissions

An Acoustic Memo prepared by AECOM was attached as Appendix A to Modification Application 6. The memo summarised the outcomes of the detailed acoustic assessment of the modifications proposed to the detailed design and layout of the ILC including changes proposed to the southern and northern noise barriers. The results of the detailed modelling showed that the proposed modifications would comply with the maximum allowable noise contributions set out in CoA 2.17, subject to the implementation of operational measures, including the use of stacked containers as temporary noise walls[2].

Both DP&I and EPA noted that the full acoustic assessment should be provided to enable a thorough consideration of the proposed changes to be made and that the proposed changes should be assessed against the maximum allowable noise contributions in CoA 2.17 under worst case meteorological conditions. The EPA further advised that the existing noise criteria in the approval for the project should remain unchanged and SMC stated that the noise criteria should be met at all times under all operating conditions. The full acoustic assessment, which is attached as Appendix B to this report, is based on the most likely operating scenarios and a range of weather conditions including the worst case scenarios.

The detailed acoustic assessment indicates that the changes proposed in Modification Application 6 would comply with the maximum allowable noise contributions set out in CoA 2.17 subject to the implementation of as many of the following measures as necessary, tailored in response to final operating and site layout scenarios, to meet the noise criteria in Condition of Approval No 2.17. These measures are consistent with operational measures previously approved in Modification Application 4 which is referenced in CoA 2.19A:

- During day time operations in the southern ECS A area using stacked containers as noise barriers in the south-eastern (until Warehouses A & B are in place) and south-western corner of the ECS A area whenever the reach stacker operation is occurring in this area.
- Prior to night time operations in southern ECS A area using stacked containers as noise barriers (four high) with containers stacked a maximum of three high[3] within 50 m of the perimeter of the purposed built container noise wall.
- Prior to night time operations in the northern ECS B area containers can only be stacked three high if a purpose stacked container noise barrier (four high) is created between the relevant operational area and the nearest sensitive receivers in the Jean Street area.
- No stacking of containers to occur during the night time to the north of the end of the noise barrier in the ECS B area.

[2] There is a single residual exceedance predicted under a single adverse wind condition with full site operations occurring, which is predicted to be only 1 dB(A). As such, this exceedance is considered marginal at most and inconsequential.

[3] The container stack heights referred to were adopted for the purposes of modelling potential operational scenarios. It should be noted that the equivalent level of noise mitigation for container stacking operations is achieved by blocking the 'clang' noise source with strategically-located purpose built container noise walls that are at least one container higher than the container stacks in operational areas. Therefore the stack heights referred to should not be considered as upper limits that would apply to operations.

Rather than imposing a new condition related to the use of the area surrounding the power transmission tower as suggested by the EPA, Sydney Ports notes that the detailed implementation, monitoring and reporting of the operational measures outlined above would be set out and approved by DP&I in the ILC Operation Noise Management Plan (ONMP). The ONMP is prepared in consultation with the councils and EPA as required under CoA 6.5(a). Therefore there is no need to impose a new condition prescribing the types of activities that can occur around the transmission tower when the means to prescribe such activities already exists.

In its submission SMC opposes the use of containers as temporary barriers as it considers they may be removed or misplaced during periods of short supply and may also be unsightly. Sydney Ports considers that as it will be difficult to distinguish between containers stacked as noise walls and those stacked for distribution as part of normal ILC operations, the use of containers as noise walls will not significantly alter the visual appearance or amenity of the site. Furthermore, as the ONMP is required under CoA 6.5 (a)(iv) to include "*details of all management methods and procedures that will be implemented to control individual and overall noise emissions from the site during the project*", measures to ensure sufficient containers are always available for use as temporary noise barriers could be included in the ONMP. As the ramp up to maximum throughput will take approximately five years, it is unlikely that night time Empty Container operations will commence in the next three years by which time some or all of the warehouses and light industrial buildings will be erected thus reducing the requirement for the use of temporary container noise walls.

SMC also raised concerns regarding the noise generated during train shunting operations at night and the ability for complaints and issues regarding noise to be responded to as they occur, rather than being linked to the noise auditing process which is related to annual throughput stages (refer CoA 3.3). The issue regarding shunting operations is already the subject of CoA 2.19 which requires train operations, including shunting, within the ILC to be managed so as to comply with the noise criteria in CoA 2.17. In relation to responding to noise issues and complaints from the community or SMC, the ONMP is required under CoA 6.5(a)(v) to include "*development of reactive and pro-active strategies for dealing promptly with any noise complaints*." As required under CoA 5.2, a telephone number for registering complaints and enquiries (including noise) would be maintained during the operation of the project.

2.4 Precinct Subdivision

2.4.1 Summary of Modification

Sydney Ports proposes to subdivide the ILC to create different lots with separate Certificates of Title for the site precincts for the purpose of long term tenancy of operational areas. A total of 25 lots are proposed as listed in Modification Application 6. The draft Subdivision Plan provided in Appendix A of Modification Application 6 was prepared by registered Land Surveyor, Denny Linker & Co. The southern area of the site would be subdivided into the following Lots:

- Lot 19 – Sydney Ports Freehold Lot – Tarpaulin Factory;
- Lot 20 - Sydney Ports Freehold Lot – Vacant Landscape;
- Lot 25 - Sydney Ports Freehold Lot – Mount Enfield Lot.

The draft Subdivision Plan for the southern area is shown as Figure 2 in this Response to Submissions report.

2.4.2 Response to Submissions

SMC commented that the proposed subdivision pattern conflicts with the intent of the original approval for the southern section of the site becoming a 'Community, Heritage and Ecological Area' and undermines its preservation as it creates potential opportunity for the sale or leasing. SMC also noted that the Strathfield Draft LEP 2011 includes the whole of the originally approved 'Ecological & Community and Heritage Area' as RE1 Public Recreation, with the main section of the ILC site zoned to General Industrial IN1. Currently the entire ILC site is zoned Special Uses B (Railways).

In its submission on the draft LEP dated 22 March 2012, Sydney Ports objected to the proposed rezoning proposed by SMC and recommended that the land in the south of the ILC be rezoned to IN1 General Industrial zone and RE 2 Private Recreation. Attachment 2 to Sydney Ports' LEP submission contained a plan showing Sydney Ports' proposed land zoning for the southern end of the ILC site (attached as Figure 3 in this Response to Submissions Report).

Sydney Ports does not believe that the proposed subdivision conflicts with the original approval for the southern area. Sydney Ports believes that the proposed subdivision pattern in conjunction with the proposed re-zoning as recommended by Sydney Ports' LEP submission would best support and protect the uses for the southern end of the ILC site proposed in the EA.

The subdivision pattern has been designed to allow the uses proposed in the EA. The proposed subdivision does not diminish the amount of land dedicated in the original approval for community, ecological and heritage purposes. Furthermore, the creation of Lot 19 enhances the potential for heritage related opportunities by defining the extent of the Tarpaulin Factory curtilage. This curtilage includes a rail access corridor previously known as the DELEC south sidings rail corridor adjacent to the shed (approximately 13 m wide) and the Qenos pipeline maintenance corridor (approximately 1 m wide).

The EA stated that "*land use benefits would arise through rehabilitation of the southern end of the site through the possible reuse of the Tarpaulin Factory building and creation of a Community and Ecological area. The future use of the Tarpaulin Factory would be subject to separate consideration*." Sydney Ports is currently investigating options for the future use of the Tarpaulin Factory and its curtilage within the proposed Lot 19 subdivision in accordance with the requirements of the EA and CoA 2.34. An IN1 Industrial zoning for Lot 19 would facilitate possible reuse options for the Tarpaulin Factory area. Sydney Ports intends to reinstate the Pillar Water Tank within Lot 19 in accordance with CoAs 2.35 and 2.36.

Sydney Ports' considers that the RE1 Public Recreation zoning proposed in SMC's draft LEP for the southern end of the site to be inconsistent with the EA, Project Approval and commitments, as no open access or recreational use for the southern portion of site was recommended in the EA. The southern portion of the ILC site is unsuitable for unrestricted public open space or recreation due to the future regular movement of rolling rail stock and rail maintenance vehicles within the active rail corridor on the western side, access track and access easement that traverses three sides of the southern area, steep slopes of Mt Enfield and the presence of constructed habitat for the endangered GGBF, which is recommended by Sydney Ports' consultant herpetologist to have restricted and supervised access only.

Sydney Ports believes that the proposed subdivision pattern in conjunction with the proposed re-zoning as recommended by Sydney Ports' LEP submission would best support and protect the uses for the southern end of the ILC site proposed in the EA. Using this approach Lots 19 and 25 would be zoned IN1 industrial while Lot 20 would be zoned RE 2 – Private Recreation.

The subdivision of each of the proposed leased sites, light industrial/commercial sites and Lot 19 is necessary to ensure that utility providers will provide separate service point provisions to the boundary of these sites either now or at some point in the future. In particular, Sydney Water has advised Sydney Ports that it is unable to make provision for separate water and sewer connections for each separately leased premise, light industrial/commercial premises and Lot 19 unless a plan for subdivision can be demonstrated. This is the primary objective of this request for the subdivision approval.

The earth noise mound, frog ponds and frog foraging area have been established, and the frog movement corridor will be established. These areas will be maintained and operated in accordance with CoA 2.48 within proposed Lot 20. These uses would be protected and supported by an RE2 Private Recreation zone, which would allow managed community access.

Mount Enfield will be fenced and vegetated to provide restricted access by the general public in accordance with Modification Application 5 within proposed Lot 25. The proposed Lot 25 with zoning of IN1 Industrial will facilitate the controlled access and minimise safety risks of the adjacent rail corridor.

2.5 Site Layout Changes

2.5.1 Summary of Modification

The proposed operational site layout resulting from adjustments made during the ECI process to adjust the precincts and to improve the site operability, access and functionality was provided in Figure 3 of Modification Application 6. In summary the changes included:

- the layout of the Light Industrial Commercial (LIC) areas and the conceptual location of the LIC buildings;
- the Service Area/Terminal Area;
- the location and sizes of the stormwater detention basins;
- the layout of the ECS A.

2.5.2 Response to Submissions

SMC commented that the Ecological and Community Area should be labelled on the plan and should include all of the land south of Coxs Creek. Sydney Ports notes that the Ecological and Community Area does include all of the land south of Coxs Creek. Figure 3 of Modification 6, included as Figure 1 in this Response to Submission Report, has been amended to show this more clearly.

SMC also commented that the amount of general landscape areas along the eastern side of the site has been reduced. Sydney Ports notes areas of general landscaping have not been reduced. The layout plan has been amended to show the proposed landscaping/vegetated areas on the eastern side of the site. Landscaping areas within the site have been increased from Modification 4, because retaining walls within the site have been replaced with grassed batters. The batters will be vegetated with a native grass mix similar to what has been approved for areas of the southern ecological area. Figure 1 shows the proposed vegetated areas.

The ILC tenants and operators will be required to carry out landscaping within their lease areas in accordance with the layout shown in Figure 1.

SMC commented that the fenced access track to the Marshalling Yards for rail maintenance enters Cosgrove Road opposite residential properties and should be relocated to reduce impacts on these residents. As part of the internal road amendments proposed in Modification 4, the Cosgrove Road access point north of the Tarpaulin Factory was designated as the primary means for authorised rail stakeholders to access the eastern side of the Marshalling Yards for maintenance and operational/ emergency purposes. Sydney Ports notes that Council raised no objections to the access track in its submission on Modification 4. As the location of the access track has been approved as part of Modification 4, it has already been constructed and no further modification to its location is proposed as part of Modification 6, Sydney Ports does not propose to alter its location.

Sydney Ports operates an 1800 number for community enquiries and complaints and will advertise the number near the access track. Should any complaints regarding impacts from use of the access track be received these will be passed on to the landowner and developer of the ARTC Staging Facility, as the primary purpose and approved use of the track is to access this adjacent development via Sydney Ports' site.

2.6 CoA 2.20 and 3.1 Meteorological Station

2.6.1 Summary of Modification

Sydney Ports proposes to modify CoA 2.20 to require the site meteorological station to operate until all large exposed areas have either been landscaped or sealed. It is also proposed to alter CoA 2.20 and CoA 3.1 so that Sydney Ports can monitor weather conditions using data from nearby Bureau of Meteorology (BoM) meteorological stations during periods of repair or maintenance of the site meteorological station.

2.6.2 Response to Submissions

Retention of Meteorological Station during Operation

The EPA's submission recommended that the meteorological station be retained on site and maintained during operation of the ILC to assist in the assessment of operational noise monitoring.

The meteorological station has only ever been proposed as a construction air quality mitigation measure and has never been recommended or required in the context of operational noise monitoring and mitigation.

Section 12.9 Mitigation Measures – Construction (Chapter 12 Air Quality Assessment in the EA) states:

A meteorological monitoring station will be installed at the site of the proposed ILC when background monitoring commences. This will allow the collection of sufficient data to identify whether adverse air quality impacts within the nearest residential areas could be attributed to construction earthworks. All monitoring would be undertaken in accordance with the NSW EPA (2001) Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in New South Wales. The monitoring devices shall be located in accordance with AS 2922-1987 – Ambient Air-Guide for Siting of Sampling Units and AS2923 – Ambient Air – Guide for the Measurement of Horizontal Wind for Air Quality Applications.

Section 12.9 Mitigation Measures – Operation (Chapter 12 Air Quality Assessment in the EA) states:

The results of the assessment show that operational impacts on air quality associated with the ILC are shown to be acceptable. On a local scale, the incremental increase in emissions of PM_{10} and NO_2 concentrations do not result in any exceedence of the NSW EPA air quality objectives. As a result, no specific air quality mitigation measures would be required during the operation of the ILC.

Section 8.3.3 Meteorological Monitoring (Appendix F Noise Technical Memorandum to the EA) states:

A meteorological monitoring station should be installed at the site of the ILC when background monitoring commences….The primary purpose of the meteorological monitoring station is to collect data sufficient to identify adverse air quality impacts within nearest residential areas that can be attributed to construction earthworks.

There was no requirement for on-site meteorological monitoring in conjunction with noise monitoring in the EA, PPR or Director General's Report. The weather stations from which the meteorological data were acquired for background noise monitoring presented as part of the EA were Bankstown Airport Automatic Weather Station (AWS) and Lidcombe AWS. These stations were considered satisfactory by the technical experts preparing the noise study for the EA and are therefore considered adequate for future operational noise monitoring.

The Department of Environment and Conservation (DEC) did not raise any concerns or requests to install on site meteorological monitoring for use during operational noise monitoring during the consultation carried out for the EA and it is considered unreasonable to require it at this stage of the project when adequate meteorological monitoring data is available from nearby BoM weather stations. Therefore as the meteorological station was not required as an operational noise or air quality mitigation measure and was only required for construction air quality purposes under the EA, Sydney Ports does not propose to retain the site meteorological station for operational purposes.

Use of BoM Data

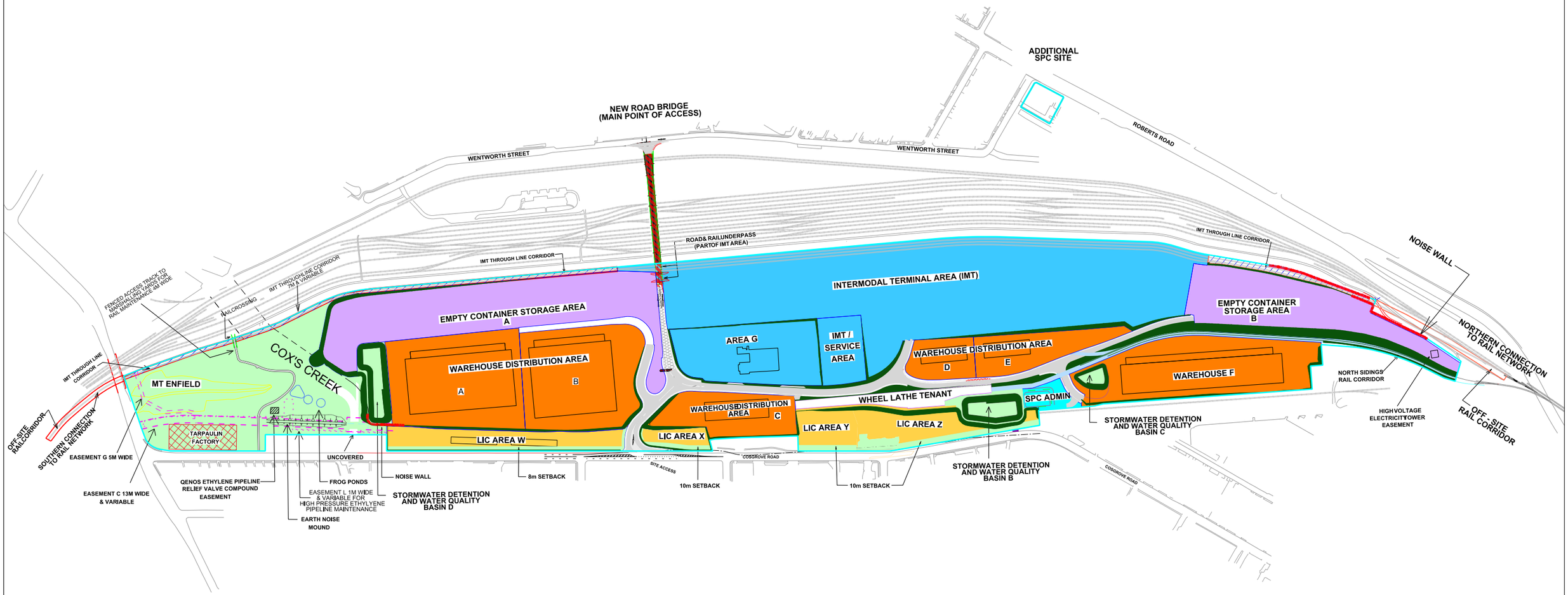
It is noted that EPA has no objections to the proposal to modify CoA 2.20 and CoA 3.1 to enable the use of BoM data when the meteorological monitoring station is offline due to maintenance issues. SMC requests that any changes to the conditions require any offline time for emergency repairs to the meteorological monitoring station to be restricted to a very short period.

Sydney Ports has engaged SLR Pty Ltd to regularly maintain the station to minimise the amount of time it needs to be offline for major repairs. Notwithstanding, the station does require repairs and in 2011 was vandalised. During repairs or maintenance stoppages of the site meteorological station, SLR uses meteorological data from the nearby BoM stations.

In the 2011 Independent Environmental Audit, the Auditor identified the following Opportunity for Improvement with regard to the site meteorological station "*consider measures to reduce periods of down time due to faults or alternatives to current station*" and noted that while the on-site station was off-line "*...nearby Bureau of Meteorology stations at Canterbury Racecourse and Bankstown Airport were able to provide satisfactory weather information for the management of air quality at the site."*

Canterbury Racecourse, Sydney Olympic Park AWS and Bankstown Airport AWS provide measurements of wind direction, wind speed, delta-T, relative humidity and rainfall every 30 minutes. These BoM stations are located approximately 3 km east, 7.8 km north and 8 km west of the site respectively. SLR has advised that delta-T, solar radiation, rainfall and humidity can be obtained from these stations.

Sydney Ports therefore recommends that to ensure use of alternative monitoring data is acceptable under the Project Approval during the infrequent periods when data from the site meteorological station is not available, CoA 2.20 and 3.1 CoA be modified to allow the use of data from nearby BoM stations data.



PLAN LIMITATION STATEMENT

This plan has been prepared in accordance with accepted practice for the use only of Sydney Ports Corporation for a specific purpose. No Warranty or representation, expressed or implied is made to any other party regarding this survey and plan. This plan should not be relied upon for any other purpose or use by any party including Sydney Ports Corporation as the plan may not contain sufficient information for that purpose or use.

THIS NOTE IS AN INTEGRAL PART OF THIS PLAN

NOTE : STATED MEASUREMENTS ARE INDICATIVE ONLY AND SUBJECT TO SURVEY

50m 0 50 100 150 200 250 300 350 400 450 500m

Scale in Metres

SYDNEY PORTS

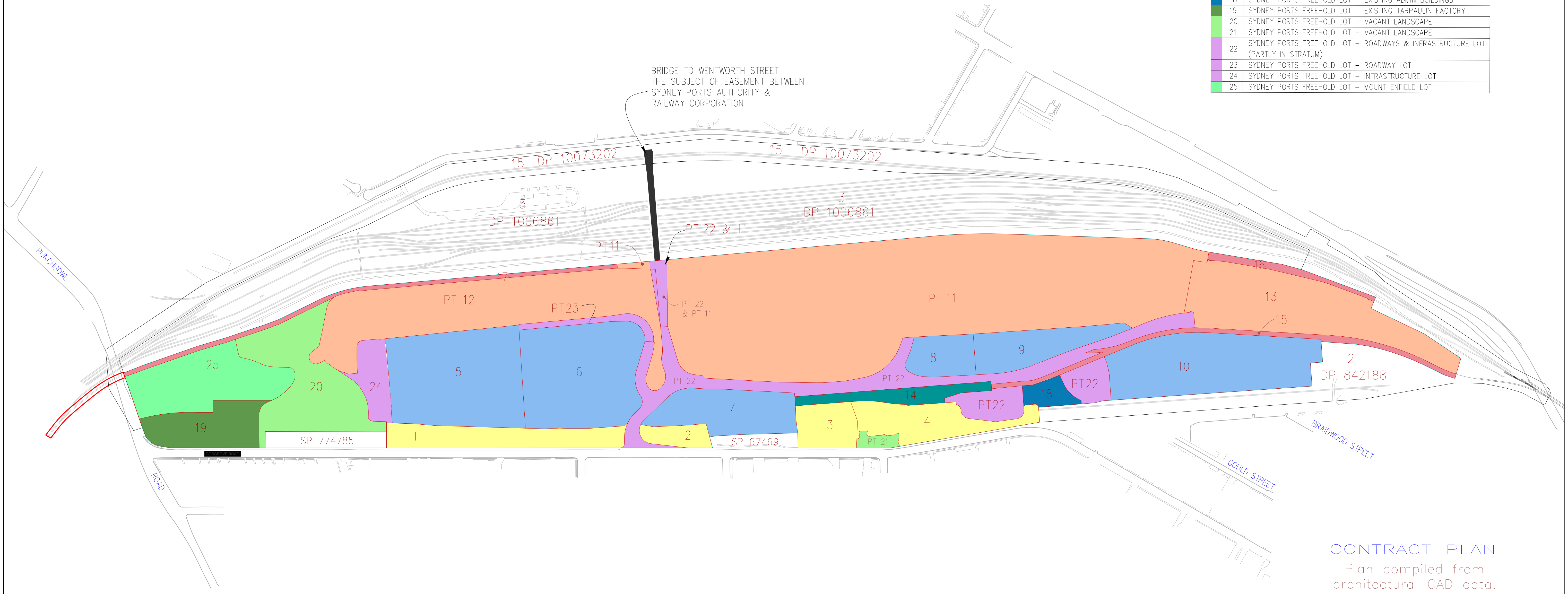
FIRST PORT, FUTURE PORT

PLAN PRODUCED ON MGA GRID

ILC @ ENFIELD - FIGURE 1 REVISED SITE LAYOUT (MOD 6 RESPONSE TO SUBMISSIONS)

DRAFTED BY: JT , AK	DATE: 09/07/2012	PLAN SCALE: AS PER SCALE BAR
PROJECT CODE: ILC - E - C - MOD 6 FIG 3		DWG NO: SEDP188A

	SCHEDULE OF PROPOSED LOTS
LOT	DECRIPTION
1	FREEHOLD LOT – LIGHT INDUSTRIAL/COMMERCIAL LOTS
2	FREEHOLD LOT – LIGHT INDUSTRIAL/COMMERCIAL LOTS
3	FREEHOLD LOT – LIGHT INDUSTRIAL/COMMERCIAL LOTS
4	FREEHOLD LOT – LIGHT INDUSTRIAL/COMMERCIAL LOTS
5	LEASEHOLD TENANT LOT – WAREHOUSE DISTRIDUTION
6	LEASEHOLD TENANT LOT – WAREHOUSE DISTRIDUTION
7	LEASEHOLD TENANT LOT – WAREHOUSE DISTRIDUTION
8	LEASEHOLD TENANT LOT – WAREHOUSE DISTRIDUTION
9	LEASEHOLD TENANT LOT – WAREHOUSE DISTRIDUTION
10	LEASEHOLD TENANT LOT – WAREHOUSE DISTRIDUTION
11	LEASEHOLD TENANT LOT – INTERMODAL TERMINAL AREA & ASSOCIATES SERVICE & STORAGE AREAS
12	LEASEHOLD TENANT LOT – INTERMODAL TERMINAL AREA & ASSOCIATES SERVICE & STORAGE AREAS
13	LEASEHOLD TENANT LOT – INTERMODAL TERMINAL AREA & ASSOCIATES SERVICE & STORAGE AREAS
14	EXISTING LEASEHOLD TENANT LOT – WHEEL LATHE WORKSHOP
15	SYDNEY PORTS FREEHOLD LOT – RAIL TRACKS
16	SYDNEY PORTS FREEHOLD LOT – RAIL TRACKS
17	SYDNEY PORTS FREEHOLD LOT – RAIL TRACKS
18	SYDNEY PORTS FREEHOLD LOT – EXISTING ADMIN BUILDINGS
19	SYDNEY PORTS FREEHOLD LOT – EXISTING TARPAULIN FACTORY
20	SYDNEY PORTS FREEHOLD LOT – VACANT LANDSCAPE
21	SYDNEY PORTS FREEHOLD LOT – VACANT LANDSCAPE
22	SYDNEY PORTS FREEHOLD LOT – ROADWAYS & INFRASTRUCTURE LOT (PARTLY IN STRATUM)
23	SYDNEY PORTS FREEHOLD LOT – ROADWAY LOT
24	SYDNEY PORTS FREEHOLD LOT – INFRASTRUCTURE LOT
25	SYDNEY PORTS FREEHOLD LOT – MOUNT ENFIELD LOT



CONTRACT PLAN

Plan compiled from architectural CAD data.

Plan is subject to final survey after completion of construction.

PREPARED BY REGISTERED SURVEYOR DENNY LILNKER & CO

PLAN LIMITATION STATEMENT

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THIS NOTE IS AN INTEGRAL PART OF THIS PLAN

NOTE : STATED MEASUREMENTS ARE INDICATIVE ONLY AND SUBJECT TO SURVEY

50m 0 50 100 150 200 250 300 350 400 450 500m

Scale in Metres

N

SYDNEY PORTS

FIRST PORT, FUTURE PORT

PLAN PRODUCED ON MGA GRID

ENFIELD @ ILC
FIGURE 2
DRAFT SUBDIVISION PLAN

DRAFTED BY: JT , AK | DATE: 06/07/2012 | PLAN SCALE: AS PER SCALE BAR

PROJECT CODE: ILC - E - C - FIG 6 MOD 6 | DWG NO: SEDP187B

FENCED ACCESS TRACK TO MARSHALLING YARDS FOR RAIL MAINTENANCE 4M WIDE

RAILCROSSING

IMT THROUGHLINE CORRIDOR 7M & VARIABLE

2300

2200

2100

2000

1900

1800

1700

EMPTY CONTAINER STORAGE AREA

A

COX'S CREEK

WAREHOUSE DISTRIBUTION AREA

A

IMT THROUGH LINE CORRIDOR

MT ENFIELD

OFF-SITE RAIL CORRIDOR

CONNECTION TO RAIL NETWORK

TARPAULIN FACTORY

LIGHT INDUSTRIAL/COMMERCIAL AREA

EASEMENT G 5M WIDE FOR EXISTING RAIL INFRASTRUCTURE PURPOSES

UNCOVERED

EASEMENT C 13M WIDE & VARIABLE FOR RAIL MAINTENANCE VEHICLE ACCESS

QUENOS ETHYLENE PIPELINE RELIEF VALVE COMPOUND EASEMENT

FROG PONDS

NOISE WALL

EASEMENT L 1M WIDE & VARIABLE FOR HIGH PRESSURE ETHYLENE PIPELINE MAINTENANCE

STORMWATER DETENTION AND WATER QUALITY BASIN D

NOISE EARTH MOUND

IN1 - General Industrial

RE 2 - Private Recreation

10m 0 10 20 30 40 50 60 70 80 90 100m
Scale in Metres

N

SYDNEY PORTS
FIRST PORT, FUTURE PORT

PLAN PRODUCED ON MGA GRID

FIGURE 3: ENFIELD @ ILC SPC PROPOSED LAND ZONING FOR THE SOUTHERN END

DRAFTED BY: A.K.

DATE: 22/03/2012

PLAN SCALE: AS PER SCALE BAR

DWG NO: SEDP184A

3 Conclusion

This report provides responses to comments and issues raised by DP&I, EPA, OEH and SMC on Sydney Ports' Modification Application 6 ECI Detailed Design Adjustments and Subdivision, dated April 2012.

Modification Application 6 covers project changes and adjustments resulting from the detailed design phase, including changes to noise walls, proposed subdivision of the ILC site and changes to Conditions of Approval related to meteorological monitoring and inclusion of the Toll lease area within the ILC site.

It is concluded that the proposed detailed design changes and modifications to conditions will result in improvements in the operability of the site and not cause any negative impacts to the ILC's environmental performance.

4 References

CH2MHill (1999). *Enfield Marshalling Yards Part A Environmental Contamination Assessment*. Prepared for Sydney Ports Corporation/Rail Estate

DECCW (2006). Managing Urban Stormwater: Harvesting and Reuse

SKM (2005). *Environmental Assessment Intermodal Logistics Centre at Enfield*.

SKM (2006). *Preferred Project Report Intermodal Logistics Centre at Enfield*.

Strathfield Council Stormwater Management Code, October 1994.

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