

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 16-7691
Proposal Name	<p>Villawood Intermodal Terminal (200,000 TEUs) Construction and operation of an intermodal terminal facility comprising the following components:</p> <ul style="list-style-type: none"> • Warehousing; • Truck processing and loading areas; • Container storage; • Administration facility; and • Associated carparking.
Location	246 Miller Road, Villawood
Applicant	Toll Properties Pty Ltd
Date of Issue	1 July 2016
General Requirements	<p>The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 the <i>Environmental Planning and Assessment Regulation 2000</i> including but not limited to:</p> <ul style="list-style-type: none"> ○ a summary of the EIS; ○ a statement of the objectives of the development, including consideration of container trade numbers (import and export), and the development's consistency with the aims and objectives of relevant State policies and plans; ○ future trends in container origin/destination in Sydney, intermodal capacity and demand, and identification of the terminal's freight catchment area and freight split; ○ an analysis of feasible alternatives to carrying out the development, having regard to its objectives, including the consequences of not carrying out the development; ○ details of any ancillary logistics functions to be undertaken on site (eg empty container park, container repairs); ○ an analysis of the development, including an assessment, with a particular focus on the requirements of the listed key issues, in accordance with clause 7(1)(d) of Schedule 2 of the Regulation (where relevant), including for normal and worst case scenarios (as relevant); ○ an identification of how relevant planning, land use and development matters (including relevant strategic and statutory matters) have been considered in the impact assessment (direct, indirect and cumulative impacts) and/or in developing management, mitigation, and monitoring measures, including 79C of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act), applicable State Environmental Planning Policies (SEPPs) and the nature and extent of any prohibitions that apply to the development and demonstration that the site is suitable for the proposed use in accordance with SEPP 55; ○ a compilation of the measures proposed to avoid, minimise, manage, mitigate, offset and/or monitor any adverse effects of the development on the environment and any residual impacts; ○ a justification of the development taking into consideration the objects of the EP&A Act; and ○ detail how ESD principles (as defined in clause 7(4) of the Regulation) will be incorporated in each stage of the development.

	<p>Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional environmental impacts are identified through this risk analysis, an appropriately detailed impact assessment of the additional environmental impacts shall be included as part of the Development Application.</p> <p>Where relevant, the assessment of the key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> • adequate baseline data; • consideration of potential cumulative impacts due to other development in the vicinity; • measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment; and • a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues. The assessment should be undertaken with reference to the <i>Centre for Health Equity Training, Research, and Evaluations' practical guide to impact assessment</i> (August 2007) and shall include: <ul style="list-style-type: none"> ○ a discussion of the known potential developments in the local region; ○ an assessment of the impact on the environmental values of public health; and ○ an assessment of local and regional impacts including health risks. <p>The EIS must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The Report shall be prepared on company letterhead and indicate the applicable GST component of the CIV; • an estimate of the jobs that will be created by the future development during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation.
Key issues	<p>The EIS must address the following specific matters:</p> <p>1. Statutory and Strategic Context – including but not limited to: Addressing the relevant planning provisions, goals and strategic planning objectives in the following:</p> <ul style="list-style-type: none"> • NSW State Priorities; • A Plan for Growing Sydney 2014; • State Infrastructure Strategy 2012-2032; • NSW Freight and Ports Strategy 2013; • NSW Long Term Transport Masterplan; and • National Land Freight Strategy. <p>2. Air Quality – including but not limited to: A comprehensive air quality impact assessment including:</p> <ol style="list-style-type: none"> a) An assessment in accordance with the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales</i> (2005) (or its later version and updates); b) An assessment of construction related impacts including dust and wind erosion from exposed surfaces and proposed mitigation measures and safeguards to control dust generation and other airborne pollutants and to minimise impacts on nearby receptors; and c) A review of direct and indirect greenhouse gas emissions arising from this development and associated impact mitigation requirements. <p>3. Traffic and Transport – including but not limited to: A Traffic and Transport Impact Assessment that shall:</p>

	<ul style="list-style-type: none"> a) provide details of the current daily and peak hour light and heavy vehicle, public transport, pedestrian and bicycle movements and existing traffic and transport facilities provided on the road network located adjacent to the proposed development; b) undertake a realistic and justified range of daily and peak hour generation scenarios for light and heavy vehicle movements including assumptions about heavy vehicle movements details on heavy vehicle transport routes (including details of any likely dangerous goods movements) to the State Road networks, types of heavy vehicles and the proportion of movements by railway and road; c) undertake traffic modelling to assess the road network operation in consultation with RMS and identify intersection upgrade requirements (if required); d) Undertake an assessment of operational traffic and transport impacts to the local and regional road network and transport operation, including changes to local road connectivity and impacts on local traffic arrangements (including bridges), road capacity/safety and traffic capacity of the road network and its ability to cater for predicted future growth; e) In particular, impacts on the Woodville Road and Llewellyn Avenue intersections, Christina Road – Woodville Road on/off ramps and turning movements in Monier Square should be considered; f) provide details of mitigation measures for the identified impacts (if any) g) consider the constructability constraints of proposed upgrade(s) at key intersections, such as vehicle sweep paths, geometry and sight lines; h) provide details of the number of parking spaces, and justification of proposed parking against relevant guidelines / standards and Australian Standards; i) provide details of proposed staff and heavy vehicle accesses (including intersection location, design and site distance) and layout of the internal road network; j) demonstrate appropriate provision, design and location of on-site bicycle parking, and how bicycle provision will be integrated with the existing bicycle network; k) provide details of service vehicle movements and site access arrangements (including vehicle type and likely arrival and departure times of service vehicles); l) provide details of sustainable travel initiatives for workers and visitors, particularly for the provision of end-of-trip facilities, pedestrian and cyclist facilities in secure, convenient, accessible areas close to main entrances, incorporating lighting and passive surveillance; m) prepare a draft Construction Traffic Management Plan; <ul style="list-style-type: none"> i. the identification of haulage routes and the details of existing traffic situation on these routes; ii. an assessment of construction traffic volumes (including spoil haulage/delivery of materials and equipment to the road corridor and ancillary facilities); iii. an assessment of potential impacts to the regional and local road network (including safety and level of service) and potential disruption to existing public transport services, pedestrian and cyclist movements and access to properties and businesses. iv. an assessment of cumulative impacts associated with other construction activities (if any); v. details of peak hour and daily truck movements, hours of operation, access arrangements at all stages of construction and traffic control measures for all demolition / construction activities; vi. an assessment of construction road safety at key intersections and locations subject to pedestrian / vehicle / bicycle conflicts; vii. details of any required temporary cycling and pedestrian access during construction; viii. details of access arrangements for workers to / from the site, emergency vehicles and service vehicle movements; and ix. details of mitigation measures for the identified impacts (if any). n) provide a Traffic Management and Accessibility Plan for the operation of the facility including:
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- i. measures to prevent heavy vehicles accessing residential streets to maintain the residential amenity of the local community;
- ii. details of public transport services and facilities;
- iii. details of cyclist facilities; and
- iv. driver code of conduct.

Relevant Policies and Guidelines:

- *Guide to Traffic Generating Developments (Roads and Maritime Services)*;
- *Sydney City Centre Access Strategy*;
- *EIS Guidelines — Road and Related Facilities (DP&E)*;
- *NSW Planning Guidelines for Walking and Cycling*; and
- *Guide to Traffic Management — Part 12: Traffic Impacts of Development (AUSTROADS)*

4. Rail – including but not limited to:

The EIS shall include the following:

- a) Detailed design and engineering drawings of the rail sidings and connections to the Southern Sydney Freight Line;
- b) Details of the train operating plans including likely rail routes and destinations, train size and configuration, service frequency, anticipated train path requirements, expected ramp up periods and peak demand; and
- c) Demonstrated engagement with and confirmation from all relevant rail networks owners regarding train path availability and future network enhancements which may be required to support the proposed operations and maintain sufficient capacity for other rail network users over the life of the project.

5. Noise and Vibration – including but not limited to:

An assessment of noise and vibration impacts. The assessment shall:

- d) assess construction noise and vibration impacts associated with construction of the proposal, including impacts from construction traffic and ancillary facilities. The assessment shall identify sensitive receivers and assess construction noise/vibration generated by representative construction scenarios focusing on high noise generating works. Where work hours outside of standard construction hours are proposed, clear justification and detailed assessment of these work hours must be provided, including alternatives considered, mitigation measures proposed and details of construction practices, work methods, compound design, etc;
- e) assess operational noise and vibration impacts and identify feasible and reasonable measures proposed to be implemented to minimise operational noise impacts of the intermodal facility, including the preparation of an Operational Noise Management and Monitoring Plan; and
- f) be prepared in accordance with: NSW Industrial Noise Policy (EPA 2000), Interim Construction Noise Guideline (DECC 2009), Assessing Vibration: a technical guide (DEC 2006), the Rail Infrastructure Noise Guideline (EPA 2013), Development Near Rail Corridors and Busy Roads Interim Guideline (DoP 2008), and the NSW Road Noise Policy 2011.

6. Best Practice – including but not limited to:

The preparation of a comprehensive review of intermodal operational best practice process design, emission and noise control and management measures that might feasibly and reasonably be applied to the project, and to benchmark those measures against best practice.

7. Infrastructure Upgrades/Contributions – including but not limited to the following:

- a) an assessment of the impacts of the project on local infrastructure, demonstrating that satisfactory arrangements are in place to support and mitigate any impacts of proposal including applicable costs, timing, TEU thresholds and approval pathways for such measures; and
- b) Consideration of any relevant Council's Developer Contributions Plan (or equivalent document requiring developer contributions).

8. Soil and Water – including but not limited to:

An assessment of soil and water impacts for the site. The assessment shall:

- a) assess impacts on surface water and groundwater including flows, quality and quantity and include an assessment of the project in terms of the Aquifer Interference Policy;
- b) assess flooding impacts and characteristics, to and from the project, with an assessment of the potential changes to flooding behaviour (levels, velocities and direction) and impacts on bed and bank stability, through flood modelling, including:
 - i. hydraulic modelling for a range of flood events;
 - ii. description, justification and assessment of design objectives (including bridge, culvert and embankment design);
 - iii. an assessment of afflux and flood duration (inundation period) on property;
 - iv. consideration of the effects of climate change, including changes to rainfall frequency and/or intensity, including an assessment of the capacity of stormwater drainage structures; and
 - v. relevant provisions of the *NSW Floodplain Development Manual 2005*.
- c) assess effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas, water dependent fauna and flora (including Ground Dependent Ecosystems);
- d) describe any mitigating effects of the proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options;
- e) identification of proposed monitoring of surface hydrological attributes and consider appropriate groundwater monitoring, trigger level management and mitigation measures;
- f) include a detailed and consolidated site water balance;
- g) address drainage issues associated with the development / site, including the incorporation of Water Sensitive Urban Design measures, stormwater and drainage infrastructure such as on-site detention systems to ensure peak discharges and flow velocities post development shall not exceed existing peak flows and velocities;
- h) undertake an assessment of surface water quality during construction (including reference to water quality objectives for the relevant catchment where objectives have been determined), including an identification of works that may impact water quality, and a summary of proposed monitoring and mitigation measures in accordance with *Managing Urban Stormwater – Soils & Construction Volume 1 2004 (Landcom) and Volume 2 (DECC 2008)*;
- i) consideration of stormwater quality and management (including monitoring) during operation of the site with the objective of maintaining or improving existing water quality taking into account the Water Quality Objectives;
- j) consider whether the existing sewerage system can cater for the proposal and whether environmental performance of the existing system will be impacted;
- k) include a bulk earthworks strategy detailing the volume of spoil to be extracted from the site, planned reuse and amount of material to be imported;
- l) include a contamination assessment in accordance with the guidelines made under the Contaminated Land Management Act 1997; and
- m) include an assessment of potentially contaminated areas in accordance with the National Environmental Protection Measure 2013 in addition to an assessment of potential areas of Perfluorinated Compounds.

9. Aboriginal Heritage including but not limited to:

An assessment of the heritage impacts of the proposal. The assessment shall:

- a) consider impacts to Aboriginal heritage (including cultural and archaeological significance), in particular impacts to Aboriginal heritage sites identified within or near the project should be assessed. The identification of cultural heritage values should be guided by the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW 2000)*. Where impacts are identified, the assessment shall demonstrate effective consultation with

	<p>Aboriginal communities in determining and assessing impacts and developing and selecting options and mitigation measures (including the final proposed measures) in accordance with the <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> (DECCW); and</p> <p>b) describe attempts to avoid impacts to cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.</p> <p>10. Historic Heritage including but not limited to: An assessment of the heritage impacts of the proposal. The assessment shall:</p> <p>a) consider impacts to historic heritage. For any identified impacts, the assessment shall:</p> <ol style="list-style-type: none"> i. include a statement of heritage impact; ii. be undertaken by a suitably qualified heritage consultant(s); and iii. outline the proposed mitigation and management measures (including measures to avoid significant impacts and an evaluation of the effectiveness of the measures). Mitigation measures should include (but not be limited to) photographic archival recording and adaptive re-use of buildings or building elements on site). <p>Note: Where historical excavation is proposed, the heritage consultant undertaking the assessment must meet the NSW Heritage Council's Excavation Director criteria</p> <p>11. Visual Amenity, Urban Design and Landscaping – including but not limited to: An assessment of visual impacts. The assessment shall:</p> <ol style="list-style-type: none"> a) include a description of the visual significance of the affected landscape including an analysis of views from key vantage points; b) include artist's impressions of the development from key vantage points; c) assess the visual impact of the project on the landscape character of the area, including built form (materials and finishes) and the urban design (height, bulk and scale including container storage areas) of the proposal including views to and from the site; d) consider lighting impacts in the local area, analyse and describe the contribution and impacts of the proposed facility on light spill at the local scale and to sensitive receivers; e) include details of hard and soft landscaping treatment and design (including details of suitable landscaping incorporating endemic species); f) ensure the layout and design of the development has regard to the surrounding vehicular, pedestrian and cycling networks; and g) propose management/mitigation measures to address the visual impact of the proposal. <p>12. Biodiversity – including but not limited to: A Flora and Fauna assessment. The assessment shall:</p> <ol style="list-style-type: none"> a) assess impacts on the biodiversity values of the site and adjoining areas, including Endangered Ecological Communities and threatened flora and fauna species and their habitat, groundwater dependent ecosystems, impacts on wildlife and habitat corridors, riparian land, and habitat fragmentation and details of mitigation measures. The assessment shall be undertaken in accordance with the Framework for Biodiversity Assessment, unless otherwise agreed by OEH, by a person accredited in accordance with s142B(1)(c) of the <i>Threatened Species Conservation Act 1995</i>; b) consider of the OEH's <i>Threatened Species Survey and Assessment Guidelines</i> (www.environment.nsw.gov.au/threatenedspecies/surveyassessmentgdlns.htm), any relevant draft or final recovery plans, and Commonwealth <i>Significant Impact Guidelines</i>; c) assess and document impacts related to the proposed project in accordance with the <i>Framework for Biodiversity Assessment</i> (OEH 2014), unless otherwise
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	<p>agreed by OEH, by a person accredited in accordance with s142B(1)(c) of the <i>Threatened Species Conservation Act 1995</i>;</p> <p>d) include a comprehensive offset strategy, or provide an updated strategy, in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> including the <i>Framework for Biodiversity Assessment</i> (OEH 2014), consistent with the ‘avoid, minimise or offset’ principle; and</p> <p>e) be prepared in accordance with DPI Water (2012) guidelines for Controlled activities.</p> <p>13. Contamination – including but not limited to: A contamination assessment in accordance with the guidelines under the <i>Contaminated Land Management Act 1997</i>. The assessment shall include the potential environmental and human health risks of site contamination on the project site, a Remedial Action Plan (if required), and consideration of implications of proposed remediation actions on the project design and timing (if relevant).</p> <p>14. Hazards and Risks – including but not limited to: A preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33</i> (DoP 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the proposal. Should preliminary screening indicate that the proposal is ‘potentially hazardous,’ a Preliminary Hazard Analysis (PHA) must be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</i> (DoP 2011) and <i>Multi-Level Risk Assessment</i> (DoP 2011). The PHA should:</p> <p>a) Estimate the risks from the facility;</p> <p>b) Be set in the context of the existing risk profiles for the intermodal facility and demonstrate that the proposal does not increase the overall risk of the area to unacceptable levels; and</p> <p>c) Demonstrate that the proposal complies with the criteria set out in the <i>Hazardous Industry Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning</i>.</p>
Other Issues	<p>15. Waste – including but not limited to: An assessment of liquid and/or non-liquid waste generated on the site, how it will be identified, quantified, classified, documented and disposed of. The assessment shall also include a description of measures to be implemented to manage waste in accordance with the waste hierarchy. This assessment shall include waste management measures to ensure that the proposal considers the aims, objectives and guidelines in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>.</p> <p>16. Property and Infrastructure – including but not limited to:</p> <p>a) Assessing the impacts on affected properties and land uses, including impacts relating to access, land use, business activities, future development potential, and property acquisition; and</p> <p>b) Assessing the service demand, capacity and augmentation of existing and proposed utilities and infrastructure, including any relocation as a result of the development.</p> <p>17. Staging The EIS is to include details regarding the staging of the proposed development, including likely timing for construction and operation of the intermodal facilities.</p> <p>18. Ecologically Sustainable Development (ESD) The EIS shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development.</p>
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p>

	<p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> • site layout plan, including carparking and container storage areas; • architectural drawings (floor plans, elevations, sections); • site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings; • swept path analysis; • site analysis plan; • landscape plan, including any public domain works; • mapping of: flood prone land, flood planning area and hydraulic categorisation; acid sulfate soils (classes); rivers, streams, wetlands and estuaries; groundwater; groundwater dependent ecosystems; and proposed intake and discharge locations; • preliminary construction management plan, inclusive of a construction traffic management plan; • geotechnical and structural report; • signage details; and • schedule of materials and finishes.
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • local, State or Commonwealth government authorities, including the: <ul style="list-style-type: none"> - Commonwealth Department of the Environment; - Environment Protection Authority; - Office of Environment and Heritage; - Transport for NSW; - Department of Primary Industries; - NSW Health; - Canterbury Bankstown Council; and - Fairfield Council. • service and infrastructure providers: <ul style="list-style-type: none"> - Roads and Maritime Services; - Sydney Trains; - Australian Rail Track Corporation; - Sydney Water Corporation; - NSW Ports; - Endeavour Energy; - Jemena; - Telstra; and - AGL Upstream Investments Pty Ltd. • specialist interest groups, including Local Aboriginal Land Councils; and • the public, including community groups and adjoining and affected landowners. <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	<p>If you do not lodge a development application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.</p>

ATTACHMENT 1
Government Authority Responses to Request for Key Issues
For Information Only