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11 December 2012

NSW Department of Planning
Ground floor, 23-33 Bridge street,
Sydney, NSW, 2000

Re: Application to modify Development Consent (14/96) St Peters Terminal

ATTN: Chris Ritchie,

In accordance with the provisions of Section 75W of the *Environmental Planning and Assessment Act 1979* and on behalf of our client Boral Resources (NSW) Pty Ltd, we hereby submit this application to alter the layout of the rail siding (Condition 2) which forms part of the approved development of Boral's site at Burrows Road South, St Peters.

This application consists of the following documents:

- completed application to modify a development consent form, signed by the owners;
- proposed revised site layout (Attachment A);
- approved site layout plan for modification 1 (Attachment B);
- approved site layout plan for modification 7 (Attachment C); and
- this letter.

The proposed layout of the rail sidings which Boral are seeking approval is substantially the same as the rail siding layout approved by a modification consent approved on 12 May 1997 (ie modification 1). The exception is the proposed rail cross-over which will link the new rail siding with existing rail sidings. An administrative error by Boral in the modification application submitted on 11 February 2004 (ie modification 7), resulted in the third rail siding being removed from the approved site plan. This application seeks to correct the administrative error and approval for the rail cross-over.

1 Background

Notice of Determination of Development Application (DA) 14/96 was issued with conditions under State Environmental Planning Policy No 34–Major Employment Generating Development (SEPP 34) by the then Minister for Urban Affairs and Planning on 10 September 1996. The approved development comprised a concrete batching plant, asphalt plant and materials handling facility.

Although the Environmental Impact Statement (EIS) for the development proposed three alternative site layout options, the Minister's consent states that the approval relates specifically to Option A, which requires two rail sidings on site. The final layouts of the concrete plant, asphalt plant and materials handling facility were revised as amendments to the original consent as follows:

- modification 1: 12 May 1997 - altered the approved site layout to include three rail sidings (refer to the site layout plan at Attachment B);
- modification 2: 8 December 1998 - altered the approved site layout of the asphalt plant and timing to complete the rail siding;
- modification 3: 25 June 1999 - installed liquefied butane gas tank to fuel asphalt dryer and bitumen heaters;
- modification 4: 7 April 2000 - altered layout of the materials handling facility;
- modification 5: 23 August 2001 - altered layout relocating weighbridge, office and storage bunkers;
- modification 6: 16 May 2003 - altered site layout to reflect decommissioning of the asphalt plant and subsequent changes to the materials handling facility which were never undertaken by Boral; and
- modification 7: 11 February 2004 - altered site layout to improve materials handling activities on the site. The approved plan for this modification is the current plan which exists for the site (refer to the site layout plan at Attachment C).

As previously discussed, an administrative error made by Boral during modification 7, resulted in the third rail siding being removed from the approved site plan. This can be seen by comparing the plan in Attachment B (ie modification 1 site layout plan) with the plan in Attachment C (ie modification 7 site layout plan).

Boral has progressively expanded its use of rail through its investment in the St Peters development (as required by the original consent) and similar asphalt and concrete developments at Enfield.

Although a third rail siding was approved as a part of modification 1, only the first and second rail sidings were constructed by Boral. This modification proposes to construct the third rail siding as well as a crossover section linking the third rail siding with the existing rail sidings (refer to the site layout plan at Attachment A).

2 Proposed modification

2.1 Rail siding and cross-over

The proposed modification is for the development of additional train and wagon parking on the site.

The proposed modification includes:

- a 200 m long rail siding which will be constructed parallel to the southern side of the existing rail siding; and
- a cross-over which will be constructed to connect the new rail siding with the existing rail siding.

The proposed modification is seeking approval for a plan which except for the crossover section, was previously assessed and approved by the then Department of Urban Affairs and Planning in 1997 (refer to the site layout plan at Attachment B).

The proposed modification is shown in the plan numbered: 2569-01 (refer to Attachment A). The proposed modification will provide on-site parking for train wagons and ensure the optimal use of rail freight which is consistent with the original consent Condition 39. The proposed modification will result in a development which is substantially the same as approved for DA 14/96.

Construction of the rail siding and cross-over will take approximately one week, involve the use of an excavator and franna crane, and require 5 construction workers.

2.2 Justification

The St Peter's rail terminal is the discharge point for 28 wagon sand and aggregates trains operating between Boral's quarries and St Peters. The current length of the Boral St Peters rail siding is not long enough to accommodate the full length of these trains on site, and therefore wagons have to be shunted onto a section of track next to the main line in front of the St Peters terminal.

In December 2012, the Australian Rail Track Corporation Ltd (ARTC) will begin duplication works on the main line as a part of the Port Botany upgrades. This means that Boral will no longer be able to perform these shunting manoeuvres, and will only have capacity to discharge a 22 wagon train (a six wagon shortfall on what can be currently discharged).

This situation could reduce the efficiency of materials handling and increase the reliance on trucks for the transport of quarry product. The proposed modification is required so that the site can accommodate the full length of 28 wagon trains and continue efficient operation.

2.3 Construction

Construction and associated works for the proposed modification will be undertaken between 6.00 am and 10.00 pm. All trucks and vehicles associated with the construction will only have access to the site during these hours.

All construction vehicles bringing materials to and from the site shall be loaded and unloaded wholly within the St Peters site. No waste or materials associated with the construction of the proposed modification will be deposited on the public road, footpath, public place or Council owned property without Council's approval.

Boral will ensure that all contractors associated with the construction of the proposed modification are aware of these requirements, as well as the site's workplace safety policy.

2.4 Layout

The proposed layout will be different from the approved plan (refer to Attachment C) within the most recent approved modification consent (SEK287-C-009 revision D).

An additional rail siding is proposed to be built parallel to the southern side of the existing rail siding with a single cross-over connecting the two as indicated in red on the plan 2569-01 (refer to Attachment A). Plan 2569-01 will replace the plan SEK287-C-009 revision D as the approved plan for the site.

2.5 Operation and capacity

The operation and capacity of the site will remain generally as proposed in the approved DA. The number and frequency of trains delivering material to the site will not change as a result of the proposed modification and there will be no increase to the site's capacity for materials handling.

2.6 Raw materials handling and storage

Raw materials handling and storage on the site will remain generally as proposed in the approved DA. There will be no change to raw materials handling infrastructure or storage (ie quarry unloading bin, conveyor, quarry bins and aggregate storage bunds) and the quantity of raw material handled at the site will not change as a result of the proposed modification.

2.7 Plant and equipment

Plant and equipment used on the site will remain generally as proposed in the approved DA. There will be no change to operational plant and equipment or traffic as a result of the proposed modification. A franna crane and an excavator will be used for the construction of the rail siding and cross-over.

3 Environmental assessment

An environmental assessment of the proposed modification for the rail siding and cross-over is discussed below.

3.1 Consultation

Boral have liaised closely with ARTC throughout the planning phase of this proposal to ensure that the rail siding upgrades facilitate the timely upgrade of the mainline. The rail siding upgrade meets all of ARTC's requirements and they have no issues with the proposal as presented in this letter.

Boral have also contacted the Environment Protection Authority (EPA) and Marrickville Council to discuss the proposal. At the time of submission, Boral had provided both Council and the EPA with a description of the proposal but had only received feedback from the EPA.

3.2 Land

The proposed rail siding and cross-over will be laid on land which is next to the existing rail siding (refer to Attachment A). The land is level and cleared of vegetation and therefore no demolition works is necessary. Only minimal surface excavation is required to be undertaken to prepare the siding area for the ballast.

The proposed location of the rail siding and cross-over will not reduce existing parking space and turning areas within the St Peters site.

3.3 Traffic

Road traffic generated during construction will be associated with the construction workforce and the transport of plant and equipment and construction materials to the site. Any additional road traffic generated during construction will last for approximately one week.

Parking for the five person construction workforce will be provided in the existing on-site car parking facility which has capacity for 80 vehicles.

At the beginning of construction a franna crane will be driven to the site. The franna crane will remain on site for the duration of construction and will be driven from the site once construction is complete. An excavator will be transported to the site on a low-loader and will remain on-site for the duration of the construction period.

Construction materials will be transported to the site by a combination of rail and road. Rail ballast will be delivered to the site by rail. Rail, sleepers and components for the cross-over will be delivered to the site by road at the start of the construction period. It is expected that no more than five trucks will be required to transport these materials onto the site. Unloading of construction materials will be undertaken within the site.

The current 1996 consent allows for up to 636 truck movements per day. The traffic volumes expected as a result of this modification will have a negligible impact in comparison with the approved number of movements.

The number and frequency of trains delivering material to the site will not change as a result of the proposed modification and there will be no increase to the site's capacity for materials handling.

The assessment concluded that traffic impacts are not expected to be significant because:

- a minor increase in the volume of road traffic is expected during construction;
- the construction timeframe is short in duration (ie one week);
- there is adequate on-site parking for the construction workforce;
- construction equipment and materials can be unloaded within the site; and
- there will be no change to the number and frequency of trains delivering material to the site.

The following measures will be implemented during construction to minimise any potential traffic impacts from the proposed modification:

- all vehicles entering and leaving the site will do so in a forward motion;
- vehicles will be parked within the site; and
- vehicles will be unloaded within the site.

3.4 Noise

The area surrounding the project site is predominantly flat and surrounded by light to heavy industry to the north, east and west, and Sydney Airport to the south. There are no residential dwellings in the immediate vicinity of the proposed project site. Based on a review of aerial photography, the nearest residence to the site is nominally 500-600 m to the west-north-west.

The noise impact assessment undertaken by Richard Heggies and Associates as a part of the 1996 environmental impact statement (EIS) assessed the operations of the site against night time noise criteria, as this was assumed to represent a worst case scenario for the residences. The operational noise guidelines adopted for the assessment (LA10<= LA90 + 5dB(A)) were as follows:

- location A – Bellevue St: 42 dB(A); and
- location B – Yelverton St: 44 dB(A).

The above criteria were adopted from measured night time background noise levels. Therefore they represent conservative criteria.

The noise impact assessment concluded that resultant noise levels at the closest residences would not exceed the above criteria. As the assessment based it's criteria conservatively on night time background noise levels, noise emitted from the proposed construction works are highly unlikely to adversely impact these residences. Furthermore, the background noise levels at these residences during the construction hours (between 6.00 am and 10.00 pm) will be higher than during the night and it is therefore unlikely that any acoustic impact will be noticeable.

Subsequent to the 1996 EIS, optimisation of the rail system to deliver product to the site has decreased the quantity of raw material delivered by trucks. This in turn, is likely to have resulted in a corresponding decrease in the road traffic noise emissions when compared to those originally predicted.

The proposed rail siding and cross-over will enable Boral to maintain optimal use of the rail system for the delivery of product to the site beyond the closure of the off-site rail siding which is currently used for

shunting (ie beyond December 2012). Continued optimisation of the rail system for product delivery is beneficial for minimising traffic and traffic noise emissions.

The proposed rail siding and cross-over will not result in a significant increase in traffic at the site during construction. Construction work will be undertaken between 6.00 am and 10.00 pm for approximately one week.

The proposed modification will enable Boral to continue optimising the use of the rail system for the delivery of product to the site. This situation is advantageous for reducing traffic and associated traffic noise emissions.

The following measures will be implemented during construction to minimise any potential noise impacts from the proposed modification:

- construction work will be undertaken between 6.00 am and 10.00 pm.

3.5 Air quality

Air quality impacts during the construction of the proposed rail siding and cross-over will be associated with the preparation of the land and traffic and will last for one week.

Preparation of the land for the proposed rail siding and cross-over will require minimal disturbance as the land is level, cleared of vegetation and no demolition or excavation works are required. The proposed rail siding and cross-over will not result in a significant increase in traffic at the site during construction.

There will be no change to raw materials handling infrastructure or storage (ie quarry unloading bin, conveyor, quarry bins and aggregate storage bunds) and the quantity of raw material handled at the site will not change as a result of the proposed modification.

The number and frequency of trains delivering material to the site will not change as a result of the proposed modification. Product material is delivered to site by rail in covered wagons.

The proposed modification will enable Boral to continue optimising the use of the rail system for the delivery of product to the site. This situation is advantageous for reducing traffic and associated dust from traffic.

The assessment concluded that air quality impacts are not expected to be significant because:

- no demolition or excavation works are required;
- only a minor increase in the volume of site traffic is expected during construction;
- the construction timeframe is short in duration (ie one week);
- all roadways are sealed and regularly cleaned by a mechanical sweeper; and
- product material is currently delivered to site by rail in covered wagons.

The following measures will be implemented during construction to minimise potential air quality impacts from the proposed modification:

- if required, water sprays will be used for dust suppression during the preparation of the land; and
- current site dust controls will be implemented (ie mechanical dust sweeper on hardstand roadways).

4 Conclusion

An administrative error by Boral in the modification application submitted on 11 February 2004 (ie modification 7), resulted in the third rail siding being removed from the approved site plan. This application seeks to correct the administrative error and approval for the rail cross-over.

Notwithstanding, the proposed modification is considered to result in a proposal that is substantially the same development as that previously approved by the Minister. No additional environmental impacts are considered likely to result from the proposed modification.

The proposed modification will enable Boral to continue optimising the rail system for the delivery of product to the site. Continued optimisation of the rail system is beneficial for minimising traffic and has corresponding benefits for the management of noise and dust emissions at the site.

We trust the above information will enable the Minister to reach a prompt decision in this matter. However, should further information be required please do not hesitate to contact the undersigned.

References

S. A. Smits & Associates 1996, Environmental Impact Statement for Concrete Batching Plant with Associates Materials Handling Facility and Asphalt Plant – Burrows Road South, St Peters.

Yours sincerely

Ross Aitken-Smith
Environmental planner
rsmith@emgamm.com

Attachment A

Proposed site layout

A0

SCHEDULE OF EXISTING RAIL LEVELS – SIDING No 1

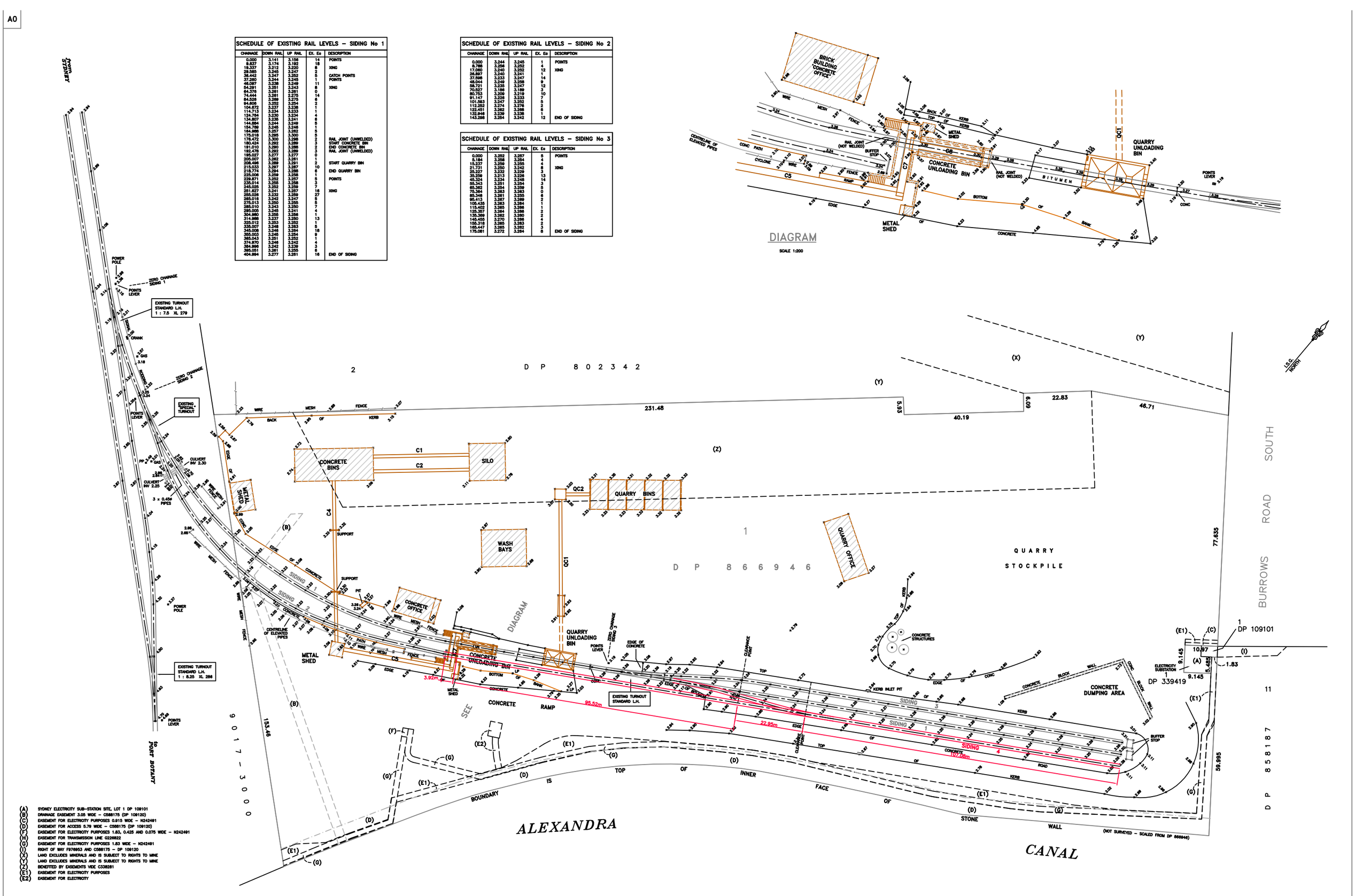
CHAINAGE	DOWN RAIL	UP RAIL	EX. Ea	DESCRIPTION
0.000	3.141	3.156	14	POINTS
9.637	3.174	3.192	18	
19.337	3.212	3.230	6	XING
29.283	3.245	3.247	2	
38.442	3.247	3.252	5	CATCH POINTS
37.280	3.244	3.245	1	POINTS
46.097	3.238	3.249	11	
54.291	3.251	3.247	8	XING
64.376	3.261	3.261	0	
74.444	3.261	3.275	14	
84.528	3.269	3.275	6	
94.606	3.252	3.254	2	
104.672	3.237	3.238	1	
114.713	3.234	3.233	1	
124.794	3.230	3.234	4	
134.807	3.235	3.241	6	
144.884	3.244	3.249	5	
154.788	3.245	3.248	6	
164.898	3.257	3.262	5	
175.018	3.295	3.300	5	
178.472	3.300	3.298	2	RAIL JOINT (UNWELDED)
180.424	3.292	3.289	3	START CONCRETE BIN
181.010	3.290	3.288	2	END CONCRETE BIN
192.478	3.292	3.289	3	RAIL JOINT (UNWELDED)
195.027	3.277	3.277	0	
200.007	3.262	3.261	1	
208.496	3.289	3.281	8	START QUARRY BIN
215.033	3.297	3.287	10	
218.774	3.294	3.288	6	END QUARRY BIN
225.008	3.259	3.258	1	
229.271	3.252	3.257	5	POINTS
235.014	3.255	3.256	3	
245.025	3.253	3.259	7	
251.627	3.241	3.257	16	XING
265.028	3.232	3.259	27	
265.016	3.242	3.247	0	
275.013	3.250	3.255	5	
285.010	3.243	3.250	7	
295.005	3.245	3.241	4	
304.980	3.255	3.268	1	
314.986	3.237	3.290	13	
325.012	3.253	3.252	1	
335.007	3.248	3.263	5	
345.008	3.246	3.264	18	
355.003	3.245	3.254	9	
365.043	3.251	3.252	1	
374.870	3.246	3.242	4	
384.996	3.242	3.239	3	
395.051	3.261	3.255	6	
404.994	3.277	3.261	16	END OF SIDING

SCHEDULE OF EXISTING RAIL LEVELS – SIDING No 2

CHAINAGE	DOWN RAIL	UP RAIL	EX. Ea	DESCRIPTION
0.000	3.244	3.245	1	POINTS
8.788	3.256	3.252	4	
17.060	3.240	3.252	12	XING
26.897	3.240	3.241	1	
37.898	3.253	3.247	14	
48.044	3.249	3.258	9	
58.721	3.235	3.247	12	
70.527	3.186	3.189	3	
80.753	3.209	3.219	10	
91.147	3.228	3.233	7	
101.983	3.247	3.252	5	
112.252	3.274	3.276	2	
122.451	3.282	3.288	6	
132.948	3.239	3.238	1	
143.288	3.254	3.242	12	END OF SIDING

SCHEDULE OF EXISTING RAIL LEVELS – SIDING No 3

CHAINAGE	DOWN RAIL	UP RAIL	EX. Ea	DESCRIPTION
0.000	3.252	3.257	5	POINTS
5.184	3.258	3.254	4	
15.237	3.259	3.255	4	
21.731	3.250	3.242	8	XING
25.227	3.233	3.229	3	
35.256	3.213	3.226	13	
45.334	3.234	3.248	14	
55.343	3.251	3.254	3	
65.362	3.254	3.259	5	
75.364	3.263	3.263	0	
85.348	3.261	3.255	6	
95.413	3.267	3.269	2	
105.438	3.263	3.264	1	
115.402	3.265	3.266	1	
125.357	3.264	3.286	2	
135.368	3.262	3.290	2	
145.468	3.270	3.286	4	
155.316	3.265	3.263	1	
165.447	3.265	3.282	3	
175.081	3.272	3.264	8	END OF SIDING



(A) SYDNEY ELECTRICITY SUB-STATION SITE, LOT 1 DP 109101
(B) DRAINAGE EASEMENT 3.05 WIDE – C588175 (DP 109120)
(C) EASEMENT FOR ELECTRICITY PURPOSES 0.915 WIDE – N242491
(D) EASEMENT FOR ACCESS 5.79 WIDE – C588175 (DP 109120)
(E) EASEMENT FOR ELECTRICITY PURPOSES 1.83, 0.425 AND 0.075 WIDE – N242491
(F) EASEMENT FOR TRANSMISSION LINE C226822
(G) EASEMENT FOR ELECTRICITY PURPOSES 1.83 WIDE – N242491
(I) RIGHT OF WAY F976953 AND C588175 – DP 109120
(X) LAND EXCLUDES MINERALS AND IS SUBJECT TO RIGHTS TO MINE
(Y) LAND EXCLUDES MINERALS AND IS SUBJECT TO RIGHTS TO MINE
(Z) BENEFITED BY EASEMENTS VIDE C336281
(E1) EASEMENT FOR ELECTRICITY PURPOSES
(E2) EASEMENT FOR ELECTRICITY

REVISION	DATE	DESCRIPTION

NOTE:
1. ALL COORDINATES RELATE TO I.S.G.
2. ALL LEVELS RELATE TO A.H.D.
3. NO UNDERGROUND SERVICES HAVE BEEN INVESTIGATED AS PART OF THE SCOPE OF THIS SURVEY.
4. CADASTRAL BOUNDARIES HAVE BEEN SURVEYED FOR IDENTIFICATION PURPOSES ONLY. WE RECOMMEND THE BOUNDARIES BE MARKED IF ANY IMPROVEMENTS WERE TO BE CONSTRUCTED ON OR NEAR THE BOUNDARY.
5. EASEMENTS HAVE BEEN SHOWN FOR DIAGRAMMATIC PURPOSES ONLY.
6. SEE TABLES ABOVE FOR EXACT RAIL LEVELS.

SURVEYOR:	R. TYRELL
DATE:	24 MARCH 2003
DRAWN:	J. CLISSOLD
DATE:	25 MARCH 2003

Meadows Consulting Pty Ltd
LAND & ENGINEERING SURVEYING PERWAY DESIGN PROJECT MANAGEMENT
Suite C2, 674 Princes Hwy, SUTHERLAND
P.O. Box 71, JANNALI NSW 2226
Telephone: 9545 5822
Facsimile: 9545 5833

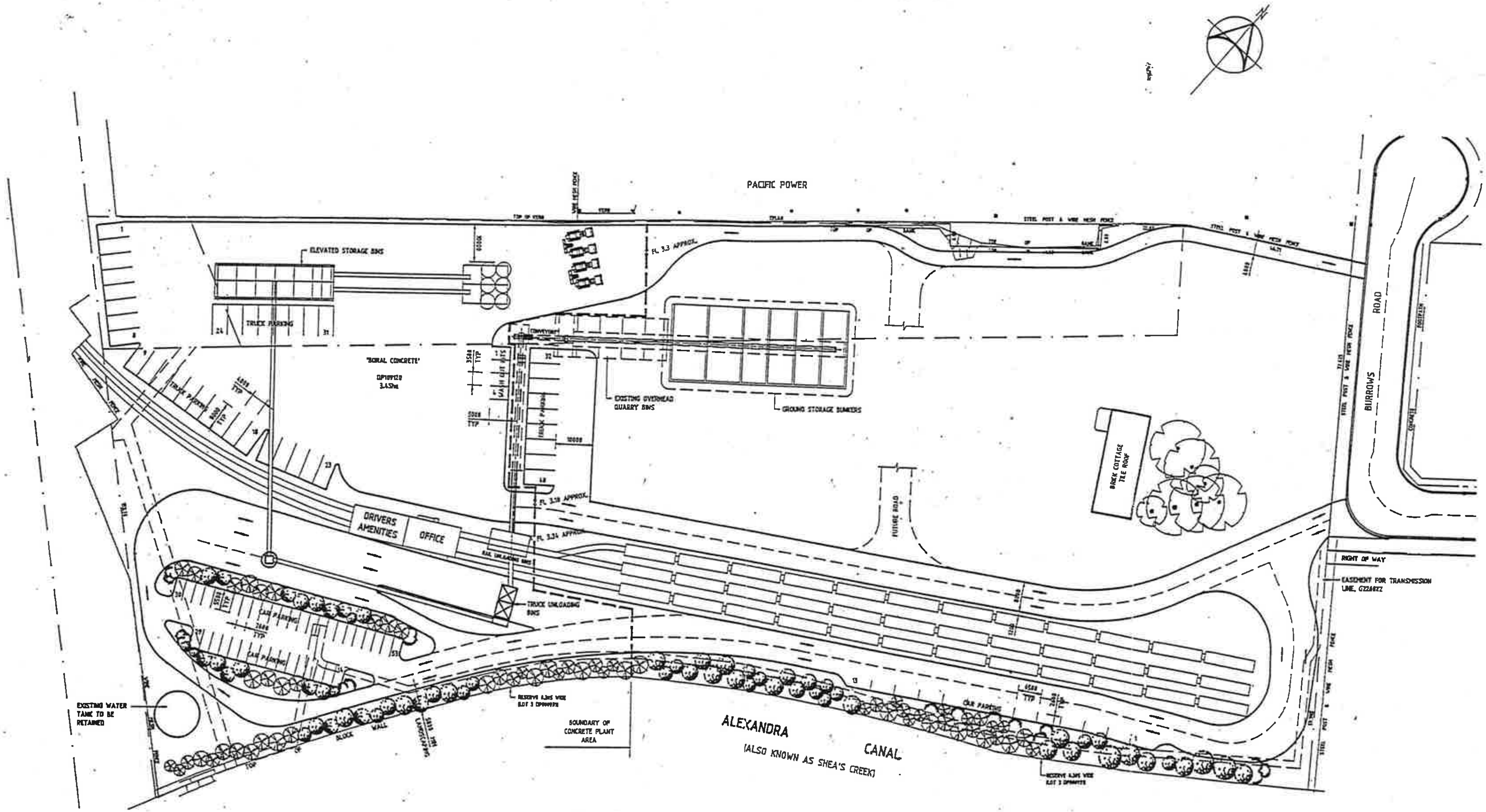
PROJECT: DETAIL & LEVEL SURVEY
25 BURROWS ROAD SOUTH, ST PETERS

CLIENT: BORAL RESOURCES (NSW) PTY LTD

SCALE:	1:400
JOB No:	2569
DRAWING No:	2569-01

Attachment B

Approved site layout plan for modification 1



KEY:-

x FL 3.10 INDICATES APPROXIMATE FINISHED LEVELS

REV.	DATE	BY	DESCRIPTION
A	19.02.97	Y.M.H.	INITIAL ISSUE

FIGURED DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED READINGS. VERIFY ALL DIMENSIONS ON SITE.

ARCHITECT: RAMAKERS & TAYLOR PTY LTD
A.C.N. 052 348 248
SUITE 1, LEVEL 4, 189 KENT STREET, SYDNEY 2000
PH (02) 9252 1922 FAX (02) 9252 1722

PROJECT LOCATION: LOT 1 BURROWS ROAD ST.PETERS, N.S.W.

CREATION DATE	DATE PLOTTED	DRAWN BY	CHECKED BY
19.02.97	19.02.97	Y.M.H.	W.T.

CAD REFERENCE: \BORAL\ST-PETER\96113044A

TITLE: PRELIMINARY SITE LAYOUT

PROJECT: BORAL CONCRETE PLANT ST.PETERS

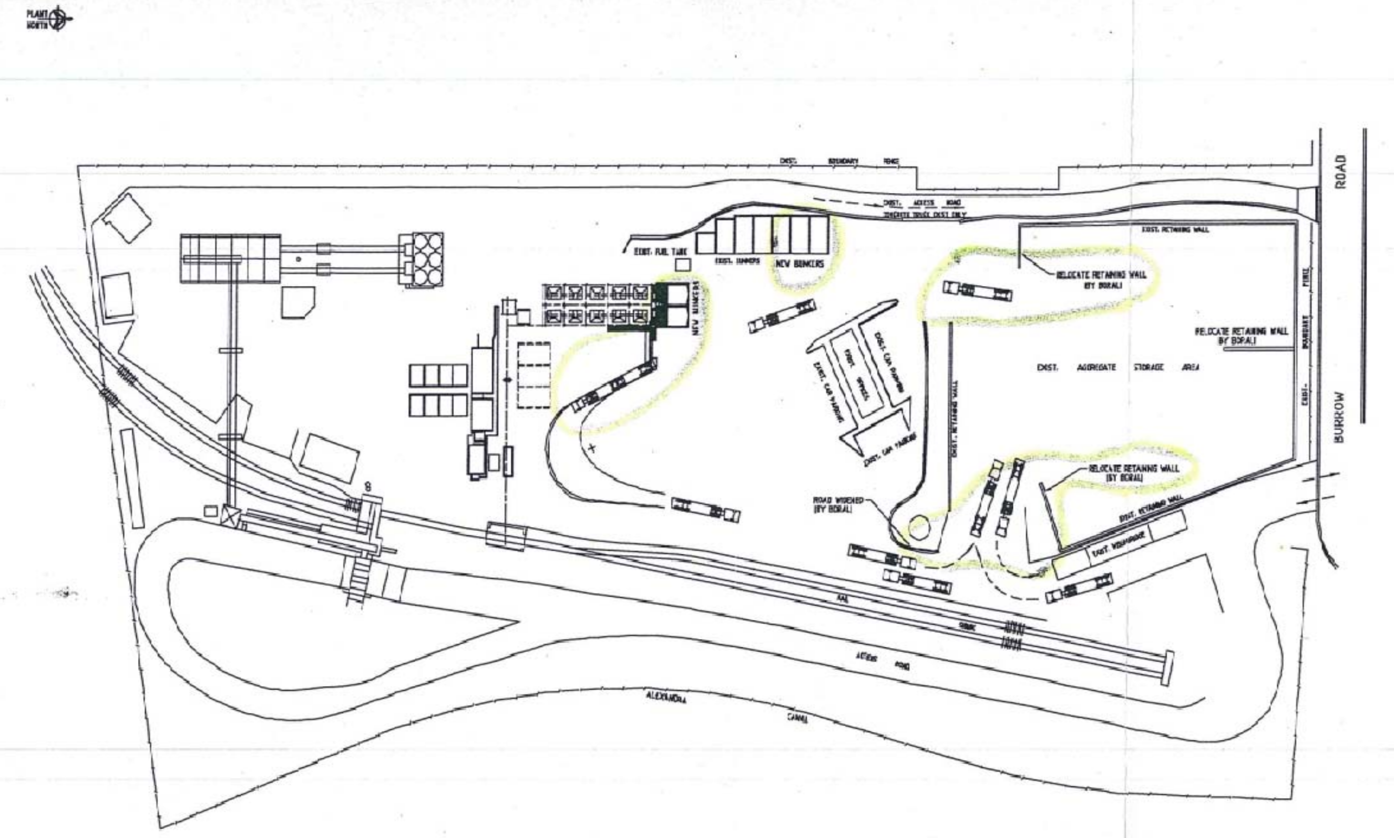
SCALE: 1:500

DRAWING No.: 96113/04 REV: A

Attachment C

Approved site layout plan for modification 7

RECEIVED 1 8 MAR 2004



SITE LAYOUT

1:500

REV			REVISION DESCRIPTION	DRAWN	CHECKED		APPROVED	DATE
D		-	TENDER ISSUE		G.PRICE	A. MOTTRAM	A. MOTTRAM	
C		-	RELOCATED CONVEYOR TO NORTH SIDE OF BINS		-	-	-	
B		-	CONVEYOR RE-CONFIGURATION	L.P.	-	-	-	
A		-	INFORMATION ONLY	L.P.	-	-	-	

REVISIONS AND APPROVALS

REFERENCE DRAWINGS

Kellogg Brown & Root Pty Ltd

KBR

DRAFTER	L.P.	
DESIGNER	-	
DESIGN CHECKER	-	
DRAFTING CHECKER	G.PRICE	
PROJECT DRAFTER	-	
DESIGN APPROVAL	-	
TECHNICAL APPROVAL	T.BAN	
PROJECT APPROVAL	M.MOTTRAM	
CLIENT APPROVAL	-	

BORAL

PLANT ST. PETERS

BORAL RESOURCES (NSW) PTY. LTD.

ST.PETERS QUARRY TERMINAL

SITE LAYOUT

PROJECT No.	SCALES	PLANT	SEC	S.B.	DRAWING No.	REV		
SEK 287	-	-	-	-	SEK287-C-009	D	CAD DRAWING DO NOT AMEND MANUALLY	A1

4