

Notice of Modification

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I modify the Project Approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Director
Modification Assessments

Sydney 7 MARCH 2017

SCHEDULE 1

Project Approval:

05_0147 granted by the Minister for Planning on 5 September 2007.

For the following:

Construction and operation of the Enfield Intermodal Logistics Centre with capacity to accept a maximum throughput of 300,000 TEU (one TEU is equivalent to one twenty foot container) per annum, including:

- demolition, relocation or removal of former railway buildings and structures;
- earthworks and drainage including the levelling of the site, formation of landscape mounds and detention basins and removal of unsuitable materials, as required;
- construction and operation of:
 - an intermodal terminal for the loading and unloading of containers;
 - rail sidings, railway lines and associated works to connect to the existing freight line;
 - warehousing for the packing and unpacking of containers and the short-term storage of cargo;
 - empty container storage facilities, for the storage of empty containers to be later packed or transferred back to the port or regionally by rail;
 - light industrial/commercial area fronting Cosgrove Road;
 - access works including the construction of a road bridge over the new marshalling yards for access to Wentworth Street and an upgrade of the entrance to the site from Cosgrove Road; and

- internal roads, administration buildings, diesel and LPG storage and fuelling facilities, container washdown area, vehicle maintenance shed, and installation of site services (all utilities, stormwater and sewerage).

Modification:

MP 05_0147 MOD 12 for the extension of two existing rail sidings and the extension of an existing office building on the site.

The above approval (MP05_0147) is modified as follows:

SCHEDULE 2

- A) Condition 1.1 is amended by the deletion of the ~~struck out~~ words/numbers and the insertion of the **bold and underlined** words/numbers and deletion of the words/numbers as follows:

1.1 The Proponent shall carry out the project generally in accordance with the:

- a) Major Projects Application 05_0147;
- b) *Environmental Assessment: Intermodal Logistics Centre at Enfield*, dated October 2005 and prepared by Sinclair Knight Merz (SKM);
- c) response to submissions and revised Statement of Commitments detailed in *Intermodal Logistics Centre: Preferred Project Report* prepared by Sinclair Knight Merz Pty Ltd, dated June 2006;
- d) additional information provided by Sinclair Knight Merz Pty Ltd to the Department titled *Project Changes – Enfield ILC* and dated 14 July 2007;
- e) additional information provided by Sinclair Knight Merz Pty Ltd to the Department titled *Light Industrial and Commercial Area – Enfield ILC* and dated 6 August 2007;
- f) letter from Sydney Ports Corporation titled *Project Approval Modification Application Intermodal Logistics Centre at Enfield*, Sydney Ports Corporation (undated) and received 28 August 2008;
- g) letter from Sydney Ports Corporation titled *Project Approval Modification Application Intermodal Logistics Centre at Enfield*, Sydney Ports Corporation and dated 5 February 2009;
- h) *Intermodal Logistics Centre at Enfield Modification Application ILC-E-PT3A REV A*, Sydney Ports Corporation and dated 31 August 2009;
- i) *Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – Project Adjustments. Response to Stakeholders Submissions (Revision A)*, prepared by Sydney Ports Corporation and dated November 2009;
- j) *Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – Project Adjustments. Supporting Information to Modification Application*, prepared by Sydney Ports Corporation and dated 26 March 2010;
- k) *Intermodal Logistics Centre at Enfield, Modification Application 05_0147 – On Site Management of Unsuitable Engineering Fill*, prepared by Sydney Ports Corporation and dated May 2011;
- l) *Intermodal Logistics Centre at Enfield Modification Application No. 5 On Site Management of Unsuitable Engineering Fill Response to Submissions*, prepared by Sydney Ports Corporation and dated August 2011; and
- m) *Intermodal Logistics Centre at Enfield, Modification Application No.6 Early Contractor Involvement Detailed Design Adjustments and Subdivision*, prepared by Sydney Ports and dated April 2012;
- n) *Intermodal Logistics Centre at Enfield, Modification Application No.6 ECI Detailed Design Adjustments and Subdivision*, prepared by Sydney Ports and dated July 2012;
- o) *Intermodal Logistics Centre: Enfield Modification Application No 8, Subdivision – Changes and Amendments*, prepared by NSW Ports and dated 2 September 2013;
- p) *Addendum Assessment Report, Modification No.8 to Major Project MP 05_0147 – Intermodal Logistics Centre (ILC) at Enfield: Subdivision Changes and Amendments*, prepared by NSW Ports and dated 19 September 2013;

- q) *Environmental Assessment – Modification Application No. 11 – Additional warehouse prepared by TfA Project group dated September 2016 and supporting information dated 6 December 2016 and 23 December 2016; and*
- ~~r) the conditions of this approval.~~
- r) Environmental Assessment – Modification Application No. 12 – Extension of Existing Rail Sidings and Administration Office Expansion prepared by TfA Project Group dated November 2016 and supporting Noise Impact Assessment prepared by SLR Consulting dated 3 November 2016; and**
- s) the conditions of this approval.**
- B) Condition 1.2 is amended by the deletion of the ~~struck-out~~ words/ numbers and the insertion of the **bold and underlined** words/numbers as follows:
- 1.2 In the event of an inconsistency between:
- a) the conditions of this approval and any document listed from condition 1.1a) to 1.1q ~~r~~ inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - b) any of the documents listed from condition 1.1a) to 1.1q ~~r~~ inclusive, the most recent document shall prevail to the extent of the inconsistency.
- C) Condition 1.16 is amended by the deletion of the ~~struck-out~~ words / numbers and the insertion of the **bold and underlined** words / numbers and deletion of the words/numbers as follows:
- 1.16 Land uses and operations within each lot shall be consistent with the approved project as described in conditions 1.1a) to 1.1q ~~r~~ and meet the requirements of this approval.
- D) Condition 6.3 is amended by the deletion of the ~~struck-out~~ words / numbers and the insertion of the **bold and underlined** words / numbers and deletion of the words/numbers as follows:
- 6.3 As part of the Construction Environmental Management Plan for the project, required under condition **Error! Reference source not found.** of this approval, the Proponent shall prepare and implement the following Management Plans:
- a) a **Construction Noise Management Plan** to outline construction noise mitigation, monitoring and management measures to be implemented to minimise noise impacts during construction of the project. The Plan shall include, but not necessarily be limited to:
 - i) details of construction activities and a schedule for construction works;
 - ii) identification of construction activities that have the potential to generate noise and/ or vibration impacts on surrounding land uses, particularly residential areas;
 - iii) where the relevant construction noise goals contained in the *Noise Management Guideline – Construction Noise* (formerly published as Chapter 171 of the *Environmental Noise Control Manual*) are predicted to be exceeded at sensitive receivers, provision for the application of all practicable and reasonable noise mitigation measures to seek to achieve the relevant construction noise goals;
 - iv) procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints; and
 - v) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly

indicating how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected.

- b) a **Construction Traffic Management Protocol** to detail how heavy vehicle movements associated with the project will be managed during construction. The Protocol shall specifically address the movement of oversize loads to and from the site, the management of construction traffic, restrictions to the hours of heavy vehicle movements to avoid road use conflicts, and the transport of construction waste materials;
- c) a **Heritage Interpretation Plan and Strategy** to detail how heritage items to be retained on-site will be protected during site preparation and construction, and how relocated heritage items will be protected and maintained during those works. The Plan shall include a strategy for the on-going management and interpretation of heritage items and values on the site, and shall be prepared in accordance with NSW Heritage Office guidelines;
- d) a **Landscape and Ecological Area Management Plan** to detail how the site will be landscaped and maintained. The Plan shall be generally consistent with the Landscape Masterplan presented in the document referred to under condition 1.1b) of this approval and shall include, but not necessarily be limited to:
 - i) provision for the use of locally-endemic native species for landscaping the site;
 - ii) consideration of landscaping locations and densities to maximise visual screening of the project from residential receptors and public open space;
 - iii) measures to maximise the retention of locally-endemic native species existing on the site, and removal of weeds and non-indigenous vegetation; and
 - iv) measures for the enhancement, revegetation and on-going management of the Ecological Area on the site, including measures to provide suitable habitat for *Litoria Aurea*;
- e) a **Construction Dust Management Protocol** to detail how dust impacts will be mitigated, monitored and managed during construction of the project. The Plan shall include procedures for the identification of situations in which site preparation or construction works may contribute to an ambient PM₁₀ concentration (24-hour) of greater than 50 µgm⁻³ at any off-site residential receptor, with details of measures to be implemented (including alteration or cessation of works, as may be relevant) to prevent or minimise exceedance of this criterion, in so far as the exceedance may relate to activities associated with the project.
- f) a **Mt Enfield Stabilisation Management Plan** to detail how the batters of Mt Enfield and associated drainage will be managed during construction and until such time as it is stabilised with vegetation. The plan shall include but not be limited to:
 - i) measures to prevent soil erosion and the discharge of sedimentation to lands or waters, including to the Green and Golden Bell Frog Habitat Creation Area and Cox's Creek;
 - ii) identification of where runoff from Mt Enfield is to be directed to, indicating ponding and flow paths to ensure runoff volume and increased flow velocity has been provided for, with the objective of not exceeding current rates;
 - iii) measures to mitigate potential dust impacts on sensitive receivers including the Green and Golden Bell Frog Habitat Creation Area and surrounding residences; and
 - iv) measures for the enhancement, revegetation and on-going landscape management of the Mt Enfield site, undertaken in consultation with Strathfield Municipal Council and Bankstown City Council, and the local community.

The ongoing management of drainage structures and landscaping associated with Mt Enfield shall be incorporated into the Operation Environmental Management Plan required under condition 6.4 of this approval.

The Construction Environmental Management Plan required under this condition and Condition 6.2 shall be updated (where necessary) to reflect any changes arising from modifications to this approval.

- E) Condition 6.6 is amended by the deletion of the ~~struck-out~~ words / numbers and the insertion of the **bold and underlined** words / numbers and deletion of the words/numbers as follows:
- 6.6 The Operation Environmental Management Plan required under conditions 6.4 and 6.5 shall be periodically reviewed and maintained, to reflect any phasing of implementation of the project, and any operational changes that may be made from time to time, **and updated (where necessary) to reflect any changes arising from modifications to this approval.**

End of Modification