

Enfield ILC, Strathfield South MP 05_0147 MOD14 – Response to Submissions

Matters Raised	Applicant consideration of matter/response
NSW Department of Planning	
<u>Traffic</u>	
<p><u>Traffic Generation and Access</u></p> <p>The Department notes the documentation does not provide a clear breakdown of access routes for the increase in trucks proposed within modification request and relies on routes (and breakdown of numbers) as presented within the Preferred Project Report prepared in 2006. Given the modification request is for additional truck to truck movements (resulting in increased truck volumes) and reduced train to truck movements, it is requested that a detailed breakdown of truck access routes and volumes be provided, including volumes for any trucks accessing warehouses directly from Cosgrove Road.</p>	<p>Available “routes” are largely unchanged as a result of the current proposal; which generally retains the overall road network originally proposed in terms of external connections to Cosgrove Road and Roberts Road. The current proposal does not contemplate an increase in truck movements compared to that of the original proposal given consideration of the RMS <i>Guide to Traffic Generating Developments (2002)</i> for the proposed operations.</p> <p>Given the majority of the warehouses are uncommitted (no customer), specific data cannot be used to outline the distribution of the road network. Therefore, The TIA adopted similar ‘distribution’ of truck movements onto the wider road network as what was assumed for the initial traffic analysis. The distribution results in the majority of trucks expected to use Centenary Drive to the north, Roberts Road to the south and, to a lesser extent, and Liverpool Road (Hume Highway) to the west. This is consistent with what might be expected of proposed warehousing having regard for the regional connectivity generally and, as such, deemed suitable for adoption for the high-level traffic analysis undertaken in the absence of known tenants or end-users.</p> <p>Having regard to the above, detailed truck volume projections on respective routes are clearly presented in Section 6.2 of the submitted traffic impact assessment (TIA) report. Refer to Annexure A.</p> <p>It is also noted that the proportion of trucks was refined to account for the flexibility of permitted truck movements as proposed under MOD14.</p>

Matters Raised	Applicant consideration of matter/response
	Refer to Annexure B for further detail.
The Submissions Report should consider the impacts of the additional truck movements and any redistribution of trucks on the broader traffic network.	<p>As stated above, changes to the proportion (%) of trucks have been accounted for by the modelling included within the TIA.</p> <p>Refer to Annexure B for further detail.</p>

<p>Cumulative Traffic Impacts</p> <p>Predicted operational traffic generation for the approved garden centre in the Tarpaulin Factory area should be considered in the traffic assessment. See Enfield ILC MOD 13 which includes the details of traffic anticipated to be generated for this development.</p>	<p>The approved layout of the garden centre includes direct access and egress to Cosgrove Road and as such, the Cosgrove Road, with the Cosgrove Road and Punchbowl Road intersection will be the main intersection utilised. Traffic generated from the garden centre (including service vehicles) is not proposed to go through the Enfield ILC.</p> <p>With reference to Figure 5 of the MOD13 traffic report, prepared by Transport & Urban Planning Pty Ltd (Ref: 1516r, dated May 2016), it is evident that the approved garden centre will result in a moderate increase in traffic at the Punchbowl Road / Cosgrove Road intersection. Whilst this additional traffic has not specifically been accounted for in the current TIA modelling, it is noted that both the MOD14 and the MOD13 TIA both identify that intersection as operating satisfactorily, with a Level of Service C or better. Accordingly, there is spare capacity to accommodate further traffic at that intersection.</p> <p>Further, the TIA for MOD13 (garden centre) considered a fully operational Enfield ILC when assessing the traffic impacts. As MOD14 predicts traffic levels similar to that which were originally approved, the outcomes of the garden centre traffic impact assessment remain valid (i.e. the maintaining of the existing level of service at the Cosgrove Rd / Punchbowl Rd intersection).</p> <p>MOD13 identifies minimal increase at the other intersections included as part of the MOD14 TIA, such as the Cosgrove Road / Hume Highway intersection. Accordingly, the addition of traffic at these intersections is not expected to have a material impact on the intersection performance or alter the conclusions of the MOD14 report.</p> <p>Refer to Annexure B, Section 2 of Ason Group's letter for further detail on the SIDRA intersection counts. This assessment confirms that the cumulative impact of the garden centre and MOD14 traffic at the Cosgrove Rd / Hume Hwy and Punchbowl Rd / Cosgrove Rd intersections provides a similar Level of Service and nominal reduction in intersection delays</p>
---	--

Matters Raised	Applicant consideration of matter/response
	compared with that of the existing MP05_0147 approved traffic (with garden centre).
Noise	
<p>Traffic data used in the assessment of operational noise impacts is inconsistent with that presented in the traffic assessment (e.g. does not include Toll Lease area traffic). Any potential increase in operational traffic noise, both outside of and within the site, must be presented.</p>	<p>Traffic data used in the noise assessment is consistent with the data presented in the traffic assessment. The MOD 14 Noise report included all operational traffic expected to be generated on site including the Toll Lease area. These traffic movements were based on Ason Group's traffic movements in accordance with their MOD 14 report.</p> <p>The Noise report adopted the daytime, evening and night-time period hours (14:00, 18:00 and 6:00 respectively) corresponding to the maximum noise expected oppose to the peak hour traffic flows which was adopted in Ason's report. This is representative of the 'worst case' as peak heavy vehicles, rather than the peak light and heavy vehicles is used.</p> <p>Refer to Annexure C for an updated Noise report clarifying the above.</p>
<p>Also, as residential properties front Cosgrove Road between Punchbowl Road and the proposed warehouses operating 24/7 along Cosgrove Road, predicted traffic noise impacts for these sensitive receivers should be provided based on changes to predicted truck routes and additional truck volumes in relation to existing traffic.</p>	<p>These were included within SLR's MOD 14 report. Refer to Annexure C.</p> <p>Predicted changes to traffic noise at the residences on Cosgrove Road were based on the changes in flows (both heavy and light vehicles) as a result of MOD14. The noise assessment is therefore accurate representation of the anticipated noise impacts at sensitive receivers.</p>
<p>The operational noise assessment, and all technical reports, should be updated to be consistent and reflect updated information in the traffic assessment.</p> <p>As per the EPA's query, please provide clarification as to whether the Enfield ILC site is potentially subject to temperature inversions and confirm the applicable meteorological parameters for the assessment</p>	<p>The traffic data used in the assessment of operational noise is based on the ASON traffic report lodged for MOD 14. This approach enabled the daytime 15-hour period (ie 07:00am to 10:00pm) and night-time 9-hour period (ie 10:00pm to 7:00am) traffic flows to be estimated. For assessment of the onsite traffic (and other onsite mobile plant) the 'worst case' hour of the daytime, evening and night-time was used.</p>

Matters Raised	Applicant consideration of matter/response
of operational noise impacts.	The original EA, and the Enfield project report determined that temperature inversions were not a feature of the area in accordance with the INP, and this approach was adopted for the MOD14 assessment. Refer to Annexure C .
NSW Environmental Protection Authority (NSW EPA)	
<u>Air Quality</u>	
<p>The air assessment was conducted with reference to the EPA's Approved Methods. The assessment predicts appreciable particle increments (PM10 and PM2.5) due to the project operation.</p> <p>Recommendation:</p> <p>Based on the information provided, the EPA recommends the following conditions aimed at minimising emissions - both mechanically generated and combustion generated:</p> <ul style="list-style-type: none"> ■ A condition requiring best practice emission performance for loading and unloading plant, including consideration of major gantry electrification; and ■ A construction and operation air quality management plan aimed at preventing and minimising emissions from all aspects of the project. 	<p>A condition requiring best practice emission performance for loading and unloading plant would be unreasonable. The freight and logistics sector is highly competitive and it would be unfair to impose an additional cost burden specifically on Enfield ILC operators to install/purchase emission controls to mitigate a regional-scale pollution issue, such as fine particulate matter. Any attempt to regulate emission standards for loading and unloading plant should be aimed at the entire sector rather than singling out individual developments, such as the Enfield ILC.</p> <p>The warehouses proposed for approval under MOD14 will not operate any differently to that of other IN1 zoned estates. Any additional air quality conditions imposed should be consistent with and no more onerous than those imposed on similar warehouse and distribution premises in NSW.</p> <p>Appropriate air quality management measures will be applied, where relevant, through Operational Environmental Management Plans. These include the following:</p> <ul style="list-style-type: none"> ■ Plant and equipment will be maintained and operated in a proper and efficient manner. ■ Scheduling of truck movements will be managed to minimise queuing and promote higher utilisation rates.

Matters Raised	Applicant consideration of matter/response
	<ul style="list-style-type: none"> Switching off engines when vehicles are stationary for extended periods to minimise idling.
<u>Noise and Vibration</u>	
<p>The EPA requires clarification from the Department of Planning and Environment (DP&E) in order to complete its review and to comment on the noise components of this Modification.</p> <p>In the Noise and Vibration Impact Statement for this Modification (MOD 14), the noise was predicted for Atmospheric Stability Class D as specified in Table 9 (page 19). A footnote states that this is in reference to the 2005 Noise and Vibration Impact Assessment by Renzo Tonin. From a review of documents on DPE's website relating to this premise:</p> <ul style="list-style-type: none"> EPA's submission on the 2005 Noise and Vibration Impact Assessment does not appear to comment on the use of Atmospheric Stability Class D; and the 2006 Independent Hearing and Assessment Panel report does not appear to comment on the use of Atmospheric Stability Class D. <p>However, the paragraph above Table 9 states that the meteorological conditions for predictions are in accordance with the Minister's Conditions of Approval (CoA) 2.17, which are reproduced in Section 7.2 (page 14) of the Impact Statement for the Modification.</p> <p>CoA 2.17 specifies meteorological conditions including temperature inversions up to 3 degrees Celsius per 100 metres. This is closest to Atmospheric Stability Class F.</p>	<p>DP&E to confirm with EPA. NSW Ports / Goodman seek deletion of the meteorological condition specified at CoA 2.17(b) given the temperature inversion is not applicable in accordance with the findings outlined in the previous reports.</p> <p>The original EA, and the Enfield project report determined that temperature inversions were not a feature of the area in accordance with the INP, and this approach was adopted for the MOD14 assessment. Refer to Annexure C.</p>

Matters Raised	Applicant consideration of matter/response
<p>The EPA requests clarification from DP&E on the meteorological conditions under which noise should be predicted and assessed. This would enable the EPA to undertake a review and provide comments and recommendations.</p>	
<p><u>Soil and Contamination</u></p>	
<p>The Site Suitability Letter provided to the EPA is limited in scope and was prepared in relation to Lots 1-4, 19 and 20 in Deposited Plan (DP) 1183316 only. This letter was prepared by Coffey (consultant) as part of the modification report.</p>	<p>Please refer to Annexure D for the updated Site Suitability Letter. A Remedial Action Plan (RAP) and Site Audit Statement (SAS) Section B is already in place for the entire Enfield ILC including Lots 1-4, 19 and 20 in DP 1183316. Refer to Annexure D.</p> <p>The SAS section B confirms that the remainder of the site can be remediated and a final SAS will be provided at the end of the development.</p>
<p>The site suitability letter stated that there are various Site Audit Statements (SAS's) that are subject to compliance with environmental management plans (EMPs). These were prepared for other lots (Proposed Lots 5, 11, 12, 13, 16, 17 and 23; Part of Proposed Lot 22; Proposed Lot 7, 18 and Part of Lots 22 and 4; Part of Proposed Lot 19) in the Intermodal Logistics Centre. These SAS's and EMPs were not provided to the EPA as part of this modification application.</p>	<p>Noted. Refer attached to Annexure D. Note that MOD14 does not seek any change to approved remediation works, the SAS, and the Environmental Management Plans.</p> <p>Further remediation works will be undertaken through the development a (i.e further capping, and the development of buildings and pavement over areas with retained contamination. SAS's and SMP will be updated as appropriate as part of the MOD14 warehouse development.</p>
<p>Remediation of these lots (Lots 1-4, 19 and 20 in DP 1183316) has not yet been undertaken. The consultants mentioned that following completion of remedial works, SAS's are to be issued for Lots 1 – 4, 19 and 20.</p> <p>The site suitability letter stated that Lots 1 – 4 and 19 can be made suitable for commercial/industrial land use provided the following be undertaken:</p>	<p>Please refer to Annexure D for a copy of the RAP for the estate.</p> <p>As above there is a Remedial Action Plan (RAP) and Site Audit Statement (SAS) Section B is already in place for the entire Enfield ILC.</p>

Matters Raised	Applicant consideration of matter/response
<ul style="list-style-type: none"> ■ Development of a remedial action plan (RAP) outlining the remediation strategy for Lots 1 – 4, 19 and 20, and would also include details for onsite encapsulation of the stockpiled material located on Lot 3, which is to be retained on-site; ■ Following completion of the works, the Long Term Environmental Management Plan (LTEMP) should be updated to reflect any changes on-site including documenting where impacted soil has been placed and encapsulated; ■ Validation sampling be undertaken where required. <p>The EPA's view is that it is difficult to comment on site suitability in the absence of a RAP. It is therefore considered premature to write this site suitability letter, given that remediation has not been completed at Lots 1-4, 19 and 20 in Deposited Plan (DP) 1183316.</p>	

Recommendation:

The EPA recommends the following:

- (a) The processes outlined in *State Environmental Planning Policy 55 - Remediation of Land (SEPP55)* be followed, to assess the suitability of the land and any remediation required in relation to the proposed use.
- (b) The proponent should prepare a remedial action plan, unexpected finds protocol, and an environmental management plan. The following guidance, as relevant, should be considered:
 - (i) NSW EPA Sampling Design Guidelines
www.epa.nsw.gov.au/resources/clm/95059samplingline.pdf
 - (ii) Guidelines for the NSW Site Auditor Scheme (3rd edition) 2017
<https://www.epa.nsw.gov.au/publications/contaminatedland/17p0269-guidelines-for-the-nsw-site-auditor-scheme-third-edition>
 - (iii) Guidelines for Consultants Reporting on Contaminated Sites, 2011
www.epa.nsw.gov.au/resources/clm/20110650consultantsguidelines.pdf
 - (iv) The National Environment Protection (assessment of contamination) Measures 2013 as amended.
- (c) Consistent with the other lots of ILC, an auditor accredited under the *Contaminated Land Management Act 1997* (CLM Act) should be engaged to issue a Section A Site Audit Statement. The site auditor should be engaged to review the

Please refer to **Annexure D** for a copy of the RAP for the estate.

An Auditor accredited under the Contaminated Land Management Act 1997 (CLM Act) will be engaged to issue a Section A Site Audit Statement for each warehouse development.

Matters Raised	Applicant consideration of matter/response
<p>adequacy of the investigations, unexpected finds protocol, any remedial works or management plan required and/or confirm suitability of the land use.</p> <p>(d) The proponent must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site so as to result in significant contamination [note that this would render the proponent the 'person responsible' for the contamination under section 6(2) of CLM Act].</p> <p>(e) The proponent to use <i>certified consultants</i>. Please note that the EPA's Contaminated Land Consultant Certification Policy (http://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/18520-contaminated-land-consultant-certification-policy.pdf?la=en) supports the development and implementation of nationally consistent certification schemes in Australia, and encourages the use of certified consultants by the community and industry. Note that the EPA requires all reports submitted to the EPA to comply with the requirements of the CLM Act to be prepared, or reviewed and approved, by a certified consultant.</p> <p>(f) Ensure that any contamination identified as meeting the trigger in the EPA '<i>Guidelines for the Duty to Report Contamination</i>' is notified in accordance with requirements of section 60 of the CLM Act'.</p>	
<u>Water Quality</u>	
<ul style="list-style-type: none"> The EPA understands that MOD14 does not impact or modify the existing stormwater drainage infrastructure and the modification will meet the intended water quality and hydrogeology regime of the existing detention basins. 	<p>Noted. No change proposed under MOD14 to existing stormwater drainage infrastructure.</p>

Matters Raised	Applicant consideration of matter/response
<u>Waste Management</u>	
<p>The EPA understands that the project and this modification does not involve a scheduled waste activity.</p> <p>Recommendation:</p> <ul style="list-style-type: none"> The EPA recommends that any generated waste is required to be classified and disposed appropriately to a lawful waste facility for recycling, reprocessing or disposal. 	Noted.
Strathfield Council	
<ul style="list-style-type: none"> No issues raised 	Noted.
Canterbury Bankstown Council	
<u>Cumulative traffic impacts at peak capacity</u>	
<p>Council is concerned that traffic impacts will worsen when the rail-to-truck operation, truck-to-truck operation and warehouse operation at the Enfield Intermodal reach peak capacity. The current consent requires annual traffic audits at various stages of rail-to-truck capacity in clauses 3.6-3.9 of the original consent.</p>	<p>Audit processes will continue as required under the existing conditions of approval.</p> <p>As outlined in the TIA, the proposal – whilst marginally increasing truck movements – actual traffic movements are not expected to change compared to that of what has already been approved.</p>
<p>Council seeks a condition of consent to require traffic impact thresholds based on stages of uptake for both the rail-to-truck operation and truck-</p>	<p>As outlined above, no change to the traffic audit process is sought, or to approved traffic movements. The audit processes required under the</p>

Matters Raised	Applicant consideration of matter/response
to-truck operation. Similarly to the conditions of the original consent, the annual traffic audits of all operations must be undertaken and validated against the traffic model prepared by Ason Group.	existing conditions of approval will be adequate to evaluate actual traffic against the forecasts in the MOD14 traffic assessment.
The conditions of consent must include provisions to restrict the operational capacity of the site if the surrounding road network is worsened.	As there is currently no warehouse development on the site, operational capacity of the surrounding network will logically be impacted by new development. However, MOD 14 does not propose to alter the already approved traffic volume. Therefore, it would be unreasonable to impose additional conditions to restrict movements as part of the conditions of consent (given these have already been previously approved).
<u>Residential amenity impact</u>	
Council is concerned with the noise and air quality impacts on the surrounding residents.	<p>Dispersion modelling was conducted to assess incremental and cumulative impacts of TSP, PM10, PM2.5 and NOx due to operations at the Enfield ILC. The emission rates were estimated based on a number of conservative assumptions such as:</p> <ul style="list-style-type: none"> ■ Use of idling emission factors for onsite pickup and delivery (PUDs) vehicles and trucks, instead of emission factors for moving vehicles. ■ Use of LPG emission factors in forklifts, whereas in reality it is likely that electric forklifts will be used. ■ Each vehicle entering the Enfield ILC (3,390 vehicles/day) will travel through the whole site and travel approximately 3.2 km. <p>As a result of these assumptions, all predictions in the assessment should be viewed as conservatively high, with predicted levels expected to be lower during normal operation of the facility. The proposed air quality impacts are therefore considered to be satisfactory.</p>
Council seeks a condition of consent which requires mitigation measures to the satisfaction of the Secretary of the Department of Planning and Environment if the audits show the operation is exceeding the maximum	Noted.

Matters Raised	Applicant consideration of matter/response
approved noise levels.	
Transport Roads & Maritime Services (RMS)	
The layout of the proposed basement car park area associated with the subject development should be in accordance with AS 2890.1-2004, AS2890.6 2009 and AS2890.2-2002.	Noted.
All vehicles are to enter and exit the site in a forward direction.	Noted.
All vehicles are to be wholly contained on site before being required to stop.	Noted.
Bicycle parking associated within the subject development should be in accordance with AS 2890.3 (Bicycle Parking Facilities).	Noted.
A Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Transport for New South Wales and Roads and Maritime for review and approval prior to the issue of a Construction Certificate.	<p>Noted. The existing NSW Ports overarching CEMP approved by DPE includes adequate provisions for pedestrian management.</p> <p>As outlined in Section 8 of the TIA, various project specific CEMP / CTMPs have already been prepared. Further project specific CEMP / CTMPs will be prepared prior to construction for DP&E approval, as appropriate.</p>
A construction works zone will not be permitted on Liverpool Road, Punchbowl Road or Roberts Road.	<p>Noted.</p> <p>No Works Zone are proposed on any Classified Roads.</p>
A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Liverpool Road, Punchbowl Road or Roberts Road during construction activities.	<p>Noted.</p> <p>As is standard with CTMPs, any request for an ROL would be submitted separately at the relevant time.</p>


Matters Raised	Applicant consideration of matter/response
<p>The introduction of truck-to-truck freight movements may result in a different distribution of traffic to and from the site to that originally envisaged under previous development scenarios for the site.</p>	<p>Noted. However, as provided in the traffic assessment, and noted above in the DP&E section, overall traffic volumes are not anticipated to change under MOD 14.</p>
<p>The introduction of truck-to-truck movement of freight without any control, could result in the overall percentage of freight moved by truck increasing over time.</p> <p>If this occurs, then the number of road vehicle movements generated by the site could increase, resulting in the saturation of nearby intersections used to access the site.</p>	<p>Noted. However, the traffic assessment shows that the proposed development is supportable by the surrounding road network.</p> <p>The TIA has accounted for the change in truck movements; which are offset by reductions in overall traffic volumes.</p> <p>Accordingly, the SIDRA modelling indicates that the Proposal will generally improve network performance compared with that already approved under MP05_0147, albeit only marginally.</p> <p>Furthermore, traffic audits are expected to continue in accordance with the existing conditions of consent.</p> <p>Refer to Annexure B for further detail.</p>
Transport for NSW	
<p><u>Long-term use of Enfield Logistics Centre as a rail-to-truck and truck-to-rail facility</u></p>	
<p>The introduction of truck-to-truck interface for selected precincts should be subjected to performance measures ensuring that the annual freight movements at the ELC (all precincts including the terminal), as it grows towards the maximum capacity of 300,000 TEUs, is undertaken mostly via rail-to-truck or truck-to-rail.</p>	<p>Noted. While NSW Ports have a priority of stimulating freight movements on rail, conditions which obstruct the operation of the warehouse precincts should be avoided. Any restriction will ultimately place Enfield ILC at a disadvantage compared to other industrial sites and intermodal precincts. The warehouse precincts, as documented on the MOD14 assessment, require flexible transport modes for their viability.</p>
<p>As part of the growth plan for the ELC, the Applicant should demonstrate that the long-term commitment to <i>“encourage a modal switch toward intermodal freight transportation in the medium to long term to service</i></p>	<p>As a core purpose of NSW Ports business is rail operations, there is an intrinsic commitment to stimulate adoption of freight rail movements at Enfield, particularly from Port Botany.</p>

Matters Raised	Applicant consideration of matter/response
<p><i>Greater Sydney's 24/7 port supply chain and alleviate road congestion"</i> (Urbis, 2018) is maintained.</p>	<p>Further, this strategic aim is generally supported from a transport perspective. It should be emphasised that more traditional intermodal operations as currently approved under MP05_0147 have a higher turnover than typical warehouse facilities and therefore, as demonstrated by the analysis included in the TIA, would result in (marginally) higher delays to the surrounding road network than would occur under the current Proposal (MOD 14).</p>
<p>The above could potentially be achieved through further modification of the approval conditions to include reporting measures, such as:</p> <ul style="list-style-type: none"> ▪ Modal splits of container volumes (in TEUs) moved in/out of the ELC by rail-to-truck/truck- to-rail and by truck-to-truck. This would be benchmarked against similar intermodal terminals currently operating within NSW or Australia (subject to availability of data). ▪ Constraints and opportunities analysis to assist with identifying measures to increasing the modal split of container movements via rail-to-truck/truck-to-rail. <p>The findings should be provided to the Secretary following consultation with the Applicant would implement any additional operational management measures to achieve modal split targets as directed by the Secretary.</p> <p>Implementation of the above measures would ensure that the intended transport and planning outcomes of the ELC, such as increasing the modal share, utilisation of freight rail and reducing road traffic congestion, is achieved as originally approved, albeit in the medium to long-term.</p>	<p>As discussed above, NSW Ports have a primary interest in the uptake of freight transportation on rail, to ensure the viability of the intermodal, and future growth of the broader NSW container freight task.</p> <p>The current proposal does not contemplate an increase in truck movements compared to that of the original proposal, nor an increase in noise impact, air quality, etc. Existing conditions, particularly 3.3. to 3.5 Noise Auditing and 3.6 to 3.9 Traffic Monitoring & Auditing are adequate to monitor to impact of the project over time. Additional more onerous conditions may constraint flexible operation of the facility are not supported.</p>
<p>Office of Environmental & Heritage</p>	
<p><u>Green and Golden Bell Frog – Construction Environmental Management Plan (CEMP)</u></p>	

Matters Raised	Applicant consideration of matter/response
<p>The MOD14 Application report indicates the Ecological impacts condition of approval is proposed to be modified as follows (see page 28):</p> <p>2.48A The Proponent shall implement the mitigation measures identified in Section 7.1 of the ILC at Enfield Impact Assessment on Green and Golden Bell Frogs: Addition of Fill Material to Mt Enfield (Biosphere Environmental Consultants Pty Ltd, 2011) and supplementary letter of advice dated 10 January 2018 (Biosphere Environmental Consultants Pty Ltd, 2011).</p> <p>These actions shall be incorporated within the Construction Environmental Management Plan (condition 6.2 of this approval) and the Operation Environment Management Plan (condition 6.4 of this approval), as relevant.</p> <p>If the MOD14 proposal is approved, OEH recommends that in addition to the above condition of approval, further conditions are included in the consent which require the Construction Environment Management Plan (CEMP) and the Operation Environment Management Plan (OEMP) to include the following to ensure the Green and Golden Bell Frog and its habitat is protected.</p> <p>As a condition of approval, the CEMP needs to include the following mitigation measures to help protect Green and Golden Bell Frogs and the frog habitat area:</p> <ul style="list-style-type: none"> ▪ the installation of an exclusion fence to help prevent frogs from entering the construction site ▪ the installation of silt fences and silt trapping devices prior to any earthworks, and the use of dust suppressions methods throughout construction, to prevent wind-blown dust from entering the frog habitat 	<p>Noted.</p> <p>The existing NSW Ports overarching CEMP approved by DPE includes requirements to mitigate potential construction impacts on Green and Golden Bell Frogs and the frog habitat area. This CEMP requires, where relevant, the implementation of actions from the Sydney Ports Frog Management Plan and Frog Protection Plan.</p> <p>The following mitigation measures are included within the NSW Ports overarching CEMP risk register:</p> <ol style="list-style-type: none"> 1. Consult NSW Ports herpetologist if required prior to undertaking any works in such areas and to identify any necessary mitigation measures 2. All personnel to be inducted into ILC Sensitive Area Map which includes location of these areas 3. A visual frog clearance survey will be undertaken prior to works commencing within or adjacent to the Sensitive Area 4. Frog exclusion fencing must be erected where recommended by the herpetologist 5. Implement actions where relevant from the Sydney Ports Frog Management Plan and Frog Protection Plan 6. identify and remove on-site noxious weeds <p>If DPE require the Office of Environmental & Heritage specified mitigation measures can be incorporated into the site specific CEMP for Precincts A and B which are adjacent the frog habitat area</p>

Matters Raised	Applicant consideration of matter/response
<ul style="list-style-type: none"> ▪ the establishment of run-off barriers between the construction areas and the frog habitat area, to prevent accidental spills and/or stormwater waste from entering the frog habitat area ▪ the installation of visual screens to minimise light spill into the frog habitat area, from night construction works ▪ the demarcation of the frog habitat area as a "no go" area, using barrier bunting and signs that indicate a) the significance of the area and b) that the site is off limits to people, machinery and plant equipment. <p>Following on from this, the CEMP needs to:</p> <ul style="list-style-type: none"> ▪ identify who is responsible for organising and carrying out these mitigation measures ▪ establish how these mitigation measures will be monitored, including how often this will be done and how the results will be recorded, along with a requirement to immediately right any deficiencies and defects (for example, the immediate replacement of damaged silt fences). <p>In addition to this, the CEMP will need to:</p> <ul style="list-style-type: none"> + identify procedures for what should be done if a Green and Golden Bell Frog is found on-site. 	
<u>Green and Golden Bell Frog - Operation Environment Management Plan (OEMP)</u>	
<p>As a condition of approval, the OEMP needs to include the following mitigation measures to help protect Green and Golden Bell Frogs and the frog habitat area:</p>	<p>The existing NSW Ports overarching OEMP approved by DPE includes requirements to mitigate potential impacts to and to protect Green and Golden Bell Frogs and the frog habitat area.</p>

Matters Raised	Applicant consideration of matter/response
<p>The installation of an exclusion fence to help prevent frogs from entering the operational areas</p> <ul style="list-style-type: none"> the installation of diversion bunds to ensure hazardous liquids can never enter the frog habitat area the installation of visual screens to minimise light spill into the frog habitat area, from trucks and plant equipment operating throughout the night. <p>Following on from this, the OEMP needs to:</p> <ul style="list-style-type: none"> identify who is responsible for organising and carrying out these mitigation measures establish how these mitigation measures will be monitored, including how often this will be done and how the results will be recorded, along with a requirement to immediately right any deficiencies and defects (for example, the immediate rectification of damaged diversion bunds). <p>In addition to this, the OEMP will need to:</p> <ul style="list-style-type: none"> identify procedures for what should be done if a Green and Golden Bell Frog is found on-site. 	<p>This OEMP requires the implementation of actions described in the Frog Management Plan (2010) for the Enfield frog ponds and the ILC at Enfield Impact Assessment on Green and Golden Bell Frogs: Addition of Fill Material to Mt Enfield (2011)</p>
<p><u>Visual impact mitigation measures</u></p>	
<p>Regarding the mitigation measures to alleviate visual impact (on page 54 of the current Modification Report), the second one should be modified to:</p> <ul style="list-style-type: none"> plant additional native trees and shrubs, with no plants being able to directly overhang any frog pond or Cox's 	<p>The southern batters of Precinct A and bio-retention Basin D have established native trees and shrubs in accordance with the Landscape and Ecological Area Management Plan approved by DPE in 2016. These plantings will assist to alleviate visual impact of the built form.</p> <p>The aerial image below shows the established native trees and shrubs established on the southern batters of Precinct A and Basin D.</p>

Matters Raised	Applicant consideration of matter/response
<p>Creek Canal when they are fully grown, to screen built form and reduce the scale of the development.</p>	
<p><u>Flood</u></p>	
<p>The Enfield Logistic Centre is located within the Cooks and Cox Rivers catchment in Strathfield LGA. Strathfield Council's</p>	<p>The Cox River flood studies was dated 2010, and based on earlier site conditions. In 2012 as part of MP05_0147 MOD 6 approval, fill was placed</p>

Matters Raised	Applicant consideration of matter/response
<p>existing flood studies show that part of the site is flood affected by the 1% AEP and larger flood events.</p>	<p>throughout each precinct and stormwater infrastructure and detention basins constructed. Flooding levels to Cox Creek and other discharge points were modelled, reviewed and approved as part of Mod 6. There is no changes proposed to stormwater infrastructure and detention basins under MOD14, and they remain as approved and constructed.</p> <p>During MP05_0147 MOD6, AECOM undertook additional hydraulic modelling to confirm that the development would not exacerbate flood levels in Cox Creek (upstream and downstream).</p>
<p>OEH has referred to the Stormwater Drainage Design Statement (Appendix M) in conjunction with the proposed Masterplan which is depicted in Figure 5 of the MOD 14 Application report (page 23). The statement provides a summary of the earthwork cut/fill volumes and assumptions made for each precinct which indicates that part of the proposed earthwork is within the floodplains in precincts A and H. Precinct H is partially inundated by the 1% AEP and fully inundated by the PMF flood, while part of Precinct A is categorised as high hazard area in the probable maximum flood (PMF) by the Cook and Cox Rivers Floodplain Risk Management Study and Plan (FRMSP).</p>	<p>As per previous comment, filling took place within precinct A in accordance with the MOD6 approval.</p> <p>The Cooks River/Cox Creek Flood study (2010) states the PMF overland flow level of 17-18m AHD within the Marshalling Yard (south of precinct A). However, the existing levels within precinct A is approximately 19m AHD as constructed in accordance with the MOD6 approval.</p> <p>As part of MOD 6 approval/construction, AECOM provided design and modelling for a detention basin south of Precinct H to capture the catchment area within precinct H via temporary swale. The stormwater discharge into the DELEC culvert was reduced from 2.3m³/s to 1.2m³/s in the 1% AEP.</p> <p>The areas shown in the Cook River and Cox Creek flood report, 2010 are inundated by overland flow only from Precinct H catchment. As such, by providing fully developed stormwater system within Precinct H, stormwater would be captured by stormwater pits, pipes and conveyed to dentition basin.</p> <p>Both Precinct A and H will require additional importation of fill (31,770m³ and 2,660m³ respectively), as such the proposed earthworks levels will be higher than the already constructed MOD 6 levels.</p>
<p>OEH notes that the Stormwater Drainage Design Statement (Appendix M) states 'The existing bio retention/detention</p>	<p>Noted. The Stormwater Drainage Design Statement refers to the MOD6 approved bio/retention basins, which are impacted by the proposed</p>

Matters Raised	Applicant consideration of matter/response
<p>basins were designed and constructed to provide treatment for post development conditions for each precinct consistent with the project approval MP05_01467. The proposed building layout under MOD14 will meet the intended water quality and hydrology regime of existing basins without any changes required'. OEH cannot provide advice on this statement regarding the impacts on the hydrology and hydraulic behaviour, because, as indicated above, part of the proposed modification is within the floodplains.</p>	<p>MOD14 earthworks. As such MOD 14 will meet the intended water quality and hydrology regime as assessed and approved in MOD6.</p>
<p>OEH highlights that it is prudent to address the following:</p> <ul style="list-style-type: none"> ▪ the potential impact of the proposed modification on flood behaviour and on adjacent areas ▪ the implications of flooding on the development over the full range of flooding up to and including the PMF ▪ the site emergency response plan (ERP) to manage floods larger than the design flood over the full range of flooding up to the PMF. The ERP should be prepared in consultation with the State Emergency Service (SES). 	<p>As per above comments.</p>

Annexure Table

Annexure	Item
A	MOD 14 Traffic Impact Assessment
B	Ason's response letter to submission
C	MOD 14 SLR Report
D	Site Suitability Letter and RAP

Annexure A

Annexure B

Annexure C

Annexure D