

Modification of Approval

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

I, Scott Jeffries, Director, Infrastructure Projects, Major Projects Assessment, in accordance with the Instrument of Delegation issued by the Minister for Planning on 25 January 2010, pursuant to section 75W of the *Environmental Planning and Assessment Act 1979*, determine the modification to the approval referred to in Schedule 1 in the manner set out in Schedule 2.


Scott Jeffries
Director
Infrastructure Projects
as delegate for the Minister for Planning

Sydney, 27 May 2010

MOD 4 (MP 05_0147)

SCHEDULE 1

Project Approval:

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

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:

Changes to various conditions related to:

- detail design adjustments;
 - noise mitigation measures;
 - stormwater detention and treatment;
 - warehousing and distribution (areas and layouts); and
 - wording of a number of construction-related conditions.
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SCHEDULE 2

The approval is modified as follows:

1. replacing existing condition 1.1(h) with the following:

- 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; and
- k) the conditions of this approval.

2. replacing existing condition 1.2 with new condition 1.2, 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 1.1j) 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 1.1j) inclusive, the most recent document shall prevail to the extent of the inconsistency.

3. replacing the last sentence of condition 1.6 with the following:

1.6 Warehouses shall be generally located and configured consistent with the adjustments made during the detailed design stage as presented in the documents referred to under conditions 1.1h) and 1.1j) of this approval, and particularly, drawing No. SEDP150A (dated 24 February 2010).

4. replacing the existing condition 1.9 with a new condition 1.9 and accompanying Table 2, as follows:

1.9 The Proponent is permitted to construct and operate a light industrial/ commercial area comprising four precincts (W to Z inclusive) associated with the project, generally in accordance with the documents referred to under condition 1.1e) and condition 1.1h). The light industrial/ commercial area shall only be permitted to operate for the purpose of development associated with, or ancillary to the intermodal terminal, empty container storage areas and related warehousing, or otherwise consistent with the general principles of the Strathfield Consolidated Development Control Plan 2005 (in particular, that component of the Plan formerly being Development Control Plan No. 27 – Industrial Development). Each building within the light industrial/commercial area shall not exceed a height of 12 metres at its highest point (excluding minor ancillary structures such as communications equipment or solar panelling), with the gross floor area for each precinct limited to no greater than the relevant area specified in Table 2 below.

Table 2 - Maximum Precinct Gross Floor Areas

Light Industrial/ Commercial Precinct	Maximum Gross Floor Area (m ²)
W	18,010
X	4,749
Y	6,996
Z	10,859

5. inserting in condition 1.11a), after the words “condition 1.1e)”, the words “and condition 1.1h)”.
6. inserting in the first sentence of condition 2.3 after the words “loading bays”, the following words:

(for the operational areas associated with the ILC) and the 212 parking facilities and loading bays (for the light industrial/commercial area).

7. inserting a new condition 2.14A after existing condition 2.14, as follows:

2.14A In the event that the Proponent is required to construct a temporary noise wall using empty containers to mitigate noise from operations occurring in the southern portion of the site and prior to the construction of Warehouse A, the Proponent shall ensure that the temporary noise wall is installed during the hours prescribed in condition 2.15.

8. inserting a new condition 2.19A after existing condition 2.19, as follows:

2.19A The Proponent shall implement noise mitigation measures generally in accordance with the measures identified in the document listed in condition 1.1j). In relation to the north-western noise wall, the Proponent shall implement as part of the design and construction of this wall, mitigation measures to minimise potential reflective noise on its western face.

9. replacing existing condition 2.25 with a new condition 2.25, as follows:

2.25 The Proponent shall manage, maintain and use internal haulage roads in order to prevent dust emissions. The measures to be implemented for the management of potential dust emissions from internal roads during construction shall be incorporated in the Construction Environmental Management Plan required under condition 6.3.

10. replacing existing condition 2.30 with a new condition 2.30, as follows:

2.30 All stockpiled construction materials shall be adequately located, stabilised and maintained to prevent erosion or dispersal of the materials.

11. in the first sentence of condition 2.31, replace the reference to condition 1.1d) with condition 1.1h).

12. replacing existing condition 2.40 with a new condition 2.40, as follows:

2.40 The Proponent shall ensure that all liquid and/ or non-liquid waste generated, stored on the site or disposed of, is assessed and classified in accordance with the *Waste Classification Guidelines* (DECC, 2008).

13. replace condition 2.42 with a new condition 2.42, as follows:

The Proponent shall ensure that contaminated areas of the site that are disturbed by construction works associated with the project are remediated prior to the commencement of project operations at these areas. All remediation works shall be undertaken in accordance with the requirements of the *Contaminated Land Management Act 1997* and *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997).

14. modifying condition 2.43, as follows:

Prior to the commencement of construction works associated with the project that may disturb contaminated areas of the site, the Proponent shall submit to the Director-General a Site Audit Statement(s), prepared by an accredited Site Auditor under the *Contaminated Land Management Act 1997*, verifying that the area of the site on which construction is to be undertaken has been or can be remediated to a standard consistent with the intended land use. A final Site Audit Statement(s), prepared by an accredited Site Auditor, certifying that the contaminated areas have been remediated to a standard consistent with the intended land use is to be submitted to the Director-General prior to operation of the remediated site(s).

15. replacing the word "condition 6.5" in condition 6.2i) with "condition 6.3".

16. replacing the word "consolidate" wherever it occurs in the existing conditions with the word "consolidated".
