

# APPENDIX 1

## CONCEPT LAYOUT IN 2007 PROJECT APPROVAL DOCUMENTATION

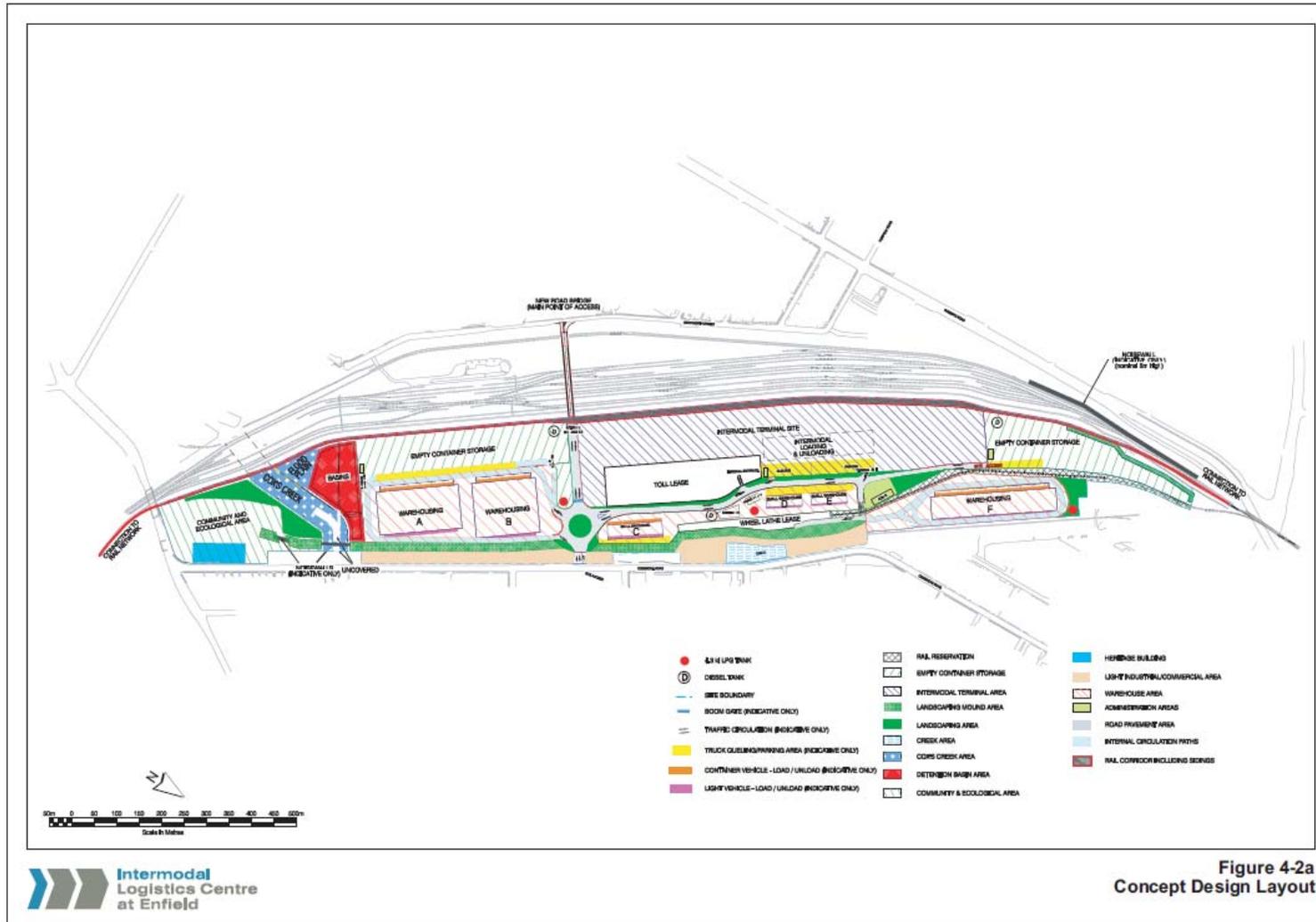
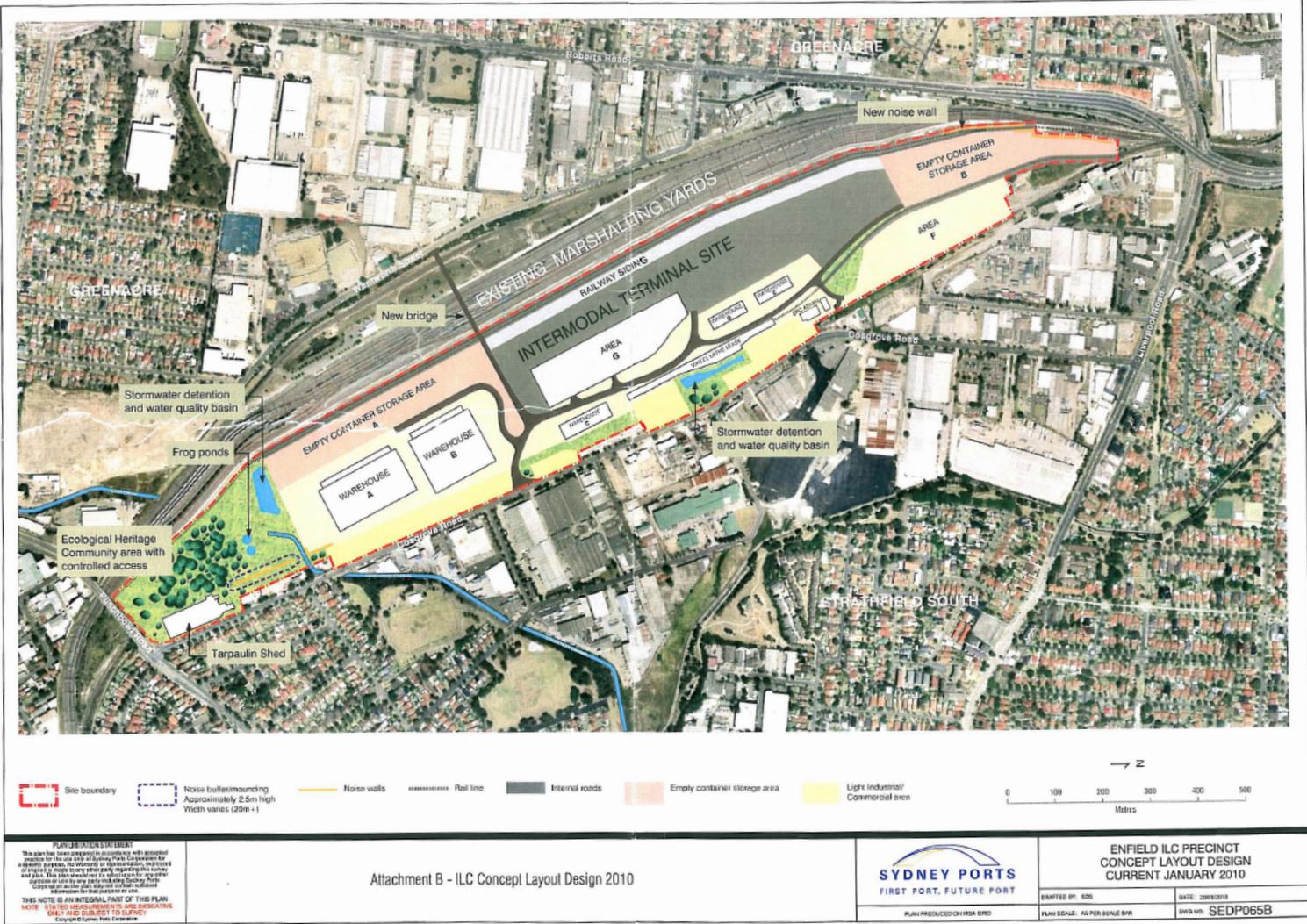


Figure 4-2a  
 Concept Design Layout



# APPENDIX 2

## 2010 VERSION OF THE CONCEPT PLAN



**APPENDIX 3**  
**LETTER FROM NSW PORTS DATED 21 NOVEMBER 2013**

21 November 2013

Sandy Shewell  
A/Team Leader Sydney Region East  
Department of Planning & Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Dear Ms Shewell,

**Re: Strathfield Council Planning Proposal to Rezone the Southern Precinct of the Enfield Intermodal Logistics Centre**

I refer to your email to Daniela Vujic dated 6 November 2013, which requests: NSW Ports' advice as to whether the southern portion of the Enfield Intermodal Logistics Centre (ILC) site continues to be required by NSW Ports; whether NSW Ports is supportive of a change in zoning of the subject area; and if there are any other matters that may be relevant to the assessment of Strathfield Council's (Council's) Planning Proposal.

NSW Ports has reviewed the proposed Planning Application prepared by Strathfield Council and **strongly objects to any proposed rezoning of the Enfield ILC site.**

On 31 May 2013, NSW Ports purchased the 99 year lease rights for the Enfield ILC site from the NSW Government. The NSW Government remains the landowner of the site, with NSW Ports as the long term custodian of this land on behalf of the Government and the people of NSW.

The recent sale of the Enfield ILC lease rights by the NSW Government was premised on a number of factors including the current land use zoning of the site. The proposal being presented by Council has serious implications for the ability to use and develop the Enfield ILC site to cater for the long term trade needs for the people of NSW. The proposed rezoning has the potential to constrain operations and growth potential of the site, adversely affecting the long term value of the site to the NSW Government and NSW Ports.

NSW Ports is aware that Council has had a long history of opposing the ILC development at Enfield. The southern precinct forms part of the approved ILC development (Major Project No. 05\_0147) and is being transformed from a highly modified and degraded landscape to a vegetated area with some ecological habitat for the Green and Golden Bell Frog, with the opportunity for restricted community access. A recent proposal by Council to rezone the southern portion of the ILC site was not supported by the Minister for Planning & Infrastructure as part of the gazettal of the Strathfield Local Environmental Plan 2012 (LEP 2012) in March 2013. NSW Ports is not aware of any additional strategic assessments that have been undertaken since the gazettal of LEP 2012 to justify the proposed rezoning application nor has Council consulted with NSW Ports regarding the proposal.

NSW Ports also considers Council's proposed justification for the rezoning to be unfounded and without strategic merit for the following reasons:

- Council's concern that NSW Ports may sell the southern portion of the ILC site is unfounded as the land is owned by the NSW Government, with NSW Ports the long term lessee. NSW Ports is therefore unable to sell the site.
- The southern precinct of the ILC site is unsuitable for public open space or recreation for a number of reasons, including that contamination levels make the area suitable for restricted public access only. Additionally, the Project's herpetologist expert has recommended that the Green and Golden Bell Frog habitat area is to have restricted and supervised access only. Rezoning the southern precinct to RE1 is therefore not appropriate.
- The future use of the southern portion of the ILC is approved under the Part 3A Project Approval as an area with landscaping, Green and Golden Bell Frog habitat and restricted public access. This cannot be changed without a further planning approval. Rezoning the southern precinct to RE1 Zone is therefore not warranted. (Refer to Attachment 1 for further supporting information)
- Rezoning the southern precinct to an RE1 Zone would bring members of the public closer to the industrial uses on the site and expose these users to impacts from site operations such as noise. This has the potential to compromise site operations and the future growth potential of the ILC site.
- The Planning Proposal has not considered consistency against industrial, infrastructure and employment land related aspects of relevant strategic planning policies. For example the NSW Government's draft *Metropolitan Strategy for Sydney 2031* (draft Metropolitan Strategy) identifies that industrial lands located close to rail, major roads and intermodal terminals as having high strategic value and requires a compelling argument to be demonstrated that the industrial land could not be used for an industrial purpose now or in the foreseeable future. (Refer to Attachment 1 for further supporting information)

NSW Ports considers that it is inappropriate and unjustified for the Department to progress this proposal further. Should the Department progress with this proposal NSW Ports considers that further discussions would be required between the Department, NSW Ports and NSW Treasury as a matter of priority.

We would appreciate the Department keeping us informed of this matter. Should you wish to discuss this letter further please contact Daniela Vujic, Senior Planning and Environmental Manager on ph: 9296 720.

Yours sincerely,



Tim Blood  
**Managing Director**

CC: Sam Haddad, Department of Planning & Infrastructure  
Tim Spencer, NSW Treasury

## **Attachment 1 – Supporting Information.**

### **1) Part 3A Project Approval and suitability of the southern precinct for non-industrial activities**

The southern precinct forms part of the approved Intermodal Terminal development (Major Project No. 05\_0147) under Part 3A of the *Environment Planning & Assessment Act, 1979* (EP&A Act). The Environmental Assessment (EA) submitted for the Project identified the area as providing an opportunity to enhance the site's ecological value and community amenity given the site's previous highly modified and degraded landscaped state. The future use of the Tarpaulin Factory was unknown at the time the EA was prepared and a commitment was made that the future use of the Tarpaulin Factory would be subject to separate consideration.

As part of enhancing the site's ecological value and community amenity, the Project proposed revegetation works and habitat creation for the Green and Golden Bell Frog (given there was a limited area of potential foraging habitat present in a degraded form). It was also identified that there was an opportunity to provide community access to the area under supervised conditions (refer to section 4.7 of the EA, prepared by SKM dated October 2005). In addition, Project Modification Application No. 5, which was approved on 10 November 2011, reiterated the intention for managed public access stating as a commitment, "*the southern part of the ILC site which includes the reconfigured Mt Enfield will be fenced, landscaped and have restricted access by the general public*".

The southern precinct of the ILC site is unsuitable for public open space or recreation for a number of reasons including: regular movement of rolling rail stock and rail maintenance vehicles within the active rail corridor, access track and access easement that traverses three sides of the southern area; steep slopes of Mt Enfield; presence of constructed habitat for the endangered Green and Golden Bell Frog, which is recommended by the expert herpetologist to have restricted and supervised access only; and contamination levels making the area suitable for restricted public access only.

The southern portion of the ILC site has not been identified for 'exclusive' community and ecological uses under the approved Part 3A application. The Part 3A Project Approval ensures the southern precinct is developed in accordance with the commitments made in the EA regarding landscaping, habitat creation for the Green and Golden Bell Frog and public access.

NSW Ports is committed to complying with the Project Approval for the site, including commitments relating to the southern precinct. The future use of the Tarpaulin Factory is still to be progressed.

### **2) State Government planning policies applicable to the Enfield ILC site**

The NSW Government's draft *Metropolitan Strategy for Sydney 2031* (draft Strategy) identifies industrial lands located close to rail, major roads and intermodal terminals as having high strategic value. The draft Strategy acknowledges that there is a need for new industrial lands over the next 20 years, especially around freight corridors (refer to Objective 13 of the draft Strategy). A policy statement / criteria of the draft Strategy requires proposals to rezone existing industrial lands to complete the Industrial Lands Strategic Assessment Checklist (as outlined on page 49 of the draft Strategy). The

Checklist requires a compelling argument to be provided that the industrial land cannot be used for an industrial purpose now or in the foreseeable future.

The retention of industrial land at Enfield was identified within the *draft Inner West Subregional Strategy (2008) (draft IWSS)*. Specifically, the draft IWSS identified the Enfield Marshalling Yards and surrounds, which includes the Enfield ILC site as being one of the most significantly intact concentration of industrial land in the Inner West. A specific action of the draft IWSS (action IW A1.2.2) was for DP&I and Sydney Ports Corporation to work with Council to ensure such Employment Lands are protected.

The Enfield ILC site has also been identified within the *NSW Long Term Transport Master Plan (December 2012)* and *draft NSW Port and Freight Strategy (November 2012)* as playing an important role in delivering greater capacity across the freight transport network and facilitating efficiency improvements to the supply chain.

**APPENDIX 4**  
**COUNCIL LETTER TO THE MINISTER FOR PLANNING AND STATE**  
**MEMBER FOR STRATHFIELD**

10 March 2014

David Hazeldine

The Hon. Brad Hazzard MP  
Minister for Planning & Infrastructure  
Level 33, Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000

Dear Mr Hazzard,

**RE: RESOLUTION OF STRATHFIELD COUNCIL REGARDING ENFIELD INTERMODAL LOGISTICS CENTRE ZONING**

At the Ordinary Meeting of Strathfield Council held on 4 March 2014, Council resolved (38/47) as follows:

*"That Council make representations to the Minister of Planning & Infrastructure and the Local Member for Strathfield requesting that they review the Gateway Determination of Council's Planning Proposal that seeks to revert the zoning of the southern section of the Enfield Intermodal Logistics Centre site from General Industrial IN1 zoning to Public Recreation RE1."*

The 2007 Part 3A Ministers approval for the Enfield Intermodal Logistics Centre (ILC) included the Southern section of the site as a 'Community and Ecological Area'. This was also illustrated in various Enfield ILC Concept Plans from the applicant's original Environmental Assessment to the Concept Plans prepared by Sydney Ports since the Enfield ILC was approved.

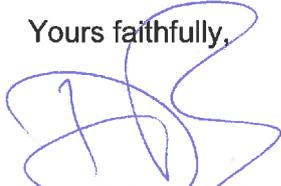
Council has attempted to zone the southern section of the site as RE1 'Public Recreation' to reflect the intention and functions of the 'Community and Ecological Area' through the Strathfield LEP 2012 process and a Planning Proposal that was submitted to Planning & Infrastructure in October 2013. In both instances Planning & Infrastructure have overturned or not accepted Council's proposals.

The local community has long been concerned about the negative impacts of the Enfield ILC. Since the Ministers approval in 2007 there has been some consolation to the residents in the expectation that the southern section of the site was dedicated to become a 'Community and Ecological Area' that could service the needs of the local community.

Council therefore requests that the Minister for Planning & Infrastructure reviews the Gateway Determination of Council's Planning Proposal that seeks to revert the zoning of the southern section of the Enfield ILC site from General Industrial IN1 to Public Recreation RE1.

Should you have any questions regarding this letter please don't hesitate to contact the General Manager's Office on 9748 9924.

Yours faithfully,

A handwritten signature in blue ink, appearing to be 'D. Backhouse', written over the text 'Yours faithfully,'.

DAVID BACKHOUSE  
GENERAL MANAGER

10 March 2014

David Hazeldine

Mr Charles Casuscelli RFD MP  
Member for Strathfield  
Shop 1, 54 Burwood Road  
BURWOOD NSW 2134

Dear Mr Casuscelli,  
*Charles*

**RE: RESOLUTION OF STRATHFIELD COUNCIL REGARDING ENFIELD INTERMODAL LOGISTICS CENTRE ZONING**

At the Ordinary Meeting of Strathfield Council held on 4 March 2014, Council resolved (38/47) as follows:

*"That Council make representations to the Minister of Planning & Infrastructure and the Local Member for Strathfield requesting that they review the Gateway Determination of Council's Planning Proposal that seeks to revert the zoning of the southern section of the Enfield Intermodal Logistics Centre site from General Industrial IN1 zoning to Public Recreation RE1."*

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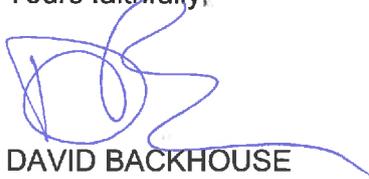
Council has attempted to zone the southern section of the site as RE1 'Public Recreation' to reflect the intention and functions of the 'Community and Ecological Area' through the Strathfield LEP 2012 process and a Planning Proposal that was submitted to Planning & Infrastructure in October 2013. In both instances Planning & Infrastructure have overturned or not accepted Council's proposals.

The local community has long been concerned about the negative impacts of the Enfield ILC. Since the Ministers approval in 2007 there has been some consolation to the residents in the expectation that the southern section of the site was dedicated to become a 'Community and Ecological Area' that could service the needs of the local community.

Council therefore requests that the Minister for Planning & Infrastructure reviews the Gateway Determination of Council's Planning Proposal that seeks to revert the zoning of the southern section of the Enfield ILC site from General Industrial IN1 to Public Recreation RE1.

Should you have any questions regarding this letter please don't hesitate to contact the General Manager's Office on 9748 9924.

Yours faithfully,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

DAVID BACKHOUSE  
GENERAL MANAGER

**APPENDIX 5**  
**LETTER FROM THE MINISTER FOR PLANNING**



**The Hon Pru Goward MP**  
Minister for Planning  
Minister for Women

Mr David Backhouse  
General Manager  
Strathfield Municipal Council  
PO Box 120  
STRATHFIELD NSW 2135

14/05273

Dear Mr Backhouse

Thank you for your recent representations addressed to the former Minister for Planning and Infrastructure, regarding a Gateway determination review in respect of the planning proposal to rezone the southern portion of the Enfield Intermodal Logistics Centre (ILC) at Cosgrove Road, Strathfield South, from part IN1 General Industrial and part RE2 Private Recreation, to RE1 Public Recreation.

On 19 December 2013, the Deputy Director General of the now Department of Planning and Environment determined the planning proposal should not proceed. I note from his determination, the subject land has some ecological value, as well as unresolved contamination issues. I also note NSW Ports does not support the rezoning, as the proposal has the capability to constrain the operations and growth potential of the site. It is my understanding the reasons for not proceeding with the planning proposal, as outlined in the Gateway determination, remain valid.

As far as a Gateway determination review is concerned, Council has 40 days from being notified of a Gateway determination to seek a formal review. Your request does not satisfy the eligibility requirements for review, as this period has lapsed.

Notwithstanding, Council is encouraged to undertake further discussions with NSW Ports and relevant stakeholders in relation to the most appropriate zoning for the site. I have asked my Department to help facilitate these discussions, should you wish to pursue the matter further. Please note that investigations in regard to the status of site contamination and proposed remediation actions should be addressed before considering any zoning change.

Should you have any further enquiries about this matter, I have arranged for Mr Lee Mulvey, Director of Metropolitan Delivery (CBD) of the Department to assist you. Mr Mulvey can be contacted on telephone number 02 8575 4140.

Yours sincerely

**Pru Goward MP**  
Minister of Planning  
Minister of Women

**APPENDIX 6**  
**LETTER FROM NSW PORTS DATED 12 JANUARY 2015**

# NSW Ports

Level 2, Brotherson House  
Gate B103, Penrhyn Road  
Port Botany NSW 2036  
Australia

Ph 1300 922 524  
Fax +612 9296 4119

PO Box 297  
Botany NSW 1455  
www.nswports.com.au

12 January 2015

Mr David Hazeldine  
Director Technical Services  
Strathfield Municipal Council  
PO Box 120  
Strathfield NSW 2135

Strathfield Municipal Council

14 JAN 2015

Received by Records

STRATHFIELD MUNICIPAL COUNCIL  
REGISTERED BY RECORDS

14 JAN 2015

DOCUMENT NUMBER \_\_\_\_\_  
RESPONSIBLE OFFICER Frankie P053x005

Attention: Mr Frankie Liang

ILC – OG781

Dear Mr Hazeldine,

**Re: Potential Planning Proposal to rezone the southern section of the Intermodal Logistics Centre at Enfield from IN1 General Industrial to RE2 Private Recreation**

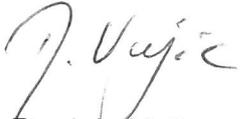
I refer to your correspondence dated 23 December 2014 regarding Strathfield Council's (Council's) proposal to progress with rezoning the southern precinct of the Enfield Intermodal Logistics Centre (ILC) site and your request to meet with NSW Ports regarding this matter.

As you would be aware, NSW Ports met with Council and the Department of Planning & Environment on 12 November 2014 to discuss Council's previous Planning Proposal to rezone the southern precinct from IN1 General Industrial to a RE1 Public Recreation land use zone. This discussion included a request from Council for NSW Ports to consider supporting a Planning Proposal to rezone the southern precinct to a RE2 Private Recreation zone, noting that part of the southern precinct is already zoned RE2 Private Recreation. At this meeting NSW Ports reiterated its position in relation to the zoning of the Enfield ILC that is, our position remains unchanged, for all the reasons that have been previously articulated to Council.

Whilst we do not intend to support any proposals to amend the current zoning, NSW Ports has been progressing with plans to provide community access to the southern precinct, in accordance with the Landscape and Ecological Area Management Plan and the development approval. As you would be aware these plans include viewing areas and pathways onto Mount Enfield to provide a safe viewing opportunity for the community, separated from site operations.

For the reasons outlined above, NSW Ports does not propose to have further discussions with Council in relation to rezoning the southern precinct of the ILC site. NSW Ports would however welcome discussions with Council regarding the ongoing development and operation of the ILC at Enfield.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'D. Vujic', written in a cursive style.

**Daniela Vujic**  
**Planning Manager**