



DEVELOPMENT ASSESSMENT REPORT

Environmental Planning & Assessment Act 1979

1. Application Details Summary:

Development Application No: DA2018/0033
Description of Development: Freight Transport Facility (Parkes Logistics Terminal)
Applicant: Pacific National (NSW) Pty Ltd
Landowner(s): Terminals Australia Pty Ltd
Landowners consent provided: ☒ Yes ☐ No

2. Property Description Summary:

Legal Description: Lots 98, 99 and 360 DP 750179, Lot 6 DP 857631, Lots 1 and 2 DP 1082995, Brolgan Road, Parkes.
Existing Improvements: Rural farmland, ruin residence and outbuildings, overhead power lines, farm dams and fencing.
Current land-use: Part SP1 Special Activities Zone - Freight Transport Facility, Heavy Industrial Storage Establishment, High Technology Industry, Rural Industry, Transport Depot, Truck Depot and Part RU1 Primary Production Zone.

3. Executive Summary:

DA2018/0033 proposes the development of a freight transport facility on Lots 98, 99 and 360 DP 750179, Lot 6 DP 857631, Lots 1 and 2 DP 1082995, Brolgan Road, Parkes. Pacific National is the proponent for the facility and intends to name it the Parkes Logistics Terminal.

The proposed Parkes Logistics Terminal is a private rail infrastructure facility with a capital investment value exceeding \$5 million. As such, this assessment report is to be tabled with the Western Regional Planning Panel in accordance with State Environmental Planning Policy (State and Regional Development) 2011, the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

The proposed development is consistent with the Parkes Local Environmental Plan 2012, the Parkes Shire Development Control Plan 2013 and all relevant State Environmental Planning Policies. The vast majority of the land, the subject of the development proposal, is zoned SP1 Special Activities and specifically for a Freight Transport Facility, Heavy Industrial Storage Establishment, High Technology Industry, Rural Industry, Transport Depot, Truck Depot and the like. A small part of the development site (Lot 2 DP 1082995) is zoned RU1 Primary Production Zone where a freight transport facility is permissible with consent.

The Australian Rail Track Corporation (ARTC) have provided their concurrence to the development proposal in accordance with Clause 84 of State Environmental Planning Policy (Infrastructure) 2007; being a development that will increase the number of vehicles / trucks using the railway level crossing of Brolgan Road to the east of the proposed freight transport facility. ARTC raises no objections to the proposal and have provided draft conditions relating to access, fencing and safety, stormwater and earthworks. The NSW Roads and Maritime Services (RMS) have provided a response to the proposal in accordance with Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007; being a freight intermodal / transport terminal facility. RMS raises no objections to the proposal and have provided draft conditions relating to access design. Essential Energy (EE) have provided a response in accordance with Clause 45 of State Environmental Planning Policy (Infrastructure) 2007; being development that will involve works on overhead power lines. EE raise no objections to the development and have advised the process for the removal of redundant overhead power lines.

The proposed development was publically exhibited and notified to neighbouring land owners from 29 March 2018 to 23 April 2018, with six public submissions being received (not including the responses received from RMS, ARTC and EE). Issues raised in public submissions relate to the development classification (the proposal is designated development in the





view of one submission maker), noise, increased traffic (motor vehicles and trains) and land devaluation. All public submissions received are from rural property owners within the Parkes National Logistics Hub Buffer Area, which has been in place since gazettal of the Parkes Local Environmental Plan 1990 (Amendment No. 4) – Parkes Hub, published in the NSW Government Gazette on 26 November 2004.

The assessment of the proposal concludes the development fits in the locality and there are no significant impacts on the site or on adjacent lands. All construction and operational aspects can be adequately managed / controlled as per the submitted Development Application (DA) information, or under recommended conditions of consent. The proposed freight transport facility is consistent with previous planning work in relation to the Parkes National Logistics Hub and the Inland Rail – Parkes to Narromine Project, currently under assessment by the Department of Planning (see SSI 16-7475). It is recommended that DA2018/0033 be approved, subject to appropriate conditions.

The DA Form, Plans and the Statement of Environmental Effects (SEE) are included in **Attachment 1**. The SEE documentation includes the following supporting specialist reports and studies, which are also included in **Appendix 1**:

- WSP Noise and Vibration Impact Assessment, March 2018.
- OzArk Aboriginal and Historic Due Diligence Archaeological Assessment, March 2018.
- WSP Traffic, Transport and Access Assessment, March 2018.
- WSP Stormwater Management Plan, March 2018.
- WSP Biodiversity Development Assessment Report, April 2018.
- WSP Likelihood Assessment, April 2018.

Submissions received as a result of public exhibition and neighbour notification (including government agency correspondence) are included in **Appendix 4**.

Parkes Shire Council additional information letters dated 26 April 2018 and 10 May 2018 are included in **Appendix 5**.

Pacific National additional information response letter dated 31 May 2018 is included in **Appendix 6**. The following supporting studies were included in the Pacific National (PN) letter:

- WSP Noise and Vibration Impact Assessment, May 2018.
- PN Lighting Impact Assessment, May 2018.
- Environmental Earth Sciences Contamination Assessment (Part Lot 2 DP 1082995), June 2018.
- WSP Drawing No. PS106787_GIS_F024_A3 (Residential Dwelling Buffer Plan), 8 May 2018.

A chart showing the DA Process is shown in Figure 2, which shows all information appended to this report.

4. Site and Locality Description:

The site of the proposed Parkes Logistics Terminal is formally described as Lots 98, 99 and 360 DP 750179, Lot 6 DP 857631, Lots 1 and 2 DP 1082995, Brolgan Road, Parkes.

The site is located to the west of the Parkes Township, fronting Brolgan Road. The site has an approximate area of 365 hectares and forms part of the Parkes National Logistics Hub, which was established in 2004 for freight related industries.

The site has been primarily used for agricultural purposes in the recent past, mainly dryland cropping and livestock grazing. The site contains a 19th century farm complex and numerous farm dams, fencing and access tracks. The site is characterised by relatively flat, open grassy land, with isolated paddocks trees and corridors of native vegetation along the north, south and western property boundaries. Millers Lookout Road (unformed section) runs through the site in a north – south direction, and is proposed to be closed. A large easement and high voltage overhead power line bisects the northern end of the site in an east-west direction. A smaller set of overhead powerlines connects to the old ruin residence, and is proposed to be decommissioned. The Parkes to Narromine Railway line runs along the eastern property boundary of the site. The Brolgan Road runs along the southern boundary of the site. The site is generally surrounded by agricultural land-uses, with several isolated dwellings located in the area. Land to the south-east of the site is occupied by the SCT Logistics Parkes Rail Freight Centre.

A map showing the subject site (yellow) and the Parkes National Logistics Hub buffer (blue dotted line) is shown in Figure 1. This plan also shows the Parkes Urban Area (centre of screen) and the main road network (black lines) and the main railway lines (black dotted lines).



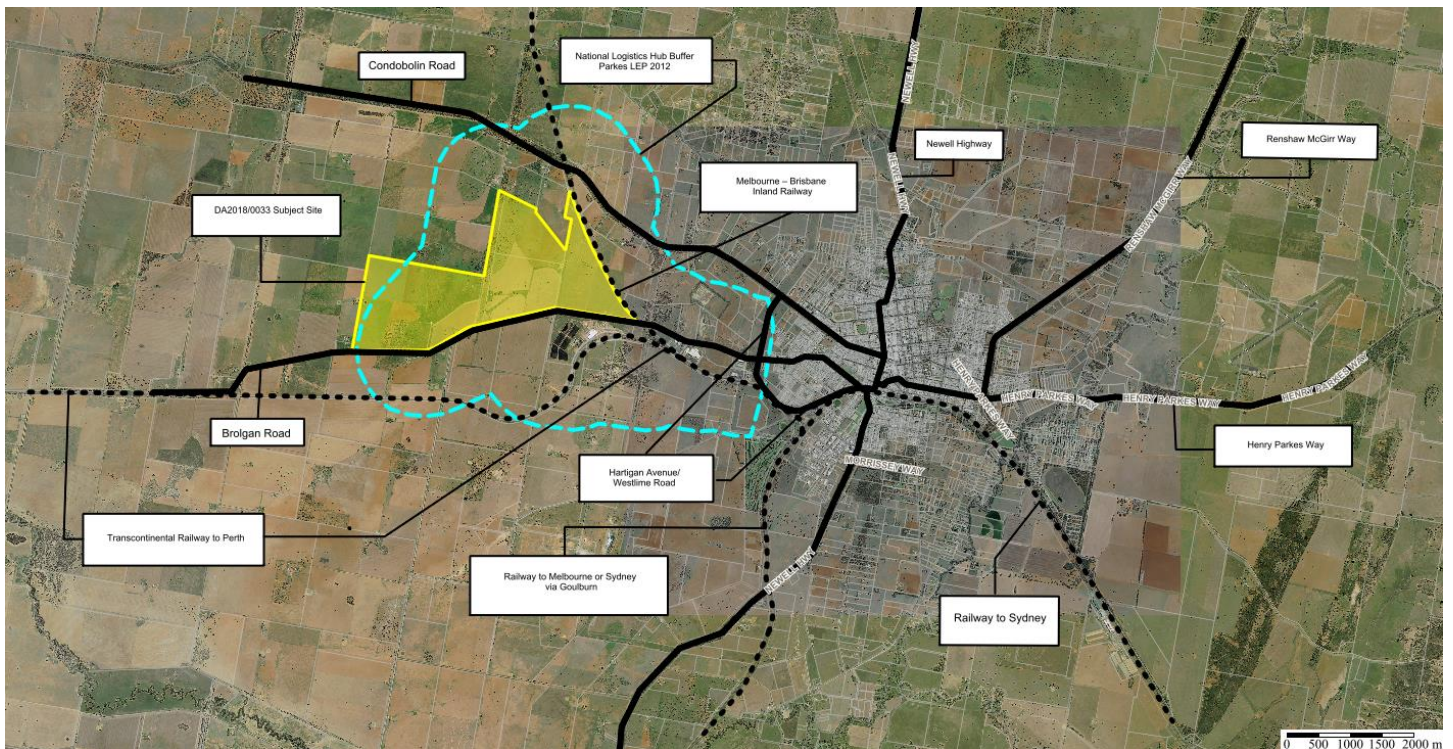


Figure 1: Site Context Map

Parkes Shire Council planning and engineering staff have undertaken a number of site inspections, including an inspection undertaken by senior assessment staff involved in the preparation of this report on 19 April 2018. The purpose of this inspection was to view the site conditions, the locality and its environs. The following points were noted from the site inspection:

- The site is located on the Brolgan Road, which is constructed to a bitumen sealed rural road standard. It is noted that Council has scheduled the upgrade of the section of Brolgan Road from the SCT Logistics Parkes Rail Freight Centre to Coopers Road, which adjoins the site.
- This site is relatively flat and drains overland to the south-west and south-east.
- The site has been largely cleared of native vegetation. No significant stands of vegetation are located on the site. The land is largely covered by grasses and exotic weeds, with isolated paddock trees and strips of vegetation along roads and ridgelines.
- The land is used for agricultural purposes, primarily livestock grazing and cropping.
- There are a number of farm dams, fences and tracks located on the property.
- The site is connected to overhead power to the ruins farm complex that is unlikely unused. A large power line runs across the property in an east – west direction, towards the northern end of the site.
- No reticulated water or sewerage services are currently connected to the site. Access to reticulated water supply is available from the Parkes Shire Council reticulated water supply system to the east.
- No evidence of Aboriginal Heritage was found on the site.
- An old homestead ruin and associated outbuildings is located towards the south-west of the site. The existing farm buildings on the site have not been occupied for many years and are in poor condition.
- No evidence of potential contaminants were observed / found on-site. There are no shearing sheds or sheep dips located on the site.

Photographs of the site (19 April 2018) are shown below:





View of western part of site from the intersection of Brolgan Road and Coopers Road, looking towards the north-east.



View of western part of site from the intersection of Brolgan Road and Millers Lookout Road (unformed paper road) looking to the north.





View of Brolgan Road, directly west of the proposed Parkes Logistics Terminal. ARTC propose to construct a new railway line over this section of Brolgan Road in the future (see Inland Rail – Parkes to Narromine (SSI 16_7475)).



View of Brolgan Road, directly east of the proposed access.





View of site from Brolgan Road looking towards Millers Lookout (western boundary of site).



View of site from Brolgan Road looking towards the Parkes to Narromine Railway line (in background).





View of old homestead ruins and Millers Lookout ridgeline from Brolgan Road.



View of the middle of the site from Brolgan Road.





View of eastern part of site from the Parkes to Narromine Railway Line, looking towards the west and the Millers Lookout ridgeline.



View of the overhead power lines located towards the northern end of the site, viewed from the Parkes to Narromine Railway Line.





View of the Parkes to Narromine Railway corridor, with the subject site adjoining the railway to the west (right of fence line).



View of the SCT Logistics Centre located on Brolgan Road (typical land-use at Parkes Hub), south of the subject site.





View of the Chadwick Wool Centre located off Brolgan Road (typical land-use at Parkes Hub), south-east of the subject site.



View of typical rail operations around the Parkes Hub.

5. Background and Site Context Description:

Parkes Shire

The Parkes Shire is located in the Central West of NSW, approximately 365 kilometres west of Sydney. The shire has a strong and diverse economy with a gross regional product of close to \$1 Billion annually. Mining and agriculture are the key industries for the shire, providing significant value to the economy as well as being major employers. Manufacturing and transport also make strong contributions to the economy. Sports, events and celebrations such as the Parkes Elvis Festival, ABBA Festival, Tullamore Irish Festival, Astrofest and the Parkes Picnic Races are important to the economy and help to further develop social capital in the shire.

Parkes is the main centre in the shire and has a stable population of approximately 12,000 people (including surrounding rural-residential areas). The location of Parkes is unique in that it is at the cross roads of the national rail network. The





strategic importance of Parkes to national transport will be magnified over the next decade, as the new Inland Railway is developed between Melbourne and Brisbane, via Parkes. Once the Inland Railway is constructed, Parkes will become the major intersection of north-south and east-west freight train movements in Australia.

Parkes National Logistics Hub

The Parkes National Logistics Hub is located approximately 5 kilometres west of Parkes and includes over 500 hectares of land zoned SP1 Special Activities under Parkes Local Environmental Plan 2012. The Parkes National Logistics Hub was first investigated under the Parkes Transport Hub Local Environmental Study, September 2003, with a large parcel of land to the west of the Goobang Junction being rezoned from 1(a) Rural zone to 4(a) Industrial zone under the Parkes Local Environmental Plan 1990 (Amendment No. 4) – Parkes Hub, published in the NSW Government Gazette on 26 November 2004. The 4(a) Industrial zone was subsequently changed to an SP1 Special Activities zone under the Parkes Local Environmental Plan 2012.

Planned construction of the Inland Railway between Melbourne and Brisbane via Parkes provides the catalyst for increasing infrastructure and developments within the Parkes National Logistics Hub. Once the Inland Railway is constructed, Parkes will become the major intersection of north-south and east - west train movements in Australia. The Parkes National Logistics Hub is ideally located next to the Goobang Junction, which serves as the intersection for transcontinental railway distribution. The SP1 Special Activities zone allows for a wide range of rail and road facilities, fuel storages, freight storage and handling facilities, general warehousing, manufacturing and value-add industries, freight logistics offices and supply distribution facilities.

As part of the rezoning and subsequent development of the Parkes National Logistics Hub, Parkes Shire Council has identified roads for upgrading under its works program to link the hub to the State highway and main road network in and around the Parkes Urban Area. The Parkes Multimodal Transport Higher Mass Limit Vehicle Access Road Review of Environmental Factors 2007 proposed the upgrading of Brolgan Road to near its intersection with Coopers Road, which is past the Pacific National development site. This road upgrade will be undertaken by Council in the 2018/19 financial year.

Inland Rail

The Australian Government has committed to building a significant piece of national transport infrastructure by constructing a high performance and direct interstate freight rail corridor between Melbourne and Brisbane, via central-west NSW and Toowoomba in Queensland. Inland Rail is a major national project that will enhance Australia's existing national rail network and serve the interstate freight market.

Due to the scale of the Inland Rail Project, the railway upgrades are being broken down into a number of sections. The proponent of the Inland Rail (the ARTC) is currently seeking approval to construct and operate the Parkes to Narromine section of the Inland Rail Project from the NSW Government. The proposal is generally located in the existing rail corridor between the towns of Parkes and Narromine. A new connection to the Broken Hill Railway line is also proposed at the southern end of the proposal site near Parkes and on the land owned by Terminals Australia Pty Ltd and the subject of DA2018/0033. The ARTC rail link between the Parkes to Narromine Railway and the Broken Hill Railway will interact closely with the proposed Pacific National Parkes Logistics Terminal proposed under DA2018/0033. The key features of the ARTC Parkes to Narromine proposal involve:

- Upgrading the track, track formation, and culverts within the existing rail corridor for a distance of 106 kilometres between Parkes and Narromine.
- Realigning the track where required within the existing rail corridor to minimise the radius of tight curves.
- Providing three new crossing loops within the existing rail corridor, at Goonumbra, Peak Hill, and Timjelly.
- Providing a 5.3 kilometre long rail connection between Inland Rail and the Broken Hill Railway line, including a crossing over Brolgan Road.

Ancillary works will include works to level crossings, signaling and communications, signage, fencing, and services and utilities within the proposal site.

The development application for the Inland Rail – Parkes to Narromine (SSI 16_7475) is in 'Assessment Stage' on the Department of Planning Major Projects Assessments website. As part of the processing of the application, the proposal was placed on public exhibition from 19 July 2017 to 18 August 2017.

Parkes Intermodal Terminal – Concept Approval:

On 1 March 2007, the Minister for Planning granted Concept Approval to Terminals Australia (MP 05_0072) for construction and use of an intermodal freight terminal and associated infrastructure. The proposed intermodal terminal was very similar





in design and layout to the current DA2018/0033, albeit on a larger scale. As part of the processing of the application, the concept plan was publicly exhibited from 16 June 2006 to 19 July 2016 on the Department of Planning website and at the Department's Information Centre, Parkes Shire Council and the Nature Conservation Council. The exhibition was advertised in the Parkes Champion Post. Landowners in the vicinity of the site were also directly notified about the exhibition period.

On 16 January 2012 Development Consent No. 05_0072 was modified (MP 05_0072 MOD 1) to delete condition 7 containing the lapsing provisions of the consent and to update references to names of agencies and relevant guidelines. The consequential effect of the deletion of condition 7 of 05_0072 was that the lapsing provisions of Part 3A transitional projects in Schedule 6A were relied on, meaning the consent lapsed on 1 October 2016.

6. Pacific National DA2018/0033 (current proposal):

Pacific National (NSW) Pty Ltd (Pacific National) proposes to construct and operate a freight transport facility called the Parkes Logistics Terminal, at Brolgan Road, Parkes.

Pacific National have submitted a Development Application (DA2018/0033) with Parkes Shire Council for the proposed development. A Statement of Environmental Effects (SEE), several specialist studies and plans have been included in the DA material. In support of the proposal, the SEE advises Parkes is the eastern most location from Sydney where trains leaving for interstate destinations can be double stacked with containers (due to bridge heights and other restrictions). Parkes is also strategically located at the intersection of the Newell Highway and major railways linking Melbourne, Brisbane, Sydney and Perth. The SEE states the aim of the project is primarily to facilitate the movement of double stacked containers between Parkes and Perth. Once the Inland Railway is operational, it would also allow for the transfer of freight between the east - west rail route (between Sydney and Perth) and the Inland Rail route (between Melbourne and Brisbane).

The Pacific National Parkes Logistics Terminal will interact closely with the ARTC Parkes to Narromine Railway proposed under SSI 16_7475 with the ARTC constructing a 5.3 kilometre long rail connection between Inland Rail and the Broken Hill Railway line, directly adjoining the Pacific National Parkes Logistics Terminal. Until the ARTC Inland Railway is built, Pacific National intends to access their facility from a spur line linking to the existing Parkes to Narromine Railway.

The land, the subject of DA2018/0033 is described as Lot 360 DP 750179, Lots 98 and 99 DP 750179, Lot 6 DP 857631, Lots 1 and 2 DP 1082995, Brolgan Road, Parkes.

The key components of the proposal are:

- Rail infrastructure sidings for the loading and unloading of trains which would be accessed via the proposed Australian Rail Track Corporation (ARTC) north-west rail connector track.
- Hardstand pavement areas for container storage, loading and unloading.
- Access roads from Brolgan Road and internally for trucks and light vehicles.
- An office building, staff amenities and car parking.
- Utility services including for drainage, lighting, water, power, data, security and sewerage.
- Noise mitigation (either a solid barrier on site or noise mitigation at nearby receivers).
- Signage, lighting of landscaping.

7. Planning Approval Framework:

The proposed freight transport facility is regionally significant development for the purposes of the Environmental Planning and Assessment Act 1979, given it is a private rail infrastructure facility with a capital investment value exceeding \$5 million. As such, this assessment report is to be tabled with the Western Regional Planning Panel in accordance with State Environmental Planning Policy (State and Regional Development) 2011, the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

The proposed freight transport facility is not designated development as defined under Schedule 3 of the Environmental Planning and Assessment Regulation 2000, as it involves less than 250 truck movements per day, less than 20 hectares of native vegetation clearing, more than 40 metres distance from a natural water body, wetland or environmentally sensitive area and more than 500 metres from any dwelling not associated with the development.

While an approval under Section 138 of the Roads will be required with respect to works proposed in Brolgan Road, no integrated approvals are sought as part of the development application.





Concurrence and comments have been directly sought from ARTC, RMS and EE in accordance with State Environmental Planning Policy (Infrastructure) 2007. No other government agencies were consulted on the DA.

The DA was publicly exhibited and neighbour notified in accordance with the Parkes Shire Development Control Plan 2013. Six written submissions were received as a result of the consultation process, which have been considered in Section 10 of this report.

Parkes Shire Council received additional information from Pacific National on 31 May 2018 in response to Council's letter dated 26 April 2018 and 10 May 2018. The additional information included an updated Noise and Vibration Impact Assessment, dated May 2018, Lighting Impact Assessment, dated May 2018 and a formal request to vary controls in the Parkes Shire Development Control Plan 2013. The additional information also included a Residential Buffer Plan (WSP Drawing No. PS106787_GIS_F024_A3) to confirm all proposed works (including railway spur lines) are located more than 500 metres from any dwelling not associated with the proposal. A review of the additional information was undertaken to ensure the amended documentation would not constitute a new development application, with the main factors influencing Council's decision to accept the information under DA2018/0033 being summarised below:

(a) Will the proposed amendments convert the original concept into something substantially different? ☐ Yes ☒ No

Comment: The documentation received by Pacific National on 31 May 2018 was the result of a request from Council for additional information in relation to residential buffer distances, noise and lighting impacts and to clarify non-compliance issues with the Parkes Shire Development Control Plan 2013. The additional information received provided Council with the required information to complete an assessment of the development proposal.

The additional information includes minor physical changes to the original development proposal, as a result of Pacific National undertaking more detailed survey and engineering design work to address the issues raised by Council. In particular, the railway turnout onto the Parkes to Narromine Railway has a slightly tighter radius curve and the southern end of the rail siding has been ended closer to the railway siding. Pacific National advise a solid barrier may also be integrated into the design of the railway turnout onto the Parkes to Narromine Railway, but only if negotiations with nearby residents does not allow noise mitigation at the source of these receivers (i.e. acoustic mitigation on private land not associated with the DA and at or near dwellings).

The amendments are proposed to minimise noise and lighting impacts associated with the operation of the freight facility. The proposed changes / commitments from Pacific National will result in railway lines and activity being located further away from nearby dwellings and benefited from noise and light mitigation. As demonstrated in the updated noise and lighting impact assessments, these amendments are positive changes to the original concept that will help reduce the impacts of the development on nearby land-uses. The proposed development, as amended, has therefore not converted the original concept into a substantially different development.

It is assessed that the changes to development application are minor and do not alter the proposal in a manner that warrants a new DA being lodged or re-public-exhibition / neighbor notification of the current application.

(b) Will the proposed amendments radically transform the development in any material respect? ☐ Yes ☒ No

Comment: The proposed amendments will not radically transform the development in any material respect. There are physical changes to the original railway alignment, as a result of more detailed survey and engineering design work undertaken by the proponent. In particular, the railway turnout onto the Parkes to Narromine Railway has a slightly tighter radius curve and the southern end of the rail siding has been ended closer to the railway siding. Pacific National advise a solid barrier may also be integrated into the design of the railway turnout onto the Parkes to Narromine Railway, but only if negotiations with nearby residents does not allow noise mitigation at the source of these receivers (i.e. acoustic mitigation on private land not associated with the DA and at or near dwellings).

It is assessed that the material changes will not result in a radical transformation of the development. When viewed from nearby public roads, railways and private land, it will be difficult to discern any differences from that of the original development and the proposal as amended, given the topography and distances from adjoining roads, railways and private land. It is assessed that the proposed amendments are minor and do not alter the proposal in a manner that warrants a new DA being lodged or re-public-exhibition / neighbour notification of the current application.

A summary of the process for DA2018/0033 is provided in Figure 2 below:



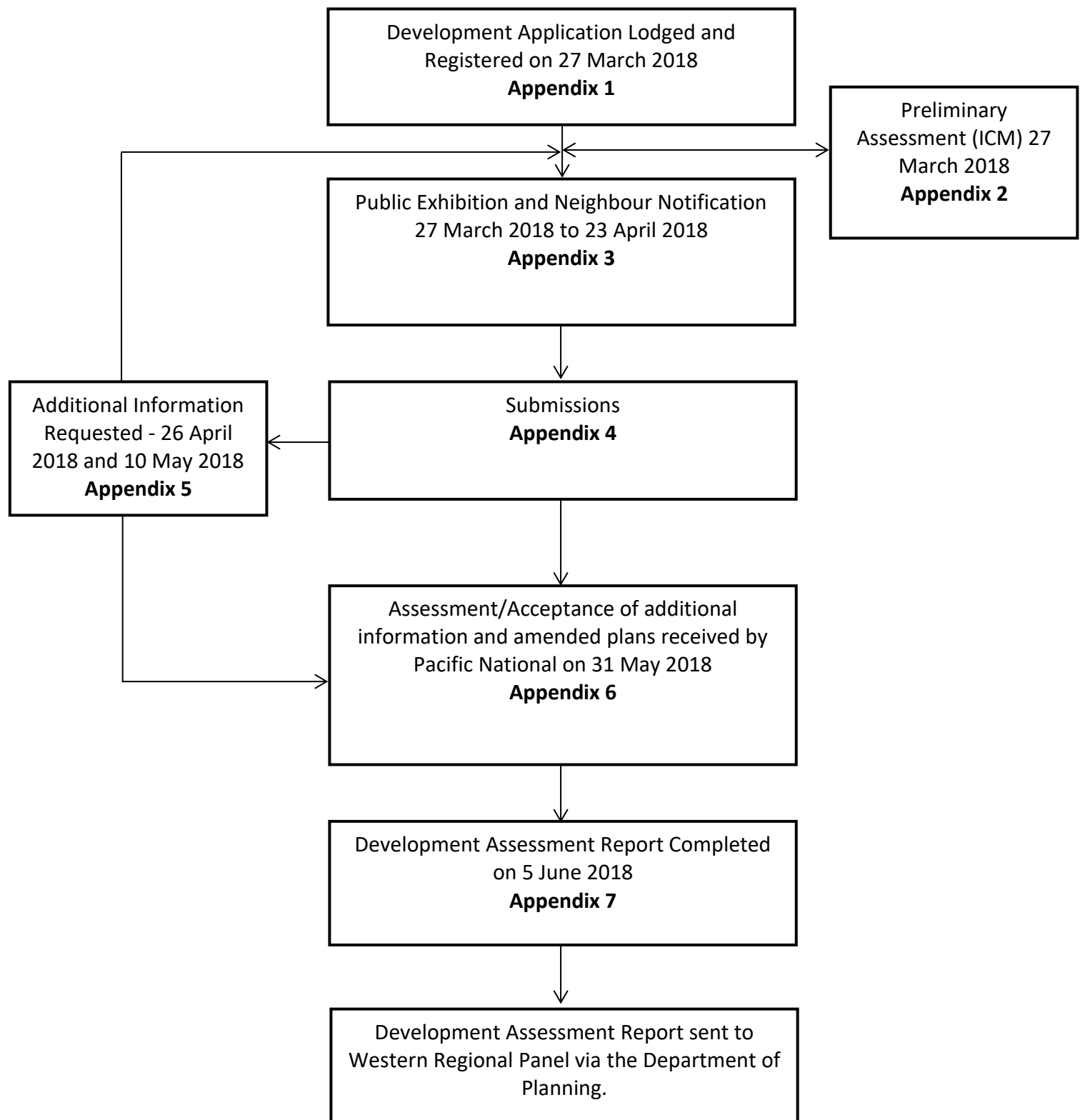


Figure 2: DA2018/0033 Process Chart





8. Environmental Planning Assessment:

This section of the report provides an assessment of the proposed development in accordance with the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979.

S4.15(1)(a)(i) The provisions of any environmental planning instrument

Local Environmental Plans

The Parkes Local Environmental Plan 2012 applies to all land within the Parkes Local Government Area. The majority of site of the proposed development is zoned SP1 Special Activities under the Parkes Local Environmental Plan 2012. A small part of the site (Lot 2 DP 1082995) is zoned RU1 Primary Production. The Land Use Table for the SP1 Special Activities zone and RU1 Primary Production Zone permits a Freight Transport Facility with consent.

Clause 2.3(2) of Parkes Local Environmental Plan 2012 provides that the consent authority shall have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives of the SP1 Special Activities zone are:

- To provide for special land uses that are not provided for in other zones.
- To provide for sites with special natural characteristics that are not provided for in other zones.
- To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.
- To recognise the Parkes “Hub” as a special industrial enterprise area.
- To provide suitable land for a national multi-modal freight and transport interchange.
- To encourage the growth of the freight logistics industry and provide economic benefits for Parkes.

The development is consistent with the objectives of the SP1 Special Activities zone; given a Freight Transport Facility is specifically catered for and encouraged in the zone. It is assessed the proposed development is in keeping with the site characteristics, with the proposed improvements being carefully designed to address site constraints and opportunities, and to connect with existing / proposed railways and road infrastructure.

The objectives of the RU1 Primary Production Zone are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage eco-tourism enterprises that minimise any adverse effect on primary industry production.
- To permit non-agricultural uses that support the primary production purposes of the zone.
- To permit small scale rural tourism uses associated with primary production and environmental conservation with minimal impact on primary production and the scenic amenity of the area.
- To encourage the provision of tourist accommodation in association with agricultural activities.
- To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

The proposal involves a minor encroachment onto land that is zoned RU1 Primary Production (Lot 2 DP 1082995) in the form of drainage and railway siding works. Assessment of the proposal against the objectives of the zone reveals the development will not lead to significant impacts on the natural resource base, existing farm businesses and potential diversity of the primary industry base in the area. Only part of Lot 2 DP 1082995 will be used for the proposed railway facility, and the balance of Lot 2 DP 1082995 will continue to be available for primary production purposes. The proposal will not fragment or alienate this parcel of rural land from other resource land zoned RU1 Primary Production. The potential for land-use conflict is low given the limited extent of works on land zoned RU1 Primary Production and the overall impacts of the proposed freight transport facility on land zoned RU1 Primary Production. The proposed freight transport facility supports the primary production purposes of the RU1 zone, by providing opportunities for the movement of agricultural and mining products in and around the Parkes area, and wider afield. There are no tourism related businesses that will be impacted upon by the proposal. The proposed freight transport facility will provide jobs and may encourage other employment-generating developments to the area in and around the Parkes National Logistics Hub. The RU1 zone permits





the proposed development with consent. It is assessed the proposal is consistent with the objectives of the RU1 Primary Production zone.

The following provisions of the Parkes Local Environmental Plan 2012 have been especially considered in the assessment of the proposal:

Clause 6.1 Earthworks

Before granting development consent for earthworks, the consent authority must take the following into consideration:

- a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
- b) the effect of the development on the likely future use or redevelopment of the land,
- c) the quality of the fill or the soil to be excavated, or both,
- d) the effect of the development on the existing and likely amenity of adjoining properties,
- e) the source of any fill material and the destination of any excavated material,
- f) the likelihood of disturbing relics,
- g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
- h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The proposal is expected to involve approximately 90,000m³ of cut and 45,000m³ of fill over approximately 90 hectares of land to render the site suitable for the development. There are no major waterways or drainage lines that will be disrupted as part of the proposed development. The management of drainage and soil movement and stability will be managed under an Erosion and Sediment Control Plan and Construction Environmental Management Plan.

The site is located within the Parkes National Logistics Hub and is majorly zoned SP1 Special Activities under the Parkes Local Environmental Plan 2012. The proposal involves a minor encroachment onto land that is zoned RU1 Primary Production (Lot 2 DP 1082995) in the form of drainage and railway siding works. Future use of the land will likely relate to the uses permitted in the SP1 Special Activities and RU1 Primary Production zones, with the proposed earthworks being complimentary to future development expansion of freight, storage, value-add agriculture and / or transport infrastructure improvements on the site. It is unlikely the land will be re-zoned or re-developed for alternate land-uses in the future.

The site is characterized as cleared farmland. Environmental Earth Sciences Contamination Assessment undertook an investigation of part of the site (Part Lot 2 DP 1082995) in June 2018, which revealed no evidence of contamination. There have not been any known mining, quarrying or industrial activities carried out on the site. Investigation of past use and a site inspection reveals no signs of contamination.

Excavated fill is expected to be Virgin Excavated Natural Fill (VENM) quality and suitable for a variety of uses, such as bulk earthworks and landscaping. Any surplus excavated material will be stored on-site, with suitable storage areas being observed on the site.

The proposed development (including the associated earthworks) is unlikely to affect the existing and likely amenity of adjoining properties. Adjoining properties are primarily used for agricultural purposes and are well setback from the site. Potential dust and soil erosion impacts will be managed under a Construction Environmental Management Plan as conditions of development consent.

An Aboriginal and Historic Due Diligence Archaeological Assessment was prepared by OzArk Environmental & Heritage Management Pty Ltd for the proposed development. The assessment findings revealed that there were no Aboriginal or sensitive landforms recorded at the site. Conditions will be imposed to manage this issue in the event that relics are uncovered. The development is not located near any natural waterways or drinking water catchments.

It is considered that the proposed development has been designed to control and minimise any potential negative impacts on the receiving environment, taking into account the location of existing rail infrastructure and site characteristics. It is assessed the proposed development and associated earthworks will not detrimentally impact drainage lines, soil stability, amenity of adjoining properties or any environmental sensitive areas.





Clause 6.2 Terrestrial Biodiversity

This clause applies to land identified as “Biodiversity” on the Parkes Terrestrial Biodiversity Map.

Part of the site is identified as ‘Biodiversity’, with Figure 3 showing the parts of the site that are shown on the biodiversity map:

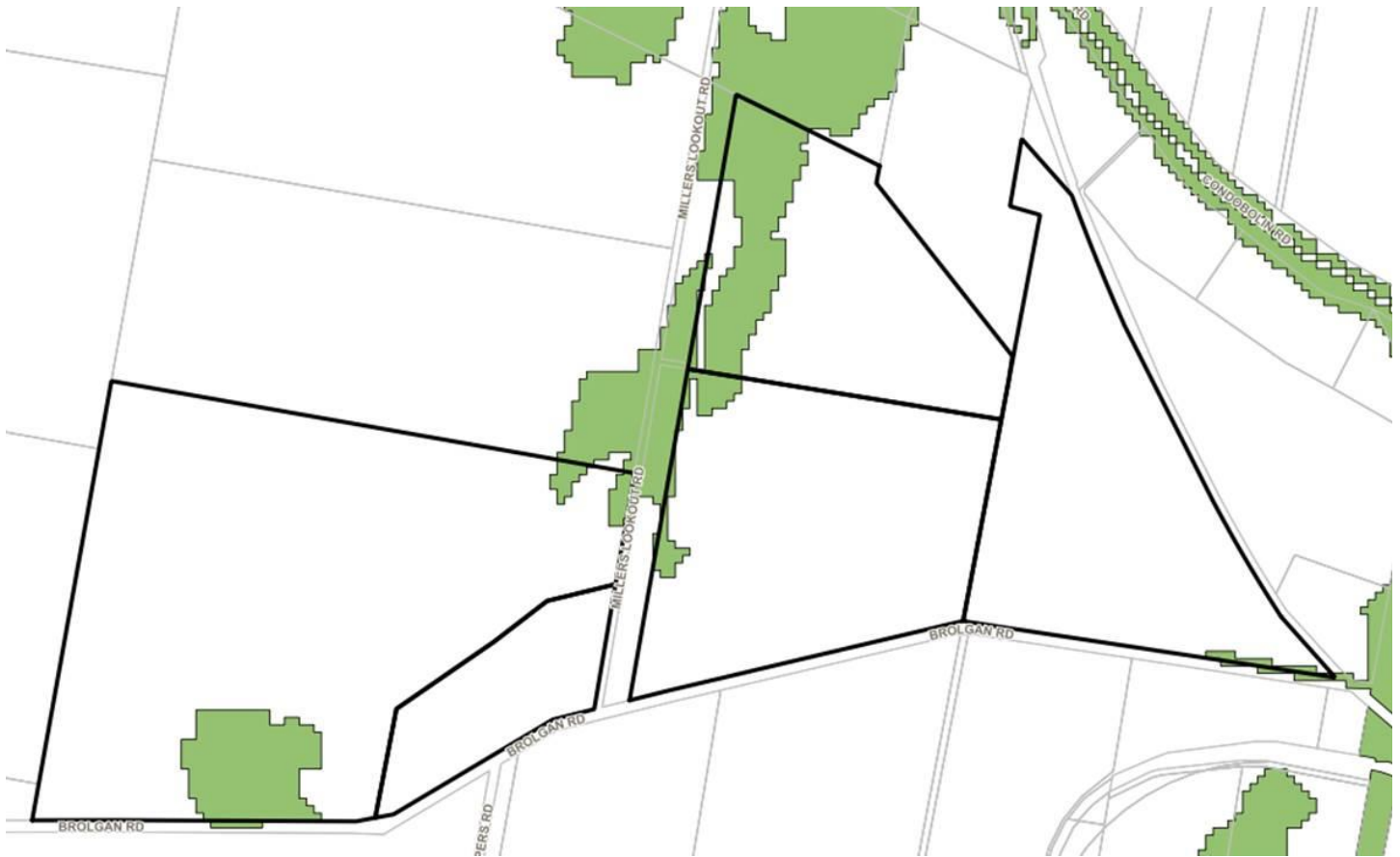


Figure 3: Biodiversity Map Overlay: PSC IntraMaps

Clause 6.3(4) states as follows:

“Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) The development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) If that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
- (c) If that impact cannot be minimised—the development will be managed to mitigate that impact.”*

No substantial works are proposed on land mapped as ‘as “Biodiversity” on the Terrestrial Biodiversity Map.

Site inspection shows the land, the subject of the proposed freight transport facility, is located majorly on cleared farming land. The land is known to have been used for agricultural purposes for many years; primarily livestock grazing and cropping. The site has been largely cleared of native vegetation. No significant stands of forest vegetation are located on the site and the land is covered by grasses and exotic weeds, with isolated paddock trees and strips of vegetation along roads and ridgelines.

A Biodiversity Development Assessment Report (BDAR) has been prepared by WSP, dated 3 April 2018 and submitted with the development application to address the requirements of Clause 6.2 Terrestrial Biodiversity of the Parkes Local Environmental 2012 and the Biodiversity Conservation Act 2016. The report advises the site is characterised by historic





farming practices including large scale clearing and landform modifications. Native vegetation remnants are primarily concentrated along the north and north - west boundary of Lots 98 and 99 DP 750179 consisting of native plant community type PCT 267 (White Box, White Cypress Pine and Western Grey Box shrub/grass/forb). Approximately 0.84 hectares of vegetation will be cleared as part of the development, of which 0.67 hectares is derived grassland and the remaining 0.17 hectares consists of Box Gum Woodland (TEC). Four hollow bearing trees are also proposed to be removed as part of the development. To mitigate these impacts the report recommends the clearing be required to be 'offset' under the Biodiversity Offsets Scheme.

It is assessed that the proposed freight transport facility has been designed to minimise the extent of native vegetation clearing as much as possible. The minimal clearing of native vegetation that will be required is proposed to be 'offset' under the Biodiversity Offsets Scheme. The vast majority of the development will be located on the level grassed areas of the property that have been the subject of grazing and cropping activities over many years. It is assessed that the use of offsets to mitigate terrestrial biodiversity impacts is acceptable. No significant impacts on the native flora and fauna are assessed.

Clause 6.7 Essential Services

The subject land is currently not connected to Council's reticulated water supply or sewer. The SEE states that on-site sewerage systems will be used to service the proposed administration / amenities building. It is assessed that there is adequate site area to facilitate on-site sewerage management system(s) to achieve compliance with the Environmental Health Guidelines for the installation of an on-site sewerage management system. Details of the on-site sewerage management system will be required to be submitted to Parkes Shire Council for approval in accordance with Section 68 of the Local Government Act 1993.

The SEE does not indicate connection to the Parkes Reticulated Water Supply System will occur. The SEE states water would be delivered in trucks and collected from roof storages in water tanks. It is assessed that a water supply connection should be required from the Parkes Reticulated Water Supply System (located to the east on Brolgan Road) to provide an adequate, continuous and reliable water supply to supplement the water supplies obtained from roof and site drainage. A reticulated water supply would also negate the need for additional water carting movements, in the event of long periods of dry weather. While the proposed buildings at the freight facility are sized so as not to require fire hydrants for firefighting purposes, there are significant areas of open storage that will likely involve storage of valuable / potential flammable materials. In this regard it is intended to require a Fire Management and Emergency Contingency Plan be prepared by a suitably qualified person, in consultation with NSW Fire Brigade and NSW Rural Fire Service to comment on the design of the reticulated water supply in light of all measures proposed to manage emergency situations.

Mains power and telecommunications are available in the area.

Suitable vehicular access can be obtained from Brolgan Road.

Clause 6.9 Parkes National Logistics Hub

The objective of this clause is to protect the operational environment of the Parkes National Logistics Hub (the Hub). The subject land forms part of the land identified as "Parkes National Logistics Hub Buffer Area" on the Parkes Township Buffer Map. Land referred to as the Hub is zoned SP1 Special Activities for Freight Transport Facilities, Heavy Industrial Storage Establishments, High Technology Industries, Rural Industries, and Transport and Truck Depot's.

The development is consistent with the intended land use of the Hub and it is therefore considered that the development will not have any impact to the Hub in regards to noise or other emissions. The development will not affect the operational environment of the Hub. The proposal will improve the operational capabilities of the Hub as a freight and transport interchange.

State Environmental Planning Policies

The following State Environmental Planning Instruments (SEPPs) apply to the Parkes Local Government Area:

- SEPP 1 - Development Standards
- SEPP 4 - Development Without Consent & Miscellaneous Exempt & Complying Development
- SEPP 6 - Number of Storeys in a Building
- SEPP 21 - Caravan Parks
- SEPP 30 - Intensive Agriculture
- SEPP 32 - Urban Consolidation (Redevelopment of Urban Land)





- SEPP 33 - Hazardous and Offensive Development
- SEPP 36 - Manufactured Home Estates
- SEPP 44 - Koala Habitat Protection
- SEPP 50 - Canal Estate Development
- SEPP 55 - Remediation of Land
- SEPP 62 - Sustainable Aquaculture
- SEPP 64 - Advertising and Signage
- SEPP 65 - Design Quality of Residential Flat Development
- SEPP (Affordable Rental Housing) 2009
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (Major Development) 2005
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (Rural Lands) 2008
- SEPP (State and Regional Development) 2011
- SEPP (Miscellaneous Consent Provisions) 2007
- SEPP (Vegetation in Non-Rural Areas) 2017
- SEPP (Educational Establishments and Child Care Facilities) 2017

The following SEPPs are specifically relevant to the assessment of the proposed development:

SEPP 44 - Koala Habitat Protection

SEPP 44 applies to the site given that it exceeds 1 hectare in size and is located within the Parkes Local Government Area to which the SEPP applies. Part 2 of the SEPP requires the consent authority to consider whether the land, the subject of the application, comprises potential or subsequently core koala habitat. Council officers inspected the property on 19 April 2018 and observed there were inadequate feed trees in the area (as listed in Schedule 2 of the SEPP) for the site to be considered a potential habitat for koalas. Documentation submitted as part of the application confirmed that only two (2) feed tree species were recorded within the study area (White Box) and were generally isolated. Consideration of SEPP 44 and research of the previous environmental reports conducted in and around the Parkes area confirms an absence of recordings of Koalas in the region for many years. It is unnecessary to proceed further with a SEPP 44 assessment.

SEPP 55 - Remediation of Land

Clause 7 of SEPP 55 requires that a consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out. Investigation of past use, Council's Contaminated Sites Register and visual inspection of the property does not reveal any evidence of contamination. A Preliminary Site Investigation (PSI) was undertaken by Environmental Earth Sciences for the project footprint located on land zoned RU1 Primary Production (Part Lot 2 DP 1082995). The results of the investigation revealed that the part of Lot 2 DP 1082995 to be used for the proposed freight facility is not contaminated.

SEPP (Infrastructure) 2007

Clause 45 of SEPP Infrastructure requires a consent authority to consider any development application (or an application for modification of consent) for any development carried out:

- Within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- Immediately adjacent to an electricity substation.
- Within 5m of an overhead power line.
- Includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5m of an overhead electricity power line.
- Placement of power lines underground.





It is proposed to remove overhead power lines that were connected to the old ruin homestead as part of the development. The subject application has been referred to Essential Energy (EE) for comment to satisfy the requirements of Clause 45(2) of SEPP (Infrastructure) 2007. EE have provided a written response to Council raising no objections to the proposal and listing the requirements for any works carried out on their infrastructure.

Schedule 3 of SEPP (Infrastructure) 2007 requires intermodal terminals to be referred to the Roads and Maritime Services (RMS) for comment. Council duly notified the RMS and received advice from RMS that it does not oppose the development. RMS request a number of conditions be included in any consent issued in respect of this application.

Clause 84 of SEPP (Infrastructure) 2007 requires the concurrence of the Australian Rail and Track Corporation (ARTC) given the development will increase the number of vehicles / trucks using the railway level crossing of Brolgan Road to the east of the Pacific National Freight Transport Facility. Council duly notified the ARTC and received their concurrence as well as their request for a number of conditions to be included in any consent issued in respect of this application.

Clause 85 of SEPP (Infrastructure) 2007 requires the consent authority to consider whether any development proposal on land that is in or immediately adjacent to a rail corridor is:

- Likely to have an adverse effect on rail safety.
- Involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains.
- Involves the use of a crane in air space above any rail corridor.

It is assessed the proposed freight transport facility will not have an adverse effect on rail safety, as specified in Clause 85 of SEPP (Infrastructure) 2007. The proposed development has been carefully designed to integrate with existing / proposed rail and road infrastructure in a safe manner, including proposed railway grades, alignment and connection to the Parkes to Narromine Railway. ARTC, RMS and EE have provided comments on the proposed development, and have specified conditions to address their design / safety requirements. These matters have been incorporated in conditions.

Clause 86 of SEPP (Infrastructure) 2007 requires the consent authority to consider excavation above, below or adjacent to rail corridors. The submitted plans with the development application do not propose any excavation works to a depth 2 metres below ground level. Where the proposed railway spur line links with the Parkes to Narromine Railway, Pacific National staff advise the works are generally at the same level / grade to the existing railway line. No excavation works are proposed at a depth of 2 metres or greater.

SEPP (Infrastructure) 2007 refers to guidelines which must be taken into account where development is proposed in, or adjacent to, specific roads and railway corridors. The proposed freight transport facility involves crossing of an existing railway level crossing on Brolgan Road (east of the development site) and connection of a new railway spur line to the Parkes to Narromine Railway. The Development near Rail Corridors and Busy Roads – Interim Guideline (2008) is the relevant guideline used to assess railway and road asset impacts. The main aim of the Guideline is to assist in reducing the health impacts of rail and road noise and adverse air quality on sensitive adjacent development. The key objectives of these provisions are to:

- Protect the safety and integrity of key transport infrastructure from adjacent development.
- Ensure that adjacent development achieves an appropriate acoustic amenity by meeting the internal noise criteria specified in the Infrastructure SEPP.

The proposed development is assessed to be consistent with the Development near Rail Corridors and Busy Roads – Interim Guideline (2008). The proposed development is a rail related development that has been carefully designed to integrate with the mainline network. ARTC have provided their comments on the proposed development, including general advice that they have been working with Pacific National to ensure the development meets their requirements. The requirements of ARTC have been incorporated in conditions.

The proposed rail freight facility will not pose any significant impediments on adjoining land-uses, which are predominantly rural land-uses and some isolated rural dwellings.

SEPP (State and Regional Development) 2011

The proposal meets the criterion for regional development under part 4 of State Environmental Planning Policy (State and Regional Development) 2011, in that the development is private infrastructure development with a Capital Investment Value (CIV) over \$5 million. As such, this assessment report is to be tabled with the Western Regional Planning Panel in accordance with State Environmental Planning Policy (State and Regional Development) 2011, the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.





S4.15(1)(a)(ii) The provisions of any proposed environmental planning instrument

There are no draft LEPs or draft SEPPs that apply to the subject land.

S4.15(1)(a)(iii) The provisions of any development control plan

Parkes Shire Council Development Control Plan 2013 applies to the land. The proposal has been assessed against the General Principles for Development and Section 4.3 Industrial Development relating to the Parkes National Logistics Hub.

Section 1.2 General Principles for Development:

- **Consider the character of the neighbourhood** - Land adjoining the site is primarily used for activities associated with rail and freight, agriculture and isolated rural dwellings. The proposed development will be located within the existing Parkes National Logistics Hub, which is zoned SP1 Special Activities. The zone is surrounded by the Parkes National Logistics Hub Buffer Area, as shown on the Parkes Township Buffer Map under the Parkes Local Environmental Plan 2012. SCT have built a similar freight facility directly south-east of the development site on land zoned SP1 Special Activities. The proposed development is consistent with other developments within the SP1 zone.
- **Maintain the quality of the streetscape** - The proposed development fronts Brolgan Road, which is a local road servicing industries at the Parkes National Logistics Hub, Parkes Waste Facility and rural farms. The proposed development will not make significant changes to the streetscape, with tree corridors along the road reservation being largely maintained and enhanced and development works being well setback from the road.
- **Use the sites attributes to your advantage** - The proposed development has been sited with consideration of existing rail infrastructure and adjoining land-uses to ensure minimal environmental impact.
- **Ensure appropriate building height, bulk and form** - The proposed administration / amenities building is considered to be of a bulk, height and scale appropriate for the intended building use and the surrounding locality.
- **Protect heritage** - The site is not identified in the Parkes Local Environmental Plan 2012, Parkes Shire Council's heritage database or the State Heritage Register as containing items of heritage significance.

An old farm residence(s) and associated outbuildings are located on the site, towards its western end. An Archaeological Assessment undertaken by B Cubed Sustainability Pty Ltd in 2005 identified that the site contained a number of historic items, recognised as a farm complex, comprising of an original farmhouse constructed of 'pise' (rammed earth) and a number of associated outbuildings constructed of timber. A second farmhouse was also identified, however, severely damaged by fire.

A more recent field survey was conducted by OzArk Environmental & Heritage Management Pty Ltd. The survey located the items identified by B Cubed Sustainability Pty Ltd in 2005 and obtained updated photographic and written records of the farm complex. The survey findings have been included in a report by OzArk, headed Aboriginal and Historic Due Diligence Archaeological Assessment, March 2018. The OzArk report assesses the proposal to remove a timber loading ramp, located within the historic farm complex. While it is not proposed to demolish or significantly alter other buildings or structures, the OzArk report considers the more significant buildings / structure on the site, including the pise constructed farmhouse which lies outside the development impact footprint.

The OzArk report provides the following recommendations:

- a) *Should works be proposed that would impact further elements of Brolgan Road-HS01, a Statement of Heritage Impact should be prepared. This would involve further investigation to more accurately determine the heritage significance of the remaining elements at Brolgan Road-HS01.*
- b) *It is recommended that a copy of this report be sent to the Parkes Shire Council for their consideration as a potential item with local heritage value will be impacted, albeit in a minor manner.*
- c) *All land-disturbing activities must be confined within the assessed project impact area. Should the impacts of the proposal change such that the area to be impacted is altered then additional assessment may be required.*





The assessment findings of OzArk are supported as the means of addressing the heritage values of the site. The general recommendations of the OzArk report (above) have been included as conditions in the recommendation.

Section 4.3 Industrial Development: Parkes National Logistics Hub Structure Plan

Figure 4 of the DCP shows the Parkes National Logistics Hub Structure Plan. The following sections apply to land at the Parkes National Logistics Hub:

- **4.3.1.1 Potential Land Use** - The proposal is for a freight transport facility and therefore complies with the intended use of the area.
 - **4.3.1.2 Transport Routes** - The proposed freight transport facility will gain access from Brolgan Road, which then connects to the industrial roads of Hartigan Avenue, West Lime Road and Saleyards Road. All of these roads have been upgraded to accommodate heavy vehicles traffic. A section of the Brolgan Road, from the SCT Rail Facility access to Coopers Road has not been upgraded to accommodate industrial traffic. This section of Brolgan Road will need to be upgraded to service the proposed entry to the Pacific National Freight Transport Facility. Parkes Shire Council at its Ordinary Meeting held in April 2018 resolved to adopt the 2018/19 Roads Program, which included the section of Brolgan Road from SCT to Coopers Road. It is not proposed to require contributions for the upgrading of Brolgan Road under the Parkes Shire Council Section 94 Contributions Plan 2016 or under any Planning Agreement, based on Council's commitment to upgrade the road corridors servicing the Parkes National Logistics Hub and the intention to levy contributions under the Parkes Shire Council Section 94A Contributions Plan 2016.
 - **4.3.1.3 Infrastructure and Services** - The subject land is not connected to Council's reticulated water or sewer. Onsite water supply and sewerage systems are proposed. It is intended to impose a condition requiring a reticulated water supply connection be extended from the Parkes Reticulated Water Supply System, located to the east on Brolgan Road. Proposed buildings are sized so as not to require fire hydrants for firefighting purposes, however there are significant areas of open storage that will likely involve storage of valuable / potential flammable materials. In this regard, it is intended to require a Fire Management and Emergency Contingency Plan prepared by a suitably qualified person, in consultation with NSW Fire Brigade and the NSW Rural Fire Service, to comment on the design of the reticulated water supply, in light of all measures proposed to manage an emergency fire situation.
- Mains power and telecommunications are available in the area. Essential Energy have provided their requirements for the proposed development. Telecommunications are also available.
- **4.3.1.4 Environmental Protection** - The proposed freight transport facility has been designed to avoid trees and tree corridors wherever possible. The vast majority of the development will be located on the level grassed areas of the property that has been the subject of grazing and cropping activities over many seasons. There will be disturbance of the soil profile, grassed pastures and isolated trees.

A Biodiversity Development Assessment Report (BDAR) has been prepared by WSP, dated 3 April 2018 and submitted with the DA to address the requirements of Clause 6.2 Terrestrial Biodiversity of the Parkes Local Environmental 2012 and the Biodiversity Conservation Act 2016. The report advises the site is characterised by historic farming practices including large scale clearing and landform modifications. Council's visual inspection of the property on 19 April 2018 also revealed that site has been subject to large scale clearing and landform modifications. Native vegetation remnants are primarily concentrated along the north and north - west boundary of Lots 98 and 99 DP 750179 consisting of native plant community type PCT 267 (White Box, White Cypress Pine and Western Grey Box shrub/grass/forb). Approximately 0.84 hectares of vegetation will be cleared as part of the development, of which 0.67 hectares is derived grassland and the remaining 0.17 hectares consists of Box Gum Woodland (TEC). Four hollow bearing trees are also proposed to be removed as part of the development. To mitigate these impacts the report recommends the clearing be required to be 'offset' under the Biodiversity Offsets Scheme.

Conditions of development consent will be imposed to ensure the offsetting is complied with. Conditions also recommend that a suitable induction program be implemented to inform all on-site personnel and contractors of the requirements habitat protection and the mitigation measures. A suitability qualified person (ecologist) will also be required to be onsite prior to the removal of any vegetation to conduct pre-clearing surveys and the relocate of any





fauna species. The proposed mitigation measures used to offset terrestrial biodiversity impacts are considered acceptable.

- 4.3.1.5 Constraints and Hazards** - The applicant has addressed potential soil and salinity impacts and constraints in the Statement of Environmental Effects. The proposal involves approximately 90,000m³ of cut and 45,000m³ of fill over approximately 90 hectares of land to render the site suitable for the development. Documentation in support of the application and a site inspection conducted by council staff on 19 April 2018 identified that there are no major waterways, drainage lines, and erosion or salinity areas identified on the development site. The management of drainage and soil movement and stability will be managed under an Erosion and Sediment Control Plan and Construction Environmental Management Plan.
- 4.3.1.6 Contamination** - Investigation of past use, Council's Contaminated Sites Register and visual inspection of the property does not reveal any evidence of contamination. The majority of the site is to be used for rail freight activities on land zoned specifically for such use. There is no evidence that land zoned SP1 Special Activities is affected by contamination, and no specific investigations are required on land zoned SP1 Special Activities. A Preliminary Site Investigation was conducted by Environmental Earth Sciences on the land zoned RU1 Primary Production (Part Lot 2 DP 1082995). Environmental Earth Sciences advise that no evidence of contamination was found on the study area. No further assessment of potential contamination is required.
- 4.3.1.7 Special Control Area** - The Special Control Area comprises native vegetation that has been identified for conservation. It is assessed that the proposed Freight Transport Facility has been designed to avoid trees and tree corridors wherever possible. The vast majority of the development will be located on the level grassed areas of the property that has been the subject of grazing and cropping activities over many seasons. There will be disturbance of the soil profile, grassed pastures and isolated trees. The extent of clearing within the 'special control area' is considered reasonable in this circumstance. A Biodiversity Development Assessment Report (BDAR) has been submitted with the development application, which documents the extent of clearing, and mitigation measures that will be employed to minimise the impact on the 'special control area'.

Section 4.3.2.1 provides additional provisions applicable to the Parkes National Logistics Hub relating to building setbacks. The minimum building setback from Brolgan Road is 15 metres and 10 metres from any other road within the Parkes Hub. The minimum side and rear setback from boundaries to rural land is 15 metres. The proposed setbacks provide appropriate separation from boundaries and roads and are consistent with the DCP.

Section 4.3.3.1 provides additional provisions applicable to the Parkes National Logistics Hub relating to building heights. The height of buildings or structures within 50 metres of the Brolgan Road frontage shall not exceed 15 metres. A review of the plans submitted for the DA indicate that there are no buildings or structures proposed to be located in the 50 metre height buffer that exceed 15 metres in height.

Section 4.3.4.1 provides additional provisions applicable to the Parkes National Logistics Hub relating to building design. The proposed structures will be constructed with materials typically used in the logistic industry, which is considered appropriate for its use and the surrounding setting. The applicant proposes to landscape along Brolgan Road to screen building elevations. The proposed buildings will not occupy more than 60 percent of the site. All buildings and structures will be required to comply with the Building Code of Australia.

Section 4.3.5 car parking and access requirements for Freight Transport Facilities is specified in Table 2 of the DCP. It requires 1 space per 90m² of gross floor area, or 1 space per employee (whichever is greater), plus 1 space per transport vehicle present at the time of peak vehicle accumulation on site. The applicant has proposed to provide a total of 66 car parks based on personnel numbers. This amount of parking is assessed to be acceptable for the development. It is considered that car parking areas have been located appropriately based on the site conditions, visual amenity and accessibility to staff and customers. No adverse impacts are assessed.

Section 4.3.5.4 provides additional details applicable to the Parkes National Logistics Hub relating to the layout of parking areas in the form of a traffic and rail access impact assessment prepared by a suitably qualified person. A Traffic, Transport and Access Assessment was submitted with the DA. The assessment provides a thorough description of existing transport infrastructure conditions, including rail and road infrastructure. It provides a thorough assessment of the design of the proposed freight transport facility, safety considerations and the upgrades to infrastructure to accommodate the traffic generated from the development. RMS and ARTC have reviewed the proposed development and raise no objections to the layout, subject to conditions. It is assessed the documentation submitted in support of the development proposal provides an adequate assessment of traffic and rail matters.





Section 4.3.5.6 provides additional details applicable to the Parkes National Logistics Hub relating to internal road design. Internal access roads are required to have minimum 10 metre carriageway. Council Engineering staff advise the carriageway width for internal roads at the Parkes National Logistics Hub includes road sealed and gravel shoulders. Internal roads are proposed to be sealed with a 50mm AC overlay. Council Engineering staff confirms the proposed internal roads comply with the requirements of the DCP and Council's adopted Engineering Technical Specifications.

Section 4.3.5.12 provides additional details applicable to the Parkes National Logistics Hub relating to access. The DCP requires a traffic and rail access impact assessment be prepared by a suitably qualified person and submitted with the development application. Direct vehicle access from individual development site to Brolgan Road is not permitted. The location / separation of intersections along Brolgan Road must consider the relationship to other existing / proposed intersections and the safety and amenity of road users. A Traffic, Transport and Access Assessment was submitted with the DA. The assessment provides a thorough description of existing transport infrastructure conditions, including rail and road infrastructure. It provides a thorough assessment of the design of the proposed freight transport facility, safety considerations and the upgrades to infrastructure to accommodate the traffic generated from the development. Council Engineering staff advises the prohibition of accesses onto Brolgan Road relate to multiple accesses onto this road, and the construction of one access to the Pacific National Freight Transport Facility is acceptable. The location of the proposed access is assessed to be acceptable in terms of existing intersections (Coopers Road), road drainage infrastructure and road corridor vegetation. There are no dwellings or other sensitive land-use in close proximity to the proposed access. Sight distance complies with the Austroad Guide. Council Engineering staff and RMS raise no objections to the proposed access arrangements, subject to conditions. The proposed rail access points and connections to the external rail system (Parkes to Narromine Railway) have been reviewed by ARTC who raise no objections, subject to conditions.

Section 4.3.6.1 provides additional details applicable to the Parkes National Logistics Hub relating to fencing. The SEE and submitted plans indicate that five strand barbed-wire stock fencing shall be provided around the perimeter of the terminal except for the length along the northern side of the container hardstand area. The applicant proposes to landscape the area to minimise visual impact of the fencing. It is intended that a condition be included to fence all property boundaries.

Section 4.3.8.1 provides additional details applicable to the Parkes National Logistics Hub relating to outdoor lighting. The SEE and submitted plans shows that lighting will be installed on the site to allow for 24 hour operations, including all internal access roads, hardstands, rail sidings, carpark areas and within buildings. The DCP requires development proposals to demonstrate that lighting will not impact on surrounding land-uses or users of the surrounding road network. The DCP also requires general details of proposed lighting location, design and anticipated hours of use to be submitted with the DA. The applicant has provided a light impact assessment that shows the level of lighting and illumination over the site. The assessment shows that lighting will generally not adversely impact on nearby dwellings and other sensitive land-use. It is assessed that the proposed lighting will not adversely impact on the amenity of the locality and traffic travelling along public roads. Conditions of consent will also be imposed to ensure lighting is not obtrusive to nearby residences or road network.

Section 4.3.9.1 provides additional details applicable to the Parkes National Logistics Hub relating to services. The DCP requires that reticulated water and on-site sewerage must be provided, in addition to on-site water supply. The SEE does not indicate connection to the Parkes Reticulated Water Supply System will occur. Water would be delivered in trucks and collected from roof storages in water tanks. It is assessed that a water supply connection is required from the Parkes Reticulated Water Supply System (located to the east on Brolgan Road) to provide an adequate, continuous and reliable water supply to supplement the water supplies obtained from roof and site drainage. A reticulated water supply would also negate the need for additional water carting movements, in the event of long periods of dry weather. While the proposed buildings are sized so as not to require fire hydrants for firefighting purposes, there are significant areas of open storage that will likely involve storage of valuable / potential flammable materials. In this regard it is intended to require a Fire Management and Emergency Contingency Plan be prepared by a suitably qualified person, in consultation with NSW Fire Brigade and NSW Rural Fire Service to comment on the design of the reticulated water supply in light of all measures proposed to manage emergency situations.

Section 4.3.10.1 provides additional details applicable to the Parkes National Logistics Hub relating to landscaping. The DCP requires a minimum 5 metre wide vegetation strip is to be established along internal access road frontages and boundaries with rural land. The SEE and submitted plans show landscaping along part of the Brolgan Road frontage. Limited landscaping is shown along the boundaries of the development site and adjoining rural land zoned RU1 Primary Production. It is intended to impose a condition requiring landscaping in accordance with the DCP.





Section 4.3.11.1 provides additional details applicable to the Parkes National Logistics Hub relating to waste management. The DCP requires a waste management plan be submitted with the development application outlining proposed management and minimization of waste. Adequate storage for waste is to be provided and this waste must be removed regularly. The submitted SEE and plans did not include a specific waste management plan. The SEE advises construction waste will be disposed of at an approved waste landfill facility. Ongoing waste from the operations of the freight transport facility will be disposed of in bins located on the industrial waste bin slab. This slab would be covered by an 'Allshelter' and would drain via the dirty water management system. Small bins would also be provided within the administration building to collect paper and food waste. The bins would then be regularly collected and emptied by a waste contractor. The Parkes Waste Facility is located on Brolgan Road, approximately 1 km east of the development site. This facility is expected to manage the majority of recycling and waste material from the freight transport facility. Contingency plans will be developed to manage any waste issues or spillages. No significant adverse impacts are envisaged relating to waste. A detailed Waste Management Plan (WMP) will be required to be prepared as a condition of consent.

Section 4.3.13.1 provides additional details applicable to the Parkes National Logistics Hub relating to stormwater management. The DCP requires a stormwater management plan (SMP) to be submitted with the development application, which has been provided. The SEE and submitted plans shows how stormwater will be managed in and around the development site. The proposed stormwater management measures in the SMP, SEE and submitted plans provide a robust system of stormwater management, as generally required under the DCP. It is intended that all aspects of stormwater management be detailed in a Construction Environmental Management Plan to be required as a condition of consent.

Section 4.3.15.1 provides additional details applicable to the Parkes National Logistics Hub relating to noise. The DCP states all industries should be conducted so as to avoid unreasonable noise and interference to adjoining or adjoin land. It requires a noise impact statement be required that demonstrates compliance with the Industrial Noise Policy and that the proposed development will not have an adverse impact on the locality.

A Noise and Vibration Impact Assessment was conducted by WSP for the proposed Freight Transport Facility. Project specific noise has been measured in accordance with the NSW Industrial Noise Policy (2000) and construction noise management levels in accordance with the Interim Construction Noise Guideline (2009). Council requested an updated noise assessment based on the Noise Policy for Industry 2017. An updated Noise and Vibration Impact Assessment was subsequently prepared by WSP in accordance with the NSW Noise Policy for Industry 2017, and dated May 2018.

The WSP noise and vibration assessment work indicates noise exceedances at sensitive receivers of between 2 – 5 dB from on-site operations (largely caused by passing train movements along the spur line) and 2 – 7dB for operational vehicular traffic movements along Brolgan Road. At construction phase, predicted exceedances of up to 22 dB are noted in the WSP report. To address potential noise impacts, Pacific National propose the following:

- For all phases of the development, Pacific National will adopt the noise mitigation measures in the WSP Statement of Environmental Effects, March 2018 and as detailed in Section 4.8, 5.8.1 - 5.8.3 of the WSP Noise and Vibration Impact Assessment report, May 2018.
- For all phases of the on-site development, from start of construction and until six months after commissioning of the development, a noise monitoring program will be carried out and exceedances addressed to comply with relevant noise criteria.
- For all road traffic operations, Pacific National proposes no physical mitigation given that compliance with RNP is expected along the relatively robust industrial road network that is established between the development site and the Newell Highway and Condobolin Road.
- For construction phase, Pacific National will adopt a Construction Environmental Management Plan and a Construction Noise and Vibration Management Plan to control all aspects of work operations that have potential to generate excessive noise, including hours of operation, use of noisy equipment, training etc.
- For operational phase, Pacific National proposes to mitigate noise to acceptable limits under the NSW Noise Policy for Industry 2017, by either constructing a solid wall barrier directly adjoining the eastern side of the proposed spur line turnout from the rail siding to act as an effective noise barrier to train pass by noise, or undertaking noise mitigation at the site of sensitive receivers R01, R13, R14 and R15.
- At this stage, it is the preference of Pacific National that mitigation works are conducted at sensitive receivers, as these works would assist in the reduction of all rail noise experienced at these residences from trains passing along the mainline track network. However, until these negotiations are finalised with affected landowners, Pacific National is committing to either mitigation strategy to ensure compliance with relevant noise criteria. Any solid wall barrier would be setback more than 500 metres from residences not associated with the





development. It is requested that the condition to satisfy this requirement be tied to securing a construction certificate for such purposes.

The additional information and commitments above, demonstrate the proposed development can and will be designed to address the relevant noise and vibration management criteria in relation to onsite construction and operational phases. Appropriate conditions will be imposed on standard construction work hours, commitments to noise mitigation prior to issue of a construction certificate and ongoing monitoring to ensure onsite construction and operational phases comply with relevant criteria.

There is limited assessment of road traffic noise in the WSP Noise and Vibration Impact Assessment reports. As part of the rezoning and development of the Parkes National Logistics Hub, Parkes Shire Council undertook several noise studies, including:

- Parkes Hub Environmental Audit Noise Assessment, Indigo Acoustics, 2003.
- The Parkes Multimodal Transport Higher Mass Limit Vehicle Access Road Review of Environmental Factors, Parkes Shire Council, 2007.
- Traffic Noise Modelling of the Proposed Upgrade of Hartigan Avenue, Parkes as a Heavy Vehicle Route 1997.

This earlier noise assessment work has influenced Parkes Shire Council's roads program to carry out the upgrading of Brolgan Road, Westlime Road, Hardigan Avenue and Saleyards Road for industrial traffic. The Pacific National Freight Transport Facility proposes to use the industrial road corridors of Brolgan Road, Westlime Road, Hardigan Avenue and Saleyards Road to access MR 61 Condobolin Road and SH 17 Newell Highway. Provided the proponent uses the industrial road network provided by Council, there will be minimal impacts of road noise and vibration on nearby dwellings and areas of residential zoned land.

Section 4.3.15.1 provides additional details applicable to the Parkes National Logistics Hub relating to hazardous goods and site contamination. The DCP requires the following information:

- Detailed description of the use and all methods/procedures associated with the use.
- A floor plan of the subject premises depicting the dimensions of the building and indicating the internal layout of all equipment, storage and display areas.
- A comprehensive list of all substances/goods and quantities proposed to be utilised in the activity and actually stored on the subject premises, and the type of contaminant or packaging to be used.
- A description of the method of transportation of chemicals/goods to/from the premises (include the size and nature of vehicles, proposed routes and frequency of delivery to and from the site).
- Details regarding the number of vehicles likely to be involved with the use at any one time and the provision and allocation of storage/standing areas for such vehicles.
- Details of onsite water quality control.
- Details of waste treatment and transportation.

The SEE and submitted plans adequately addresses the above requirements. In addition, the SEE states the Construction Environmental Management Plan will detail the type of hazardous goods and chemicals that may be stored / used on site, as well as handling procedures, storage locations and management measures to control / prevent spills. At operation phase, the SEE states some containers containing hazardous materials may be transported on trains arriving at the facility. However, these containers would remain on the train, would not be grounded and would only remain in the facility for up to 16 hours at a time. To address all emergency contingencies it is proposed to require a Fire Management and Emergency Contingency Plan be prepared.

No other sections of the DCP are particularly relevant to the proposed freight transport facility. General energy efficiency, signage, air quality, soil erosion and sedimentation issues raised in the DCP have been adequately addressed in the DA to ensure no significant environmental impacts will result at construction and operational phases.

A small parcel of the subject land (part of Lot 2 DP 1082995) is zoned RU1 Primary Production. Assessment of DCP reveals no specific sections that apply to a freight transport facility in the RU1 zone.





S4.15(1)(a)(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

There are no planning agreements relating to the site. The applicant has not requested Council to enter into any form of planning agreement.

S4.15(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The Environmental Planning and Assessment Regulation 2000 specifies additional matters that must be taken into consideration by a consent authority in determining a development application. Consideration of these matters is included below:

- **Clause 92 - Government Coastal Policy** - Not applicable to the Parkes Shire Local Government Area.
- **Clause 92 - Building Demolition** - Not relevant to the proposal.
- **Clauses 93 & 94 – Fire Safety Upgrades** - No fire safety upgrades are required.
- **Clause 94A - Temporary Structures** - Not relevant to the proposal.
- **Clause 95 - Deferred Commencement** - Not relevant to the proposal.
- **Clause 96 - Ancillary aspects of development** - Not relevant to the proposal.
- **Clause 96 – Ancillary aspects of development** - Not relevant to the proposal.
- **Clause 97 - Modification or surrender of development consent or existing use** - Not relevant to the proposal.
- **Clause 97A - Fulfilment of BASIX commitments** - The proposal is not a BASIX affected development.

S4.15(1)(b) the likely impact on the natural and built environment(s) and the likely social and/or economic impact on the locality

- **Context and Setting** - The subject allotment is located to the west of the Parkes Township, fronting Brolgan Road.

The Parkes National Logistics Hub was first investigated under the Parkes Transport Hub Local Environmental Study, September 2003, with a large parcel of land to the west of the Goobang Junction being rezoned from 1(a) Rural zone to 4(a) Industrial zone under the Parkes Local Environmental Plan 1990 (Amendment No. 4) – Parkes Hub, published in the NSW Government Gazette on 26 November 2004. The 4(a) Industrial zone was subsequently changed to an SP1 Special Activities zone under the Parkes Local Environmental Plan 2012.

The vast majority of the land, the subject of the development proposal, is zoned SP1 Special Activities and specifically for a Freight Transport Facility, Heavy Industrial Storage Establishment, High Technology Industry, Rural Industry, Transport Depot, Truck Depot and the like. A small part of the development site (Lot 2 DP 1082995) is zoned RU1 Primary Production Zone, as is land directly surrounding the site to the east, north and west. All this rural land is affected by the Parkes National Logistics Hub Buffer Area, which has been in place since gazettal of the Parkes Local Environmental Plan 1990 (Amendment No. 4) – Parkes Hub, published in the NSW Government Gazette on 26 November 2004.

The site of the Pacific National Parkes Logistics Terminal has been primarily used for agricultural purposes in the past, mainly dryland cropping and livestock grazing. The site contains a 19th century farm complex and numerous farm dams and fencing. The site is characterised by relatively flat, open grassy land, with a corridor of native vegetation along the north, south and western property boundaries. Adjoining land is similarly characterised as farming land, with broad-acre agricultural land-use activities and associated dwellings, except for the SCT Logistics Parkes Rail Freight Centre (south-east of site) and nearby roads and railways.

The proposal will result in changes to the context and setting of the area, as a consequence of the introduction of new rail infrastructure and buildings. Due to the zoning, the hub buffer area and the layout / design of the proposed development, it is considered the proposal is compatible with the intended purposes of the land.

- **Land Use Conflict** - The vast majority of the land, the subject of the development proposal, is zoned SP1 Special Activities and specifically for a Freight Transport Facility, Heavy Industrial Storage Establishment, High Technology Industry, Rural Industry, Transport Depot, Truck Depot and the like. A small part of the development site (Lot 2 DP 1082995) is zoned RU1 Primary Production Zone, as is land directly surrounding the site to the east, north and west.





The site and surrounding land has been primarily used for agricultural purposes in the past, mainly dryland cropping and livestock grazing, except for the SCT Logistics Parkes Rail Freight Centre (south-east of site) and nearby roads and railways. All this land is affected by the Parkes National Logistics Hub Buffer Area, which has been in place since gazettal of the Parkes Local Environmental Plan 1990 (Amendment No. 4) – Parkes Hub, published in the NSW Government Gazette on 26 November 2004.

The applicant has provided a SEE and other studies assessing heritage, traffic, noise and vibration, lighting, biodiversity, water and soil impacts. These reports show the proposed freight facility can be constructed and operated without causing significant impacts on nearby activities, which are predominantly farming / agricultural operations and their associated dwellings, except for the SCT Logistics Parkes Rail Freight Centre (south-east of site) and nearby roads and railways.

- **Access and Traffic** - A Traffic, Transport and Access Assessment was prepared by WSP, dated March 2018 and submitted with the DA. It shows that during construction, it is anticipated that less than 100 vehicle movements will occur per day. During the operational phase of the development, the facility would generate around 192 vehicle movements to and from the site each day. The proposed access and its intersection with Brogan Road is proposed to be upgraded to current road and traffic engineering standards.

The Traffic, Transport and Access Assessment advises that B-double vehicles are currently restricted along that section of Brogan Road that is west of the SCT Freight terminal (approximately 1.5 kilometres of road). This is not entirely correct, with conditional B-double access allowed along this section of Brogan Road outside school bus times.

Parkes Shire Council has programmed the upgrading of Brogan Road (suitable for B-Doubles and Road Trains) from SCT to Coopers Road in the 2018/19 Financial Year, as part of previous commitments to the upgrading of local roads servicing the Parkes National Logistics Hub. The Parkes Multimodal Transport Higher Mass Limit Vehicle Access Road Review of Environmental Factors 2007 shows the upgrading of Brogan Road, west from Westlime Road to 4.7km, which is past the Pacific National development site. This work links with other road upgrades (West Lime Road, Hardigan Avenue and Saleyards Road) to provide industrial road corridors from the Parkes National Logistics Hub to MR 61 Condobolin Road and SH 17 Newell Highway. The industrial road network servicing the Parkes National Logistics Hub is shown in Figure 4.

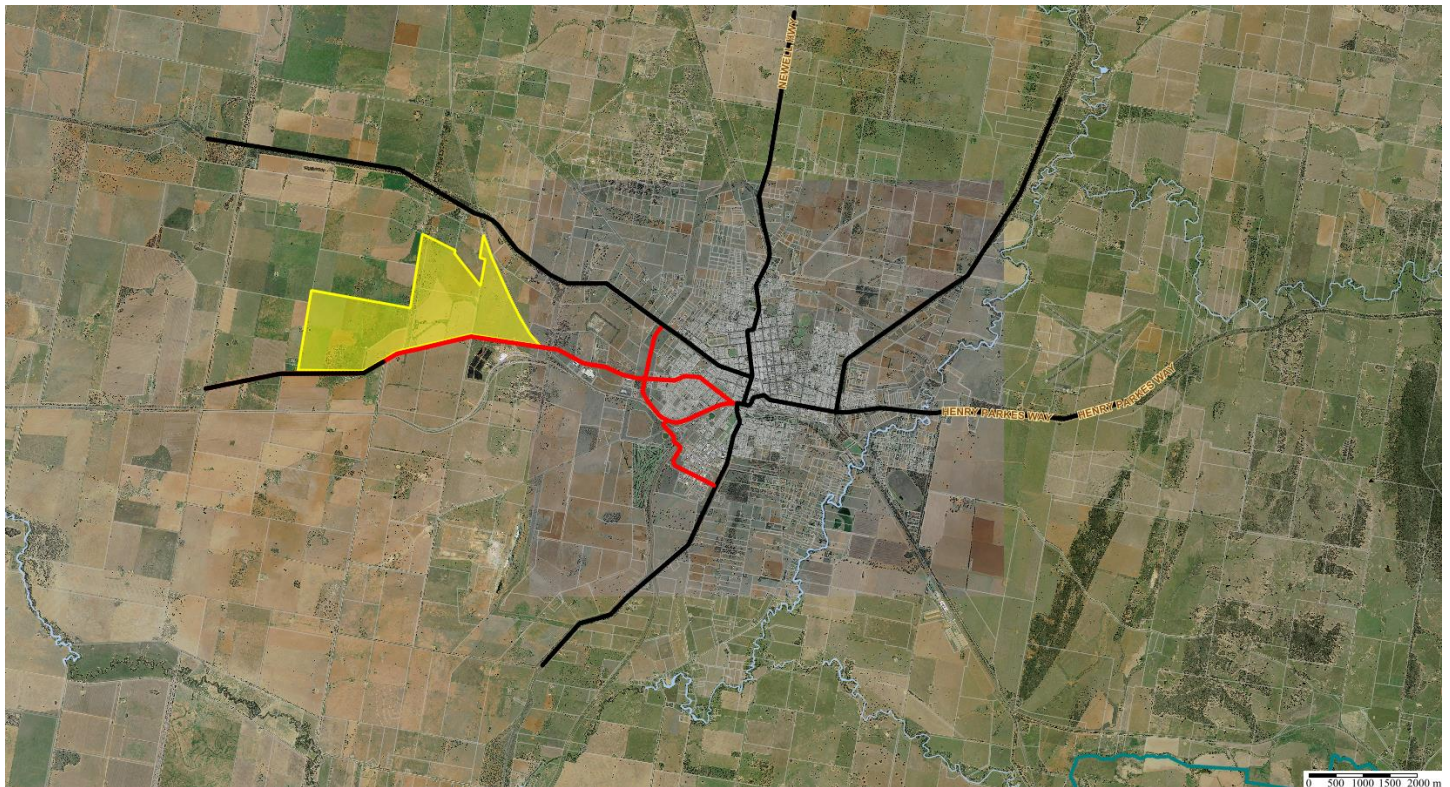


Figure 4: Parkes National Logistics Hub Industrial Road Network





Previous noise assessment work carried out by Council in support of the use of Brolgan Road, Westlime Road, Hardigan Avenue and Saleyards Road for industrial traffic showed manageable impacts on residential zoned land and isolated dwellings. The Parkes Multimodal Transport Higher Mass Limit Vehicle Access Road Review of Environmental Factors 2007 indicates that it will be Parkes Shire Council's responsibility to ensure the industrial road network is operated in a manner that meets all safety and environmental management criteria.

It is assessed that the proposed use of Brolgan Road and construction of a new access and internal access roads are well conceived and designed to meet current traffic conditions and safety. RMS and ARTC have provided draft conditions to ensure road assets are constructed to the appropriate standards. Parkes Shire Council is undertaking road improvements to Brolgan Road to permit unrestricted B-doubles and Road Train access to the site. It is not proposed to require the developer to contribute to the required road upgrades, given the works are scheduled for completion by Council. It is proposed to impose a condition for the Pacific National access design to be finalised in consultation with Parkes Shire Council to ensure the alignment / levels of the new access are complimentary to the programmed upgrading of Brolgan Road.

- **Public Domain** - The proposed development will not compromise the availability and enjoyment of public recreational opportunities in the locality. No adverse impacts are assessed.
- **Utilities** - The existing site is not connected to the Parkes Shire Council reticulated water or sewerage systems. On-site systems will be required to service the proposed development. There is adequate site area to enable an on-site sewerage management and water collection and storage. In addition to water supplies obtained onsite, it is intended that a water supply connection be required to the Parkes Reticulated Water Supply System, located to the east on Brolgan Road, as a condition of development consent. Electricity and telecommunication infrastructure is located within the area and can be made available subject to the relevant authority's requirements.
- **Heritage** - A detailed assessment of heritage matters has been conducted by OzArk Environmental & Heritage Management Pty Ltd. Conditions of consent have been included in the recommendation requiring implementation of the recommendations made in the Aboriginal and Historic Due Diligence Archaeological Assessment.
- **Other land resources** - The vast majority of the land, the subject of the development proposal, is zoned SP1 Special Activities and specifically for a Freight Transport Facility, Heavy Industrial Storage Establishment, High Technology Industry, Rural Industry, Transport Depot, Truck Depot and the like. A small part of the development site (Lot 2 DP 1082995) is zoned RU1 Primary Production Zone, as is land directly surrounding the site to the east, north and west. The proposed development is consistent with the use / purpose of both land zone uses.

The site and surrounding land has been primarily used for agricultural purposes in the past, mainly dryland cropping and livestock grazing, except for the SCT Logistics Parkes Rail Freight Centre (south-east of site) and nearby roads and railways. All this land is affected by the Parkes National Logistics Hub Buffer Area, which has been in place since gazettal of the Parkes Local Environmental Plan 1990 (Amendment No. 4) – Parkes Hub, published in the NSW Government Gazette on 26 November 2004.

The applicant has provided a SEE and other studies assessing heritage, traffic, noise and vibration, lighting, biodiversity, water and soils impacts. These reports show the proposed freight facility can be constructed and operated without causing significant impacts on other land resources. The development is not likely to have detrimental effects on conserving and using valuable land resources and water supply catchments and will not lead to significant impacts on the natural resource base, existing farm businesses and potential diversity of the primary industry base in the area.

- **Bushfire** - The site is not identified on the bushfire prone land map. There is potential for bushfire hazards and emergency fire situations from railway freight activities. It is proposed that conditions of consent will require the applicant / operator of the site to prepare a program for hazard reduction measures and a detailed contingency plan for coping with bushfires and other emergency situations.
- **Surface Water and Groundwater** - The site is not identified on the groundwater vulnerable land map. Stormwater is proposed to be collected and used on-site in accordance with a stormwater management plan, submitted with the DA. This plan is assessed as being adequate to show the general design intent of stormwater management systems and structures, so as not to impact on nearby farms, rail and road infrastructure. It is proposed that conditions of consent will require a detailed stormwater management plan.
- **Soils** - Earthworks will be required during construction for the installation of the proposed structures, associated impervious areas and rail sliding's. The earthworks will not significantly change the natural drainage of the land and





will not adversely affect soil quality or stability. Conditions of consent are included in the recommendation to require finalisation / implementation of an Erosion and Sediment Control Plan and Construction Environmental Management Plan. Provided these measures are in place, the proposal will not create adverse impacts on soils.

- **Air & Microclimate** - The proposal has potential to generate dust, particularly at earthworks and construction phases. It is assessed that potential dust impacts will largely be restricted to the development site, with adequate setbacks from roads, railways, isolated dwellings and other sensitive land-uses. Conditions of consent are included in the recommendation to require finalisation / implementation of an Erosion and Sediment Control Plan and Construction Environmental Management Plan to control dust. Provided these measures are in place, the proposal will not create adverse impacts on soils.
- **Noise and Vibration** – A Noise and Vibration Impact Assessment has been conducted by WSP for the proposed Freight Transport Facility. Project specific noise has been measured in accordance with the NSW Industrial Noise Policy (2000) and construction noise management levels in accordance with the Interim Construction Noise Guideline (2009). Council requested an updated noise assessment, based on the Noise Policy for Industry 2017. An updated Noise and Vibration Impact Assessment was subsequently prepared by WSP in accordance with the NSW Noise Policy for Industry 2017, and dated May 2018.

The WSP noise and vibration assessment work indicates noise exceedances at sensitive receivers of between 2 – 5 dB from on-site operations (largely caused by passing train movements along the spur line) and 2 – 7dB for operational vehicular traffic movements along Brolgan Road. At construction phase, predicted exceedances of up to 22 dB are noted in the WSP report.

To address potential noise impacts, Pacific National propose the following:

- For all phases of the development, Pacific National will adopt the noise mitigation measures in the WSP Statement of Environmental Effects, March 2018 and as detailed in Section 4.8, 5.8.1 - 5.8.3 of the WSP Noise and Vibration Impact Assessment report, May 2018.
- For all phases of the on-site development, from start of construction and until six months after commissioning of the development, a noise monitoring program will be carried out and exceedances addressed to comply with relevant noise criteria.
- For all road traffic operations, Pacific National proposes no physical mitigation given that compliance with RNP is expected along the relatively robust industrial road network that is established between the development site and the Newell Highway and Condobolin Road.
- For construction phase, Pacific National will adopt a Construction Environmental Management Plan and a Construction Noise and Vibration Management Plan to control all aspects of work operations that have potential to generate excessive noise, including hours of operation, use of noisy equipment, training etc.
- For operational phase, Pacific National proposes to mitigate noise to acceptable limits under the NSW Noise Policy for Industry 2017, by either constructing a solid wall barrier directly adjoining the eastern side of the proposed spur line turnout from the rail siding to act as an effective noise barrier to train pass by noise, or undertaking noise mitigation at the site of sensitive receivers R01, R13, R14 and R15.
- At this stage, it is the preference of Pacific National that mitigation works are conducted at sensitive receivers, as these works would assist in the reduction of all rail noise experienced at these residences from trains passing along the mainline track network. However, until these negotiations are finalised with affected landowners, Pacific National is committing to either mitigation strategy to ensure compliance with relevant noise criteria. Any solid wall barrier would be setback more than 500 metres from residences not associated with the development. It is requested that the condition to satisfy this requirement be tied to securing a construction certificate for such purposes.

The additional information and commitments above, demonstrate the proposed development can and will be designed to address the relevant noise and vibration criteria in relation to onsite construction and operational phases. Appropriate conditions will be imposed on standard construction work hours, commitments to noise mitigation prior to issue of a construction certificate and ongoing monitoring to ensure onsite construction and operational phases comply with relevant criteria.

There is limited assessment of road traffic noise in the WSP Noise and Vibration Impact Assessment reports. As part of the rezoning and development of the Parkes National Logistics Hub, Parkes Shire Council undertook several noise studies, including:





- Parkes Hub Environmental Audit Noise Assessment, Indigo Acoustics, 2003.
- The Parkes Multimodal Transport Higher Mass Limit Vehicle Access Road Review of Environmental Factors, Parkes Shire Council, 2007.
- Traffic Noise Modelling of the Proposed Upgrade of Hartigan Avenue, Parkes as a Heavy Vehicle Route 1997.

This earlier noise assessment work has influenced Parkes Shire Council's roads program to carry out the upgrading of Brolgan Road, Westlime Road, Hardigan Avenue and Saleyards Road for industrial traffic. The Pacific National Freight Transport Facility proposes to use the industrial road corridors of Brolgan Road, Westlime Road, Hardigan Avenue and Saleyards Road to access MR 61 Condobolin Road and SH 17 Newell Highway. Provided the proponent uses the industrial road network provided by Council, there will be minimal impacts of road noise and vibration on nearby dwellings and areas of residential zoned land.

- **Flora and Fauna** - The proposed freight facility involves the clearing of approximately 0.84 hectares of native vegetation, including the abovementioned threatened species. A Biodiversity Development Assessment Report (BDAR) has been prepared by WSP, dated 3 April 2018 and submitted with the DA to address the requirements of Clause 6.2 Terrestrial Biodiversity of the Parkes Local Environmental 2012 and the Biodiversity Conservation Act 2016. The information in support of the DA has identified threatened species of flora and fauna that will be impacted by the proposal. PCT 267 consists throughout the subject site in both woodland and derived grassland formations. The Biodiversity Conservation Act 2016 lists White Box, Yellow Box and Blakely's Red Gum Woodland as 'Endangered' and the Environment Protection and Biodiversity Conservation Act 1999 lists White Box, Yellow Box and Blakely's Red Gum Grassy Woodland and Derived Native Grassland as 'Critically Endangered'. The Biodiversity Development Assessment Report also lists impacts to the Superb Parrot species, although no sightings were confirmed during the survey of the site. It is assumed the Superb Parrot could be present, based on the presence of suitable habitats.

The proposed clearing has also triggered the Biodiversity Offsets Scheme and will require offsetting a total of 14 credits as a result of clearing PCT 267 species (White Box, White Cypress Pine and Western Grey Box shrub/grass/forb). Conditions of consent will be imposed to ensure ecosystems credits are offset in accordance with the Biodiversity Conservation Act 2016 requirements. Given the fragmented and degraded nature of the native vegetation on the site, the use of biodiversity offsets is a suitable mitigation strategy to minimise impacts to acceptable levels.

- **Waste** - Construction waste will be disposed of at an approved waste landfill facility. As per the SEE, ongoing waste from the operations of the will be dealt with in the following manner:

"Industrial waste would be disposed of in bins located on the industrial waste bin slab. This slab would be covered by an Allshelter and would drain via the dirty water management system. Small bins would also be provided within the administration building to collect paper and food waste. The bins would then be regularly collected and emptied by a waste contractor".

A detailed Waste Management Plan (WMP) will be required to be submitted to Parkes Shire Council as per recommended conditions of consent.

- **Natural Hazards** - The site is not flood prone or bushfire prone. No adverse significant impacts are assessed as a result of an absence of known natural hazards. It is proposed that conditions of consent will require the applicant / operator of the site to prepare a program for hazard reduction measures and a detailed contingency plan for coping with bushfires and other emergency situations.
- **Technological Hazards** - A Preliminary Site Investigation (PSI) has been undertaken by Environmental Earth Sciences for the project footprint located on land zoned RU1 Primary Production (Part Lot 2 DP 1082995). The results of the investigation revealed that the part of Lot 2 DP 1082995 to be used for the proposed freight facility is not contaminated. Investigation of past uses over the entire site, based on Council's Contaminated Sites Register and visual inspection of the property, does not reveal any evidence of contamination. The subject land is zoned for freight and transport purposes and it is assessed that the land is suitable for the proposed use in its current state.
- **Safety Security and Crime Prevention** - The proposal does not pose a safety security or crime prevention risk.
- **Social Impact in the Locality** - The proposed development will support the ongoing development of the Parkes National Logistics Hub and therefore the proposal will provide a positive social and economic benefit to the area, while promoting Parkes as a centre for freight logistics, manufacturing and distribution facilities.





- **Economic Impact in the Locality** - The proposed development will largely have a positive impact on the local economy throughout the construction phase and operational phase. Due to the type and scale of the proposed development, the economic benefits of the proposal are considered to be significant to the regional economy. Minor impacts due to the loss of agricultural production are vastly outweighed by the significant / widespread positive benefits to the regional economy as a result of the development of the freight facility at the site.
- **Site Design and Internal Design** - The proposal is generally consistent with the Parkes Local Environmental Plan 2012 and the Parkes Development Control Plan 2013. The design has taken into consideration the existing site features and context of the locality. The development proposal has been designed to minimise impacts on the environment, road, rail and electricity supply infrastructure, as well as nearby isolated dwellings.
- **Cumulative Impacts** - The proposal is generally consistent with the Parkes Local Environmental Plan 2012 and Development Control Plan 2013. The site has been zoned for freight and transport purposes and a buffer is established area the Parkes National Logistics Hub. Adequate control measures are in place to manage noise, dust, light overspill, traffic, stormwater, soil erosion, and the like. It is assessed that the cumulative impacts of the proposed development are minimal and manageable.

9. Site Suitability Assessment:

The Parkes Hub Local Environmental Study 2006, the Inland Railway – Parkes to Narromine Environmental Impact Study 2016 and the Statement of Environmental Effects for the Pacific National Parkes Freight Terminal 2018 shows that the site is suitable for a freight transport facility. The site is largely zoned SP1 Special Activities and permits a range of freight and transport type uses. That part of the development that is located on land zoned RU1 Primary Production allows permits freight facilities with consent. The proposed use is suitable at the location given its position within the Parkes National Logistics Hub and Hub Buffer, and its proximity to the rail infrastructure required for such a development. It is assessed that the site has the capacity to support the proposal without creating adverse impacts on the site and adjoining land.

10. Public Submissions Review and Assessment:

The development was notified to adjoining land owners and publicly advertised from 27 March 2018 to 23 April 2018 in accordance with the Parkes Shire Development Control Plan 2012. During the notification / exhibition period nine (9) submissions were received, including a response from RMS, ARTC and EE. Copies of all submissions are included in **Appendix 4**. Details of the public submissions received are summarised below, followed by a Council planning assessment response:

ESY Lawyers on behalf of TF Hill Pty Ltd

Lots 3 and 4 DP 615657 and Lot 1 DP 1121716, 'Glen Rowan' Parkes

TF Hill Submission: Objects to DA2018/0033 based on the view the Development Application constitutes designated development under Clause 28 of Schedule 3 of the Environmental Planning and Assessment Regulation 2000. TF Hill have concerns the development is within 500 metres of a residential dwelling not associated with the proposal and would significantly impact the amenity of nearby residences by a way of noise, odour, dust, lights, traffic and waste. The applicant should have prepared an Environmental Impact Statement to support the Development Application. TF Hill request Parkes Shire Council obtain an 'Operation and Maintenance Concept' document so that proper understanding of the proposed design, development and management of the railway freight terminal can be considered by TF Hill Pty Ltd.

Assessment Response: TF Hill owns a rural property identified as Lots 3 and 4 DP 615657 and Lot 1 DP 1121716. A dwelling and associated outbuildings are located on the subject land. The predicted noise levels in the WSP Noise and Vibration Impact Assessment shows noise levels will generally be below the trigger levels. In relation to the issue of the development being designated development under Clause 28 of Schedule 3 of the Environmental Planning and Assessment Regulation 2000, the relevant part of Schedule 3 of the Regulation is stated in full as follows:

28 Railway freight terminals

Railway freight terminals (including any associated spur lines, freight handling facilities, truck or container loading or unloading facilities, container storage, packaging or repackaging facilities):



- (a) that involve more than 250 truck movements per day, or
- (b) that involve the clearing of more than 20 hectares of native vegetation, or
- (c) that are located:
 - (i) within 40 metres of a natural water body, wetland or environmentally sensitive area, or
 - (ii) within 500 metres of a residential zone or dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, odour, dust, lights, traffic or waste.

The proposed freight transport facility involves less than 250 truck movements per day, less than 20 hectares of native vegetation clearing, more than 40 metres distance from a natural water body, wetland or environmentally sensitive area and more than 500 metres from any dwelling not associated with the development. In their additional information letter received 31 May 2018, Pacific National confirms all works, including associated spur lines, freight handling facilities, truck or container loading or unloading facilities, container storage, packaging or repackaging facilities are to be setback more than 500 metres from any adjoining dwelling not associated with the development. A plan from Pacific National demonstrating compliance with the nominal standards of the 500 metre residential buffer is provided in Figure 5. The plan is marked WSP Drawing No. PS106787_GIS_F024_A3.

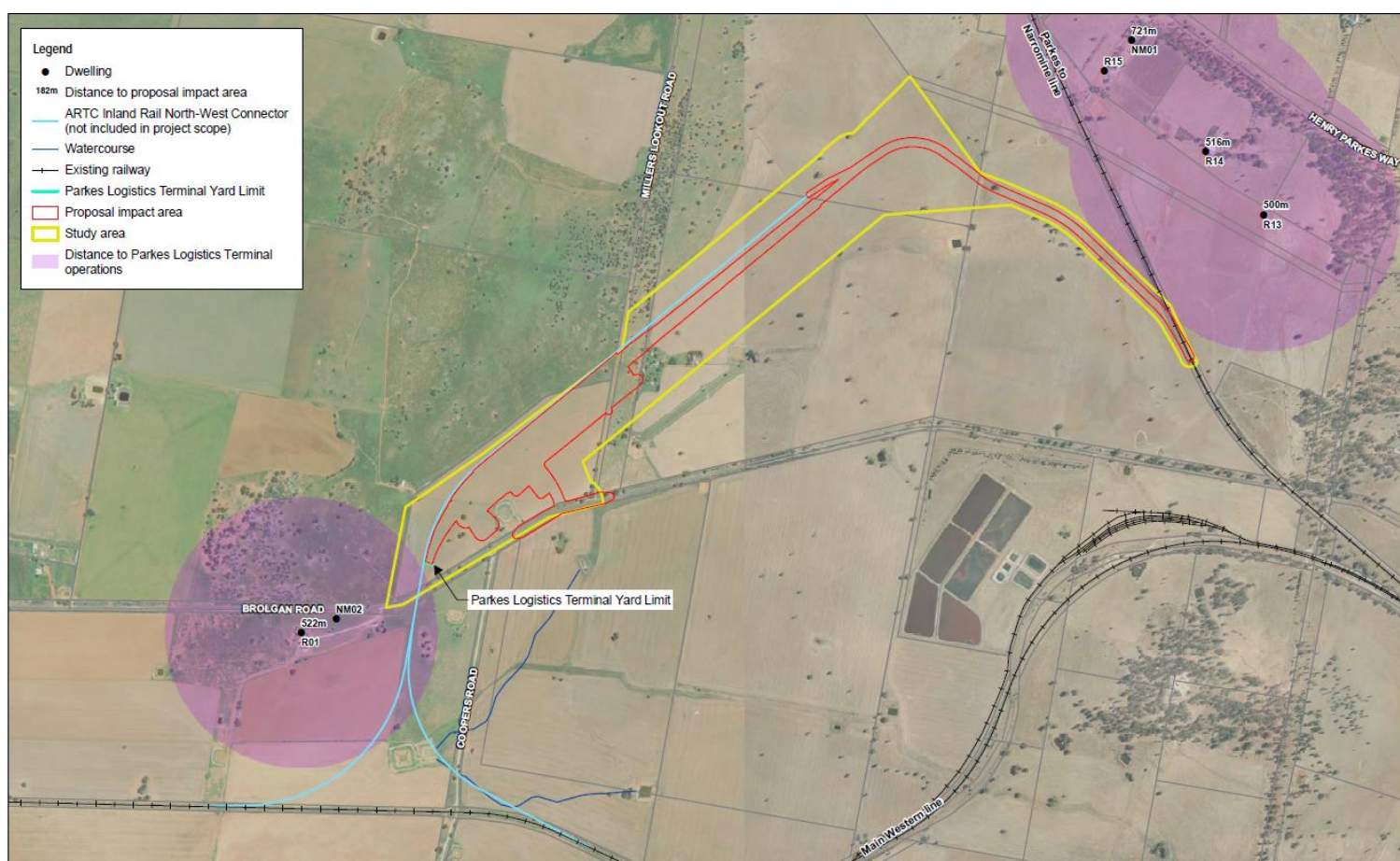


Figure 5: Pacific National proposal impact area in relation to nearby dwellings

The Pacific National additional information advises that in addition to the development proposal being below all nominal distance threshold criteria for railway freight terminals being classed as designated development, the proposed development will not significantly affect the amenity of the neighbourhood by reason of noise, odour, dust, lights, traffic or waste.

An assessment of the criteria for railway freight terminals being designated development has been carried out by Council assessment staff. Based on the plan submitted by Pacific National (Figure 5) all proposed works associated with the railway freight terminal will be setback greater than 500 metres from nearby dwellings, including spur lines that connect the freight transport facility to the Parkes to Narramine Railway. Review of the SEE and specialists studies confirms the affects of the proposed development on the amenity of the area can be managed to acceptable levels, subject to all safeguards being



incorporated into the final design of the development. Conditions have been included in the recommendation to control noise, odour, dust, lighting, traffic and waste to acceptable levels.

In relation to the request for an 'Operation and Maintenance Concept' document, it is not considered necessary to obtain such a document to properly understand the proposed design, development and management of the railway freight terminal. The submitted plans and supporting documentation provides an adequate description of the proposed development to allow a thorough assessment under the Environmental Planning and Assessment Act 1979.

Robert Bull Green

'Panorama' Miller Lookout Road, Parkes

Green Submission: Is interested to know how his property would be affected by noise generated by the trains, especially at night. States he is able to clearly hear noise from the SCT Logistics Parkes Rail Freight Centre at night. Requests that ARTC and Pacific National plant trees as a barrier for noise and create fire break where his property adjoins the development site.

Assessment Response: Robert Green owns Lots 1 and 2 DP 602329, Lot 409 DP 750152, Lot 5 DP 854193, and Lot 1 DP 877903. A dwelling and associated outbuildings are located on the subject land. The predicted noise levels in the WSP Noise and Vibration Impact Assessment shows noise levels will generally be below the trigger levels. Conditions are included in the recommendation requiring the proponent to manage noise levels during construction and operation of the freight transport facility to ensure that nearby dwellings are not subjected to noise exceedances, as defined under the Noise Policy for Industry 2017 and the Interim Construction Noise Guideline.

In relation to the request for ARTC and Pacific National to plant vegetation buffer and create a firebreak where Mr Green's property adjoins the development site, conditions have been included in the recommendation for the proponent to suitably landscape the site and prepare a Fire Management and Emergency Contingency Plan in consultation with the Parkes Fire Brigade and NSW Rural Fire Service.

Cheryl Mapperson

33 Molong Road, Parkes

C Mapperson Submission: Objects to the proposal in the belief that the proposed development will negatively impact her land in terms of noise and light pollution from 24/7 construction and operation and increased traffic / trains, which will make breeding cattle and running livestock on the property impossible. The development will devalue the land and make it very difficult to sell for any farming purposes in the future.

Assessment Response: Cheryl Mapperson owns Lot 15 DP 1144121. The subject land is currently vacant of dwellings and no consent for a dwelling has been granted on the land. A review Table 2.2 in the NSW Environmental Protection Authority (EPA) Noise Policy for Industry 2017 indicates that vacant rural land is not identified as a sensitive receiver.

The Noise and Vibration Impact Assessment prepared by WSP shows the subject property will likely be affected from noise generated at construction and operational phases of the development. Noise exceedances of the adopted stringent noise management levels have not been discussed in detail in the WSP Noise and Vibration Impact Assessment in relation to Lot 15 DP 1144121 (given no dwellings exist on the property), however it is likely the property will experience similar or greater noise and vibration levels as those experienced at R13, R14 and R15, given the site is located close to the proposed spur line and its intersection with the existing Parkes to Narromine Railway.

To address potential noise impacts, Pacific National propose the following mitigation strategies to minimise noise impacts at the area east of their development site, which includes Lot 15 DP 1144121:

- For all phases of the development, Pacific National will adopt the noise mitigation measures in the WSP Statement of Environmental Effects, March 2018 and as detailed in Section 4.8, 5.8.1 - 5.8.3 of the WSP Noise and Vibration Impact Assessment report, May 2018.
- For all phases of the on-site development, from start of construction and until six months after commissioning of the development, a noise monitoring program will be carried out and exceedances addressed to comply with relevant noise criteria.
- For all road traffic operations, Pacific National proposes to use the relatively robust industrial road network that is established between the development site and the Newell Highway and Condobolin Road.





- For construction phase, Pacific National will adopt a Construction Environmental Management Plan and a Construction Noise and Vibration Management Plan to control all aspects of work operations that have potential to generate excessive noise, including hours of operation, use of noisy equipment, training etc.
- For operational phase, Pacific National proposes to mitigate noise to acceptable limits under the NSW Noise Policy for Industry 2017, by either constructing a solid wall barrier directly adjoining the eastern side of the proposed spur line turnout from the rail siding to act as an effective noise barrier to train pass by noise, or undertaking noise mitigation at the site of sensitive receivers R01, R13, R14 and R15.

Should Pacific National only undertake mitigation works at sensitive receivers located east of the development site, as per their last dot point, there would be minimal mitigation from trains passing along the spur line and mainline track network at Mrs Mapperson's land. This would also likely be the case for light overspill impacts. For the purposes of assessing the impacts raised by Mrs Mapperson, it has been assumed that no solid barrier will be erected at the proposed eastern railway spur line.

As previously noted, Mrs Mapperson's land is currently vacant of dwellings and no consent for a dwelling has been granted on the land. A review of the NSW Environmental Protection Authority (EPA) Noise Policy for Industry 2017 indicates that vacant rural land is not identified as a sensitive receiver in Table 2.2. Similarly, the Department of Planning (DoP) Interim Guideline, Development Near Rail Corridors and Busy Roads does not specifically deal with agricultural activities as a land-use that requires protection, other than for workers near major transport corridors. A literary search of scholarly publications / articles relating to rail impacts on livestock / cattle breeding operations has also not revealed any solid research or data that could assist in measuring the impacts of railway operations on the vacant rural land comprising Lot 15 DP 1144121.

In assessing the issues raised by Mrs Mapperson on Lot 15 DP 1144121, the following was taken into consideration:

- Lot 15 DP 1144121 is vacant rural land used for primary production purposes. The site has an area of 52.8 hectares. The approximate width of the block adjoining the Parkes to Narromine Railway is 1,500 metres, and the depth of the block from the railway is approximately Mrs Mapperson does not reside on the property and owns no other land in the general vicinity.
- The lot has practical and legal access from the Condobolin Road (MR 61), via a battle-axe arrangement towards the north of the site.
- Past use of the site appears to be predominantly livestock grazing and some cropping operations for pasture improvement.
- The subject land has a slight slope from east to west, with open pastures / cropping land draining towards the existing railway corridor.
- There are no dwellings or other sensitive land-uses on the land. No dwellings have been approved on the land. A rural farm shed complex is located towards the north-western end of the site and adjoining the Parkes to Narromine Railway.
- There are at three main water storage dams on Lot 15 DP 1144121 located towards the north-west, west and north-east of the site.
- The site adjoins the Parkes to Narromine Railway (west of the site) which is the main railway line running north of Parkes.
- Observations of the site from the railway corridor over several months reveals livestock are grazing over the entire site, with no evidence of livestock not grazing the pastures located in close proximity of the Parkes to Narromine Railway, such as areas of high grass cover left ungrazed next to the railway corridor.
- The Parkes to Narromine Railway is intended to form part of the Inland Railway project, and it is expected that train movements along the railway line will increase into the future.
- The main railway spur line (access) to the Pacific National Parkes Logistics Terminal will intersect at a point that is directly adjoining Lot 15 DP 1144121. Approximately 3 train movements in and out of the Pacific National Parkes Logistics Terminal are proposed to occur each day.
- A railway level crossing of Brolgan Road is located approximately 400 metres south-west of Lot 15 DP 1144121.
- Lot 15 DP 1144121 is zoned RU1 Primary Production under the Parkes Local Environmental Plan 2012 and is affected by the Parkes National Logistics Hub Buffer Area.

Given Lot 15 DP 1144121 is already affected by the Parkes to Narromine Railway, the relative infrequency and low speed of train movements generated along the spur line from the proposed Pacific National Parkes Logistics Terminal (2 trains per day travelling along the spur line at approximately 20km/hr), the proposed mitigation measures proposed by Pacific National to address noise and lighting (solid barrier excluded), and given there are no sensitive receivers on the land, it is assessed that Lot 15 DP 1144121 would still provide an acceptable environment for livestock grazing / breeding and





cropping operations at the Mapperson property. Appropriate conditions will be imposed to ensure onsite construction and operational phases comply with relevant criteria.

In relation to land devaluation, the Parkes National Logistics Hub and associated buffer has been established since the gazettal of the Parkes Local Environmental Plan (Amendment No. 4) dated November 2004. There are no dwellings on Lot 15 DP 1144121 and the land should continue to provide an acceptable environment for farming activities in accordance with the RU1 Primary Production zone.

Brett and Katie Mapperson

437 Henry Parkes Way, Parkes

B & K Mapperson Submission: Objects to the proposal in the belief that the proposed development will negatively impact their land in terms of noise and light pollution from 24/7 construction and operation and increased traffic / trains. Request a noise monitoring assessment be completed on their property prior to the commencement of the project, as well as ongoing monitoring during the operational phase of the development and that the results of the monitoring be made available so that they are aware of the noise levels affecting the property.

Assessment Response: Brett and Katie Mapperson own Lot 14 DP1144121. The Noise and Vibration Impact Assessment prepared by WSP indicates that the Mapperson dwelling is identified as sensitive receiver R13.

The assessment of the predicted noise levels contained within the WSP noise assessment indicates that R13 will experience noise exceeding the most stringent trigger levels at construction phase and when a train horn is in use and when trains exit the facility onto the Parkes to Narromine Railway. To mitigate operational noise impacts the WSP noise assessment recommends noise mitigation at R13 is not required due to the level of exceedance at R13 is 2 dB. However, Pacific National in their letter dated 31 May 2018 advises the following works to address noise and lighting impacts.

- For all phases of the development, Pacific National will adopt the noise mitigation measures in the WSP Statement of Environmental Effects, March 2018 and as detailed in Section 4.8, 5.8.1 - 5.8.3 of the WSP Noise and Vibration Impact Assessment report, May 2018.
- For all phases of the on-site development, from start of construction and until six months after commissioning of the development, a noise monitoring program will be carried out and exceedances addressed to comply with relevant noise criteria.
- For all road traffic operations, Pacific National proposes no physical mitigation given that compliance with RNP is expected along the relatively robust industrial road network that is established between the development site and the Newell Highway and Condobolin Road.
- For construction phase, Pacific National will adopt a Construction Environmental Management Plan and a Construction Noise and Vibration Management Plan to control all aspects of work operations that have potential to generate excessive noise, including hours of operation, use of noisy equipment, training etc.
- For operational phase, Pacific National proposes to mitigate noise and lighting impacts to acceptable limits under the NSW Noise Policy for Industry 2017 and Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting by either constructing a solid wall barrier directly adjoining the eastern side of the proposed spur line turnout from the rail siding to act as an effective barrier to train pass by noise or lighting, or undertaking mitigation at the site of sensitive receivers R01, R13, R14 and R15.
- At this stage, Pacific National advises it is their preference that noise and light mitigation works are conducted at sensitive receivers, as these works would assist in the reduction of all rail associated impacts experienced at these residences from trains passing along the mainline track network. However, until these negotiations are finalised with affected landowners, Pacific National is committing to either mitigation strategy to ensure compliance with relevant noise and lighting criteria. Any solid wall barrier would be setback more than 500 metres from residences not associated with the development.

The additional information and commitments above demonstrate the proposed development can and will be designed to address the relevant noise, vibration and lighting design criteria in relation to onsite construction and operational phases. Appropriate conditions will be imposed on standard construction work hours, industrial haulage routes, commitments to noise and lighting mitigation prior to issue of a construction certificate and ongoing monitoring to ensure onsite construction and operational phases comply with relevant criteria.





P.S Marine Pty Ltd
7 Westlink Court, Altona, Victoria

P.S Marine Pty Ltd Submission: The existing condition of Brolgan Road may require upgrade works to cater for the increased heavy traffic volumes. For safety reasons for traffic to verge left of trucks slowing and turning right into the Pacific National Facility, it is preferred that bitumen is provided in lieu of crushed rock to the road shoulders. Potential shunting over Brolgan Road may cause traffic delays. Request that dust mitigation measures be in place both during and post construction to prevent any contamination to SCT operations and products. Any overflow / overland stormwater from the Pacific National facility should be controlled in a manner so not to impact on SCT/PS Marine Pty Ltd owned land.

Assessment Response: Parkes Shire Council has programmed the upgrading of the Brolgan Road from the Parkes to Narromine Railway level crossing to Coopers Road as part of previous commitments to the upgrading of local roads servicing the Parkes National Logistics Hub. The proposed new access to the Pacific National Freight Terminal from the Brolgan Road will be upgraded to meet the Austroads Guide to Road Design for a BAL and BAR intersection. Conditions have been included in the recommendation to require the Applicant to have in place, Construction Environmental Management Plan (CEMP) and Stormwater Management Plan (SMP) prior to commencing any works. The CEMP and SMP will contain measures to ensure that dust, stormwater and sediment is controlled in a manner that does not adversely impact the environment / road and railway infrastructure and adjoining landowners. The proposal does not include any new railway road crossings and all train movements will be contained within the subject allotment removing any potential shunting across roads.

Julie Peterson
65 Millers Lookout Road Parkes

Peterson Submission: During the purchase of their property (2016), Mr and Mrs Peterson were not informed about the Parkes National Logistics Hub or that a rail infrastructure development was planned for the area, which would significantly disrupt their amenity. Mr and Mrs Peterson believe that Parkes Shire Council failed to advise them of the Parkes National Logistics Hub and proposed developments within the area at the time searches of the property were completed.

Assessment Response: Mr and Mrs Peterson are the landowners of 65 Millers Lookout Road, Parkes (Lot 11 DP 1005496) located directly east of the proposed freight transport facility. Mr and Mrs Peterson purchased the property in February 2016 and reside in an existing dwelling on the land. Parkes Shire Council's records indicate that a Planning Certificate was issued for the 65 Millers Lookout Road on 10 September 2015 to the applicant Burke & Baker Lawyers, Parkes. It is understood Burke & Baker Lawyers were acting for the Vendor of Lot 11 DP 1005496 and this Planning Certificate was included in the Contract of Sale documentation. In Section 7 of the Planning Certificate, Council disclosed that the site was identified in the Parkes Township Buffer Map, which comprises a buffer around the Parkes National Logistics Hub and matters for consideration under Clause 6.8 of the Parkes Local Environmental Plan 2012. Mrs Peterson has been furnished with a copy of the Planning Certificate.

11. Public Interest Assessment:

The proposed freight transport facility is permitted in the SP1 Special Activities zone. There are no specific policy statements from either Federal or State Government that are relevant to this proposal, nor any planning studies or strategies. There is no management plan, planning guideline or advisory document that is applicable to the development. There are no covenants, easements, or agreements that affect the proposal.

12. Contributions Assessment:

Parkes Shire Council has programmed the upgrading of Brolgan Road (suitable for B-Doubles and Road Trains) from SCT to Coopers Road in the 2018/19 Financial Year, as part of previous commitments to the upgrading of local roads servicing the Parkes National Logistics Hub. The Parkes Multimodal Transport Higher Mass Limit Vehicle Access Road Review of Environmental Factors 2007 shows the upgrading of Brolgan Road, west from Westlime Road to 4.7km, which is past the Pacific National development site. This work links with other road upgrades (West Lime Road, Hardigan Avenue and Saleyards Road) to provide industrial road corridors from the Parkes National Logistics Hub to MR 61 Condobolin Road and SH 17 Newell Highway. It is not proposed to require the developer to contribute to the required road upgrades, given the works are scheduled for completion by Council.

The development proposal is subject to the Parkes Shire Council Section 94A Contributions Plan 2016, and appropriate conditions have been included in the recommendation to obtain the relevant levy.





13. Assessment Conclusion / Recommendation

Consent be granted subject to condition(s) detailed below:

Approved Plans and Documentation

1. The development shall be carried out in accordance with:
 - i. The approved stamped plan titled Administration and Bathhouse Layout Plan, prepared by WSP, numbered PS106667_ARC_0040 and dated 2 February 2018.
 - ii. The approved stamped plan titled Administration and Bathhouse Typical Section, prepared by WSP, numbered PS106667_ARC_0041 and dated 2 February 2018.
 - iii. The approved stamped plan titled Track and Civils Layout Plan Sheet 1, prepared by WSP, numbered PS106667_CIV_0010 and dated 2 February 2018.
 - iv. The approved stamped plan titled Track and Civils Layout Plan Sheet 2, prepared by WSP, numbered PS106667_CIV_0011 and dated 2 February 2018.
 - v. The approved stamped plan titled Track and Civils Layout Plan Sheet 5, prepared by WSP, numbered PS106667_CIV_0014 and dated 2 February 2018.
 - vi. The approved stamped plan titled Drainage Plan, prepared by WSP, numbered PS106667_CIV_0026 and dated 31 January 2018.
 - vii. The approved stamped plan titled Pavement Plan, prepared by WSP, numbered PS106667_CIV_0029 dated 31 January 2018.
 - viii. The approved stamped plan titled Brolgan Road Intersection Layout Plan, prepared by WSP, numbered PS106667_CIV_0030 and dated 2 February 2018.
 - ix. The approved stamped plan titled Indicative Construction Laydown Areas, prepared by WSP, numbered PS106667-GEN-0008 and dated 2 February 2018.
 - x. The approved stamped Statement of Environmental Effects prepared by WSP, dated 23 March 2018.
 - xi. The approved stamped Pacific National additional information letter, dated 31 May 2018.
 - xii. The approved stamped Lighting Impact Assessment prepared by Pacific National, dated May 2018.
 - xiii. The approved stamped Biodiversity Development Assessment Report prepared by WSP, dated 3 April 2018.
 - xiv. The approved stamped Traffic, Transport and Access Assessment prepared by WSP, dated 22 March 2018.
 - xv. The approved stamped Noise and Vibration Impact Assessment prepared by WSP, dated May 2018.
 - xvi. The approved stamped Aboriginal and Historic Due Diligence Archaeological Assessment prepared by OzArk Environmental & Heritage Management Pty Ltd, dated 22 March 2018.
 - xvii. The approved Environmental Earth Sciences Contamination Assessment (Part Lot 2 DP 1082995), June 2018.

except as varied by WSP Drawing No. PS106787_GIS_F024_A3. A current and approved copy of the approved stamped plans by Parkes Shire Council is to be maintained on site for constructional and reference purposes.

Prior to Commencement of Works

2. Prior to the commencement of any works, a detailed Construction Environmental Management Plan (CEMP) for the development is to be prepared by a suitably qualified person, outlining the construction methodology and environmental management plans intended to be implemented to ensure the development is carried out in accordance with the Statement of Environmental Effects prepared by WSP, 23 March 2018, WSP Drawing No. PS106787_GIS_F024_A3 and other approved plans and studies. The CEMP must include the following:
 - a) Earthworks – volumes, depths of excavation, stockpile storages.
 - b) Establishment of site compounds and laydown locations.
 - c) Bushfire fighting management procedures.
 - d) Traffic and access including:
 - Prior approval of road access works on Brolgan Road by PSC under Section 138 of the Roads Act 1973.
 - Traffic control plans /diversions / closures required during construction of the intersection with Brolgan Road.
 - Construction vehicle access points.
 - Fencing requirements to prevent unauthorised access and ensure safety.
 - e) Air quality emission controls, including dust control methods.
 - f) Erosion and sediment controls.





- g) Demolition and construction waste generation / management.
 - h) Noise generation / management.
 - i) Stakeholder notification and complaints management.
 - j) Site landscaping.
 - k) Stormwater management.
 - l) Hazardous goods management.
 - m) Heritage asset protection and management.
 - n) Native vegetation protection and management.
3. Prior to the commencement of any works, erosion and sedimentation controls must be in place and maintained throughout construction activities until the site is landscaped and / or suitably revegetated.
 4. Prior to the commencement of any works, the Brolgan Road-HS01 area (excluding the timber loading ramp) shall be fenced off to ensure all land disturbing activities do not impact the more significant elements of Brolgan Road-HS01. This fence shall be maintained and in good condition at all times.
 5. Prior to the commencement of any works, pre-clearing surveys shall be undertaken in any habitat areas to be cleared by an Ecologist, with any recommendations for relocation of fauna being undertaken prior to land clearing.
 6. Prior to the commencement of any works, an induction process shall be developed for all on-site personnel and contractors. The induction process shall make personnel and contractors aware of the requirements of this approval in relation to:
 - Habitat protection and mitigation, as outlined in the WSP Biodiversity Development Assessment Report, 3 April 2018.
 - Aboriginal and historic site protection as outlined in the OzArk Aboriginal and Historic Due Diligence Archaeological Assessment, 22 March 2018.
 - Construction noise and vibration mitigation, as outlined in the Noise and Vibration Impact Assessment prepared by WSP, May 2018.
 - Access and construction haulage routes, as outlined in the WSP Traffic, Transport and Access Assessment, 22 March 2018.
 - Other key management documents (e.g. SEE, CEMP, SWMP, NMIP, WMP and the like).
 7. Prior to any works on a public road, a Road Opening Permit shall be obtained from Parkes Shire Council in accordance with Section 138 of the Roads Act 1993. The application for the Road Opening Permit shall be accompanied by all necessary road layout design plans, cross sections, long sections and traffic control plans to complete the works. Finished road pavement levels and drainage works shall be approved by Parkes Shire Council's Director of Engineering Services to ensure consistency with the programmed upgrading of Brolgan Road, fronting the development site.
 8. Prior to the commencement of any building or subdivision works, the Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifying Authority, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Council Development and Engineering Standards prior to any building and or subdivision works commencing.

Note. No work on buildings is to be carried out in relation to this development until the necessary construction certificates have been obtained.

Note. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia in the case of building work and the applicable Council Development and Engineering Standards in the case of subdivision work. This may entail alterations to the proposal so that it complies with these standards.
 9. Prior to the commencement of any building or subdivision works, the Applicant is to submit to Parkes Shire Council, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifying Authority'.
 10. Prior to the issue of a Construction Certificate, a Noise Mitigation Implementation Plan (NMIP) shall be prepared by a suitably qualified person to outline the final management methods, strategies and commitments in relation to noise mitigation and management for the development. The NMIP shall show the methods that will be used to control noise and vibration at sensitive receivers identified as R01, R13, R14, and R15 in the WSP Noise and Vibration Impact Assessment, May 2018 to ensure these nearby dwellings are not subjected to noise exceedances as defined under the NSW Noise Policy for Industry 2017. Any noise mitigation control measures on the site of the freight transport facility shall be located a minimum 500 metres from dwellings not associated with the development. Any noise





mitigation control measures at the site of sensitive receivers R01, R13, R14, and R15 shall be undertaken by the Applicant at their own expense, and with prior written permission from these landowners.

11. Prior to the issue of a Construction Certificate, a Fire Management and Emergency Contingency Plan (FMEC) shall be prepared by a suitably qualified person to investigate the measures required for emergency firefighting purposes at buildings, sidings and storage areas. The FMEC shall determine the design of the reticulated water supply main and water storages to service the development, in light of all measures proposed to manage an emergency fire situation on the site. The FMEC shall also detail all other potential emergency scenarios that could likely occur at the freight transport facility and include the contingency plans to address these situations. The FMEC must be prepared in consultation with the NSW Fire Brigade and NSW Rural Fire Service.
12. Prior to the issue of a Construction Certificate, a detailed Stormwater Management Plan (SWMP) shall be prepared by a suitably qualified person for the development site, generally in accordance with the Parkes Shire Council Drainage Design Guidelines and the NSW Managing Stormwater Guidelines – Soils & Construction Vol 1 (Blue Book). The SWMP must include full details of the methods for managing stormwater from the development site and downslope to / through nearby roads and rail corridors. Stormwater from the site onto road and railway infrastructure must not be increased by the development and the design of culverts and drainage systems supporting road and railway infrastructure shall be to 1-in-100 year ARI level.
13. Prior to the issue of a Construction Certificate, a report from an Accredited BAM Assessor shall be prepared in accordance with the Biodiversity Conservation Act 2016, demonstrating that the class and number of ecosystem credits in the following table will be retired like for like on the development site to offset the impacts of the development.

Impacted species credit species	Number of species credits	IBRA sub-region
PCT 267 and Superb Parrot	28	NSW South Western Slopes Bioregion

14. Prior to the issue of a Construction Certificate, the monetary contribution set out in the following table is to be paid to Parkes Shire Council pursuant to Section 94A of the Environmental Planning and Assessment Act 1979. The contribution is current as at the date of this consent and is levied in accordance with the Parkes Shire Section 94A Contributions Plan 2016, in force from 5 August 2016, which may be viewed during office hours at Council's Customer Service Centre, 2 Cecile Street, Parkes, or on Council's website www.parkes.nsw.gov.au. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each quarter.

Contribution Type	Proposed Cost of Development ¹	Levy %	Total Contribution	Contribution Rate remains current until
Section 94A Contribution	\$15,034,374	1% above \$200,000.00	\$148,343.00	Next CPI Quarterly Adjustment

15. Prior to the issue of a Construction Certificate, a detailed Landscape Plan shall be prepared by a Landscape Architect for the development site. The Landscape Plan shall show all site perimeter landscaping in order to achieve 50% screening of the freight facility siding within 5 years of planting, as viewed from public roads and any existing dwellings located within 1 kilometre of the main siding area and with direct line of site to the rail siding and industrial buildings on the site. The Landscaping Plan shall provide details of the plant species, locations and mature heights of plants for those areas shown on the approved stamped plan titled Indicative Construction Laydown Areas, prepared by WSP, numbered PS106667-GEN-0008 (Revision C), dated 2 February 2018 and any additional landscaping areas required to meet this condition.

Note. Appendix 1 - Plant Species for Landscaping of the Parkes Shire Council Development Control Plan 2013 provides details of trees, shrubs and groundcover that is suitable in the Parkes Shire.





16. Prior to the issue of a Construction Certificate, a detailed Waste Management Plan (WMP) shall be prepared for the construction and operational phases of the development. The WMP must identify the types of waste that will be generated from the development and outline the final management methods, strategies and commitments in relation to the re-use, recycling and disposal of waste.
17. Prior to the issue of a Construction Certificate, all relevant approvals to carry out stormwater drainage work or water supply work under Section 68 of the Local Government Act 1993 shall be obtained from Parkes Shire Council. All work shall be carried out by a licensed plumber and drainer in accordance with Australian Standard AS/NZS 3500:2003, the Plumbing Code of Australia.

During Works

18. During construction, work shall be generally contained within Lots 98, 99 and 360 DP 750179, Lot 6 DP 857631, Lots 1 and 2 DP 1082995, with the exception of works required to connect the site to road and railway infrastructure, stormwater and soil erosion management work and any authorised noise / vibration management work. All work in relation to the construction of the freight transport facility, with the exception of any authorised noise / vibration management work, shall be located a minimum 500 metres from dwellings not associated with the development.
19. During construction, noise levels shall be controlled to comply with the NSW Interim Construction Noise Guideline 2009. Noise monitoring shall be undertaken by a suitably qualified person at sensitive receivers identified as R01, R13, R14 and R15 in the WSP Noise and Vibration Impact Assessment, May 2018 at construction stage to verify compliance with relevant noise criteria. A report showing the results of required noise monitoring shall be submitted to Parkes Shire Council (as the Appropriate Regulatory Authority under the Protection of the Environment Operations Act 1997) within 1 month of the commencement of construction works, or as requested by Council in writing to investigate a noise complaint, observed breach of the CEMP or observed breach of the Protection of the Environment Operations Act 1997.
20. During construction, building work shall be carried out in accordance with the provisions of the Building Code of Australia.
21. During construction, work on Australian Rail Track Corporation (ARTC) land, airspace and / or infrastructure shall be undertaken in accordance with the requirements of the ARTC and to their satisfaction. Should works need to occur on ARTC land and / or infrastructure, the developer will need to enter into a Works Deed with ARTC.
22. During construction, a minimum 1.8 metre high chain wire fence or similar security fencing is to be provided for the perimeter of the terminal and rail corridor to prevent unauthorised access by people and livestock.
23. During construction, any required fencing / repairs to existing fencing along road, rail and private land boundaries shall be completed to the following standard:
 - a) Fence height 1.2 metre.
 - b) Strainers – spacing 100 metre to 120 metre depending on terrain.
 - c) Steel posts at 6 metre centres.
 - d) Steel droppers, one at centre of span between steel posts.
 - e) One 4.0 mm high tensile high visibility ('horsesighter' or similar) wire on top.
 - f) One carry 2.5 mm high tensile wire at least 300 mm below the top wire.
 - g) One bottom 2.5 mm high tensile wire at least 150 mm above the ground.
 - h) 6/70/30 hinged joint netting with each horizontal wire tied to each post and dropper.
 - i) One standard galvanised steel farm gate with steel mesh (minimum 3.65 metre) at approved entrances.
24. During construction, the freight transport facility shall be connected to the Parkes Shire Council reticulated water supply system by lodging a 'Water Connection Application Form' with Council and making arrangements for connection of the water meter.
25. During construction, should excavation exceeding 2 metres be proposed within 25 metres of ARTC railway infrastructure, the Applicant is required to consult with the ARTC on their requirements.
26. During construction, earthworks required for the construction of the rail sidings shall generally comply with the requirements listed in Section 6 Excavation, earthworks and other construction related issues of the Development near Rail Corridors and Busy Roads – Interim Guideline. All earthworks shall be approved and certified by a suitably qualified structural / geotechnical engineer.





27. During construction, a temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of works if the works:
 - (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - (b) could cause damage to adjoining lands by falling objects, or
 - (c) involve the enclosure of a public place or part of a public place

Note: See the entry in the General Exempt Development Code for scaffolding, hoardings and temporary construction site fences.
28. During construction, any relocation / augmentation of Essential Energy's network assets will need to be administered via Essential Energy's Contestable Design and Certification. All relocations / augmentation will be customer funded works (i.e. at the Applicants expense).
29. During construction, any activities carried out on or near electricity infrastructure must be undertaken in accordance with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure, September 2012. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
30. During construction, demolition works, building activities and excavation work involving the use of machinery, electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 5.00 pm on weekdays and 7.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.
31. During construction, all loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. No loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out on the nature strip, footpath or public roadway system.
32. During construction, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out. Toilet facilities are to be provided at a rate of one toilet for every 20 persons or part of 20 persons employed at the site.
33. During construction, any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration / repairs of property or services damaged during the works shall be met by the Applicant.
34. During construction, all works required in carrying out the development are to be in accordance with any relevant requirements of SafeWork NSW.
35. During construction, on-site car parking for a minimum of 66 car parking spaces (to accommodate a shift change plus space for visitors, contractors and site vehicles) and at least 1 disabled car parking space shall be provided. Car parking facilities, including all parking and manoeuvring areas are to be designed in accordance with Australian Standard 2890.1 Off-Street Car Parking. All internal access ways, parking, pedestrian, loading and manoeuvring areas shall be bitumen sealed and line marked in accordance with AUS-SPEC#1 / Parkes Shire Council. Trafficable areas shall be maintained in good order and kept clear and available at all times for such purposes.
36. During construction of the Brolgan Road access and throughout subsequent operation of the access, safe Intersection Sight Distance (SISD) requirements outlined in the Austroads Guide to Road Design Part 4A and relevant Roads and Maritime supplements is to be provided in both directions at the vehicular access point servicing the site from Brolgan Road.
37. During construction of the Brolgan Road access and throughout subsequent operation of the access, a basic left (BAL) turn treatment as shown in Figure 8.2 of the Austroads Guide to Road Design: Part 4A (copy enclosed) is to be provided in Brolgan Road at the vehicular access to the subject land. The BAL facility will also need to be sealed and built for a 100km/h speed environment.





38. During construction of the Brolgan Road access and throughout subsequent operation of the access, a basic right (BAR) turn treatment as shown in Figure A 28 of the Austroads Guide to Road Design: Part 4 (copy enclosed) is to be provided in Brolgan Road at the vehicular access to the subject land. The widened shoulder is to be sealed and built for a 100km/h speed environment to provide a reasonable level of safety for the largest class of traffic turning right into the site and to allow following traffic on Brolgan Road an area to pass the right turning vehicle on the left hand side.
39. During construction of the Brolgan Road access and throughout subsequent operation of the access, the intersection of the site access road and Brolgan Road is to be lit in accordance with AS/NZS 1158.1.2:2010, Lighting for roads and public spaces - Vehicular traffic (Category V) lighting - Guide to design, installation, operation and maintenance.
40. During construction of the Brolgan Road access and throughout subsequent operation of the access, suitable storage capacity for vehicles accessing the site shall be provided. Any gate, grid or similar structure installed in the access is to be setback a minimum of forty (40) metres from the edge of Brolgan Road.

Prior to Occupation

41. Prior to the occupation or use of the premises, an Interim or Final Occupation Certificate must be obtained from the Principal Certifying Authority for the development.
42. Prior to the issue of an Occupation Certificate, evidence of compliance with the Biodiversity Offset requirements shall be provided to Parkes Shire Council.
43. Prior to the issuance of an Occupation Certificate, all access and internal road works required to facilitate the development are to be completed in accordance with relevant road access conditions and requirements.
44. Prior to the issuance of an Occupation Certificate, a rural address marker must be clearly displayed at the entrance to the property in accordance with Council's Engineering Specifications. It will be necessary for a rural address application to be submitted to and approved by Council to determine the correct rural address and location.
45. Prior to the issuance of an Occupation Certificate, a Fire Safety Certificate shall be furnished to the Principal Certifying Authority for all the Essential Fire or Other Safety Measures. A copy of the Fire Safety Certificate must be submitted to Parkes Shire Council by the PCA with the Occupation Certificate. An electronic copy of the Final Fire Safety Certificate (together with a copy of the current Fire Safety Schedule) shall also be forwarded to the Fire Commissioner via the following dedicated email address: afss@fire.nsw.gov.

Operational Conditions

46. An Annual Fire Safety Statement shall be furnished to the Principal Certifying Authority for all the Essential Fire or Other Safety Measures forming part of this approval within 12 months after the Fire Safety Certificate was issued. A copy of the Annual Fire Safety Statement must be submitted to Council. An electronic copy of the Annual Fire Safety Statement shall also be forwarded to the Fire Commissioner via the following dedicated email address: afss@fire.nsw.gov.
47. Any external lights shall be operated / maintained generally in accordance with the Pacific National Lighting Impact Assessment, May 2018 and Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting so as not to cause a nuisance or adverse impact on the surrounding private land or to motorists on nearby roads.
48. There must be no interference with the amenity of the area by reason of the emission of any offensive noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the development as defined in the Protection of the Environment Operations Act 1997.
49. Noise levels during operation of the freight transport facility shall be controlled to ensure that nearby dwellings, and particularly sensitive receivers R01, R13, R14 and R15 identified in the WSP Noise and Vibration Impact Assessment, May 2018, are not subjected to noise exceedances as defined under the NSW Noise Policy for Industry 2017. Noise monitoring shall be undertaken by a suitably qualified person at sensitive receivers R01, R13, R14 and R15 within 1 month of operations commencing at the site, to verify compliance with relevant noise criteria. A report showing the results of required noise monitoring shall be submitted to Parkes Shire Council (as the Appropriate Regulatory Authority under the Protection of the Environment Operations Act 1997) within 2 months of the commissioning of the freight transport facility, or as requested by Council in writing to investigate a noise complaint or observed breach of the Protection of the Environment Operations Act 1997.





50. To ensure compliance with the conditions of the consent and to monitor the environmental management and impacts of the development, the Applicant shall prepare an Environmental Management Report including monitoring data and analysis and details of the effective operation of the development in accordance with all relevant environmental standards. The report shall also provide details of annual traffic and freight volumes for both road and rail operations. The required report shall be submitted to Parkes Shire Council annually from the date construction commences and for the first two years of operation.

Prescribed conditions

51. The work must be carried out in accordance with the requirements of the Building Code of Australia.
52. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the site is prohibited.
- Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
53. Where development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
- (a) protect and support the adjoining premises from possible damage from the excavation, and
 - (b) where necessary, underpin the adjoining premises to prevent any such damage.

