



**BARR PROPERTY  
& PLANNING**

Continual Progress

# Statement of Environmental Effects

for Pacific National Pty Ltd  
Sydney Freight Terminal  
Freight Transport Facility  
20 Dasea Street, Chullora

Prepared by Barr Property and Planning  
For Pacific National  
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## Executive Summary

This Statement of Environmental Effects (the Statement), has been prepared by Barr Property and Planning on behalf of Pacific National Pty Ltd (PN) to accompany the development application (DA) at 20 Dasea Street, Chullora for the alterations and additions of an existing rail freight terminal including the following:

- The construction of an additional rail track which connects to the existing track and terminates in the proposed Locomotive Provisioning Centre (LPC);
- The relocation of two diesel fuel tanks to create a fuel truck unloading facility;
- The construction of a Locomotive Provision Centre which is to include a single storey building of approximately 9.5m high with an area of 400m<sup>2</sup>;
- The relocation of the existing wastewater facility; and
- The demolition of oil tank shed and hardstand areas.

The Statement has been prepared to assist the assessment of the development application by Canterbury Bankstown City Council (CBCC), and its determination by the Sydney South Planning Panel (SSPP).

The matters pertinent to the consideration of this application are summarised below and expanded within this Statement.

- The site is located within IN1 General Industrial Zoning, within the PN Sydney Freight Terminal (SFT) facility. The site has been operating as SFT since 1997.
- The development will be determined by the South Sydney Regional Planning Panel as regionally significant development, due to its Capital Investment Value (CIV) being more than \$5 million, and being for the purpose of rail infrastructure facilities.
- The application is considered integrated under Section 4.46 of the *NSW Environmental Planning and Assessment 1979 (EPA Act)*. A referral will be required under the *NSW Water Management Act 2000*.
- The proposed development has been assessed in accordance with Section 4.15 of the EPA Act and the relevant environmental planning instruments. It is considered to comply with the relevant requirements and to provide a positive environmental, social and economic impact.

Accordingly, the proposal is recommended for the consideration of Council staff and the approval of the SSPP.



# 1 Introduction

This Statement has been prepared by Barr Property and Planning on behalf of Pacific National Pty Ltd (N). It accompanies a Development Application (DA) lodged to Canterbury Bankstown City Council (CBCC) pursuant to Section 4.12 of the Environmental Planning and Assessment Act 1979 (EPA Act) for the alterations and additions of an existing rail freight terminal including the following:

- The construction of an additional rail track which connects to the existing track and terminates in the proposed Locomotive Provisioning Centre (LPC);
- The relocation of two double-skinned self-bunded diesel fuel tanks to create a fuel truck unloading facility;
- Construction of a LPC which is to include a single storey building of approximately 9.5m high with an area of 400m<sup>2</sup>;
- The relocation of the existing wastewater facility; and
- Demolition of oil tank shed and hardstand areas.

## 1.1 Purpose of this Statement of Environmental Effects

This Statement has been prepared in support of a DA for the approval of alterations and additions to upgrade the existing Sydney Freight Terminal (SFT), by way of the above development works. The Statement has been prepared in accordance with the EPA Act.

## 1.2 Ownership

The site is owned by Pacific National Pty Ltd, formerly Asciano Services Pty Ltd. Pacific National Pty Ltd (PN) is the operator of the SFT.

## 1.3 Consent Authority

This DA will be notified and assessed by CBCC and determined by the SSPP. The SSPP is the consent authority in accordance with the EPA Act Part 4 Division 4.2, Section 4.5(b) as the development is declared by an environmental planning instrument, being the State Environmental Planning Policy (State and Regional Development) 2011, as being regionally significant development due to its CIV being more than \$5 million, and being for the purpose of rail infrastructure facilities.



## 1.4 Supporting Documentation

The following documents have been submitted in conjunction with this Statement for the assessment of the application.

**Table 1:** Summary of Supporting Studies

Document	Author	Date
Acoustic Report	AECOM	19-05-2020
Concept and Notification Plans	OPEC	Mar-Apr 2020
Contamination Report	JBS&G	11-12-2019
Demolition Plans and Statement	OPEC	03-04-2020
Detail Survey	Monteath and Powys	01-04-2020
Quantity Surveyor Report	Chrysalis	14-05-2020
Sediment and Erosion Control Plan	Lindsay and Dynan	26-05-2020
Sediment and Erosion Control Report	Pacific National	04-05-2020
SEPP 33 Report	Pacific National	18-05-2020
Site Analysis Plan	Lindsay and Dynan	26-05-2020
Stormwater Drainage Plan	Lindsay and Dynan	26-05-2020
Stormwater System Report (SSR)	CBCC	13-03-2020
Traffic Report	Pacific National	18-05-2020
Waste Management Plan	Pacific National	17-04-2020



## 2 Site and Context

### 2.1 The Site

The subject site is the SFT (Figure 1), a facility owned and operated by PN located at Lot 35 in Deposited Plan 1007367, 20 Dasea Street, Chullora. The SFT (the Site), is highly disturbed operational industrial land predominantly comprising of hardstand areas for storage, container unloading infrastructure including gantry cranes, rail tracks and remnant vegetation.

The Site is adjacent to industrial land, remnant vegetation and other rail infrastructure. Further to the north on the other side of Weeroona Road, separated by remnant vegetation and State rail infrastructure is a residential estate. To the east, south and west is industrial development.



Figure 1 Aerial of Site (Source: Sixmaps)

### 2.2 Current Operations

The Site currently operates from 5am Monday through to 5pm Sunday.

The portion of the Site to be developed is shown in Figure 1 and Figure 2, located in the south east of the site. This area is currently utilised for the refuelling of locomotives and subsequent provisioning of locomotives as required.

Current operations that occur at the Site include the unloading and loading of freight, being containers; storage of containers and the provisioning and refuelling of locomotives. This DA does not propose any new additions to operations or propose to increase existing operations with regards to capacity, hours of operations or footprint.

The purpose of this DA is to provide for the construction of a permanent building to accommodate the provisioning activities and by way of the above development works as previously outlined above, provide a formalised fuel farm and unloading arrangement for the delivery, unloading, storage and loading (refuelling) of fuel for locomotives.



Figure 2: Area to be developed (Source: Sixmaps).

## 2.3 Background

In 1997, the SFT was approved on site as DA-1123/1997 for an intermodal freight terminal and container storage park. The site is one of PN's major provisioning facilities providing consumables for long distance intermodal rail haulage routes.

Since the 1997 DA, there have been several DA's and Construction Certificates (CC's) approved on site, as summarised in Table 2.

**Table 2:** Summary of Development Applications / Construction Certificates

Application	Summary of Works
DA-1854/2002	Demolition of shed structures
CC-774/2003	Construction of new drainage system and reconstruction of existing pavement areas
CC-414/2004	Construction of New Drainage System and Reconstruction of Existing Pavement Areas

Application	Summary of Works
DA-944/2011	Construction of a New Small Office and New Two Storey Offices with Associated Fencing, Road and Pedestrian Pathway
CC-318/2012	Construction of a New Small Office and New Two Storey Offices with Associated Fencing, Road and Pedestrian Pathway
DA-1051/2012	Alterations to an Existing Workshop and Upgrades to Existing Hard Standing Areas and the Provision of New Hard Standing Areas
DA-591/2013	Installation of a New Above Ground Fuel Tank
CC-530/2013	Alterations to an Existing Workshop and Upgrades to Existing Hard Standing Areas and the Provision of New Hard Standing Areas
DA-390/2014	Below Ground Bored Piles and Civil Works to Prevent Further Settlement of Railway Embankment (Existing)

## 2.4 Existing fuelling and unloading

The current double-skinned self-bunded diesel fuel tanks of 104kL and 94.5kL rated Category 4 are located parallel to the existing rail track. These tanks then connect via pipes to the fuel pump which is located adjacent to the track. Refer to the Detail Survey in Appendix E for details. The existing diesel fuel tanks will be decommissioned and relocated into a new fuel farm with the remaining concrete slabs and services removed to allow for the construction of the new LPC.

## 2.5 Pre Development Meeting

On 4 February 2020, a Pre-DA meeting was held with CBCC with representatives from Pacific National Pty Ltd and Barr Property and Planning Representatives included;

- Asanga Perera – Project Manager (Pacific National Pty Ltd);
- Rod Taylor – Construction Manager (Pacific National Pty Ltd);
- Troy Favell – Manager, Environment (Pacific National Pty Ltd);
- Rebecca Johnston – Associate Planning Manager (Barr Property and Planning);
- Cassandra Gibbons, Senior Town Planner (Canterbury-Bankstown Council)
- Juliette Cavanagh, Senior Development Assessment Officer (Canterbury-Bankstown Council)

Table 3 outlines the advice provided by Council and how that has been addressed in this application.

**Table 3: Summary of Advice**

Council Advice	Response
Details will need to be provided within the application to outline how the area subject to the application ('the site') currently operates. The application will then need to clearly step through the proposed changes that occur on	This has been provided throughout this Statement.



Council Advice	Response
'the site' and the corresponding operational changes for the area.	
Details need to be shown in regard to the truck refuelling/unloading/loading area proposed and demonstration that this operation is currently facilitated within the 'site' of the application proposed. Should this component previously have been undertaken elsewhere on site (or is consented to operate elsewhere on site). Further consideration of the nature of the application will need to be reviewed.	<p>The truck refuelling/unloading/loading area currently operates in a similar location on site.</p> <p>The proposed works will formalise and contemporise this area with better access and site configuration to support ongoing operations.</p>
The application will need to detail the location of the works on site and show the distances from the works to the water course within the site.	Please refer to the accompanying plans in Appendix B. Some of the works are within 40m of the watercourse on site requiring an integrated referral under the WMA Act 2000.
The application will need to address the ISEPP 2007, Division 15, a referral to Sydney Trains is likely to be required.	This has been discussed in section 6.5.3.
The application will need to address the ISEPP 2007, Division 17, Clause 104.	Per Division 17, Clause 104 of the ISEPP the development is Traffic Generating Development per Schedule 3.
A contamination report is required to be undertaken for the site including soil sampling.	A Detailed Site Investigation (DSI) has been prepared for the area of the site the works are proposed. Please refer to Section 6.5.1 and Appendix C.
An Acoustic Report or statement from a suitably qualified consultant detailing how the proposal will impact on the adjoining properties by way of acoustic impacts must be undertaken.	An Acoustic Assessment has been prepared by AECOM. The results have been addressed throughout this Statement and the report is contained in Appendix A.
Details on the wastewater area collection and disposal must be provided.	These details are shown on the building and stormwater plans.
The SEE submitted must clearly outline the proposal and the scope of works, identify that the operation on site as consent to previously are not being changed, increased or intensified as a result of this development application.	This has been provided throughout this Statement.

Council Advice	Response
An assessment of SEPP 33 Hazardous and Offensive development will need to be undertaken for the fuel tanks on site, and other chemicals where required.	A Preliminary Assessment has been undertaken considering SEPP 33 and is contained in Appendix I.
The plans should clearly identify the section of the site for the proposed works and note if any tree removal is required to facilitate the development.	There is no tree or vegetation removal proposed to facilitate the development. No further comment required.
The site is noted as being flood affected by both high and medium risk, the proposal should be accompanied by a Stormwater Systems Report (SSR).	An SSR was obtained from CBCC. It outlined that a Flood Study was not required for the site. It did outline requirements to be demonstrated on the Stormwater Design which have been incorporated and are provided in Appendix H.
The development must be evaluated in accordance with the BDCP 2015, Part B12 Flood Risk Management.	Please refer to Section 6.8 of this Statement for details.
Engineering plans should be submitted, showing where any runoff from the new structures will be directed.	A Stormwater Design showing runoff from the proposed works has been included in Appendix I.
Regard should be given for the BDCP 2015, Part B3, Industrial Precincts	This section of the DCP has been addressed in Section 6.8 of the Statement.

## 2.6 Designated Development

A pre-DA meeting was held at CBCC on 4 February 2020 with representatives from PN and Barr Planning as described above. Canterbury-Bankstown Council determined that the proposed development was not in fact classified as Designated Development. Pursuant to Schedule 3 of the *Environmental Planning and Assessment (EPA) Regulations 2000*, the Site is considered as a railway freight terminal. The terminal is within 40m of a water course and is within 500m of the residential estate to the north. As a result, the development could be considered designated development due to the location.

NSW EPA Regulations 2000, Part 2, Clause 35, allows Council, to consider development involving alterations and additions to a development (whether existing or approved), as not designated development if, in the opinion of the consent authority, the alterations or additions **do not significantly increase** the environmental impacts of the total development (that is the development together with the additions or alterations) compared with the existing or approved development.



A review of the proposed scope of works has determined that the development could be considered in accordance with the EPA Regulations 2000, Part 2, Clause 35 as local development and not designated development as the proposed development does not increase the capacity of the railway freight terminal and therefore does not increase the environmental impact of the development when considered as a whole. Further it is considered that the proposal to erect a building, the LPC, in which to carry out the existing provisioning activities will assist to reduce environmental impacts of the development by way of impact of noise, dust or visual amenity.

As such CBCC provided advice dated 19 February 2020 forming the opinion that the proposed development was not considered Designated Development, and that a DA to CBCC could be lodged.



## 3 Proposed Development

### 3.1 Summary

The works proposed include the upgrade to the existing SFT provisioning infrastructure site to ensure that future operations and associated activities are conducted in a contemporary 'fit-for-purpose' Locomotive Provisioning Centre. The proposed works will ensure that activities are compliant with PN's internal safety asset condition assessments and compliance audits. This proposal is seeking approval for:

- The construction of an additional rail track which connects to the existing track and terminates in the proposed Locomotive Provisioning Centre;
- The relocation of two double-skinned self-bunded diesel fuel tanks to create a fuel truck unloading facility;
- The construction of a Locomotive Provision Centre (LPC) which is to include a single storey building of approximately 9.5m high with an area of 400m<sup>2</sup>;
- The relocation of the existing wastewater facility; and
- The demolition of oil tank shed and hardstand areas.

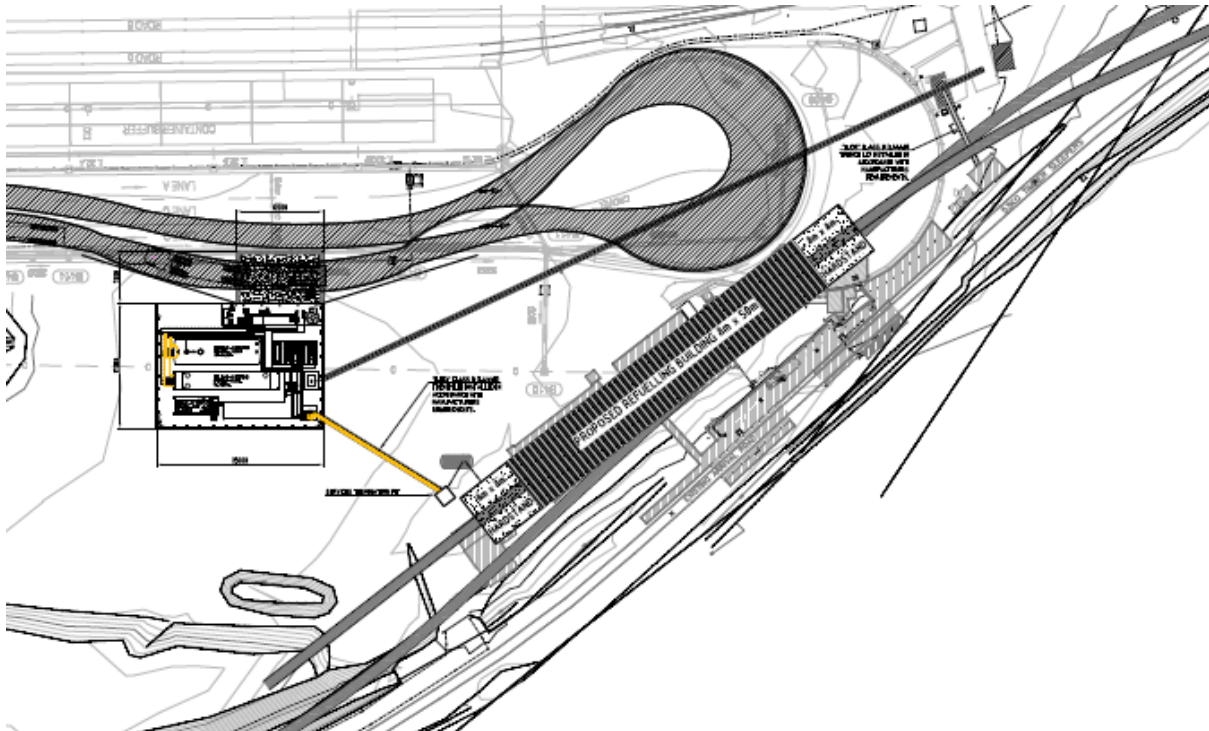


Figure 3: Proposed site development works (OPEC, 2020).

### **3.2 Demolition**

The development proposes the demolition and decommissioning of the following:

- Waste treatment and associated slab
- Existing offloading bay to be removed
- Concrete blocks to be removed
- Underground pits to be demolished
- Concrete plinth to be removed
- Concrete footpath to be removed
- Bulk tank footing slab to be removed
- Existing site container concrete slab to be removed
- Lube oil and coolant shed slab

All demolition is being undertaken with regards to the demolition plan found in Appendix D.

### **3.3 Building Design Locomotive Provisioning Centre**

The proposed LPC building is 8 metres wide and 50 metres long with 8 metre by 8 metre hardstand areas at the exit and entry of the building. The north-east and south-west ends of the building are open to allow the trains to enter and exit the building. The building is constructed of steel and colorbond sheeting. The building contains a walkway platform parallel to the train tracks and to lowering platforms.

### **3.4 Above Ground Tank Farm and Truck Unloading Facility**

The above ground tank farm includes two existing fuel tanks and an oil tank. The area of the tank farm is 17.25 metres wide and 23 metres long. Truck deliveries occur to the north of the tanks. The trucks enter via the east, unload and then continue west out of the facility. The tank farm is connected via pipework to the proposed LPC to the south east.

### **3.5 Additional Rail Track**

An additional rail track is proposed which is connected to the existing rail line to the north and veers off to the south through the proposed LPC and terminates to the south. When the locomotive(s) has been refuelled, they will reverse to the north and enter the existing rail track which follows the southern boundary to continue through the SFT.

### **3.6 Wastewater facility**

The existing wastewater facility is being removed as part of this application. A new wastewater facility is to be constructed within the new the Tank Farm area to the east of the fuel tanks.

### **3.7 Access and Parking**

The proposed development will continue to be served by the site's current access and parking arrangements. The proposed development does not increase the number of employees, visitors to site, number of fuel deliveries or capacity of the rail freight facility, and as such the current access and parking is deemed suitable for the development.



### **3.8 Stormwater and Drainage**

A Stormwater and Drainage Plan has been developed (Appendix H). The design proposes to utilise the existing stormwater infrastructure on site, such as directing water from the LPC through site grading towards the exiting open channel to an outlet.



## 4 Strategic Context

### 4.1 Greater Sydney Region Plan, *A Metropolis of Three Cities*

The Greater Sydney Region Plan, *A Metropolis of Three Cities* is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. The vision brings new thinking to land use and transport patterns to boost Greater Sydney's liveability, productivity and sustainability by spreading the benefits of growth. The Bankstown LGA is located in the Central River City. The proposed development is consistent with the Greater Sydney Regional Plan, *A Metropolis of Three Cities* and in particular meets objectives 16 and 23.

The aim of Objective 16 is that freight and logistics network are to be competitive and efficient. Greater Sydney's freight task is forecast to almost double in the next 40 years. There is an increasing importance placed on 24/7 supply chain operations to maintain Greater Sydney's global competitiveness. This forecast increase in the movement of goods will require a freight network that can support safe, efficient and reliable journeys between centres, freight precincts, trade gateways and intermodal terminals across Greater Sydney. The strategies outlined in the plan to optimise the efficiency and effectiveness of the freight handling and logistics network are as follows:

- protect current and future freight corridors and shared freight corridors
- balance the need to minimise negative impacts of freight movements on urban amenity with the need to support efficient freight movements and deliveries

Objective 23 of the Plan is that Industrial and urban services land is planned, retained and managed. Sydney Frigate Terminal located in Canterbury – Bankstown, an area where the approach to planning for industrial and urban services land is to retain and manage. Retain and manage means the following:

- Retain and manage: All existing industrial and urban services land should be safeguarded from competing pressures, especially residential and mixed-use zones.

The proposed development is consistent with the Greater Sydney Region Plan, *A Metropolis of Three Cities*, in particular it meets objectives 16 and 23.

### 4.2 South District Plan

This South District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan, *A Metropolis of Three Cities* at a district level and is a bridge between regional and local planning. The focus has been on identifying the Planning Priorities to achieve a liveable, productive and sustainable future for the District. Relevant Objectives, Strategies and Actions from *A Metropolis of Three Cities* are embedded in each planning priority. The South District covers the Canterbury-Bankstown, Georges River and Sutherland local government areas. The proposed development is consistent with the South Sydney District Plan and in particular, meets objectives 16 and 23. Objective 16 is that freight and logistics networks are competitive and efficient. Objective 23 is that industrial land and urban services land is planned, retained and managed.



The South District plan details that a significant freight and logistics task will remain in the South District due to the competitive advantages and efficiencies afforded by proximity to Villawood and Chullora freight intermodal terminals. The predominant industrial sectors in Chullora, which is primarily focussed on interstate freight movements rather than port-shuttle movements, are transport, postal and warehousing and food product manufacturing. These industries and movements represent about 20 per cent of employment in the precinct. Chullora focuses more heavily on interstate rail freight than port shuttles. There is limited undeveloped industrial and urban services land in the District – therefore orderly and economic use of land is important to build on existing industrial land. Chullora contains the most developed and undeveloped industrial land in the district.

Each objective has a set of actions. Action 39 under objective 23 is to retain and manage industrial and urban services land, in line with the principles for managing industrial and urban services land, in the South District by safeguarding all industrial zoned land from conversion to residential development, including conversion to mixed-use zones.

Actions 56 under objective 16 is to optimise the efficiency and effectiveness of the freight handling and logistics network by protecting current and future freight corridors and shared freight corridors.

The proposed development is consistent with the South District Plan, in particular meeting objectives 16 and 23 by performing actions 39 and 56.

#### **4.3 Local Strategic Planning Statement (LSPS) Connective City 2036 (Draft)**

This plan sets the land use and planning blueprint for how infrastructure can be delivered by building on the strengths across Canterbury-Bankstown. This LSPS is a strategic document that will underpin the preparation of the new City-wide Local Environment Plan (LEP) and Development Control Plan (DCP) to provide the necessary detail on how to shape new development in the public domain. The proposed development is consistent with the draft LSPS. The LSPS specifically outlines the following under the Metropolitan Directions:

- Protect Greater Sydney's regional freight corridors - Protect freight activities around the intermodal and freight lines,
- Implement the upgrade to Chullora Intermodal while minimising impacts to the surrounding community.

The proposed development will support and protect Sydney's freight corridors by improving the current facility ensuring efficient ongoing operation.



## 5 Statutory Assessment

Through the assessment of a DA, the consent authority is required to consider the matters listed in *Section 4.15 of the Environmental Planning and Assessment Act 1979 (EPA Act)*. This section of the report will go through and outline how the relevant matters of the act has been addressed.

### 5.1 Environmental Planning and Assessment Act 1979

This Statement assesses the proposal against the relevant statutory requirements of the EPA Act, and other legislation, plans and policies as applicable. Section 4.15 of the EPA Act, outlines the relevant heads of consideration that must be considered when assessing a development proposal.

The following considerations have been made under section 4.15(1) (a):

- Environmental planning instruments, proposed instruments and development control plans that are relevant to the site or development are considered below;
- There are no known planning agreements applicable to the site; and
- The Environmental Planning and Assessment Regulation 2000 (the Regulation) has been considered below.

The remaining matters for consideration under section 4.15(1)(b), (c), (d) and (e) are considered within sections 5, 6, 7 and 8 of this Statement.

### 5.2 Objects of the Act

The objects of this Act are as follows:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*



- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development supports the objects of the EPA Act, in three particular areas:

- (c), to promote the orderly and economic use and development of land.*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*

The Site is operates as intermodal freight transport hub for PN. The proposed development is for upgrades and improvements which will result in positive environmental outcomes by establishing a fit-for-purpose facility that provides positive design outcomes for the Site and surrounding community and by providing a higher level of health and safety standard for employees. The positive outcomes from the proposed development on the Site also promote the orderly and economic use and development of land.

### **5.3 Integrated Development**

Integrated development is outlined in Section 4.46 of the EPA Act. This development will require the following integrated referrals.

Water Management Act 2000 (WM Act) states under Section 91 the following:

- (1) There are two kinds of activity approvals, namely, controlled activity approvals and aquifer interference approvals.*
- (2) A controlled activity approval confers a right on its holder to carry out a specified controlled activity at a specified location in, on or under waterfront land.*
- (3) An aquifer interference approval confers a right on its holder to carry out one or more specified aquifer interference activities at a specified location, or in a specified area, in the course of carrying out specified activities.*

There is a watercourse (Cooks Creek) on the subject site within 40m of the proposed development. Due to this, a controlled activity approval under Section 91 will be required to carry out the development within the 40m area from the watercourse.

### **5.4 Environmental Planning and Assessment Regulations**

The proposed development will be assessed in accordance with the relevant requirements of Part 6 of the Regulation, being Procedures relating to Development Applications.

### **5.5 State Environmental Planning Policies**

State Environmental Planning Policies (SEPPs), are environmental planning instruments administered under the EPA Act. SEPPs deal with issues considered to be of significance for the State and the people of NSW. In the determination of the development application, the consent authority will consider



these matters pursuant to section 4.15(a)(i) of the EPA Act. The SEPPs relevant to the proposed development, and the land on which the development is situated, are considered below.

#### **5.5.1 State Environmental Planning Policy No. 55 Remediation of Land**

The purpose of this policy is to provide a State-wide planning approach to the remediation of contaminated land and to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Clause 7 of this policy states:

- (1) A consent authority must not consent to the carrying out of any development on land unless—*
  - (a) it has considered whether the land is contaminated, and*
  - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
  - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Since 1923 the site has been used for the purpose of rail related infrastructure. Railway yards are listed in Table 1 of the contaminated land planning guidelines as an industry that could lead to contamination due to the presence of hydrocarbons, arsenic, phenolics (creosote), heavy metals, nitrates and ammonia. A Detailed Site Investigation that assesses potential contamination for the proposed development area is attached in Appendix C.

Zinc in groundwater at location MW3 exceeded the adopted screening criteria. Further investigation is required to determine whether the site poses a risk to off-site receptors. On-site management (remediation) may be required to minimise the potential for further degradation of groundwater quality and/or to minimise risks posed to off-site receptors. MW3 is located to the north of the LPC and south of the existing road. Zinc impacts within groundwater restrict potential beneficial uses (such as onsite irrigation) or discharge during construction dewatering.

The report concludes that the *site is suitable for ongoing commercial/industrial land use subject to management of identified zinc impacts to site groundwater*. The report recommends that an Environmental Management Plan (EMP) is prepared to document the required measures to be implemented at the site during construction including the potential contact with groundwater during excavation.

#### **5.5.2 State Environmental Planning Policy (Coastal Management) 2018**

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*.

There are coastal wetland and littoral rainforest areas mapped with the Site. The mapped coastal wetland and littoral forest is on the western part of the Site, whilst the proposed development is on the east. The mapped proximity area for coastal wetlands is over 550 metres from the proposed area



of development and the coastal wetlands are over 650 metres away. Due to the distance between the site and the mapped coastal wetlands and littoral forest, the proposed development activities will not impact this area.

### **5.5.3 State Environmental Planning Policy (Infrastructure) 2007**

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State. Part 3, Division 15, Subdivision 2, Clause 86 may apply to this site. The clause states:

1. *This clause applies to development (other than development to which clause 88 applies) that involves the penetration of ground to a depth of at least 2m below ground level (existing) on land—*
  - (a) *within, below or above a rail corridor, or*
  - (b) *within 25m (measured horizontally) of a rail corridor, or*
  - (b1) *within 25m (measured horizontally) of the ground directly below a rail corridor, or*
  - (c) *within 25m (measured horizontally) of the ground directly above an underground rail corridor.*

The development is within 25m of an adjacent rail corridor. That rail corridor is to the south of the site. It is not expected that the works on site will occur more than 2m below ground within 25m of the rail corridor, which would not trigger the need for concurrence from Sydney Trains.

Clause 104 of the ISEPP pertains to traffic generating development. Traffic generating development requires concurrence with RMS. Schedule 3 of the ISEPP states that the erection of a new premises or an enlargement or extension of existing premises of Freight Transport Facilities of any size or capacity is considered traffic generating development. The proposed development does not require concurrence under Clause 104 because it is an alteration and addition to the existing Freight Transport Facility, and is not an extension or enlargement of the existing premises. The proposed development does not increase employee numbers, visitors to site, capacity or function of the rail freight facility and therefore, it is not an enlargement or extension of premises.

### **5.5.4 State Environmental Planning Policy (State and Regional Development) 2011**

The aim of this policy is to identify development and infrastructure that is of State and Regional significance. Schedule 7 'Regionally significant development' of this policy includes development for private infrastructure and community facilities over \$5 million including rail infrastructure facilities. Due to the proposal having a CIV of \$5.9 million and being for rail infrastructure facilities, the development will need to be determined by the Sydney South Planning Panel.

### **5.5.5 State Environmental Planning Policy No 33 – Hazardous and Offensive Development (SEPP 33)**

The objectives of SEPP 33 are:



- (a) to amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and*
- (b) to render ineffective a provision of any environmental planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Policy, and*
- (c) to require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and*
- (d) to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and*
- (e) to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact, and*
- (f) to require the advertising of applications to carry out any such development.*

Clause 12 of SEPP 33 requires that a person who proposes to make a development application to carry out development for the purposes of a potentially hazardous industry must prepare a preliminary hazard analysis (PHA) in accordance with the current circulars or guidelines published by the NSW Department of Planning and submit the analysis with the development application.

The relocation of the existing diesel fuel storage, unloading and loading operation of the site, in the form of the formalise tank farm warrants consideration against the provisions of SEPP 33. A potentially hazardous industry is defined in the SEPP as:

***potentially hazardous industry*** means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or*
- (b) to the biophysical environment,*

*and includes a hazardous industry and a hazardous storage establishment.*

A preliminary assessment has been undertaken for this development within the guidelines of SEPP 33 and attached in Appendix I. This found that the activities and materials on site are not considered potentially hazardous development and, therefore, require no further assessment.



## 5.6 Bankstown Local Environmental Plan 2015

The Bankstown Local Environmental Plan (BLEP) 2015 is the environmental planning instrument which outlines the provisions that apply within this part of the Canterbury-Bankstown Local Government Area (LGA). An assessment against the relevant provisions is included in the following sections.

### 5.6.1 Zone objectives and Land Use Table

The site is zoned IN1, General Industrial under the BLEP 2015 according to Land Zoning Map Sheet LZN\_004.

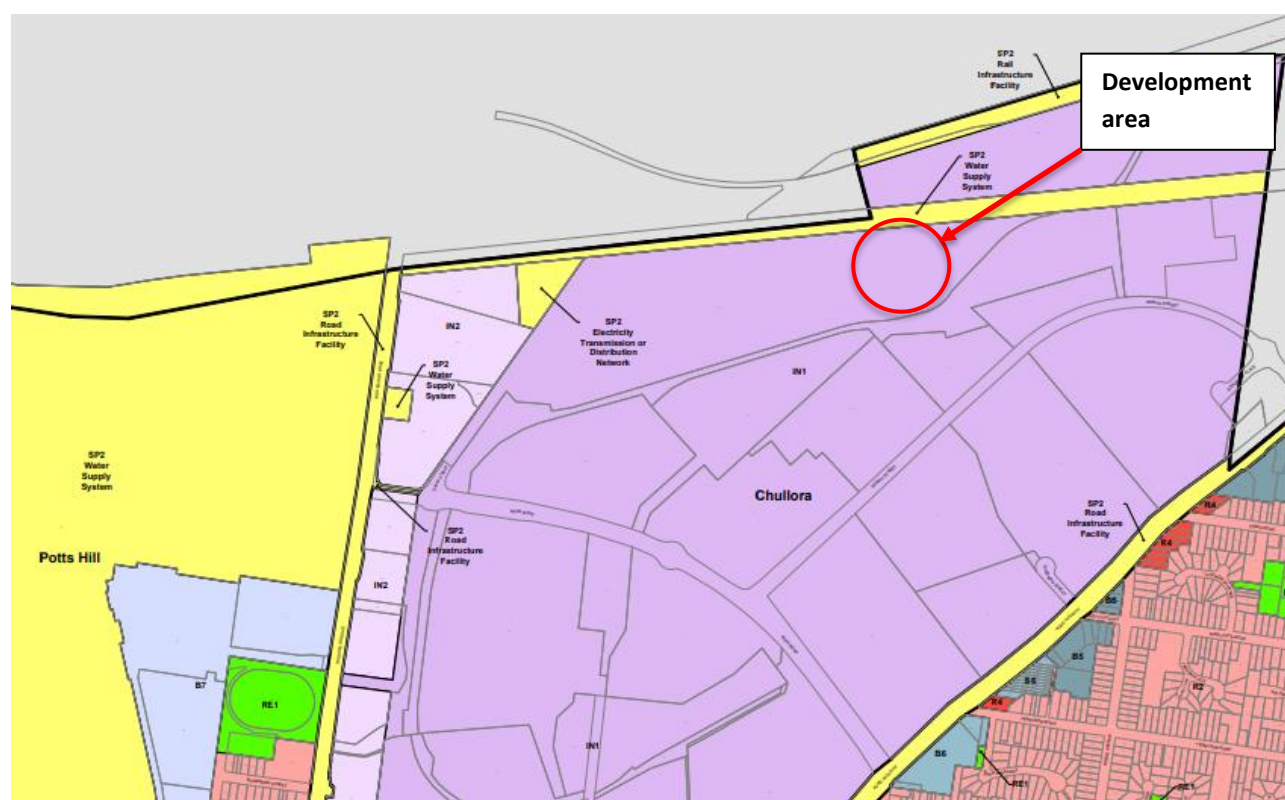


Figure 4 Extract Land Zoning Map LZN\_004 (Source: BLEP 2015)

The objectives of the IN1 zone are:

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.

Freight transport facilities are permissible with consent in the zone. The proposed development is using industrial zoned land for industrial purposes.

### 5.6.2 Height of Buildings

A height of buildings has not been adopted in the BLEP 2015 for this zoning according to Map Sheet HOB\_004. Therefore, does not apply.

### 5.6.3 Floor Space Ratio

According to BLEP 2015 Floor Space Ratio Map Sheet FSR\_004, the FSR for the site is 1:1.

### 5.6.4 Heritage Conservation

There is a State Heritage Item 'pressure tunnel, shaft No 1 and associated infrastructure' listing number 01630, identified along the adjacent block to the north of the site and appears to cross the site at the entry road according to Heritage mapping on the ePlanning Spatial Viewer.

The Pressure Tunnel is of high historical and technical significance as it represents a successful engineering response to the difficulties of increasing the volume of water in Sydney. The Lot and Deposited Plan of the site of the proposed development does not appear on the Office of Environment and Heritage page for the Pressure Tunnel and Shafts. The proposed development site is over 950 metres from where this State Heritage Item crosses the site underground. The proposed development is not expected to have any adverse impacts on the State Heritage Item 'Pressure Tunnels and Shaft'.

There are no items of local significant identified on the site. The site is not within a conservation area.

### 5.6.5 Acid Sulphate Soils

There is no map in the BLEP 2015 for the site pertaining to Acid Sulphate Soils. According to the contamination report found in Appendix C. A review of the Botany Bay Acid Sulfate Soil Risk Map – Edition 2, indicates the site is located in an area of no known occurrence of acid sulfate soil materials.

### 5.6.6 Earthworks

Minor earthworks are proposed to facilitate the development. There will be the need to dig trenches to lay servicing and stormwater infrastructure and connect to existing services on site. The proposed works are not expected to have a detrimental environmental impact as the existing site is already heavily disturbed.

### 5.6.7 Flood Planning

The site is noted as being flood affected at both high and medium risk. This DA is accompanied by a Stormwater System Report (SSR) found in Appendix J. The SSR outlined that the site is affected by the following Council stormwater system components:

- Council's stormwater pipelines and associated 4m wide drainage easement located south west corner within the site.
- Overland flow path for excess stormwater runoff from the upstream catchment and associated with the drainage systems located west, east and north of the site.

The SSR noted that the development should account for suitable overland flow paths in certain areas of the site. It also confirmed that there was no requirement to provide a flood study for the development. The stormwater requirements listed in the SSR have been addressed in the Stormwater Plan in Appendix H.



#### **5.6.8 Demolition Requires Development Consent**

Clause 2.7 of the BLEP 2015 states that the demolition of a building or work may be carried out only with development consent. This development includes demolition and thus a demolition plan has been submitted along with the DA. The proposed demolition is outlined in Section 4.3 of this report.

#### **5.6.9 Biodiversity**

According to Terrestrial Biodiversity Map Sheet BIO\_004 of the BLEP 2015, the site is mapped as containing biodiversity and as such Clause 6.4 of the BLEP 2015 applies. The proposed development is designed, sited and will be managed to avoid any significant adverse environmental impact on biodiversity. The development does not propose the removal of any vegetation and is sited on an already highly disturbed environment.

### **5.7 Proposed Environmental Planning Instruments**

There are currently no known proposed environmental planning instruments applying to the site.



## 5.8 Bankstown Development Control Plan 2015

The Bankstown Development Control Plan (DCP) 2015 applies to land as it is within the previous Bankstown LGA. The DCP is a detailed planning document that complements the statutory provisions in the BLEP 2015. The below table addresses the relevant sections of the DCP.

**Table 4: Part B3 Industrial Precincts**

Controls	Comment
<b>Section 2 - Building Envelope</b>	
Site Coverage 2.1	The proposed development does not exceed 70% of site coverage. The SFT site is approximately 20.4 hectares and the proposed development has a building footprint of approximately 1080m <sup>2</sup> .
Setbacks to the primary and secondary road frontages of allotments 2.2-2.4	The proposed development does not adjoin a State or regional road. The development area is over 200 metres from a public road complying with the 10m setback required.
Setbacks to the side and rear boundaries of allotments 2.5-2.6	The proposed development is not located near any residential dwellings where an adverse impact to their solar access or privacy would be an issue. This control does not need further consideration.
Riparian Corridors 2.7	There are no riparian corridors mapped on the site within 15m of the proposed development, thus complying with this control.
Setbacks to Cox's Creek in Greenacre 2.8-2.10	This control does not apply.
Development Adjacent to Residential Zones 2.11	The proposed development is not adjacent to either R2, R3 or R4 land and does not need to consider this control.
<b>Section 3 – Building Design</b>	
Façade Design 3.1-3.4	The proposed development cannot be seen from any public places. The façade of the LPC is insert colour colorbond. The proposed development is not out of character for the locality and what is expected for a freight terminal.
Facade design (corner allotments) 3.5	The subject site is not a corner allotment.
Facade design (materials) 3.6	The proposed development cannot be seen from any public places. The façade material of the LPC building is insert colour colorbond. The proposed development is characteristic of the industrial type development on site and within the area.
Facade design (service stations and vehicle sales or hire premises) 3.7-3.9	This section does not apply.



Controls	Comment
Roof design 3.10	The LPC has a low angle skillion roof which is made of colorbond. Due to the placement on site and the LPC not being visible except from the southern train track, a simple design has been incorporated rather than something more contemporary.
Safety and security 3.11-3.17	The whole of the PN SFT is a restricted site and not accessible by the public. The current safety and security measures will continue to support the development.
General 3.18	<p>The proposed development does not increase capacity or staff of the SFT. The current off-street parking provisions near the administration building will continue to support the development.</p> <p>No landscaping has been proposed on site. Due to the nature of the industrial development and limited visibility from public or residential places, landscaping has not been incorporated.</p> <p>The proposed development is for upgrades that will improve operations of the SFT. The proposed development is considered to contribute to the maintenance and ongoing operations of the site.</p> <p>The current access from Dasea Street will continue to serve the development.</p> <p>The development site is appropriately screened by its position on site and not visible to any sensitive receivers (residential areas).</p> <p>The proposed development is not located in a residential area.</p> <p>Any materials that can be recycled during construction will be. The Tank Farm and LPC do not have any specific energy efficiency measures incorporated due to the nature of their operation.</p>
Vehicle body repair workshops 3.19	This section does not apply.
<b>Section 4 – Environmental Management</b>	
Acoustic privacy 4.1	Acoustic report attached in Appendix A. This report included long term unattended and short term attended measurements to establish the existing ambient and background noise environment at potentially affected receivers. During the construction and operation of the facility, the noise levels comply with the relevant policies and are not expected to create adverse noise impacts.
Pollution control 4.2	The proposed development will adequately control fumes, odour emissions and potential water pollutants as it currently does. The development is not increasing the impact of the current operations on site. Wastewater will be stored and treated and the existing trade water line will be retained and operate as it presently does.

Controls	Comment
Open space 4.3-4.8	No landscaping is proposed, and no removal of vegetation is proposed. Due to the industrial nature of the site it is not suitable to landscape this area of the site as it is for freight operations and is not visible to any residential or public spaces.
<b>Section 5 – Ancillary Development</b>	
Front fences 5.1-5.3	This control does not apply.
Business and building identification signs 5.4-5.7	This section does not apply. No business or building signs identification signs are proposed.
Food premises 5.8	This control does not apply.
Storage areas 5.9-5.10	Fuel tanks in the Tank Farm will store diesel on site to refuel the trains. There will be smaller quantities of Ad-Blue and Lube Oil also stored in the Tank Farm. These will all be maintained and comply with the required regulations and Dangerous Goods (Road and Rail Transport) Act 2008 where applicable.
Infrastructure 5.11-5.13	This control does not apply.
<b>Section 6 – Chullora Technology Park</b>	
Vegetation 6.1	None of the works proposed will impact the vegetation shown in Figure 2 of this section.
Heritage items 6.2	No works to heritage items are proposed.
Drainage 6.3-6.4	A Stormwater Plan has been prepared to address the flows on site. Please refer to Appendix H.
Roads 6.5	This control does not apply.
Business and building identification signs 6.6	This control does not apply.
<b>Section 7 – No. 52 and 60 Roberts Road in Greenacre</b>	
7.1-7.30	This section does not apply to the development.

**Table 5: Part B4 Sustainable Development**

Controls	Comment
<b>Section 2 – Water Conservation Controls</b>	
2.1-2.2	These controls do not apply because the development does not propose any taps, showerheads or toilet suites.
<b>Section 3 – Energy Minimisation Controls</b>	
3.1-3.3	The development does not propose any hot water systems or air-conditioning. Proposed lighting will be energy efficient where proposed.



**Table 6: Part B5 Parking**

Controls	Comment
<b>Section 2 – Off-street parking</b>	
2.1-2.8	The proposed development does not increase operational capacity or staff of the SFT. The current off-street parking provisions will continue to support the development.
<b>Section 3 – Off-street parking design and layouts</b>	
3.1-3.12	The proposed development does not increase capacity or staff of the SFT. The current off-street parking provisions will continue to support the development.
<b>Section 4 – Off-street parking access and circulation</b>	
4.1-4.11	The proposed development does not increase capacity or staff of the SFT. The current off-street parking access will continue to support the development.
<b>Section 5 – other consideration</b>	
5.1-5.18	No car parking is proposed, therefore, this section is not applicable.
<b>Section 6 – Landscaping</b>	
6.1-6.11	No car parking is proposed, therefore, this section is not applicable.

**Table 7: Part B12 Flood Risk Management**

Controls	Comment
<b>Section 3 – Controls</b>	
3.1-3.2	A stormwater systems report was received from CBCC ref: WP-SIA-339/2020 that indicated that no flood or overland flow study was required. A Stormwater Design has been prepared in accordance with this section to adequately meet the stormwater controls on site.

**Table 8: Part B13 Waste Management and Minimisation**

Controls	Comment
<b>Section 2 – Demolition and construction</b>	
1.1	A Waste Management Plan is located in Appendix L. The proposed ongoing operation of the development does not increase waste more than current operations. Waste generated from demolition will all be reused on site.
<b>Section 6 – Industrial development</b>	
4.1-4.9	The proposed development does not increase capacity or staff of the SFT and the current waste management systems are considered sufficient.

## 5.9 Section 7.11/7.12 Development Contributions

The Bankston Development Contributions Plan 2019 applies to the land within Figure 1 of the plan known as the Bankstown Area. The proposed development site is included within Figure 1. The plan applies to development that is:

- (a) Residential Accommodation development that would result in a net increase in residents on the land*
- (b) other development types where the proposed cost of development is more than \$100,000.*

Type (a) developments will be subject to condition requiring a contribution imposed under section 7.11 of the EPA Act. The contribution rates are included in Section 2.8.1. Type (b) developments will be subject to a condition requiring the payment of a levy under section 7.12 of the EPA Act. The levy rates are included in Section 2.8.2.

The proposed development is considered to fall under (b) and is subject to a Section 7.12 levy. According to Section 2.8.2, Table 3 the Section 7.12 levy will be calculated at a rate of 1% of the development cost for development over \$200,000.

A S7.12 cost of works estimate has been prepared by a quantity surveyor and is included in Appendix F.



## **6 Likely Impacts of the Development**

### **6.1 Environmental Impacts**

This section addresses likely impacts of the development in the locality, including impacts arising from the development, and impacts on the development in accordance with Section 4.15(1)(b) of the EPA Act.

#### **6.1.1 Access**

The proposed development will continue to be served by the current access off Dasea Street. The proposed development does not increase employee numbers, visitors to site (other than for the construction phase), or capacity of the rail freight facility and as such, current access is deemed suitable for the development.

#### **6.1.2 Traffic**

The proposed development does not increase employee numbers, visitors to site (other than for the construction phase), or capacity of the rail freight facility and as such will have negligible impact on local traffic conditions. Please refer to the Traffic Report within Appendix K.

#### **6.1.3 Flora and Fauna**

The site does not propose the removal or disturbance of any vegetation.

#### **6.1.4 Visual Impact**

The proposed development is situated on a highly disturbed operational freight terminal. The proposed development is located where it is not visible from residential or public spaces and will not create an adverse visual impact.

#### **6.1.5 Noise and Vibrations**

The proposed development is not increasing the capacity of the SFT, thus noise and vibrations from the SFT are expected to remain as they are. The development is surrounded by other rail infrastructure and industrial uses which are not a sensitive use to noise and vibrations.

#### **6.1.6 Waste Management**

A Waste Management Plan is in Appendix L. The proposed ongoing operation of the development does not increase waste compared to current operations. Waste generated from demolition will be reused on site.

#### **6.1.7 Contamination**

A Detailed Site Investigation which assessed contamination for the proposed development area is attached in Appendix C. The report concludes that the site is suitable for ongoing commercial/industrial land use subject to management of identified zinc impacts to site groundwater. The report recommends that an Environmental Management Plan is prepared to document the required measures to be implemented at the site during construction.



### **6.1.8 Construction Impacts**

Prior to construction activities commencing, a site verification inspection is to be undertaken by the Environmental Advisor (Freight) within PN and relevant site personnel to verify that adequate erosion and sediment control structures and strategies are in place. Construction works are to be conducted in a staged manner to minimise the disturbance footprint where reasonable and feasible.

A construction and operational Noise and Vibration Impact Assessment has been completed for the proposed upgrade of the Locomotive Provisioning Centre (LPC) located within the Sydney Freight Terminal (SFT). The predicted construction noise levels are not expected to exceed the construction noise management levels at the closest noise sensitive receivers.

During the construction period it has been estimated based on the works proposed that an additional fifteen (15) light vehicles may access the premises on any given day during peak construction times.

### **6.1.9 Operational Impacts**

The development when in operation will not create additional personnel or activity on site. The operation will become more efficient due to the extra siding and LPC allowing refuelling to happen off the main track.

During the operation of the Proposal, there may be changes to the existing noise levels due to the operation of the LPC. Noise levels have been assessed in accordance with the '*Noise Policy for Industry*' and are predicted to comply with the operational noise criteria at all noise sensitive receivers.

## **6.2 Social Impacts**

The proposed social impacts are negligible due to the nature of the development. It will not adversely affect the surrounding developments or neighbours.

## **6.3 Economic Impacts**

The proposed development will have a positive economic impact as it allows PN to continue its freight and logistics network competitively and efficiently.



## 7 Suitability of the Site

This section addresses the development in accordance with section 4.15(1)(c) of the Act. The site is considered suitable for the development for the following reasons:

- The proposed development is using industrial land for industrial purposes,
- The alterations and additions are being undertaken within the existing approved footprint on the SFT site,
- The proposed development is for upgrades to a site already operating as a Rail Freight Terminal.

## 8 Submissions

This section addresses the development in accordance with section 4.15(1)(d) of the Act. It is understood this development application may be notified to adjoining neighbours. We welcome the opportunity to address any submissions provided during this period.

## 9 Public Interest

This section addresses the development in accordance with section 4.15(1)(e) of the Act. This development is considered to be in the public interest as it is upgrading an existing facility.



## 10 Conclusion

This Statement of Environmental Effects has assessed the development against the requirements of Clause 4.15 of the EPA Act and found that the development is consistent with the applicable policies and plans.

We consider that the proposed development will have a positive environmental, social and economic impact on the locality and should therefore be approved.



## **11 Appendices**

### **11.1 Appendix A – Acoustic Report, AECOM**



## 11.2 Appendix B – Plans, OPEC Systems



### **11.3 Appendix C – Contamination Report, JBS&G**



## 11.4 Appendix D – Demolition Plans, OPEC Systems



## 11.5 Appendix E – Detail Survey, Monteath and Powys



## 11.6 Appendix F – Quantity Surveyor Report, Chrysalis



## **11.7 Appendix G – Sediment and Erosion Control Report, Pacific National**



## **11.8 Appendix H – Site, Stormwater and Sediment and Erosions Control Plans, Lindsay & Dynan**



## **11.9 Appendix I – SEPP 33 Assessment, Pacific National**



## **11.10 Appendix J – Stormwater System Report, Canterbury-Bankstown Council**



## 11.11 Appendix K – Traffic Report, Pacific National



## 11.12 Appendix L – Waste Management Plan, Pacific National

