

Modification of Infrastructure Approval

Section 5.25 of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the State significant infrastructure approval referred to in Schedule 1, subject to the conditions in Schedule 2.



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Team Leader
Transport and Water Assessments

Sydney

22 November 2023

SCHEDULE 1

Project Approval:

MP05_0147 granted by the Minister for Planning on 5 September 2007.

For the following:

Construction and operation of the Enfield Intermodal Logistics Centre with capacity to accept a maximum throughput of 300,000 TEU (one TEU is equivalent to one twenty-foot container) per annum, including:

- demolition, relocation or removal of former railway buildings and structures;
- earthworks and drainage including the levelling of the site, formation of landscape mounds and detention basins and removal of unsuitable materials, as required;
- construction and operation of:
 - an intermodal terminal for the loading and unloading of containers;
 - rail sidings, railway lines and associated works to connect to the existing freight line;
 - warehousing for the packing and unpacking of containers and the short-term storage of cargo;
 - empty container storage facilities, for the storage of empty containers to be later packed or transferred back to the port or regionally by rail;
 - light industrial/commercial area fronting Cosgrove Road;
 - access works including the construction of a road bridge over the new marshalling yards for access

- to Wentworth Street and an upgrade of the entrance to the site from Cosgrove Road; and internal roads, administration buildings, diesel and LPG storage and fuelling facilities, container washdown area, vehicle maintenance shed, and installation of site services (all utilities, stormwater and sewerage).

Modification

MP05_0147 MOD 15 for earthworks, remediation and materials transfer to facilitate development under DA 2022/68 within the Tarpaulin Factory area on part of Lot 19 DP 1183316.

SCHEDULE 2

Note: Words that have been deleted are shown as: ~~deleted~~

Words that have been added are shown as: added

1. Delete the following definitions from the Definitions Table:

Term	Definition
OEH	Office of Environment and Heritage
RMS	Roads and Maritime Services

2. Insert the following definitions in the Definitions Table

Term	Definition
EHG	Environment and Heritage Group (Heritage Division)
TfNSW	Transport for New South Wales

3. Amend Condition 1.1 as follows:

1.1 s) ~~deleted~~

1.1 u) ~~the conditions of this approval~~ Modification Application MP05_0147 Mod 15 and:

- i. modification report titled *Modification Report Mod 15 127 Cosgrove Road, South Strathfield* prepared by LJB Urban Planning dated 11 July 2023;
- ii. *Remedial Action Plan (RAP)* prepared by Geosyntec Consultants dated 21 December 2021;
- iii. *Green and Golden Bell Frog Conservation Measures Tarpaulin Shed Site Enfield*, prepared by Biosphere Environmental Consultants dated 27 November 2016;
- iv. RFI response letter prepared by LJB Planning dated 12 October 2023; and
- v. Plan No. SENP154B, Enfield ILC Southern Precinct Area Tarp Shed Concept Plan Proposed Garden Centre prepared by NSW Ports; and

1.1 v) The conditions of this approval.

4. Amend Condition 1.2 as follows:

In the event of an inconsistency between:

- a) ~~the conditions of this approval and any document listed from condition 1.1a) to 4.4) 1.1u) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and~~
- b) any of the documents listed from condition 1.1a) to ~~4.4) 1.1u)~~ inclusive, the most recent document shall prevail to the extent of the inconsistency.

5. Amend Condition 1.2A as follows:

1.2A Notwithstanding condition 1.2, in relation to the construction and operation of the development approved under ~~DA-2016/132~~ DA2022/68 at 127 Cosgrove Road, in the event of any inconsistency between the conditions of this approval and the conditions of consent for ~~DA-2016/132~~ DA2022/68, the conditions of consent for ~~DA-2016/132~~ DA2022/68 shall prevail.

6. Amend Condition 1.2B as follows:

1.2B Subject to condition 1.2C, despite any other provision of this approval, the approval does not impose any obligations on a person merely because that person is carrying out the development approved under ~~DA 2016/132~~ DA2022/68 at 127 Cosgrove Road.

7. In Condition 2.2C, delete the words “Transport for New South Wales and RMS” and replace with “TfNSW”

8. In Conditions 2.3, 2.4, 2.5, 2.7, 2.8, 2.9, 2.10, 2.12 and 3.7, delete the word “RMS” and replace with “TfNSW”

9. In Conditions 2.34, 2.35, 2.36, 2.37, 2.38 and 6.3c), delete the words “OEH (Heritage Division)” and replace with “EHG”

10. Amend Condition 2.43A as follows:

2.43A Prior to commencement of works approved under ~~DA 2016/132~~ DA2022/68 for ~~construction and operation of a garden centre and hardware and building supplies facility, alterations, additions, fitout and use of the former Tarpaulin Factory Building for the purpose of a garden centre with café and ancillary vegetable shop and pet store,~~ a final Site Audit Statement for the Tarpaulin Factory Site must be prepared by an accredited Site Auditor certifying that the contaminated areas have been suitably remediated. The Site Audit Statement and a plan showing the extent of remediation are ~~is~~ to be submitted to the Planning Secretary and Strathfield Council ~~prior to the commencement of construction approved under DA2022/68.~~

11. Amend Condition 2.43B as follows:

2.43B Within one month of remediation of the Tarpaulin Factory Site, a long-term contamination management plan is to be submitted to the Planning Secretary for approval. The plan is to be implemented for the duration of operation of the development approved under ~~DA 2016/132~~ DA2022/68.

12. In Condition 2.48, delete the word “OEH” and replace with “EHG”

13. Insert after condition 6.2 the following:

6.2A Prior to the commencement of construction under MP05_0147 Mod 15, the Proponent must update the CEMP required under condition 6.2 and submit the updated CEMP to the Planning Secretary for approval.

14. In Condition 6.3c), delete the words “OEH (Heritage Division)” and replace with “EHG”

15. Replace Condition 6.3 g) with the following:

6.3g) Tarpaulin Factory Area Earthworks Environmental Management Plan which shall include but not be limited to:

- (i) the measures contained in the letter – Green and Golden Bell Frog Conservation Measures Tarpaulin Shed Site Enfield, prepared by Biosphere Environmental Consultants, 27 November 2016;
- (ii) measures to minimise dust emissions in accordance with conditions 2.22 to 2.27 including measures to mitigate potential dust impacts on Green and Golden Bell Frog habitat;
- (iii) an air quality monitoring program for asbestos during works that disturb contaminated material;
- (iv) measures to address groundwater inflow during excavation of the Mt Enfield eastern flank and the borrow pit for the placement of unsuitable material. The measures must include dewatering of groundwater and disposal of potentially

- contaminated groundwater at EPA licensed sites:
- (v) measures to minimise soil erosion in accordance with condition 2.29 and to ensure only clean surface water flows are discharged to the frog ponds;
 - (vi) management of stockpiles in accordance with condition 2.30;
 - (vii) management of waste and remediation of the Tarpaulin Factory Site in accordance with conditions 2.39 to 2.42, 2.44 and the ~~Remediation Action Plan~~ Remedial Action Plan (RAP) 127 Cosgrove Road, South Strathfield, NSW, Flower Power Group, prepared by ZOIC, February 2017 Geosyntec Consultants dated 21 December 2021 including air quality monitoring for asbestos;
 - (viii) measures to verify that imported material is consistent with that specified in the RAP;
 - (ix) landscaping of disturbed areas in accordance with the Landscape and Ecological Area Management Plan under condition 6.3(d);
 - (x) protection of heritage items including the relocated Pillar Water Tank; and
 - (xi) unexpected finds protocol.

A copy of the approved Tarpaulin Factory Area Earthworks Environmental Management Plan is to be provided to Strathfield Council.

**End of modification
MP05_0147 MOD 15**