


# Modification of Minister's Approval

## Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 10 November 2014, I approve the modification of the project application referred to in Schedule 1, subject to the conditions in Schedule 2.



Karen Jones  
Director  
Infrastructure

Sydney 12 December 2014

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### SCHEDULE 1

**Concept Approval:**

MP09\_0096 granted by the Minister for Planning and Infrastructure on 16 July 2012

**For the following:**

The concept plan involves the redevelopment of 90 hectares of port-side land in Mayfield for land based port facilities serving a mix of cargo types.

The Concept Plan also includes supporting road and rail infrastructure to service the port facilities.

**Modification:**

MP09\_0096 MOD 2: Correct typographic errors to Requirements 2.1(g)(iii) and 2.3(b)(ii), and change references to "Requirement 2.3(b) and Table 2" to "Requirement 2.3 (Table 2).

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## SCHEDULE 2

### CONDITIONS

#### MODIFICATIONS TO THE CONCEPT PLAN – ENVIRONMENTAL ASSESSMENT REQUIREMENTS

##### Project Stages Subject to Other Provisions of the Act

Delete requirement 2.1g) and replace with the following:

2.1g) a **Noise and Vibration Assessment** that assesses noise and vibration impacts. The assessment shall:

- i. consider noise goals defined in this approval;
- ii. consider the *Concept Plan Noise Model* and *Noise Verification Monitoring Program*, required under this Concept Plan approval and identify project specific noise and vibration criteria;
- iii. identify baseline and future requirements and the levels and character of noise and vibration sources;
- iv. identify sensitive receivers, modelling assumptions and noise and vibration impacts, including on and off-site road and rail noise impacts on receivers within the vicinity of the site, such as road traffic noise impacts on residential areas adjacent to Industrial Drive;
- v. include details of noise and vibration attenuation measures to be implemented should the predicted levels exceed the Concept Plan and project specific criteria, along with a schedule for implementing such works; and
- vi. include consideration of the following guidelines or any documents that supersede them: *NSW Industrial Noise Policy* (EPA, 2000) for operational noise; *Interim Construction Noise Guideline* (DECC, 2009) for site establishment and construction; *Environmental Noise Management – Assessing Vibration: A Technical Guideline* (DECC, 2006) for vibration; the *NSW Roads Noise Policy* (DECCW, 2011) for off-site traffic noise and the *Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects* (DECC and DoP, 2007) for off-site rail noise.

Delete requirement 2.3 and replace with the following:

2.3 Projects associated with this Concept Plan shall not exceed the total truck movement limits presented in Table 1, except as identified.

**Table 1 – Initial Staging and Total Truck Movement Limits**

| Total Truck Movements per annum | Total Truck Movements per day | Total Hourly Truck Movements in peak periods |
|---------------------------------|-------------------------------|--|
| 462,104                         | 1,268                         | 95   |

- (a) Truck movements by road may exceed the identified limits in Table 1 up to the limits identified in Table 2, subject to:
- i. traffic monitoring identifying that Concept Plan related traffic movements are not having a detrimental impact on the local, regional and State road network and/or predicted background traffic growth is lower than the long term per annum growth rate of 1.0%; or
  - ii. *Deleted*
  - iii. the consideration of land use planning and development changes within the locality of the Concept Plan site, including approved uses on the adjoining



Intertrade Industrial Park site, which may result in less traffic generation than considered under this Concept Plan.

**Table 2: Intermediate Staging and Total Truck Movement Limits**

| <b>Total Truck Movements per annum</b> | <b>Total Truck Movements per day</b> | <b>Total Hourly Truck Movements in peak periods</b> |
|--|--------------------------------------|---|
| 773,438                                | 2,120                                | 159   |

(b) Truck movements by road may exceed the identified limits in Table 2 up to the limits identified in Table 3, subject to:

- i. the consideration of the matters listed in requirement 2.3a), as relevant; and
- ii. the implementation of a *Transport Infrastructure Strategy* as per requirement 2.4, which has been endorsed by Transport for NSW and RMS.

**Table 3: Ultimate Staging and Total Truck Movement Limits**

| <b>Total Truck Movements per annum</b> | <b>Total Truck Movements per day</b> | <b>Total Hourly Truck Movements in peak periods</b> |
|--|--------------------------------------|---|
| 1,017,882                              | 2,720                                | 209   |

Notwithstanding, projects associated with this Concept Plan shall be operated with the objective of not exceeding the total truck movements identified in Table 3.

*Note: The above requirements do not permit an immediate increased to the identified limits in Table 1. Any exceedances of the limits identified in Table 1, consistent with the above requirements, shall only be permitted, following consideration of the exceedances in future project assessments.*

Delete requirement 2.4 and replace with the following:

2.4 Truck movements by road, which exceed the limits specified in requirement 2.3 (Table 2), may be undertaken following the preparation, endorsement and implementation of a *Transport Infrastructure Strategy*.

The Strategy shall provide a framework for the development and implementation of local, regional and State road and rail infrastructure improvements or traffic management measures necessary for an increase in truck movements beyond the limits identified in requirement 2.3 (Table 2). The Strategy shall be developed in consultation with the Department, Transport for NSW, RMS, Council, adjoining land owners and the local community. The Strategy shall include, but not necessarily be limited to:

- a) the objectives and scope of the Strategy;
- b) identification of stakeholders associated with the development of the Strategy, consultation undertaken with Stakeholders and how matters raised were considered;
- c) freight volume demand forecasts for road and rail freight movement, including a demand and supply analysis and description of the supply chain for the Concept Plan (for all freight movement);
- d) identification and alignment of road and rail movements with required road and rail infrastructure and service improvements or management measures required to meet forecast road and rail freight demand;
- e) the feasibility of port freight movements utilising existing and identified infrastructure and service provisions measures for the proposal; and

- f) identification of how and when the required infrastructure and service improvements or management measures will be delivered, including parties responsible for the funding and implementation of the works.

The Strategy shall be made available to the Director-General and Council following its endorsement by Transport for NSW and the RMS.

