

Moorebank Precinct West - Stage 3

Response to Submissions -
(SSD 10431)



SIMTA

SYDNEY INTERMODAL TERMINAL ALLIANCE

Part 4, Division 4.7, State Significant
Development

July 2020

Sydney Intermodal Terminal Alliance

Moorebank Precinct West Stage 3 Response to Submissions Report – SSD 10431

Author		<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 25px;"></div>
Checker		<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 25px;"></div>
Approver		<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 25px;"></div>
Report No	20080207.1	
Date	21/08/2020	

REVISIONS

Revision	Date	Description	Prepared by	Approved by
Draft	29.07.2020	Draft, for Client Comment - Version 1	<div style="background-color: black; width: 50px; height: 15px;"></div>	<div style="background-color: black; width: 50px; height: 15px;"></div>
Final	21.08.2020	Final for DPIE Lodgement	<div style="background-color: black; width: 50px; height: 15px;"></div>	<div style="background-color: black; width: 50px; height: 15px;"></div>

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Acronyms, Key Terms and Definitions

Term	Description
ABPP	Australian Bushfire Protection Planners
AHD	Australian height datum
Boot Land	Residual Commonwealth owned land to the east and south of the MPE Site between the site boundary and the Wattle Grove residential area and to the south of the MPE Site between the boundary and the East Hills Railway Line, some of which also forms part of the MPW Site.
CCC	Community Consultative Committee
CCS	Community Communication Strategy
CEMP	<i>Construction Environmental Management Plan</i>
CoC	Condition(s) of Consent
CTAMP	<i>Construction Traffic and Access Management Plan</i>
DA	Development application
Developable area	That portion of the MPW Site that excludes the western conservation area, lying to the east of the conservation area and to the west of Moorebank Avenue.
DP	Deposited Plan
DP&E	NSW Department of Planning and Environment (now DPIE)
DPI	NSW Department of Primary Industries
DPIE	Department of Planning, Industry and Environment (formerly DP&E). Includes the EES Group (formerly NSW Office of Environment and Heritage).
EIS	Environmental Impact Statement
ELPA	East Liverpool Progress Association
ENM	Excavated natural material
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>

Term	Description
EPA	NSW Environment Protection Authority
EPBC Act	Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPL	Environment Protection Licence
GFA	Gross floor area
GREA	The Georges River Environmental Alliance
IMT	Intermodal freight terminal
IMEX	Import Export (freight facility)
IPC	Independent Planning Commission (formerly the Planning Assessment Commission – PAC)
LGA	Local Government Area
Liverpool LEP	<i>Liverpool Local Environmental Plan 2008</i>
MIC	Moorebank Intermodal Company
MLP	Moorebank Logistics Park – includes MPE development and MPW development.
Moorebank Precinct	Includes MPE development and MPW development
MPE Development	The SIMTA Moorebank Intermodal Facility at Moorebank, as approved by the Concept Plan (MP10_0913), MPE Stage 1 (SSD 6766) and MPE Stage 2 (SSD 7709).
MPE Site	Comprises the land on the eastern side of Moorebank Avenue, used for the MPE terminal and warehouse facilities and supporting infrastructure, the rail corridor to the Southern Sydney Freight Line and Moorebank Avenue.
MPW Development	The development of an intermodal freight facility, associated commercial infrastructure (i.e. warehousing), a rail connection, and associated works as approved by the Concept Plan and Stage 1 Early Works (SSD 5066) and MPW Stage 2 (SSD 7709).
MPW Stage 3	This Proposal. The third stage of development in accordance with the MPW Concept Plan (SSD 5066). Development for the purposes of supporting subdivision works and subdivision and provision of a work compound and materials storage areas. Includes provision of

Term	Description
	permanent and temporary roads, surface drainage works, signage, utilities and services.
MPW Site	Comprises the land to be used for the MPW intermodal terminal, warehouse facilities and supporting infrastructure, a rail connection to the MPE rail link, the Moorebank Avenue/Anzac Road intersection and the conservation area between the developable land and the Georges River.
NIA	<i>Noise Impact Assessment</i>
OEMP	<i>Operational Environmental Management Plan</i>
OSD	Onsite detention (basin)
PAC	Planning Assessment Commission (now the Independent Planning Commission – IPC)
PFAS	Perfluoroalkyl and polyfluoroalkyl substances
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
The Proposal	MPW Stage 3, including establishment of a works compound and materials storage areas, progressive installation of subdivision works, subdivision of the MPW Site, temporary and permanent internal roadworks, utilities, services and ancillary works, and implementation of mitigation measures.
Proposal Site	Area of the MPW Site on which the Proposal is to be developed
RAID	Residents Against Intermodal Development Moorebank Incorporated
RFS	NSW Rural Fire Service
RtS	Response to Submissions. This report has been prepared following the public exhibition of the EIS for SSD 10431.
SDDR	<i>Stormwater Development Design Report</i>
SEARs	Secretary's Environmental Assessment Requirements
SEC	Sediment and erosion controls
SIMTA	Sydney Intermodal Terminal Alliance
SSD	State significant development

Term	Description
SSFL	Southern Sydney Freight Line
SWMP	<i>Soil and Water Management Plan</i>
TEU	Twenty-foot equivalent unit or a standard shipping container
TfNSW	Transport for NSW (former NSW Roads and Maritime Services now incorporated into TfNSW)
UDDR	<i>Urban Development Design Report</i>
VENM	Virgin excavated natural material
VIA	<i>Visual Impact Assessment</i>
WSUD	Water sensitive urban design

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Executive Summary

Sydney Intermodal Terminal Alliance (SIMTA) (the 'Proponent') is seeking approval for Stage 3 of the Moorebank Precinct West (MPW) Development (the 'Proposal') as a State significant development (SSD) under application SSD 10431.

This Response to Submissions (RtS) report has been prepared by Aspect Environmental on behalf of SIMTA to respond to the submissions by stakeholders, including both Government agencies and the community, which were received during the public exhibition period of the Proposal.

The key components of the Proposal are:

- Establishment of a works compound to facilitate approved site development works for the MPW Site (as per SSD 5066 and SSD 7709) as well as progressive and future MPW Site development works. The compound and laydown area may also be used to support progressive construction requirements on the MPE Stage 2 SSD 7628 site as available laydown and temporary accommodation space reduces as site construction works progress. The MPW 3 Development includes compound worker accommodation, car-parking, hardstand, laydown and materials stockpile areas, temporary and permanent access roads, site drainage, utilities and services.
- Progressive subdivision of the MPW Site to create nine allotments for the purpose of separating the intermodal freight terminal and warehousing, establishing the biodiversity conservation allotment and progressive tenancing of individual warehouses.
- Ancillary works to facilitate establishment, access and servicing of the construction compound and site subdivision.
- Importation of fill to achieve the finished surface level.

The Environmental Impact Statement (EIS) was lodged with the NSW Department of Planning, Industry and Environment (DPIE) 24 April 2020.

In accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) Schedule 1 Clause 9, the EIS was placed on public exhibition for 28 days (30 April to 27 May 2020). Relevant stakeholders including the community, community special interest groups and Government agencies were invited to respond.

Forty (40) submissions were received by DPIE, including:

- 11 submissions from Government stakeholders;
- 25 submissions from the community including land owners, land occupiers and other members of the public, with 11 of those being a 'form letter type of submission'; and another two submissions being a similar letter of submission; and
- 4 submissions from community special interest organisations.

The following local and State Government agencies provided responses to DPIE as part of the exhibition process for the Proposal:

1. NSW DPIE
2. Biodiversity and Conservation Division (Environment, Energy and Science Group)
3. Crown Lands

4. NSW Department of Primary Industries (DPI) Fisheries
5. Endeavour Energy
6. Heritage Council of NSW
7. NSW Environment Protection Authority (EPA)
8. NSW Rural Fire Service (RFS)
9. Sydney Water
10. DPIE Water and Natural Resources Access Regulator
11. Transport for NSW (TfNSW).

The following community organisation groups provided submissions which objected to the Proposal:

1. East Liverpool Progress Association (ELPA)
2. The George's River Environmental Alliance (GREA)
3. Residents Against Intermodal Developments Moorebank Incorporated (RAID)
4. Bankstown Bushland Society Inc.

A further 25 submissions were received from community members and landowners, all of which objected to the Proposal. Eleven (11) public community submissions were considered to be a 'form letter', and two others were also alike. The remaining 12 submissions were generally unique. Some content raised within the community submissions did not relate directly to the Proposal.

All submissions received were reviewed and categorised. Submissions were grouped into categories based on their source: Government entity, community organisation, or individual.

Where a matter raised in a submission was considered of merit and required a response, each matter was assigned a general category based on the nature of the matter including 'traffic', 'subdivision' or 'flora and fauna'.

Government and community stakeholders raised a number of key issues in relation to the Proposal, including:

- Subdivision of the site
- Consultation
- Visual amenity
- Heritage
- Urban design
- Heritage
- Construction, including importation of fill material
- Cumulative impacts
- Construction activities
- Noise
- Soil and water management
- Bushfire
- Traffic and access
- Site services
- Site drainage
- Air quality
- Contamination

Individual responses were provided to issues raised by Government agencies, community organisations and the public community (except where submissions appeared to follow a 'form letter'), and are provided in Sections 4 and 5 of this RtS.

Further clarification and justification for the Proposal has been provided in this RtS as a response to satisfy issues raised by submissions. No changes were made to the Proposal as a result of the submissions received.

Specialist technical reports for traffic, noise, soil and water management and bushfire were updated to address comments provided by Government agencies, and are provided in Appendices E to H of this RtS.

Ongoing consultation with DPIE and Liverpool City Council will be undertaken to consider key issues in relation to the Proposal. Information regarding the MPW Stage 3 Project, as well as email and 24-hour phone feedback details are listed on SIMTA's website (www.simta.com.au), and responses are managed by Elton Consulting.

Based on the objection received from Liverpool City Council, the SSD Application is understood to be intended to be referred to the Independent Planning Commission (IPC) for determination.

On behalf of the Minister for Planning, DPIE will review the EIS, RtS report and supporting documentation. An assessment report will be prepared by DPIE for submission to the IPC, which may include recommended conditions of approval.

The IPC will review the assessment report, and, subject to any public hearings, will determine the Proposal, including confirmation of conditions of consent (CoC) as considered appropriate.

The determination, along with any conditions of consent and the Secretary's report will be published on the IPC and DPIE website, along with this RtS and relevant supporting documentation.

1. Introduction

Sydney Intermodal Terminal Alliance (SIMTA) (the 'Proponent') are seeking approval for the third stage of the Moorebank Precinct West (MPW) Development (the 'Proposal') as a State significant development (SSD) under application SSD 10431.

The Environmental Impact Statement (EIS) for the Proposal was lodged with the NSW Department of Planning, Industry and Environment (DPIE) 24 April 2020 for approval under Part 4, Division 4.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The EIS was prepared in support of the SSD application and approval process to satisfy Schedule 2, Clause 3 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), and to address and be consistent with the following:

1. The Secretary's Environmental Assessment Requirements (SEARs) issued as SSD 10431 for the Proposal on 20 March 2020.
2. The relevant requirements of the MPW Concept Approval SSD 5066 granted by the Planning Assessment Commission (PAC) (now the Independent Planning Commission (IPC)) on 3 June 2016.
3. The relevant requirements of Approval No 2011/6086 issued under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In accordance with the EP&A Act Schedule 1 Clause 9, the EIS was placed on public exhibition for 28 days (30 April to 27 May 2020). Relevant stakeholders including the community, community special interest groups and Government agencies were invited to respond. Forty (40) submissions were received by DPIE, including:

- 11 submissions from Government stakeholders;
- 25 submissions from the community including land owners, land occupiers and other members of the public, with 11 of those being a 'form letter type of submission' and another two submissions being a similar letter of submission; and
- 4 submissions from community special interest groups.

1.1 Purpose of this Report

This Response to Submissions (RtS) report has been prepared in accordance with direction from DPIE by Aspect Environmental on behalf of SIMTA to respond to relevant issues, concerns and comments raised within the submissions. Further clarification and justification for the Proposal is provided in this report in accordance with EP&A Act Clause 4.39 as a response to satisfy issues raised by submissions. This report does not directly respond to matters outside of the scope of the Proposal.

An analysis of submissions is provided in Section 3, and responses to submissions are provided in Sections 4 and 5 of this report.

Where further environmental assessment was required, specialist technical environmental reports have been updated and are included with this report.

Although further clarification and justification for the Proposal has been provided in this RtS as a response to satisfy issues raised by submissions, no further changes were made to the Proposal as a result of submissions received.

1.2 MPW Development to Date

Development consent for the MPW Development (SSD 5066) was initially provided by the (then) PAC of NSW under the EP&A Act on 3 June 2016. The development (as modified) involves the construction and operation of intermodal freight facilities linked to the interstate and intrastate freight-rail network, and includes warehouse and distribution facilities, freight village and ancillary facilities, a rail connection to the Moorebank Precinct East (MPE) rail link connecting the MPW Site to the Southern Sydney Freight Line (SSFL), and a road entry and exit point from Moorebank Avenue.

EPBC Approval (No. 2011/6086) was originally granted on 1 July 2014 with variations on 2 February 2016 and 27 September 2016. Consequential to the MPW consent, gazettal was undertaken on 24 June 2016 for an amendment to the *Liverpool Local Environmental Plan* (Liverpool LEP) 2008, which rezoned the MPW Site as IN1 industrial land.

A summary of the MPW Development, as approved in the MPW Concept Plan Approval (SSD 5066) is as follows (refer to Figure 1-1).

- Import/export (IMEX) freight terminal - maximum capacity of 550,000 twenty-foot equivalent units (TEU) throughput per annum, servicing international IMEX freight movement between Port Botany and the MPW Site
- Interstate freight terminal - maximum capacity of 500,000 TEU throughput per annum, servicing trains and container freight movements by truck travelling to, from and between Sydney, regional and interstate destinations
- Warehousing facilities - maximum of 300,000 m² gross floor area (GFA) to service the IMEX and interstate terminals
- Rail link connection - between the MPW Site and the SSFL
- Conservation area - to maintain and enhance riparian vegetation on the western boundary of the site along the Georges River
- Moorebank Avenue upgrade - widening of the road to four lanes between Anzac Road and the M5 Motorway.

Subsequent modification to the MPW Concept and Stage 1 Early Works consent (SSD 5066) was approved under Concept MOD1 on 30 October 2019. SSD 5066 MOD1 comprised primarily an importation of approximately 1,600,000 m³ of clean fill for bulk earthworks within the site, an expansion of the construction footprint to allow for Moorebank Avenue/Anzac Road intersection works, removal of the port shuttle (IMEX) rail freight intermodal terminal and an increase in the warehousing area; ability to subdivide the site and some additional design and site usage adjustments.

MPW Stage 2 SSD 7709 was given development consent on 11 November 2019. The development consent enables:

- construction and 24/7 operation of an intermodal terminal to support a container freight throughput volume of 500,000 TEU per annum;
- construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the intermodal freight terminal (IMT);
- intersection upgrades at Moorebank Avenue at Anzac Road and Bapaume Road;
- construction and operation of a stormwater drainage system for the entire site; and
- construction works and temporary ancillary facilities.

As at August 2020, final post-approval requirements were being addressed to enable commencement of MPW Stage 2 low impact and construction works.

1.3 Site Context

The Proposal Site is located within the Liverpool Local Government Area (LGA) in Sydney's south-west sub-region, 2.5 km from the Liverpool city centre, 27 km south-west of the Sydney central business district and approximately 26 km west of Port Botany (refer to Figure 1-1). The Proposal Site is located near the Moorebank Industrial Area (comprising around 200 ha of industrial development including, but not limited to, the Yulong, Amiens and ABB Sites).

The M5 Motorway provides the main road link between the Proposal Site and the key employment and industrial areas within the west and south-western Sydney sub-regions. The M5 Motorway connects with the M7 Motorway to the west, providing access to the greater Sydney metropolitan region and the NSW road network. Similarly, the M5 Motorway is the principal connection to Sydney's north and north-east via the Hume Highway.

The nearest residential suburbs located near the Proposal Site include:

- Wattle Grove – approximately 1.3 km to the east
- Moorebank - approximately 2.5 km to the north-east
- Casula - approximately 1 km to the west
- Glenfield – approximately 2 km to the south-west.

The Proposal Site includes nearly 200 ha of Commonwealth land which forms Lot 1 in Deposited Plan (DP) 1197707, which is wholly owned by the Commonwealth. The Proposal Site also contains Lot 100 DP 1049508 (owned by the Commonwealth) located north of Bapaume Road and west of Moorebank Avenue. For reference, the subdivision component of the Proposal covers the entire MPW Site, while the works compound and ancillary infrastructure are confined to the southern portion of the site (refer to Figure 1-1).

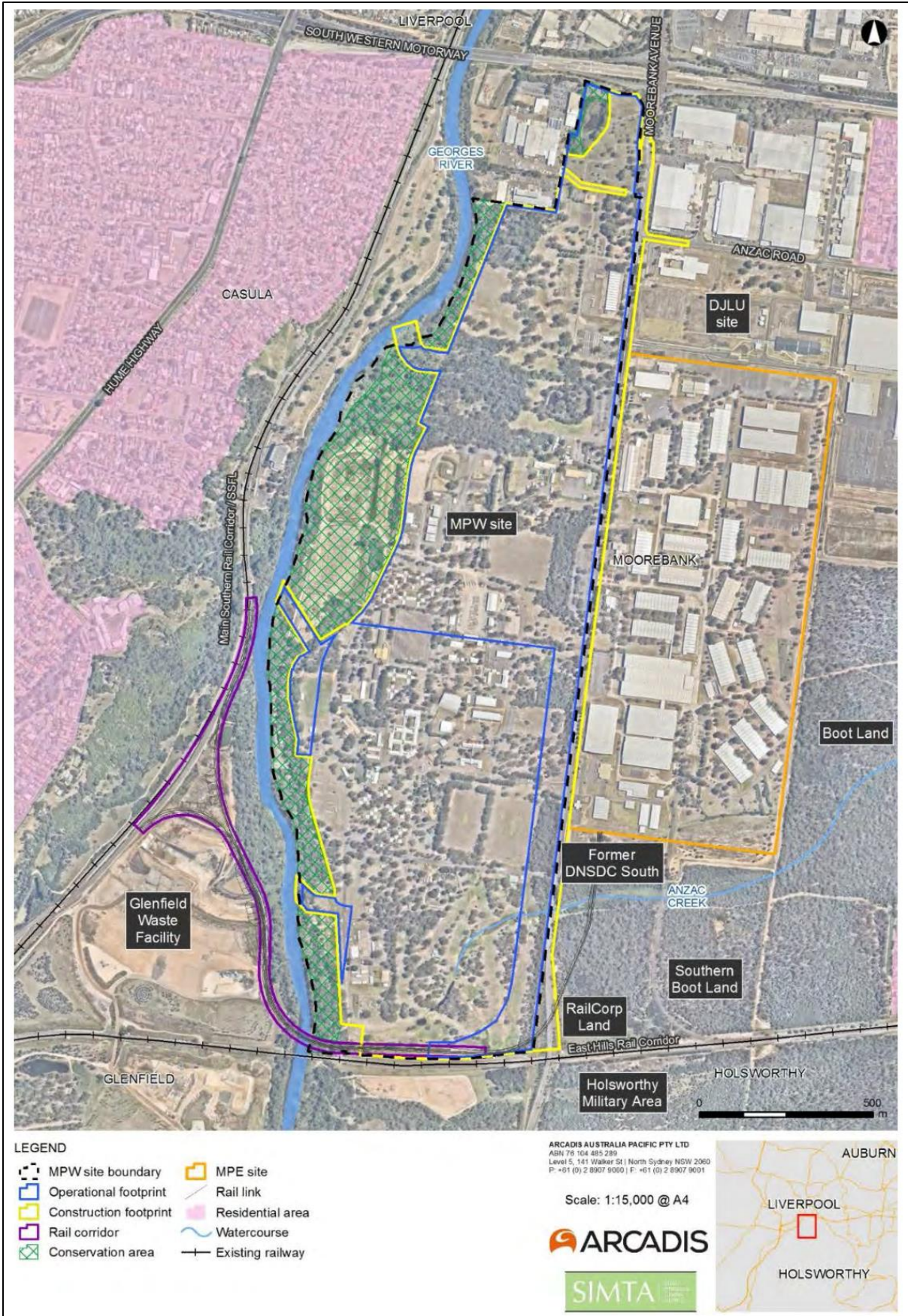


Figure 1-1: Moorebank – Local Context and MPW Operational Area (Arcadis, 2016)

The key existing features of the Proposal Site are detailed below.

- Relatively flat topography, with the western edge sloping down towards the Georges River which forms the western boundary. The natural MPW Site landform has already been altered under previously approved consents for site development works.
- The developable portion of the MPW Site has been cleared and remediated in preparation for construction of MPW Stage 2 (approved by the IPC on 11 November 2019).
- Construction offices to facilitate already approved site works.
- An existing stormwater system comprising pits, pipes and open channels.
- Native vegetation bordering the western edge of the developable area.
- A riparian corridor of the Georges River located on the west of the site contains a substantial extent of native and introduced vegetation. The riparian corridor provides a wildlife corridor and a buffer for the protection of soil stability, water quality and aquatic habitats. This area has been defined as a conservation area as part of the MPW Concept Plan consent and will form its own allotment under the proposed subdivision.
- Direct frontage to Moorebank Avenue, which is a publicly used private road south of Anzac Road, and a publicly owned and used road north of Anzac Road.
- The rail link (MPE Stage 1) which is located along the southern boundary of the site, linking the MPE Site to the SSFL.

1.4 Proposal Overview

The Proposal comprises the construction and functional operation of the third stage of the MPW Development as approved in the MPW Concept Plan (SSD-5066). The key components of the Proposal are:

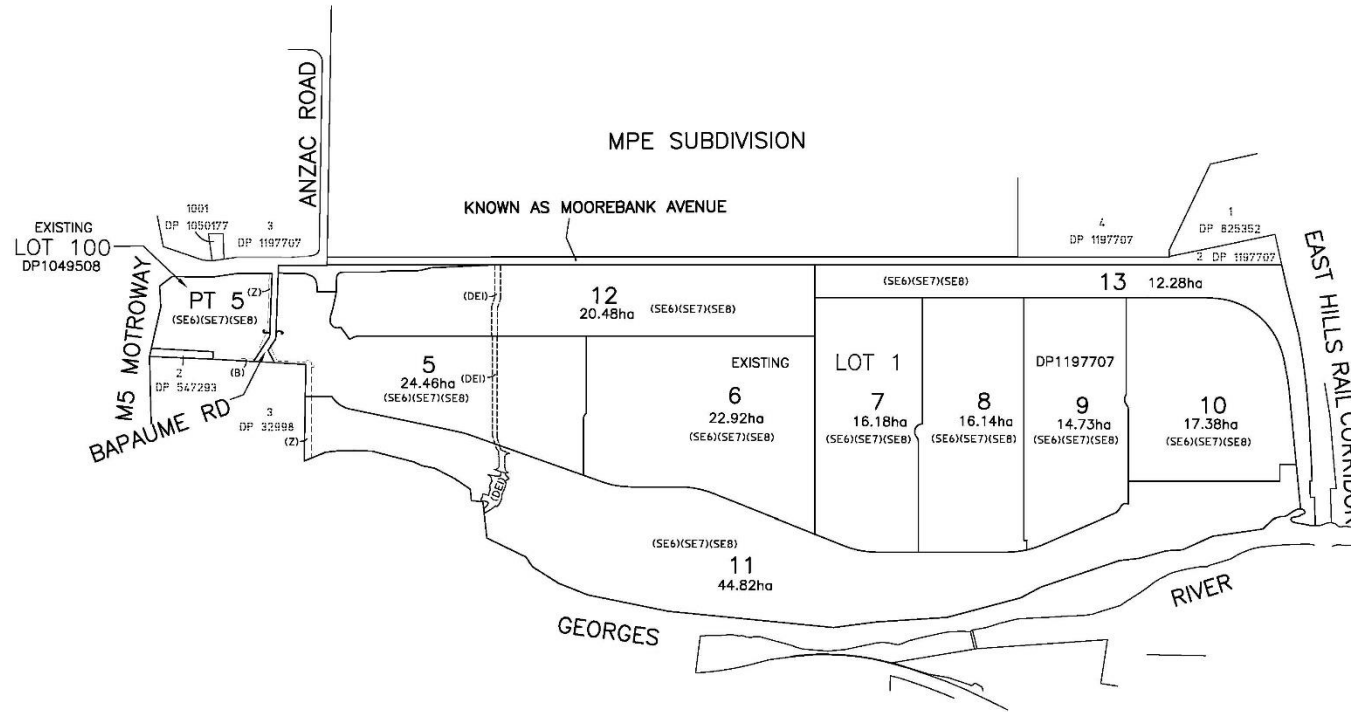
- the establishment of works compound to facilitate site development in accordance with the MPW Concept Plan and Stage 1 Early Works Approval (SSD 5066), MPW Stage 2 Approval (SSD 7709) and future development stages of the MPW Precinct
- the progressive subdivision of MPW Site into nine allotments, including:
 - proposed Lots 5, 6 and 7 to be used for future warehousing and distribution
 - proposed Lots 8, 9 and 10 to be used for (temporary) works compound, and future warehousing development as part of SSD 5066
 - proposed Lot 11 to be primarily used as a biodiversity conservation area, as well as for roads and stormwater functions, to the west of the MPW Site adjacent to the Georges River
 - proposed Lot 12 to be used as an interstate freight terminal; and
 - proposed Lot 13 to be used as part of the rail corridor (known as the School of Military Engineering Rail Corridor) to allow the completion of construction and operation of the IMEX freight terminal (approved as part of MPE Stage 1 SSD 6766) and subsequent operation of the rail link under SIMTA's development arrangement with Moorebank Intermodal Company (MIC)
- ancillary works including:
 - access roads
 - temporary and permanent access roads
 - earthworks
 - fencing and preliminary establishment facilities

- utilities installation/connection
- stormwater and drainage infrastructure
- signage and landscaping
- importation of clean fill material to achieve approved finished surface level.

Mitigation installations and activities for noise, dust, weed, biodiversity, soil and water management will be implemented across the site.

Refer to Figure 1-2, Figure 1-3, Figure 1-4 and Figure 1-5.

STAGED PLAN OF PROPOSED SUBDIVISION OF LOT 1 DP1197707 AND LOT 100 DP1049508



- (B) EASEMENT FOR DRAINAGE OF WATER 6 WIDE (DP1049508)
- (DE1) EASEMENT FOR DRAINAGE OF WATER
- (SE6) EASEMENT FOR SERVICES (WHOLE OF LOT)
- (SE7) EASEMENT FOR FUTURE SERVICES (WHOLE OF LOT)
- (SE8) EASEMENT FOR ACCESS (WHOLE OF LOT)
- (Z) EASEMENT FOR OVERHEAD POWERLINES VARIABLE WIDTH (DP125932)

Surveyor: GREGORY K OXLEY
 LandPartners PTY LTD
 PO BOX 1144 DUNDAS 2117
 Date of Survey: 00/00/2019
 Surveyor's Ref: SY073909.013.2.1

PLAN OF SUBDIVISION OF LOT 1 IN DP1197707 AND LOT 100 DP1049508

LGA: LIVERPOOL
 Locality: MOOREBANK
 Subdivision No: XXX
 Lengths are in metres. Reduction Ratio 1:7500

Registered

DP

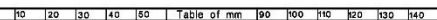


Figure 1-2: Proposed Staged Plan of Subdivision for MPW (Land Partners, 2020)

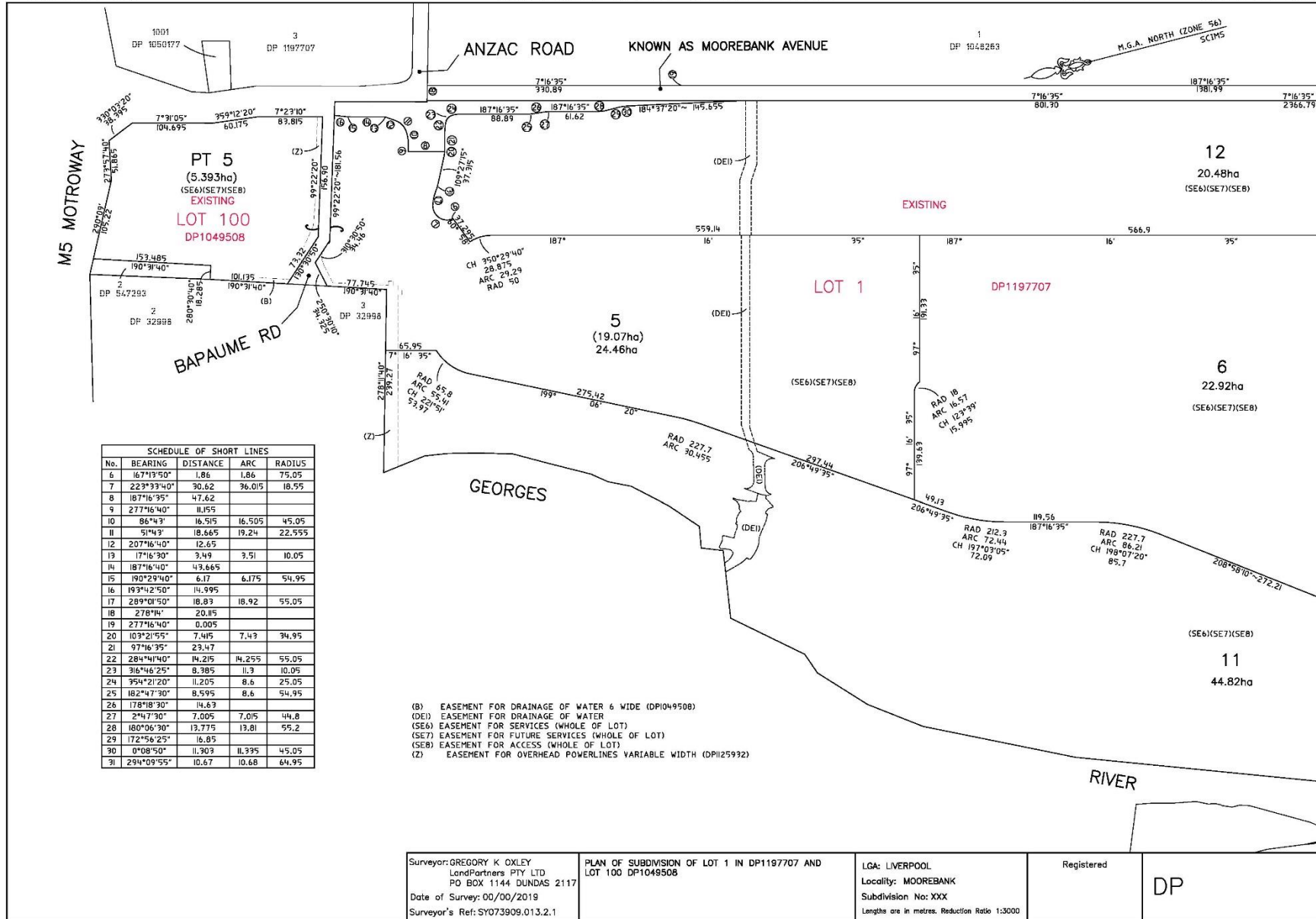


Figure 1-3: Proposed Staged Plan of Subdivision – northern portion of MPW Site (Land Partners, 2020)

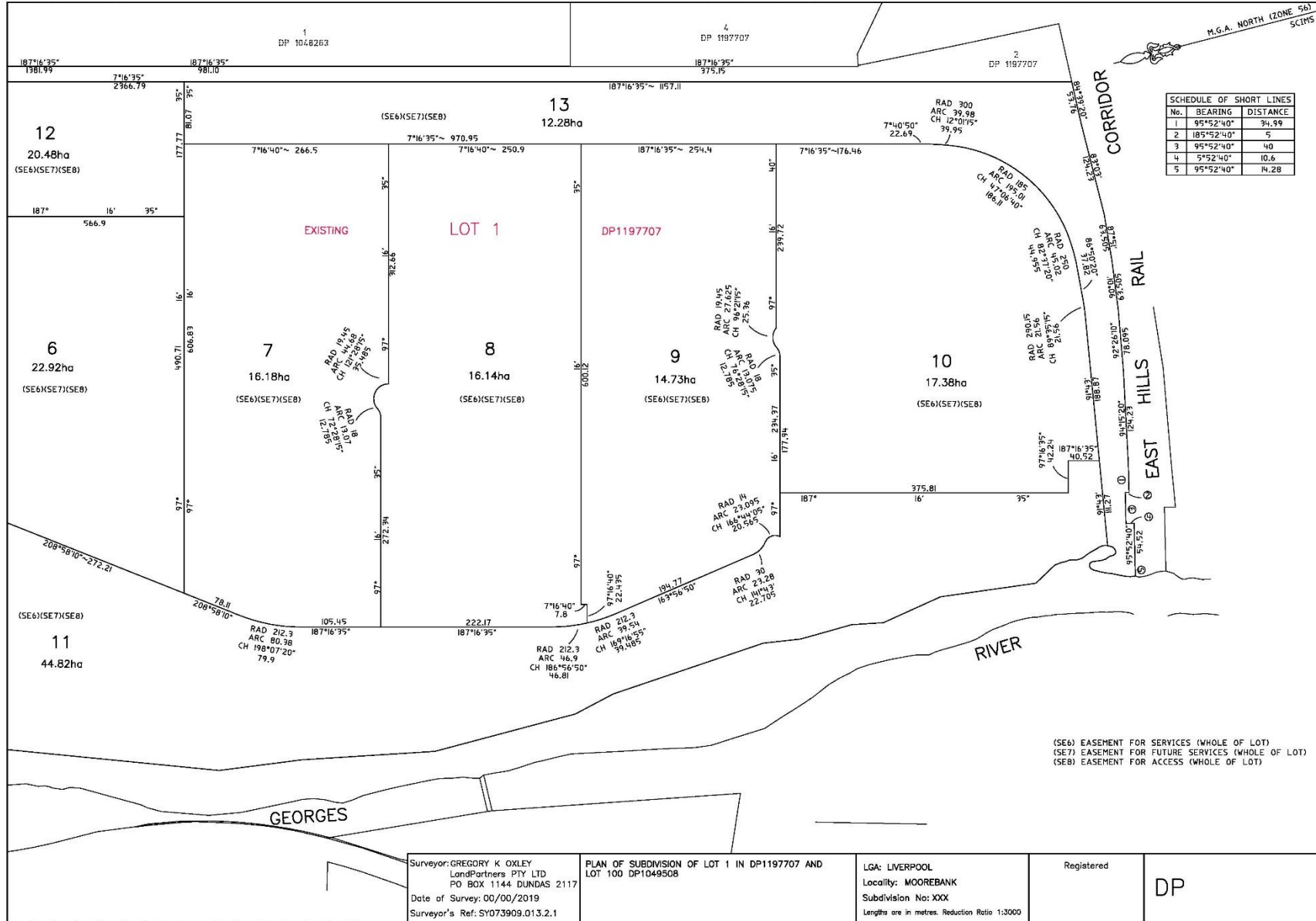


Figure 1-4: Proposed Staged Plan of Subdivision – southern portion of MPW Site (Land Partners, 2020)

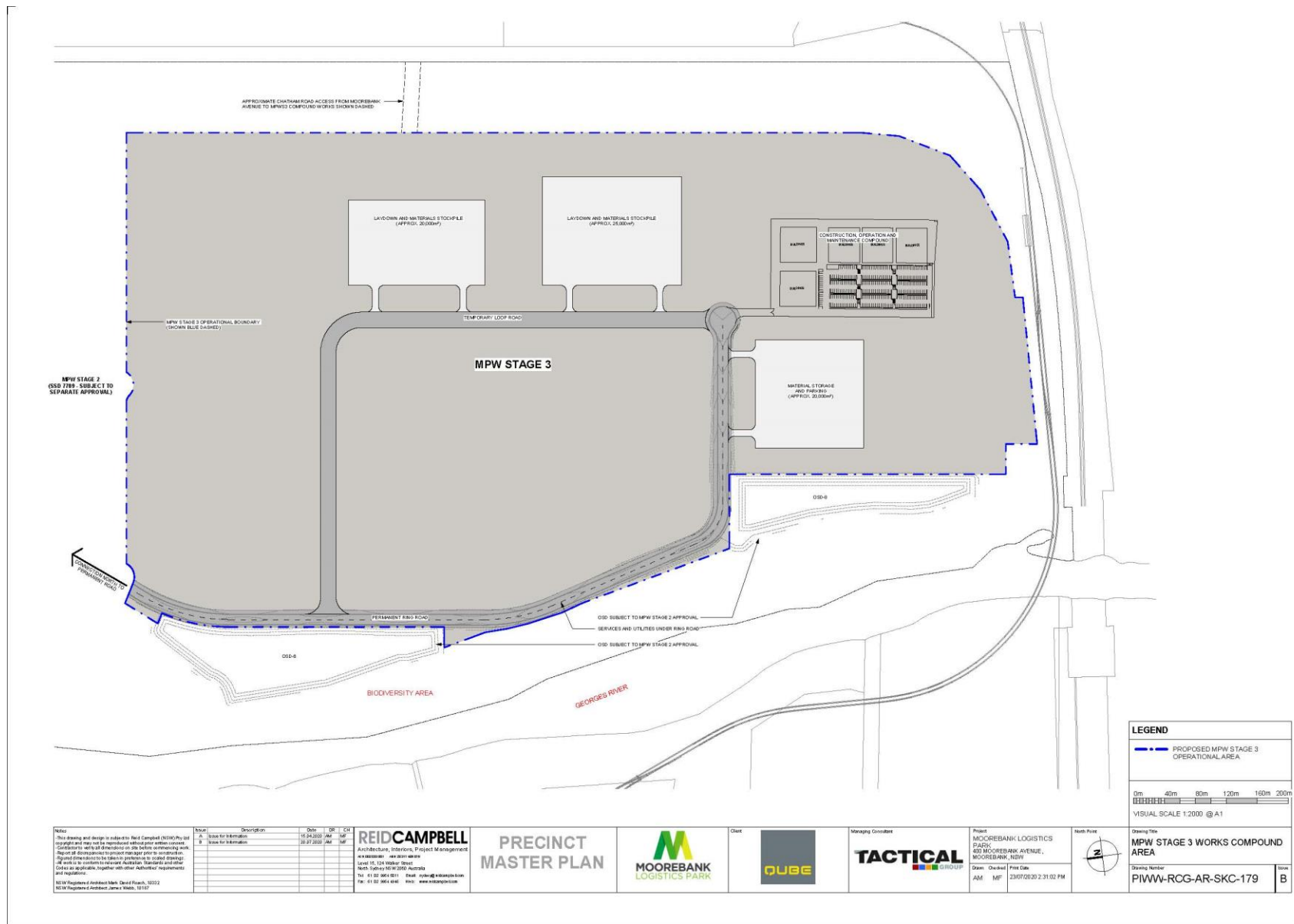


Figure 1-5: MPW Stage 3 works compound (Reid Campbell, 2020)

1.5 Proposal Benefits

The Proposal intends to facilitate progressive development works within the MPW Site and across the MLP Precinct, which supports infrastructure development to increase rail share for the Sydney freight distribution network. The MPW Site once operational, would also support the construction of infrastructure to meet the catchment demand for rail and truck freight movements to the regions of south-west and western Sydney, in accordance with National and State Government transport infrastructure commitments and policy objectives.

The Proposal is consistent with the intent of SSD 5066. The proposed works compound in the south-eastern portion of the MPW Site would enable continuity of progressive construction works in accordance with approved (SSD 5066 and SSD 7709) and future MPW Site development works (subject to future approvals). Within proximity of the existing construction compound in the northern portion of the MPW Site, progressive development under SSD 7709 and construction of warehousing to accommodate tenants is expected to further reduce available compound and materials storage space. The land currently used for construction compound activities in the northern portion of the MPW Site would be released and developed for warehousing and distribution facilities.

The subdivision, comprising nine allotments for warehousing and distribution facilities, biodiversity conservation, intermodal freight terminal, and rail corridor for completion and operation of the freight terminal and rail link, would separate the functions of the intermodal freight terminal and tenancing of individual warehouses. A separate biodiversity conservation area established adjacent to the Georges River provides a riparian corridor outside of the developable area.

The provision of permanent and temporary access and services to facilitate the establishment of the works compound would also support site infrastructure requirements for the subdivision.

1.6 RtS Content Summary

An overview of the RtS content is summarised below:

Executive Summary: Provides a brief overview of the RtS, identification of key issues, methodology of submission assessment, and details regarding the next steps.

Section 1 - Introduction: Provides a site description, an outline of the Proposal, Proposal objectives, and an RtS content summary.

Section 2 - Exhibition and consultation: Outlines the consultation process which has been undertaken for MPW Project and the Proposal to date.

Section 3 - Overview of submissions: Provides an analysis of submissions received during exhibition of the EIS, methodology for response, and details of key issues raised during the submissions process.

Section 4 - Responses to government agency submissions: Provides a summary of responses to issues raised in the government agency submissions.

Section 5 - Responses to community organisation and public community submissions: Provides a summary of responses to issues raised in the community organisation and public community submissions.

Section 6 – Amendments to Plans and Technical Reports: Clarifies updates to plans and technical specialist reports as a response to key issues raised by government agencies.

Section 7 - Conclusions: Provides a summary and conclusions to this RtS.

1.6.1 List of Accompanying Documents

Accompanying reports, documentation and plans with this RtS were provided by consultants/agencies as listed in Table 1-1 and are provided in Appendices A through J.

Table 1-1: List of accompanying documentation with this RtS.

Report/Documentation	Consultant / Agency	Location within this RtS
Subdivision Plan	Reid Campbell	Appendix A
Works Compound Plan	Land Partners	Appendix B
Extracted pages from the UDDR for MPW Stage 2	Reid Campbell	Appendix C
Indicative Cumulative Construction Timeline for MPW Stages 2 and 3 and MPE Stage 2	Aspect Environmental	Appendix D
Traffic Assessment Report	Ason Group	Appendix E
Noise and Vibration Impact Assessment	Renzo Tonin	Appendix F
Soil and Water Management Plan	Costin Roe	Appendix G
Bush Fire Report	Australian Bushfire Protection Planners (ABPP)	Appendix H
Consultation	-	Appendix I
Submission	-	Appendix J

2. Exhibition and Consultation

2.1 Previous Consultation Summary

During the preparation of the MPW Concept Plan EIS and Stage 2 EIS, consultation was carried out with the following parties in accordance with the Commonwealth EIS Guidelines under the EPBC Act and the SEARs issued for the Concept Plan under the EP&A Act (Table 2-1):

Table 2-1: Consultation undertaken during preparation of MPW Concept Plan and MPW Stage 2 EIS process.

Authority	Relevant Agency
Commonwealth	<ul style="list-style-type: none"> • Commonwealth Department of the Environment • Department of Finance • Department of Defence • Department of Infrastructure and Regional Development
State	<ul style="list-style-type: none"> • NSW Environment Protection Authority (EPA) • NSW Office of Environment and Heritage • NSW Department of Primary Industries (DPI), including the Department of Fisheries and Office of Water • NSW DPIE • NSW Rural Fire Service (RFS) • NSW Health • Sydney Ports • NSW Department of Industry • Sydney Ports Corporation
Local	<ul style="list-style-type: none"> • Liverpool City Council • Campbelltown City Council • Western City Regional Organisation of Councils
Service and infrastructure providers	<ul style="list-style-type: none"> • Infrastructure Australia • Infrastructure NSW • Transport for NSW (TfNSW) • NSW Roads and Maritime Services • Australian Rail Track Corporation • Sydney Trains • Sydney Water • Australian Trucking Association • Endeavour Energy • Jemena • Optus • Telstra • AGL • APA Group.
Local community and specialist groups	<ul style="list-style-type: none"> • Registered Aboriginal Parties • Adjacent landowners • Nearby residents

Consultation with Government agencies and service and infrastructure providers continued throughout the public exhibition period of the MPW Concept Plan EIS, the preparation of the

Submissions Report and as part of the PAC inquiry and assessment. The consultation included direct meetings to discuss key aspects and concerns associated with the MPW Development and responding to written submissions received during public exhibition of the MPW Concept Plan and MPW Stage 2.

Consultation for MPW Concept Plan and MPW Stage 2 was undertaken through a range of mediums including emails, phone conversations, face-to-face meetings, workshops and letter submissions.

Feedback from stakeholders and the community was considered in the development design approach for the assessment of the Proposal's EIS.

2.2 Proposal Consultation

2.2.1 Conditions of Approval Requirements

The SSD 5066 Conditions of Consent (CoC) require that any future applications for the MPW development include details of the consultation process and outcomes with relevant stakeholders, potentially including but not limited to:

- relevant Commonwealth Government authorities such as the Commonwealth Department of Agriculture, Water and the Environment, and NSW Government authorities such as DPIE (Environment, Energy and Sciences group), EPA, DPI, TfNSW, Sydney Trains, Crown Lands, DPI - Fisheries, DPI - Water, Water NSW, Liverpool City Council and Campbelltown Council;
- service and infrastructure providers; and
- special interest community groups and the public, including adjoining and affected landowners.

The following sections detail consultation strategies for the Proposal.

2.2.2 Consultation with Key Stakeholders

Regular discussions via telephone calls, emails, letters, and face-to-face meetings with DPIE were undertaken as part of the preparation and initial review of the EIS, and consultation regarding the Proposal continued with DPIE post-lodgement.

A notification letter was emailed to Commonwealth and State Government agency contacts as provided by DPIE on 7 April 2020 (prior to lodgement of the EIS) to notify agency stakeholders regarding the proposed development and provide an opportunity for comment prior to the EIS being placed on exhibition. A summary of comments provided by Government agencies in response to the Proposal notification letter is provided in Table 2-2.

Table 2-2: Summary of responses to Government agency stakeholder consultation.

Agency	Agency Comment	Response to Agency Comment
Stakeholder Agencies (7/04/2020)	Letter requesting any additional comment or clarifications prior to EIS lodgement sent to various stakeholder agencies and authorities by Aspect.	-
DPI Fisheries (7/04/2020)	DPI Fisheries email response to letter, advised they have no further comment at this stage, but may provide further comment after review of the EIS documentation.	No response required

Agency	Agency Comment	Response to Agency Comment
Heritage NSW (7/04/2020)	Heritage NSW email response to letter, advised comments may be provided within 28 days; otherwise further comment may be provided after review of the documentation.	No response required
DPI Agriculture (14/04/2020)	DPI Agriculture email response to letter, advised they have no comment to make in respect of this proposed development.	No response required
Liverpool City Council (15/04/2020)	Liverpool City Council response to letter, advised they have no further comment at this stage, but may provide further comment after review of the EIS documentation.	No response required
NSW EPA (20/04/2020)	<p>Advised that DPIE has generally translated the EPA's requirements into the SEARs provided for the Proposal and will review the submitted EIS documentation considering the SEARs. Relevant issues to be considered by NSW EPA include:</p> <ol style="list-style-type: none"> 1. Whether a modification to EPL 21054 is required 2. Contamination and remediation 3. Water management 4. Noise and vibration impacts 5. Air quality 6. Dangerous goods and chemical transport, storage and handling 7. Monitoring programs 8. General waste 9. Incident management 	<p>Issues raised by the NSW EPA were addressed in the EIS:</p> <ol style="list-style-type: none"> 1. An existing environment protection license (EPL 21054) covers the construction and operation footprint of the MPW and MPE Sites. No further requirements to amend the existing EPL are expected (refer to Section 4.3.2 of the EIS). 2. Section 12 of the EIS addressed contamination and remediation in relation to the Proposal. 3. Water management, including stormwater and flooding, is addressed in Section 11 of the EIS. 4. Section 8 of the EIS addressed potential noise and vibration impacts in relation to the Proposal. 5. Air quality was addressed in Section 9 of the EIS. 6. Dangerous goods and chemical transport, storage and handling were addressed in Section 16 of the EIS. 7. Monitoring program details are provided in the <i>Construction Environmental Management Plan (CEMP)</i> and <i>Operational Environmental Management Plan (OEMP)</i> and sub-plans, which will be updated, as required, to reflect relevant consent requirements. 8. General waste is addressed in Section 17.4 of the EIS. 9. Incident management procedures are described in the CEMP and sub-plans including the <i>Construction Traffic and Access Management Plan (CTAMP)</i> and the <i>Operational Traffic and Access Management Plan</i>, as well as the <i>Community Communication Strategy (CCS)</i>.
NSW RFS (21/04/2020)	Advised that a bush fire assessment against the provisions of <i>Planning For Bush Fire Protection 2019</i> to be prepared for the	Addressed in Section 17 and Appendix P of the EIS, and Table 4-8, Section 6.5 and Appendix G of this Rts

Agency	Agency Comment	Response to Agency Comment
	application, which is consistent with SEARs Item #16.	

2.2.3 Consultation for the Proposal

The EIS for the Proposal was placed on public exhibition for comment between 30 April and 27 May 2020 in accordance with the EP&A Act Schedule 1 Clause 9. All submissions are available on DPIE's Major Projects website:

<https://www.planningportal.nsw.gov.au/major-projects/project/27156>

Due to public access restrictions imposed by National and State Governments as a result of COVID-19, the intended consultation processes were modified, with face-to face meetings and public workshops unable to be undertaken under the restricted conditions. Updates to websites, emails or other online notifications remained suitable community consultation strategies. During exhibition, the EIS and associated reports were only available on the DPIE website in electronic format and no hard copies were available during this time.

2.2.4 Community Communication Strategy

The Proposal represents a further stage of the design, assessment, construction, and operation for the MPW Development. As such, SIMTA recognises the importance of continuing to engage with Commonwealth, State and local government stakeholders, the community, Registered Aboriginal Parties and special interest groups. As part of the MPW Precinct development process, these agencies have been consulted on an ongoing basis and a feedback loop is provided as part of the submission process.

A CCS for MPW was established in accordance with SSD 7709, building on the CCS established in respect of MPW Concept Plan and Stage 1 Early Works SSD 5066 and MPE Stage 2 SSD 7628 to provide an overarching mechanism to facilitate communication between MPW/MPE Project managers and contractors, Liverpool City Council and key stakeholders. The MPW CCS:

- Provides details of key components of the Project, including Project delivery phases for construction and operations.
- Provides objectives and targets for communication and engagement activities under the CCS.
- Provides compliance matrices for Project CoC in relation to community involvement.
- Identifies key roles and responsibilities associated with the CCS.
- Describes incident management procedures.
- Summarises available Project tools, including telephone, email and website contact details with regards to community communication, notification, advertisements, signage, information sessions, stakeholder meetings, reporting, training and other information tools.
- Provides identification and contact details for key stakeholders, including level of engagement.
- Outlines potential impacts to stakeholders from construction activities and provides mitigation and management measures to be implemented to address identified impacts.

- Outlines the community communication process, including committee selection, notification timing and approvals process, out-of-hours work protocol, high noise activities and traffic disruptions, complaints and enquiries and media management.
- Summarises monitoring and review requirements regarding Project community and stakeholder interactions.

The existing MPW CCS will be updated as required and extended to include the Proposal and implemented for the duration of construction and operation stages of the MPW Development, in accordance with MPW Stage 2 SSD 7709 (CoC A31). The process of implementing the CCS for MPW is currently managed by Elton Consulting.

2.3 Consultation Post-Exhibition

Ongoing consultation with DPIE is intended to discuss key issues in relation to the Proposal as identified by DPIE, agency and community stakeholder submissions, with the view to resolving any issues arising, where possible. DPIE has provided comment on the content of the EIS and RtS, the Proposal design, and stakeholder engagement, and these comments have been considered and implemented accordingly.

SIMTA's website (www.simta.com.au) was updated to include information regarding the MPW Stage 3 Project, outlining the key elements of the Proposal. In addition to a banner on the home page, the 'Current Works' section provided information about Proposal and a link to the NSW Planning Portal Major Projects website (SSD 10431 Moorebank Intermodal Precinct West – Stage 3). Email and 24-hour phone feedback details were also listed on the SIMTA website.

The Community Consultative Committee (CCC) briefly discussed MPW Stage 3 during the 11 May 2020 meeting, and were again briefed about the Proposal during meeting on 10 August 2020, with future consultation to be guided by the overarching stakeholder engagement principles that have been used to inform previous consultation

Elton Consulting manage the community communication and consultation process (website, email, and 1 800 number) for the Moorebank Logistics Park (MLP) Precinct, and have confirmed that no submissions, comments, complaints or other responses have been received regarding the Proposal.

2.4 Next Steps - Assessment

The NSW IPC was established under Part 2, Division 2.3 of the EP&A Act to operate independently in the decision-making process for major development and land-use planning state-wide.

The key functions of the IPC are to:

- determine SSD applications where there is significant opposition from the community;
- conduct public hearings for development applications and other planning and development matters; and
- provide independent expert advice on any planning matter (but not development applications) when requested by the Minister for Planning and Public Spaces or Secretary of the DPIE.

The IPC is the consent authority for SSD applications in circumstances where:

- there are 50 or more unique public objections to the SSD application; and/or
- the Applicant has made a reportable political donations disclosure; and/or
- the local Council has objected to the SSD application and has not rescinded that objection following exhibition.

In the case of the Proposal, Liverpool City Council has objected to the MPW Stage 3 development, and so the Proposal will be determined by the IPC. Further details regarding the IPC can be found on their website: <https://www.ipcn.nsw.gov.au/about-us>.

SIMTA continues to commit to ongoing consultation with stakeholders, including the community, throughout the Proposal's planning process and future stages of development.

3. Overview of Submissions

The primary objective of this RtS is to collate, analyse and respond to submissions received during the public exhibition of the EIS for the Proposal. An overview of the 40 submissions received from government agencies, community special interest organisations, adjoining landowners and the community is provided in the sections below.

Submissions received were varied in terms of the number of submissions which identified a particular key issue, and the extent and consideration of those key issues. Some content raised within the community submissions did not relate directly to the Proposal.

3.1 Submissions Received

Forty (40) submissions were received by DPIE, including:

- 11 submissions from Government stakeholders
- 25 submissions from the community including land owners, land occupiers and other members of the public, with 11 of those being a 'form letter type of submission' and another two submissions being a similar letter of submission
- 4 submissions from community special interest groups.

Submissions were received from 11 NSW government agencies during the public exhibition period:

- NSW DPIE
- NSW Biodiversity and Conservation Division (Environment, Energy and Science Group)
- NSW Crown Lands
- NSW DPI Fisheries
- Endeavour Energy
- Heritage Council of NSW
- NSW EPA
- NSW RFS
- Sydney Water
- TfNSW
- DPIE Water Group
- Liverpool City Council.

Submissions were received from 4 community special interest groups during the public exhibition period:

- East Liverpool Progress Association (ELPA)
- The George's River Environmental Alliance (GREA)
- Residents Against Intermodal Developments Moorebank Incorporated (RAID)
- Bankstown Bushland Society Inc ELPA.

A further 25 submissions were received from community members and landowners, all of which objected to the Proposal. Eleven (11) community submissions were considered to be a 'form letter', and two others were also alike. The remaining 12 submissions were generally 'unique'.

Of the 25 submissions received from the community, 92% (23 submissions) were from residents of Liverpool City Council LGA, and 4% (1 submission) from each of Campbelltown City Council and Randwick City Council LGAs.

3.2 Methodology for Submission Response

3.2.1 Overview

All submissions received were reviewed and categorised. Submissions were grouped into categories based on their source: government entity, special interest group, and individual.

Where a matter raised in a submission was considered of merit and required a response, each matter was assigned a general category based on the nature of the matter including 'traffic', 'subdivision' and 'flora and fauna'.

Due to the relatively small number of submissions, individual responses were provided to issues raised by government agencies, community organisations and the public community (except where the submissions appeared to follow a 'form letter', or were similar in content to another submission).

Although further clarification and justification for the Proposal has been provided in this RtS as a response to satisfy issues raised by submissions, no further changes were made to the Proposal.

3.2.2 Specialist Technical Input

Subsequent to review and analysis of submissions, specialist technical reports prepared to support the EIS were updated where required to address relevant issues raised in the submissions which required further clarification or assessment. Updates to specialist technical reports are discussed further in Section 6 of this RtS.

3.2.3 Government Agencies

As outlined in Section 3.1, 11 submissions were received from government agencies.

Key issues raised by government agencies have been either addressed in this RtS, and where required, plans and specialist technical reports were reviewed and updated to respond accordingly to key issues. Each key issue raised by a government agency was reviewed and either fully transcribed or summarised to identify the relevant key points.

Responses to key issues raised by government agencies have been provided in Section 4, as considered within the context of the Proposal. Where additional detail has been provided in revised plans or specialist technical reports, this has been noted.

3.2.4 Community Organisations and Public Community Submissions

Responses to key issues raised by community organisations and the public community have been provided in this RtS. Some submissions raised more than one key issue. Responses to community submissions are provided in Section 5.

Some issues raised by community organisations and the public community were outside the scope of the Proposal, including objections to the overall MLP Project under previous consents (including MPW Concept Plan SSD 5066), rather than directly related to the Proposal. Justification as to why these issues were not considered to be directly relevant to the Proposal or this RtS is provided in Section 5.3. Key issues which were not necessarily

directly relevant to but still related to the development of the Proposal were addressed in the following sections.

3.2.4.1 Summary of Key Issues

Table 3-1 summarises and analyses the 29 submissions received from the community, and provides more specific details regarding matters raised in the submissions.

Table 3-1: Summary of key issues identified in submissions by the community and special interest groups.

Key issue	Number of submissions raising key issue	Percentage (%) of submissions raising key issue	Further details regarding issues raised
Air quality	3	10%	Diesel emissions Dust Air pollution
Climate change	2	7%	Urban heat generated from the development, in particular large areas of hardstand and roof)
Community	3	10%	Impacts to public health Employment – where an alternative use of the site would generate greater employment opportunities
Consistency with Concept Plan	3	10%	Modifications to Concept Plan Consistency with Concept Plan MPW Stage 2 in breach of the CoC for MPW Concept Plan
Construction	5	17%	Compound construction Onsite crushing activities
Consultation	1	3%	Inadequate community consultation, particularly with regards to the involvement of the CCC
Contamination	2	7%	Perfluoroalkyl and polyfluoroalkyl substance (PFAS) impacts to land and groundwater Historical land uses Contamination of imported fill
Decline in property values	2	7%	Due to imported fill material resulting in flood water displacement Concerns about the impact of the development on local property prices
Fill importation	11	38%	Excessive/unnecessary fill importation Resulting in loss of site vegetation, increased light spill and landform changes to floodway lands

Key issue	Number of submissions raising key issue	Percentage (%) of submissions raising key issue	Further details regarding issues raised
Flora and fauna	7	24%	Vegetation loss; clearing of native flora and fauna habitat Habitat and species impact; loss of native ecosystems Impacts to local koala population and flying fox habitat Impacts to biodiversity Loss of mature vegetation Impacts to flora and fauna resulting from fill importation
Inadequate technical reports	4	14%	Traffic – faulty traffic modelling and assessment Air Quality Noise and vibration Previous reports did not adequately address issues raised by the community
Natural environment	2	7%	Effect of onsite detention [basin] (OSD) on riparian corridor
Noise	3	10%	Impacts on sensitive receivers
Planning process	3	10%	Submission process Lack of advertising Timing of application during MPW Stage 2 proceedings
Project clarity	1	3%	Unclear project timing completion dates No landscaping plan
Site selection	18 ¹	62%	Objection to the Proposal, and/or to the MLP Development Location of the development
Subdivision	7	24%	Objection to subdivision of the site
Traffic	6	21%	Traffic generation Traffic congestion Road user safety Road truck usage Truck worthiness

Key issue	Number of submissions raising key issue	Percentage (%) of submissions raising key issue	Further details regarding issues raised
Visual impacts	2	7%	Visual impacts from the Casula Powerhouse and tall Liverpool central business district buildings Light spill
Water management	9	31%	Surface hydrology, including changes to surface water flows over hard ground/roof areas Drainage Flooding (generally as a result of fill importation) Inadequate stormwater infrastructure

Notes:

¹. Includes 11 submissions of a 'form letter' nature.

3.2.4.2 Leading Key Issues

Summaries of the leading key issues and related matters raised in submissions by the community are provided in the following sections.

The leading key issues were in relation to:

- site selection (raised in 62% of submissions)
- fill importation (raised in 38% of submissions)
- water management (raised in 31% of submissions)
- subdivision (raised in 24% of submissions)
- flora and fauna (raised in 24% of submissions)
- traffic (raised in 21% of submissions).

It is noted that 11 submissions of a 'form letter' nature are included with the results for 'site selection'.

Site selection

Site selection was the most raised key aspect in the community's response to submissions. The submissions raised were generally related to both the Proposal and the MLP development in general, being:

1. General objection to the development.
2. Site suitability - concerns were raised that the site location and/or the site itself was not suitable for the intermodal freight terminal development.

Fill importation

The importation of additional fill material as part of the Proposal's development works was the second key issue raised by submissions.

1. Excessive/unnecessary fill importation – that excessive and/or unnecessary fill material would be placed across the site as part of the Proposal. References were also made regarding fill material to be imported to the site under MPW Stage 2 consent.

2. Fill importation, resulting in loss of site vegetation, increased light spill and landform changes to floodway lands – the fill material would cause changes to the site’s surface drainage and correspondingly to the flood behaviour on surrounding lands. There was also concern that the importation of fill material would detrimentally impact and ultimately cause the removal of site vegetation, and would increase light spill impacts to surrounding receivers.

Water management

Concerns regarding the management of site water was the third-most raised issue, and were generally in reference to potential impacts on the Georges River and adjoining riparian vegetation.

1. Surface hydrology – extensive amounts of hard ground/roof areas resulting from development of the site would result in changes to surface water flows to the site.
2. Drainage – concerns that OSDs drained through riparian vegetation to the Georges River, and the potential impacts to the river quality and ecosystems.
3. Flooding (generally as a result of fill importation) – potential impacts to flood behaviour on surrounding lands, and including the resulting decline in property values.
4. Inadequate stormwater infrastructure – concerns that the stormwater infrastructure proposed to accommodate site drainage would not be adequate.

Subdivision, and Flora and Fauna

Subdivision of the site, and impacts to flora and fauna were the equal fourth/fifth most prominent issues raised by the community.

Most of the submissions did not provide further comment to clarify their objection to site subdivision; one submission provided comment that site subdivision would cause further loss of trees, where close to a site boundary, to facilitate construction of buildings.

Concerns were raised by the community regarding impacts to site flora and fauna, being:

1. Vegetation loss – clearing for site development would detrimentally impact native flora and fauna habitat.
2. Habitat and species impact - loss of native ecosystems as a result of the development would impact habitat, and could potentially lead to detrimental species impacts.
3. Impacts to local koala population and flying fox habitat – development of the site could detrimentally impact the local koala population and flying fox habitat.
4. Impacts to biodiversity – concerns that the development could impact threatened species or ecological communities.
5. Loss of mature vegetation – the Proposal would cause further loss of mature site vegetation.
6. Impacts to flora and fauna resulting from fill importation – the importation of additional fill material would cause further impacts to native flora and fauna habitat.

Traffic

The sixth key issue raised by the community was in relation to potential traffic related impacts. Community concerns were generally related to additional construction and/or operational traffic movements generated by the Proposal and/or the MLP Development, and the resulting effect on the local road network.

1. Traffic generation – the Proposal would result in additional traffic on the local road network, to support site activities.
2. Traffic congestion – the additional traffic generated by the Proposal would result in congestion of the local road network.
3. Road user safety – the additional traffic generated by the Proposal would result in more crashes, and a decrease in safety for road users.
4. Road truck usage – the Proposal would directly result in a greater number of trucks using the local road network.
5. Truck worthiness – concerns that the road worthiness of trucks using the local road network may not be adequately controlled.

Key issues raised by the community are further addressed in Section 5.

4. Response to Government Agencies

In addition to managing the public exhibition process, DPIE collated government, public community and organisation responses. Eleven (11) local and State government agencies provided responses to DPIE as part of the exhibition process for the Proposal.

Responses to key issues raised by government agencies have been provided in the following sections.

4.1 NSW Department of Planning, Industry and Environment

DPIE provided a formal letter of submission (dated 5 June 2020) regarding the Proposal. Several comments were provided in the submission, as summarised and responded to in Table 4-1.

Table 4-1: Response to Government Agency submissions – NSW DPIE

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Subdivision	Planning provisions	<p><u>Subdivision of the MPW site</u></p> <p>Further information is required to support the Applicant’s ‘Clause 4.6 Request – Minimum Lot Size Requirements’ (Appendix F of the EIS) and subdivision plans provided as part of the EIS.</p> <p>In particular, the Submissions Report must provide a detailed response demonstrating how objective (c) in clause 4.1 (1) of the Liverpool LEP would be achieved, including the mechanisms proposed to prevent fragmentation of the MPW site. This includes demonstrating how the construction, operation and management of the MPW site would allow for the development of a ‘holistic intermodal freight terminal’, rather than an industrial park or estate.</p>	<p>Clause 4.1(1)(c) of the Liverpool LEP 2008 states (bold added for emphasis):</p> <p><i>(1) The objectives of this clause are as follows—</i></p> <p><i>(a) to ensure that lot sizes are consistent with the desired residential density for different locations,</i></p> <p><i>(b) to ensure that lot sizes are able to accommodate development that is suitable for its purpose and consistent with relevant development controls,</i></p> <p><i>(c) to prevent fragmentation of land which would prevent the achievement of the extent of development and nature of uses envisioned for particular locations,</i></p> <p><i>(d) to minimise traffic impacts resulting from any increase in the number of lots on classified roads,</i></p> <p><i>(e) to minimise any likely impact of subdivision and development on the amenity of neighbouring properties,</i></p> <p><i>(f) to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area,</i></p> <p><i>(g) to ensure that lot sizes allow buildings to be sited to protect natural or cultural features including heritage items and retain special features such as trees and views.</i></p> <p>Site subdivision will allow for long term individual tenanting with registration of titles on each allotment. Subdivision will enable management and facilitation for the extent of the development and range of industrial uses that have been envisaged and approved for this particular location. Having multiple tenants and warehouses across a single allotment would reasonably</p>	<p>RtS:</p> <p>This table</p> <p>Appendix A</p> <p>EIS:</p> <p>Section 3.1.2</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>be more difficult to manage with regards to provision of services and easements, and which would likely in turn result in adverse environmental impacts with implications on site amenity and the public.</p> <p>Subdivision will enable a holistic approach to management interdependencies of site areas whilst retaining separate functionality including conservation, rail corridor, interstate/intrastate freight terminal, and warehousing and distribution areas. Whole of lot easements either exist or are to be created to maintain internal connectivity and interdependencies between the individual intermodal functions within the development site. Subdivision will provide for a consistent approach to site operations between MPW and MPE. Lot design will be consistent with the approved allotment configuration and characteristics of the adjacent MPE Site, and management and operation of the site is intended to reflect what has been approved and executed on MPE. Further, subdivision is already an approved element of the MPW Concept Plan, but currently cannot be achieved based on the existing lot size (189.4 ha) and the minimum lot size requirements (120 ha).</p> <p>The MPW Concept Plan characterises use of the site as an intermodal facility, rather than an industrial park or estate. MPW consents specify use of the site for the purposes directly related to the freight terminal, being:</p> <ul style="list-style-type: none"> • SSD 5066 Schedule 2 CoC 15: <i>The warehousing must only be used for activities associated with freight using the IMEX and interstate terminals unless otherwise approved in a subsequent Development Application.</i> • SSD 7709 CoC A17: <i>The warehousing and distribution facilities must only be used for activities associated with freight using either the MPE or MPW rail intermodal terminal.</i> 	

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>Rather than simply an industrial park taking advantage of available land and road access, the Moorebank intermodal freight terminal is a purpose-built facility to provide specialised services to support port-oriented and interstate freight movements through increased rail movements and reduced demand on the road freight transfer network. Unlike an industrial park, tenants within the Precinct will be able to access a range of specialised transport, business and freight services. The freight village will provide administration, employee facilities, convenience retail and parking (subject to design) to support the transport, warehousing and distribution functions of the Precinct.</p> <p>Proximity to Port Botany as well as the south-western Sydney region, the capacity to accommodate longer trains, greater throughput than other facilities in the Sydney area, and inclusion of freight container storage, warehousing, administration and rail service facilities and associated infrastructure will support the intended use of the site as an IMT rather than as an industrial park. Site-wide management plans for operation and management of warehousing and IMT infrastructure, as well as landscaping, maintenance of roads, services and other site assets have been developed to ensure integrated management of site operations.</p> <p>An updated subdivision plan is provided in Appendix A.</p>	
Subdivision	Planning provisions	The Department requests that further information is provided to demonstrate compliance with the requirements of condition E26 of Schedule 4 (Conditions to be met in future development applications) of SSD 5066 (as modified). In particular, the Submissions Report must address the requirements of condition E26 (c) in detail and provide an updated set of subdivision plans that clearly	The nature of the Proposal is that the majority of proposed construction activities are temporary in nature, being to facilitate development of the site. SSD 7709 CoC B52 clarifies that for the purposes of this condition [in relation to preparation of the Urban Design Development Report (UDDR), Revised Landscape Design Drawings and Revised Architectural Drawings], earthworks including placement of fill are not considered permanent built surface works. It is therefore considered, consistent with	<u>RtS:</u> This table Appendix A Appendix B Appendix C Section 6.1

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<p>illustrate completed estate works for the entire MPW site, including maintenance of access roads, pedestrian paths, landscaping, lighting of common area and provision for emergency services including for firefighting. If this information has been submitted to the Department as part of an Urban Development Design Report (UDDR) for MPW Stage 2 works (northern portion of the MPW site), then that information must also be provided as part of the Response to Submissions Report. This information is also required for the proposed works compound in the southern portion of the MPW site.</p>	<p>CoC B52, no landscape plan for the temporary construction works compound is required.</p> <p>Notwithstanding this, landscaping, signage, pedestrian paths, lighting and provision for emergency services including firefighting for areas adjacent to permanent roads will be consistent with the UDDR prepared for MPW and revised as required to accommodate relevant MPW Stage 3 permanent development works. Extracted pages from the UDDR (refer to Appendix C) include the Landscape Design Statement for the site, and details landscaping elements for the site to reflect consistency with relevant MPW Stage 2 CoC.</p> <p>Updated subdivision, and physical components of the works compound plans are provided in Appendices A and B. The attached subdivision plan shows proposed rather than completed estate works. The MPW Stage 3 EIS provides further clarity regarding estate works for the site, and addresses Condition E26 (c) in the following sections of the EIS:</p> <ul style="list-style-type: none"> • Easements for access and site services: Section 3.1.2.9 - Provide and maintain internal connections between the MPW Site components. • Site services: Section 3.1.3.4 - Installation and connection to the public utility and services networks for water, sewer, electricity and telecommunications would be established to support the construction and operation of the Proposal. Services and utilities to service the compound and storage areas would be included in the permanent ring road accessway. • Internal roads, maintenance access roads and provision for emergency services including firefighting: Section 3.1.3.2 – A permanent ring road would be constructed to access the southern portion of the site and the works compound, extending south from the permanent road 	<p><u>EIS:</u></p> <p>Sections 3.1.2 and 3.1.3, and more specifically Sections 3.1.2.9, 3.1.3.2, 3.1.3.4, 3.1.3.5 and 3.1.3.6</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>which was approved as part of MPW Stage 2. A permanent turn-around point would be provided at the end of the permanent ring road. A temporary loop road would provide access to the hardstand, laydown and materials stockpile areas and the works compound.</p> <ul style="list-style-type: none"> • Pedestrian paths, landscaping, lighting of common areas: Section 3.1.3.6 – The UDDR prepared for MPW will be updated, as required to include landscaping and signage details for MPW Stage 3, as an overall site landscape design and to present a holistic approach to management of site landscape design. • Onsite detention basins and stormwater treatment systems: Section 3.1.3.5 – Temporary (to facilitate construction works) and permanent (to facilitate operation activities) stormwater, drainage and flooding infrastructure approved under MPW Stage 2 SDDR will be installed to manage water quality and water quantity being discharged into the Georges River. 	
Construction	Fill importation	<p><u>Importation of fill to the MPW Stage 3 site</u></p> <p>The Submissions Report must clarify whether the proposed fill volumes are additional to those volumes assessed as part of SSD 5066 (MOD1) and SSD 7709. Further, the Submissions Report must provide a detailed response that demonstrates compliance with CoC 19B of SSD 5066 (as modified), which stipulates:</p> <p><i>the total volume of uncompacted fill to be imported must not exceed 1,600,000 m³ unless it can be demonstrated in a future Development Application that the proposed finished surface level of any filled section of the site does not exceed 16.6 m AHD.</i></p>	<p>In accordance with SSD 5066 MOD1 (30 October 2019) CoC 19B, 1,600,000 m³ uncompacted clean fill material may be imported to the site to achieve final site levels to meet the desired stormwater outcomes by providing for subsurface infrastructure that enables an east to west gradient for drainage to the onsite storage OSDs.</p> <p>To provide the structural integrity required to support approved site undertakings, appropriate compaction and stabilisation of imported fill material will be required. Compression of the approved 1,600,000 m³ uncompacted fill material will result in an ultimate surface level shortfall to achieve modelled site stormwater design requirements to achieve finished site surface levels. The Proposal includes the importation (from offsite locations) of approximately 280,000 m³ of unconsolidated clean fill for compaction up to final land surface level and</p>	<p><u>RtS:</u> This table Appendix G</p> <p><u>EIS:</u> Section 3.1.1.2</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
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approximately 540,000 m³ of structural fill for warehouse pad completion, in addition to the imported fill approved under SSD 5066 MOD1 (refer to Figure 4-1).

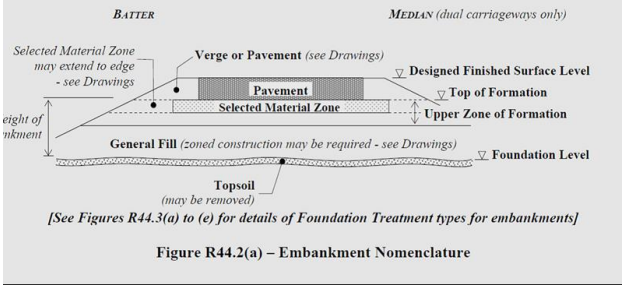


Figure 4-1: Figure R44.2(a) from RMS' Guide to QA Specification R44 Earthworks

Traffic assessments prepared for MPW Stage 2 were based on total construction fill importation (across the Precinct) of 22,000 m³ per day. No change to the approved area of surface disturbance and fill activity or to the construction traffic movements assessed for the Precinct is proposed, and so the Proposal is considered to be consistent with SSD 5066 CoC 19B. There is no intention under the Proposal to exceed the 22,000 m³ daily fill importation cap. Appropriate records of imported fill material will be kept by the Applicant.

Construction	Fill importation	<p>In addition, the Submissions Report must provide a detailed response that demonstrates compliance with condition 19C of SSD 5066 (as modified) which stipulates:</p> <p><i>clearing native vegetation and earthworks including fill importation and placement for a future Development Application must be undertaken in a phased manner to minimise dust and native fauna impacts, with no long term stockpiling of imported fill and no</i></p>	<p>MPW Site vegetation will be cleared under existing consents; the MPW Stage 3 Site is unlikely to contain any native vegetation or fauna habitat upon Project commencement, given the area will consist of a cleared landscape. No additional clearing of vegetation is proposed under this application.</p> <p>Stockpiling of imported material, where required, will be undertaken in accordance with relevant CoC. No long-term stockpiling of imported material is proposed under this development. Appropriate sediment and erosion</p>	<p><u>RtS:</u> This table <u>EIS:</u> Section 10.3 Appendix J</p>
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Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<i>stockpiling of imported material for use as part of a subsequent future Development Application.</i>	controls will be implemented throughout the development works.	
Traffic and Access	Site access	<p><u>Traffic, access and parking</u></p> <p>The Department has concerns regarding construction vehicle access to the MPW site. The EIS asserts that an alternate site access from Moorebank Avenue may be required subsequent to the removal of the Chatham Avenue access to facilitate MPW construction works when the new perimeter road is utilised by operational traffic. The Submissions Report must provide additional information on the likely location of the proposed alternate site access. Please also indicate the likely timing of when the Chatham Avenue access road would be decommissioned.</p>	<p>In accordance with the approved CTAMP for MPW, construction access for MPW Stages 2 and 3 will be provided by the existing Chatham Avenue – Moorebank Avenue intersection.</p> <p>The Moorebank Avenue/Anzac Road access will be upgraded to ultimately be used as the main site access to MPW. Permanent roadworks would connect to the intersection and extend site access to the MPW Stage 2 western perimeter road. As the MPW Site becomes operational, construction access will be largely be via Chatham Avenue, notwithstanding likely use of the Anzac Road access for construction of the interstate freight facility near the site’s north-eastern boundary (under future consents). Operational access to the site will be from the Anzac Road-Moorebank Avenue intersection.</p> <p>The Chatham Avenue site access will be retained to separate construction and operational traffic, and will be removed to facilitate development works on the IMT rail corridor (subject to future consents) near the site’s south-eastern boundary. An alternate site access from Moorebank Avenue may be required subsequent to the removal of the Chatham Road access, to facilitate MPW construction works when the western perimeter road is utilised by operational traffic, although this is dependent upon balance of construction requirements at the time. Any additional access/egress points would align to those identified and approved under existing approvals.</p> <p>An indicative cumulative construction timeline for MPW Stages 2 and 3 and MPE Stage 2 is provided in Appendix D.</p>	<p><u>RtS:</u></p> <p>This table Appendix B Appendix D Appendix E</p> <p><u>EIS:</u></p> <p>Sections 3.1.1.2, 3.1.1.3 and 7.3.2</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			The Traffic Assessment Report (Ason Group, 2020) has been updated to clarify use of Chatham Avenue for construction works (refer to Appendix E).	
Traffic and Access	Onsite parking	The Submissions Report must provide the total number of light vehicle parking bays proposed within the Construction, Operation and Maintenance Compound on the proposed Lot 10. Further, the location and total number of proposed heavy vehicle parking bays should be provided.	Approximately 250 light vehicle parking spaces may be provided adjacent to the works compound buildings on proposed Lot 10 (refer to Appendix B). Parking for heavy vehicles, and additional parking for light vehicles, if required, would be available within the Material Storage and Parking area on proposed Lot 10, to the west of the works compound buildings. Given the Material Storage and Parking area would be approximately 20,000 m ² , sufficient space will be apportioned for both parking and material storage use, as required. Further information regarding parking will be provided at the detail design stage.	<u>RtS:</u> This table Appendix B <u>EIS:</u> Section 3.1.1
Consultation	Community consultation	<u>Engagement with the Community Consultative Committee</u> Section 5.2.2 of the EIS states that 'the Community Consultative Committee (CCC) formed for MPW would be notified throughout the course of the application'. The Submissions Report must clarify and provide evidence of consultation with the CCC, including relevant meeting minutes and/or notes of out-of-session consultation.	Elton Consulting manage the community communication and consultation process (website, email, and 1 800 number) for the MLP Precinct, and have confirmed that no submissions, comments, complaints or other responses have been received regarding the Proposal. The MPW Stage 3 application was briefly discussed at the 11 May 2020 CCC meeting. Elton Consulting has confirmed that a more thorough briefing regarding the Proposal will be held at the next meeting scheduled for 10 August 2020. Future consultation will be guided by the overarching stakeholder engagement principles that have been used to inform previous consultation. CCC meeting minutes from 11 May 2020 are included in Appendix I.	<u>RtS:</u> Appendix I <u>EIS:</u> Section 5.2
Cumulative	MPW and MPE interaction	<u>Interaction between MPE and MPW sites</u> The EIS asserts that:	The IMEX freight terminal (MPE Stage 1) is currently approved to be operating at up to 250,000 TEU capacity.	<u>RtS:</u> Appendix B

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<p><i>the compound and laydown area may also be used to support progressive construction requirements on the MPE Stage 2 SSD 7628 site as available laydown and temporary accommodation space reduces as site construction works progress.</i></p> <p>The Submissions Report must provide additional information outlining the likely timing and extent of interaction between the MPE and MPW Stage 3 sites, whether any additional cumulative impacts from traffic or spoil movement have been considered in detail, and an analysis of compliance of the proposed interactions with any relevant conditions of consent for SSD 7628.</p>	<p>Development works on MPE are well advanced, with four warehouses nearing commencement of operations. Timing for construction of WH6, WH7 and WH8 is market driven; and tenant requirements will determine in which order WH6, WH7 and WH8 will be constructed. Construction for the first of these three warehouses is predicted to start Q2 2021 with a 6 to 8 month build time and a 2 to 3 month lag between construction commencement of each of the remaining two warehouses. All three warehouses are predicted to have commenced construction by end Q4 2021 and finished construction by end Q3 2023, although these timings are indicative.</p> <p>Existing warehouses located within the construction footprint of WH2 will be demolished and a new warehouse (WH2) constructed subsequent to end of current tenant leases agreements. Construction timing for the MPE freight village is subject to market demand and future approvals, with an indicative commencement of construction Q4 2021.</p> <p>Commencement of approved MPW Stage 2 development works are due to commence in Q3 2020 subject to approval of required plans and documents. Construction works for MPW Stage 2, and the remainder of progressive MPE construction works (subject to approvals) are intended to continue to be undertaken, potentially concurrently with approved MPW Stage 3 development works.</p> <p>An indicative cumulative construction timeline for MPW Stages 2 and 3 and MPE Stage 2 development works is provided in Appendix D.</p> <p>Construction interaction between MPE and MPW is likely to be limited to traffic and stormwater. Materials may be brought to the MPW Site for subsequent use on MPE where the MPE Site is spatially constrained due to</p>	<p>Appendix D</p> <p>Appendix E</p> <p>Appendix G</p> <p><u>EIS:</u></p> <p>Section 18</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>infrastructure construction works, although where possible, construction compounds for MPE development works would be internalised within the MPE warehouse/building footprints. Materials which may be stored within a temporary holding point on MPW are likely to include minor amounts of imported engineered (structural) fill, plant equipment, and/or construction materials for use on MPE. Materials would be transported directly from MPW to MPE as required, and transfer haulage routes would remain within the Precinct boundaries. No imported fill for bulk earthworks is likely to be stored on the MPW Site for use on the MPE Site, as MPE bulk earthworks are likely to have been completed before MPW Stage 3 development works commence.</p> <p>Stormwater flows from relevant catchments within MPE flow to OSD9 and OSD10 (located on MPE), which drain through the East-West Culvert located on MPW directly to the Georges River. The operational <i>Stormwater Development Design Report (SDDR)</i> (Costin Roe, 2020) for MPW is already in place to manage these interrelated flows.</p> <p>No additional cumulative impacts other than have already been assessed under the MPW Stage 2 EIS and MPE Stage 2 EIS are expected. Material requirements for MPE have already been approved under previous consents, and no additional spoil, except for low volumes of engineered fill would be temporarily stored on MPW for use on MPE. There are no additional spoil requirements for MPE. Double handling of materials would be avoided where possible.</p> <p>The 22,000 m³ imported fill material was a daily cumulative cap under MPE Stage 2 SSD 7628 (CoC B56) and MPW Stage 2 SSD 7709 (CoC A9) consents. As MPE is reducing its movements the capacity exists to accommodate the movements associated with MPW</p>	

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>Stage 3 within this cap and without exceeding the cumulative capability of the Precinct. Cumulative light and heavy vehicle traffic haulage volumes for development works under MPE Stages 1 and 2 and MPW Early Works were assessed in the MPE Stage 2 EIS, and are included in the MPE Stage 2 CTAMP (refer to Table 15 of the CTAMP report). Traffic numbers would remain within those currently approved for MPE and MPW and no additional traffic movements are proposed, as traffic transfer movements would be generated internally from within MPW rather than from within MPE. Haulage routes for internal transfer of materials from MPW to MPE would be limited to either the Chatham Road or Anzac Road access from the MPW Site to Moorebank Avenue, and entry to the MPE Site via the existing site access point on Moorebank Avenue.</p> <p>The Proposal would not affect stormwater design plans for MPW or MPE; stormwater during construction works would continue to be managed under relevant Construction Soil and Water Management Plans for MPW and MPE.</p> <p>Potential interactions between MPW and MPE would remain compliant with relevant consents. Relevant construction management plans, including construction traffic and stormwater management plans for MPW and MPE would continue to apply.</p> <p>Cumulative construction and operational impacts for air quality, traffic, noise and vibration, biodiversity and other environmental issues were assessed in MPW Concept Plan and Early Works Stage 1, and MPW Stage 2 assessments. A summary of cumulative environmental assessments in consideration of the Proposal is provided in Section 18, Table 18-2 of the EIS.</p>	

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Construction	Staging	<p><u>Construction and operational program and staging</u></p> <p>The Submissions Report must clearly outline the indicative duration of construction activities and indicative duration of operational activities associated with use of the proposed works compound for MPW Stage 3. In particular, the Submissions Report must provide an indicative operational timeline for the proposed stockpiling of materials and laydown.</p> <p>The Submissions Report must also provide further information on the likely future operational staging of the entire MPW site, including proposed future stages or sub stages that may influence, or be influenced by, the MPW Stage 3 proposal.</p>	<p>Construction timing for Precinct warehousing is largely market driven and timings indicated below and within the indicative cumulative construction timeline provided in Appendix D are predictive only and subject to change due tenant demand, future approvals and commercial agreements. Commencement of approved MPW Stage 2 development works are due to commence in Q3 2020 subject to approval of required plans and documents, and are expected to take approximately 42 months. Warehousing construction on MPE is expected to continue until approximately Q3 2023. Construction timing for the MPE freight village is subject to market demand and future approvals. The compound may be required for temporary stockpiling of imported fill material for bulk earthworks on MPW, as well as potentially minor amounts of imported engineered (structural) fill, plant equipment, and/or construction materials for use on MPW and MPE. No imported fill for bulk earthworks is likely to be stored on the MPW Site for use on the MPE Site, as MPE bulk earthworks are likely to have been completed before MPW Stage 3 development works commence. The proposed compound may remain in place to facilitate construction works until no longer required.</p> <p>'Construction' is defined by SSD 7709 as:</p> <p><i>Includes all works required to construct the development, including but not limited to demolition, importation of fill and fill emplacement, earthworks, removal of spoil, commissioning trials of equipment and temporary use of any part of the development.</i></p> <p>'Operation' is defined by SSD 7709 as:</p> <p><i>Operation of any part of the development for its intended use.</i></p>	<p><u>RtS:</u> Attachment B Attachment D</p> <p><u>EIS:</u> Section 18</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>The proposed works lie within the MPW Stage 2 SSD 7709 definition of construction, as the works are required to facilitate construction of approved elements of the development and are intended to be temporary in nature. The Proposal does not have the functionality to operate any components of the final intended use of the site, which is for an intermodal freight facility.</p> <p>The only operational components of this SSD are subdivision works on MPW, which would then only become operational subsequent to construction of approved warehousing and/or approval and construction of additional warehousing on the MPW Site under future consents.</p> <p>An indicative cumulative construction timeline for MPW Stages 2 and 3 and MPE Stage 2 development works is provided in Appendix D. The timeline provides further clarity regarding potential cumulative works across the MLP Precinct.</p>	
Visual Amenity	Light spill	<p><u>Light Spill</u></p> <p>The Department notes Secretary's Environmental Assessment Requirement (SEARs) 10 (b) requires 'consideration of lighting impacts in the local area, analyse and describe the contribution and impacts of the proposed facility on light spill at the local scale and to sensitive receivers'.</p> <p>Appendix O (Visual Impact Assessment (VIA)) of the EIS does not include an updated Light Spill Assessment that considers potential light spill impacts from use of the works compound on the MPW Stage 3 site. It is considered that light spill impacts generated from the MPW Stage 3 proposal may be different to those previously assessed under the MPW Stage 2 proposal. The</p>	<p>The Light Spill Assessment prepared by Arcadis (2016) for MPW Stage 2 provided a light spill analysis for the MPW Stage 2 operational area. The report, which was utilised by Reid Campbell (2016) to support the Visual Impact Assessment for MPW Stage 2, considered the following components of the MPW Stage 2 proposal:</p> <ul style="list-style-type: none"> • truck processing, holding and loading areas – with entrance and exit from Moorebank Avenue via an upgraded intersection and a round-about to distribute traffic between the warehousing precinct and the IMT • rail loading and container storage areas – installation of nine rail sidings, with an adjacent container storage area serviced by manual handling equipment 	<p><u>RtS:</u> This table</p> <p><u>EIS:</u> Section 15 Appendix O</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<p>Submissions Report should therefore demonstrate that the light spill impacts are the same or less than previously assessed and approved, for example by including a revised Light Spill Assessment for MPW Stage 3 works, with particular attention given to impacts at the closest sensitive receivers in Casula, to the west of the site.</p>	<ul style="list-style-type: none"> • administration facility – office building with associated car parking and light vehicle access from Moorebank Avenue • the rail link connection – rail sidings within the IMT facility, which would be linked (to the south) to the Rail link (constructed as part of the MPE Project (SSD 14-6766) • warehousing area – construction and operation of approximately 215,000 m² GFA of warehousing, with warehouses ranging in size from 4,000 m² to 71,000 m². Included within the warehousing area would be ancillary offices, truck and light vehicle parking, associated warehouse access roads • freight village – construction and operation of approximately 800 m² of retail premises, with access from the internal road • upgraded intersection on Moorebank Avenue and internal road – including works to Moorebank Avenue, Anzac Road to accommodate the proposed site entrance to Moorebank Avenue, and construction of an internal road • ancillary works – including vegetation clearing, earth works, drainage and on-site detention, utilities installation/connection, signage and landscaping. <p>Arcadis (2016) concluded that the combination of lighting design, luminaire selection, positioning and aiming recommendations provided in the report produced light spill results that were well within the requirements of AS4282-1997, and would have minimal effect on the surrounding environment.</p> <p>We note that the study area analysed for the reports, and elements included within the MPW Stage 2 analysis are far broader than the development area and components proposed for MPW Stage 3.</p>	

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>Given construction activities for MPW Stage 2 have already been fully assessed, and construction activities to facilitate the Proposal would not be as broad as already assessed for the MPW Stage 2 development, it is considered that the Visual Impact Assessment (Reid Campbell, 2016) and Light Spill Assessment (Arcadis, 2016) reports are directly applicable to the Proposal, as confirmed by the Visual Impact Assessment prepared by Reid Campbell (2020) for the Proposal.</p> <p>As was noted in the VIA (Reid Campbell, 2016) and Light Spill Assessment (Arcadis, 2016) prepared for MPW Stage 2, lighting within the works compound areas associated with forklifts and vehicles would generally have a fixed downward aiming light beam, and so mobile and transitory lighting from trucks and forklifts would unlikely to be of concern, and was not included in permanent site lighting spill light calculations.</p> <p>Construction equipment was likely to be visible from Moorebank Avenue, as well as nearby residential areas of Casula and Wattle Grove, but due to the low rise nature of construction works and landscape screening, it was considered unlikely that these works would be overly intrusive and that any visual impacts would be localised and temporary in nature.</p> <p>Further, as described in Section 3.1.1.4 of the EIS, construction works, including functional use of the temporary construction compound, would be undertaken during standard hours, notwithstanding additional provisions for construction hours of work in accordance with CoC. This would mean that employment of lighting for construction compound use would be minimised, and correspondingly potential light spill impacts to surrounding receivers would also be minimised.</p> <p>Relevant light spill mitigation recommendations provided in Arcadis (2016) would be adopted to minimise the</p>	

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>obtrusive effects of outdoor lighting resulting from development activities associated with the Proposal and would include light spill mitigation measures such as:</p> <ul style="list-style-type: none"> • lighting would be designed to reduce light spill and be mounted, screened and directed in such a manner that it would not create a nuisance and minimises visual impacts to surrounding properties, the public road network, the Georges River riparian corridor and the Boot Land • lighting would be designed and managed to mitigate light spill impacts on fauna, habitat, the proposed conservation zone, and any adjoining developments or residences, whilst providing sufficient lighting for operational standards and site safety • the use of shields on luminaire lighting to minimise brightness effects would be considered • asymmetric light distribution-type floodlights would be selected as part of the proposed lighting design (i.e. the light is directed specifically to the task with minimal direct light spill to the surrounding area) • low reflection pavement surfaces would be considered to reduce brightness • the quantity of light and energy consumption in parts of the Proposal site that are not active would be minimised, while retaining safe operation • design and lux of any internal or spot lighting would be designed to avoid offsite or traffic safety impacts such as reflection and glare. 	
Construction	Crushing plant	<p><u>Construction Activities</u></p> <p>The Moorebank Precinct West – Stage 3 Noise and Vibration Impact Assessment (Appendix H of EIS) identifies concrete and asphalt batch plants, crushing plants and material processing</p>	<p>Construction works and temporary ancillary facilities approved under MPW Stage 2 included materials screening, crushing and washing facilities. As was the case for MPW Stage 2, there is the potential for some oversized boulders to be contained within approved</p>	<p><u>RtS:</u></p> <p>Appendix B</p> <p>Appendix D</p> <p>Appendix G</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<p>sites as construction activities to be undertaken for MPW Stage 3 works. The EIS main document does not appear to include any information on proposed concrete and asphalt batch plants and crushing plants. The Submissions Report must clearly identify and provide detailed justification for all construction activities proposed for MPW Stage 3, including proposed concrete and asphalt batch plants and crushing plants.</p>	<p>imported fill that would require segregation and crushing to make the materials suitable as an engineered fill, and so crushing activities approved under MPW Stage 2 may continue to be undertaken in an updated location within the proposed works compound. Oversized material would either be identified on entry to the proposal site or at the unloading point, and directed to the material crushing area within the works compound. Crushing would be carried out concurrently with the emplacement of imported fill and in accordance with relevant MPW Stage 2 and Stage 3 CoC and construction management plans. Appropriate controls would be implemented to ensure erosion and dust generation are minimised during crushing activities. The crushing plant would be used during the site preparation, bulk earthworks, drainage and utilities construction phases, and decommissioned when fill importation and emplacement activities across MPW are complete. No imported fill for bulk earthworks is likely to be stored on the MPW Site for use on the MPE Site, as MPE bulk earthworks are likely to have been completed before MPW Stage 3 development works commence. Decommissioning of the crushing plant is expected to occur in Q4 2021 at the completion of bulk fill importation activities for MPW (refer to Appendix D).</p> <p>An existing EPL 21054 covers the construction and operation footprint of the MPW and MPE Sites. 'Crushing, grinding or separating' are identified as scheduled activities as listed under Schedule 1 of the POEO Act (refer to Section 4.3.2 of the EIS). No further revisions to the EPL are expected to be required to undertake the crushing works at the works compound.</p> <p>In accordance with SSD 7709 CoC C2, the CEMP would continue to apply to the Proposal, and would include mitigation, monitoring and management procedures designed to minimise environmental and amenity impacts</p>	<p>EIS: Sections 3.1.1 and 3.3</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>specific to the crushing plant within the proposed MPW Stage 3 development area.</p> <p>Justification for the Proposal is detailed in Section 3.3 of the EIS. As discussed in the EIS, the Proposal would directly support the construction of infrastructure and creation of jobs which is consistent with NSW State priorities. Additionally, the Proposal would directly support increased freight movements via rail instead of by road, thus improving the efficiency of port related freight movements across the transport infrastructure network.</p>	

4.2 NSW Biodiversity and Conservation Division (Environment, Energy and Science Group)

An online submission (undated) was provided by the NSW Biodiversity and Conservation Division (Environment, Energy and Science Group) regarding the Proposal, which advised that they have no comments regarding this Proposal.

4.3 NSW Crown Lands

NSW Crown Lands provided an online letter of submission (dated 5 June 2020) regarding the Proposal. Several comments were provided in the submission, as summarised and responded to in Table 4-2.

Table 4-2: Response to Government Agency submissions – Crown Lands

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Drainage	Impact to Georges River	<p>A Land status investigation on Moorebank Intermodal Precinct West - Stage 3 SSD (10431), Lot 1 DP 1197707, Lots 100 - 101 DP 1049508 shows that there is no Crown Land features exist.</p> <p>However, given the context of Moorebank Precinct West (MPW) Stage 3 in relatively close proximity to the Georges River , a major Crown waterway, further comment is considered desirable.</p> <p>MPW Stage 3 (SSD-10431) is essentially proposed within Lot 1 DP1197707 sited on Australian Government land. Stage 3 is located at the south eastern end of the overall MPW proposal.</p> <p>On the western side of Stage 3, also on Australian Government land, is a large 'Biodiversity Area', which borders and will drain to the Georges River (a Crown waterway).</p> <p>DPIE Crown Lands has been involved in assessing a licence for drainage from the overall MPW proposal via detention basins within the Biodiversity Area, to discharge to the Georges River. The Crown land areas required for licence on the Georges river are outside the Australian Government land property boundary. The Biodiversity Area within the Australian Government land is approx. 100 to 200 metres</p>	<p>Noted</p> <p>Drainage from the proposed works area (MPW Stage 3) passes through approved stormwater infrastructure under SSD 7709 consent and stormwater design approval, being Offer of Licence RN 616970 issued by NSW DPIE (dated 1 July 2020) under the <i>Crown Land Management Act 2016</i> for stormwater outlets 5 and 8.</p> <p>All surface water drainage from the proposed development will be catered for under the approved <i>Stormwater Development Design Report</i> for MPW Stage 2.</p>	<p><u>RtS:</u> Appendix G</p> <p><u>EIS:</u> Section 11</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<p>wide, which is also the separation between MPW Stage 3 and the Georges River.</p> <p>In summary, no Crown land is directly affected by the MPW Stage 3 proposal. However drainage from the MPW Stage 3 proposal would enter the Georges River (a Crown waterway) via Inlet structures partly on Crown land, via the Biodiversity Area on Australian Government land.</p>		

4.4 NSW DPI Fisheries

An online submission (undated) was provided by NSW Fisheries regarding the Proposal, which advised that they have no objections to this Proposal.

4.5 Endeavour Energy

A formal letter of submission was provided by Endeavour Energy (dated 29 May 2020) regarding the Proposal. Subject to development recommendations and comments provided in the letter, Endeavour Energy has no objection to the Proposal.

Endeavour Energy confirmed that the future proposed development of the Precinct for warehousing, distribution and freight terminal is a significant electrical load and will require developers to extend and augment the 11,000 volt / 11 kV high voltage network to facilitate connection, as per Endeavour Energy's normal customer connection processes. The Anzac Village Zone Substation located approximately 580 m to the east at Anzac Road Wattle Grove (Lot 3004 DP 1125930), will supply this additional/new load. Anzac Village Zone Substation has three x 25 megavolt amperes (MVA) transformers which provide a firm capacity of 50 MVA. The load growth on the Anzac Village Zone Substation will be monitored by Endeavour Energy and augmented as required. Ongoing consultation with Endeavour Energy will continue to be undertaken to address site servicing requirements.

4.6 Heritage Council of NSW

The Heritage Council of NSW provided a formal letter of submission (dated 25 May 2020) regarding the Proposal. Several comments were provided in the submission, as summarised and responded to in Table 4-3.

Table 4-3: Response to Government Agency submissions – Heritage Council of NSW

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Heritage	Unexpected finds	Heritage NSW notes that the early works program undertaken as part of SSD 5066 removed all historical archaeological resources which remained in the study area associated with two sites MHPAD 2 and the CUST Hut. Archaeological removal of these sites was conducted by Biosis in 2016 and was reported in 2018. No historical archaeological resources will be impacted by the proposed works for the Stage 3 SSD requiring ground disturbance such as temporary compounds, utilities and stockpile areas. Heritage NSW, therefore, recommends an unexpected finds protocol should be prepared to manage the unexpected discovery of historical archaeological relics within a Heritage Management Plan for the site.	The Unexpected Finds Protocol within the most current approved version of the CEMP prepared for MPW Stage 2 will continue to apply to the proposed development area.	<p><u>RtS:</u> This table</p> <p><u>EIS:</u> Sections 13 and 14 Appendices M and N</p>
Visual Amenity	Glenfield Farm	The project and future development on site could have visual impacts on the SHR listed item, Glenfield Farm. The SEARs include a requirement for assessment of impacts to heritage items. The EIS should include mitigation measures to address any potential impacts to Glenfield Farm, given that sweeping views to and from the site are one of its most significant aspects.	The VIA prepared for the MPW Stage 2 EIS (Reid Campbell, 2016) assessed view locations within proximity of Glenfield Farm from Viewing Location 01 (southern section of Leacock Regional Park, Casula) located approximately 250 m south-west of Glenfield Farm, and Viewing Location 02 (northern section of Leacock Regional Park, Casula), located approximately 200 m north-east of Glenfield Farm, with both viewpoints looking east towards the development site. The MPW Stage 2 VIA considered construction works at full build likely to be visible from surrounding areas including:	<p><u>RtS:</u> This table</p> <p><u>EIS:</u> Section 15 Appendix O</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<ul style="list-style-type: none"> • the establishment and decommissioning of ancillary facilities including the batch plant • earthworks including stockpiling of material • installation of drainage and utilities • construction of the administration office, engineering workshop and services • construction of warehousing precinct (including associated infrastructure and services). <p>Given the low rise nature of construction works, the VIA prepared for the Proposal considered that operational visual impacts were predicted to range from low/moderate (Viewing Location 1) to moderate (Viewing Location 2), however the proposed works would be unlikely to be overly intrusive and visual impacts from identified viewing locations would be localised and temporary in nature. Construction impacts would be mitigated by locating large equipment back from site boundaries, minimising light spill through design and location of ancillary facilities, plant and equipment, and early implementation of landscape planting.</p> <p>The MPW Stage 2 VIA, and confirmed by the updated VIA prepared for the Proposal (Reid Campbell, 2020) advised that whilst Glenfield Farm was identified as a sensitive receiver in close proximity to Viewing Locations 01 and 02, existing and proposed tree vegetation would provide some screening of views to the proposed development and would reduce the visual sensitivity. Further, proposed built form treatments including selection of high quality finishes and materials, attractive building design, harmonious colour pallets and consideration to building height would provide suitable mitigation through adaptive and considered design. Landscaping through use of species that are local to the area, understory planting,</p>	

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>and use of trees to provide a uniform canopy cover will enhance natural screening to the site from Glenfield Farm and mitigate the bulk and scale of the development whilst contributing to a cohesive natural site environment.</p> <p>The <i>Non-Indigenous Heritage Impact Assessment</i> (Artefact, 2016) assessed potential impacts to the heritage significance of Glenfield Farm, and determined potential impacts resulting from MPW Stage 2 works were limited to visual impacts, and which, as discussed above, were assessed as negligible.</p>	

4.7 NSW Environmental Protection Authority

The NSW EPA provided a formal letter of submission (dated 5 June 2020) regarding the Proposal. Several comments were provided in the submission, as summarised and responded to in Table 4-4.

Table 4-4: Response to Government Agency submissions – NSW EPA

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Cumulative	MPW and MPE interaction	<p>The Moorebank Intermodal Precinct (MIP) is a complex facility with a number of approved development consents which run concurrently for both the Moorebank Intermodal Precinct East (MPE) and Moorebank Intermodal Precinct West (MPW). The EPA's overarching advice in relation to the Stage 3 proposal is that the cumulative impacts of the construction and operation of the MIP should be carefully considered and managed via appropriate conditions of consent and management plans. Additionally, several conditions of consent for MPW – Stage 2 (SSD 7709) should be replicated for the Stage 3 proposal.</p>	<p>Noted</p> <p>The minor interfaces in relation to the Proposal which potentially affect both MPW and MPE are limited to traffic and stormwater (OSD 10).</p> <p>MPW Stage 2 SSD 7709 CoC C3 provides for the following management plans under the CEMP:</p> <ul style="list-style-type: none"> (a) <i>Soil and Water Management Plan (SWMP)</i> (b) <i>Acid Sulfate Soils Management Plan</i> (c) <i>Construction Traffic and Access Management Plan (CTAMP)</i> (d) <i>Construction Noise and Vibration Management Plan</i> (e) <i>Out-of-Hours Work Protocol</i> (f) <i>Construction Flora and Fauna Management Plan</i> and (g) <i>Unexpected Finds Protocol.</i> <p>The construction footprint of MPW Stage 2 covers the site, including the proposed works area, and given the above listed management plans apply to the site, will continue to be applicable for all construction management processes for the site. The development area will continue to be managed consistent with relevant approved construction management plans under MPW and MPE consents. It is considered that no new management plans are required in respect of the proposed development.</p>	<p><u>RtS:</u> Table 4-1</p> <p><u>EIS:</u> Section 18</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Cumulative	Noise	<p>The EPA notes that the SEARS for the Stage 3 proposal state that the assessment should include operational noise and a cumulative assessment. The noise impact assessment (NIA) for the Stage 3 proposal includes an assessment of construction noise only, not operational noise. The justification in the NIA is that there is no anticipated change to predicted operational noise levels. The EPA notes that some changes, such as the smaller allotments and the importation of fill, have the potential to change the operational noise impact and therefore should have been included in the NIA.</p> <p>The NIA states that aspects of the MIP that were previously assessed are not assessed in the Stage 3 proposal. For example, Section 6.1.1 of the EIS states “this assessment has only directly assessed this [bulk earthworks] portion of the MPW construction works. The potential noise impacts from the ancillary works associated with the Proposal have been assessed in the MPW Concept NV assessment and MPW Stage 2 NV assessment.” The NIA also states that some works will be completed before Stage 3 commences, other works will be undertaken concurrently with Stage 3. The Stage 2 Cumulative Program (July 2017) indicated that there may be some operation of MPE during 2020. The cumulative assessment in the MPW Stage 3 NIA only considers any cumulative construction works with MPE, based on predicted noise levels from earlier reports. This creates difficulty in assessing the overall cumulative impacts of the MIP.</p>	<p>The only operational components for the proposed development are associated with the implementation of the services for the approved warehouse works.</p> <p>The operations associated with the reduced lot sizes represent no change from the operational noise assessment for operations associated with the MPW Stage 2 development. The proposed development does not include provision for construction and operation of warehouses outside of the approved MPW Stage 2 warehouse area, and therefore there would be no change to predicted noise levels.</p> <p>Importation of fill has been assessed for the entirety of the MPW Site under SSD 7709. The additional fill required for the proposed development would be undertaken concurrently with site construction works and in advance of commencement of any operations and therefore would have no impact on operational noise emissions.</p> <p>SSD 7709 CoC A8 restricted imported fill to 1,600,000 m³ unconsolidated fill, which created a gap in assessed fill requirements, as demonstrated by CoC 19B in the Concept MOD1 enabling additional fill beyond the 1,600,000 m³ to be imported and placed on site under additional consents (i.e. this Proposal). The MPW Stage 2 EIS report assessed noise impacts associated with the importation and emplacement of fill material across the entire MPW Site, including the proposed development area.</p> <p>MPW Stage 2 bulk earthworks are expected to commence Q3 2020. Fill importation under the Proposal is expected to be undertaken concurrently with fill importation under the MPW Stage 2 approval, and is expected to commence in Q1 2021. Refer to Appendix D for further information regarding indicative</p>	<p><u>RtS:</u> Appendix D Appendix F</p> <p><u>EIS:</u> Section 8</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<p>Condition B129 of SSD-7709 states that a noise wall is to be constructed along the western side of the internal road that is proposed in Stage 3 to be used as the haul road to the works compound. It is not clear if the Stage 3 modelling for construction traffic along this haul road included the noise wall as built or unbuilt. The noise wall should be built prior to any proposal for out of hours construction works, to mitigate the potential impact to residential receivers at Casula.</p> <p><u>Specific Recommendations:</u></p> <p>The NIA should include a clear timeline of works which are occurring across the Moorebank Intermodal Precinct to allow for a comprehensive cumulative assessment of noise impacts.</p> <p>Notwithstanding, no additional conditions are recommended for the Stage 3 proposal. It is recommended that the noise conditions, including standard construction hours for MPW – Stage 2 are replicated in the consent for the Stage 3 proposal.</p>	<p>cumulative construction timing for MPW Stages 2 and 3 and MPE Stage 2.</p> <p>In accordance with SSD 7709 CoC B129, a noise wall is required prior to commencement of operations and is not relevant to construction activities. Noise mitigation for construction haulage for the entirety of the MPW Site has been identified in the MPW Stage 2 EIS and mitigation measures would continue to be applied as specified in the CEMP and <i>Construction Noise and Vibration Management Plan</i> for MPW Stage 2.</p> <p>The NIA has been updated to include a clear timeline of construction works across the MLP Precinct (refer to Appendices D and F). The NIA concludes that implementation of proposed mitigation and management measures for noise from the concurrent construction works across the MPW and MPE Sites should sufficiently manage construction noise impacts on nearby sensitive receivers.</p>	
Construction	Air quality	<p>The EPA notes that the MPW – Stage 2 approval permits the importation of 1,600,000m³ cubic metres of fill. This poses a risk of dust from materials handling and vehicle movements.</p>	<p>The proposed importation of fill material is in addition to the 1,600,000 m³ approved under SSD 7709 CoC A8, as the condition refers to uncompacted fill and does not allow for soil bulking factors and compaction effects. The importation of fill material would achieve final site levels for drainage to provide for subsurface infrastructure that enables an east to west gradient for drainage to the insight OSDs.</p> <p>Relevant mitigation measures including dust and emission management measures, and air quality monitoring would be applied to the Proposal. The</p>	<p><u>RtS:</u> This table</p> <p><u>EIS:</u> Section 8 Appendix I</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			Construction Air Quality Management Plan for MPW would continue to be applied to the proposed development.	
Construction	Fill importation	<p>Section 18.3 of the EIS for the Stage 3 proposal states that an estimated 280,000m³ of unconsolidated clean fill is proposed to be imported for compaction, and approximately 540,000m³ of structural fill for warehouse pad completion. It is unclear if the fill material intended to be imported for Stage 3 is in addition to, or included within the 1,600,000m³ which has been approved for MPW – Stage 2.</p> <p><u>Specific Recommendations:</u></p> <p>The following recommendations are provided:</p> <ul style="list-style-type: none"> clarification is needed about the total amount of fill material intended to be imported for MPW across Stages 2 and 3 	<p>Fill material to be imported for the proposed development is additional to the approved 1,600,000 m³ fill. SSD 5066 MOD1 CoC 19B refers to uncompacted fill, which does not take into consideration soil bulking factors and compaction. The proposed development would be consistent with CoC 19B, where additional fill material may be imported to the site to achieve the finished surface level.</p> <p>The Proposal includes the importation (from offsite locations) of approximately 280,000 m³ of unconsolidated clean fill for compaction up to final land level and approximately 540,000 m³ of structural fill for warehouse pad completion, in addition to the imported fill approved under SSD 5066 MOD1.</p>	<p><u>RtS:</u></p> <p>This table</p> <p><u>EIS:</u></p> <p>Section 3.1.1</p>
Construction	Fill importation	<ul style="list-style-type: none"> controls need to be placed on the type of fill material imported to the site for the development. The type of fill material to be imported must be restricted to virgin excavated natural material (VENM) which has been appropriately classified in accordance with the Waste Classification Guidelines (EPA 2014) and/or or material that meets all of the requirements of a Resource Recovery Exemption and Order issued by the EPA. 	<p>Fill importation would be consistent with SSD 7709 CoC A7, which applies to the MPW Stage 2 Site:</p> <p><i>Only VENM, ENM, or other imported fill material approved in writing by EPA is to be placed on the site.</i></p> <p>The MPW Stage 2 construction footprint includes the entire proposed development site.</p>	<p><u>RtS:</u></p> <p>This table</p> <p><u>EIS:</u></p> <p>Sections 12, 17.4 and 18.3</p>
Construction	Fill importation	<ul style="list-style-type: none"> importation of fill across the MIP should not exceed 22,000m³ on any given day 	<p>There is no intention under the Proposal to exceed the 22,000 m³ fill importation daily cap.</p> <p>Refer to Section 7.3.2 of the EIS.</p>	<p><u>RtS:</u></p> <p>Appendix E</p> <p><u>EIS:</u></p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
				Section 7
Construction	Management plans	<ul style="list-style-type: none"> appropriate management plans must be in place to ensure all activities conducted at MIP (including the stockpiling of fill material and bulk earthworks) are undertaken by such practical means to avoid or minimise the emission of air pollutants, including dust. 	The <i>Construction Air Quality Management Plan</i> and Construction SWMP for MPW would continue to be applied for the proposed development.	<u>RtS:</u> Appendix G <u>EIS:</u> Section 11
Construction	Air quality	<ul style="list-style-type: none"> conditions relating to air quality for MPW – Stage 2 should be replicated in the consent for the Stage 3 proposal. 	Noted.	<u>RtS:</u> This table <u>EIS:</u> Section 9
Soil and Water	Technical reports	<p>The EIS for Stage 3 and accompanying report MPW3 Soil and Water Management Plan – SSD 10431 dated 24 April 2020 (SWMP) provide an overview of previous assessments undertaken, potential impacts and proposed mitigation measures.</p> <p>The assessment of impacts appears to rely primarily upon assessments undertaken for MPW – Stage 2 and the implementation of post approval documents including the Construction Soil and Water Management Plan and Stormwater Development Design Report. These post approval documents did not accompany the Stage 3 proposal.</p> <p>Based on the documents provided, the EPA is unable to review potential impacts to soil and water quality for the Stage 3 proposal beyond highlighting the following matters:</p>	Documentation in relation to MPW and MPE development applications are available on SIMTA's website: https://simta.com.au/documents-page/	<u>RtS:</u> Appendix G <u>EIS:</u> Section 11

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Soil and Water	Technical reports	<ul style="list-style-type: none"> There appears to be some inconsistencies between the Stage 3 proposal and what has been assessed in the SWMP. Specifically, the Stage 3 proposal outlines the importation of an estimated 280,000 m³ of unconsolidated clean fill for compaction, and approximately 540,000m³ of structural fill for warehouse pad completion. The SWMP states “there are no bulk earthworks proposed as part of the compound construction. Refer to SSD7709 SDR documentation for earthworks methodology.” 	<p>The Soil and Water Management Plan for MPW Stage 3 (Appendix G) has been updated to clarify the importation (from offsite locations) for the Proposal of approximately 280,000 m³ of unconsolidated clean fill for compaction up to final land level and approximately 540,000 m³ of structural fill for warehouse pad completion, in addition to the imported fill approved under SSD 5066 MOD1 .</p> <p>Fill material imported to the site under MPW Stage 2 represents the majority of bulk earthworks to meet the requirement to establish a stable surface landform across the MPW Site. Land disturbance and land filling activities for MPW Stage 2 will be undertaken in accordance with SSD 7709 CoC B41 and the approved Stormwater Development Design Report (SDDR) (Costin Roe, 29 April 2020). Subsequent fill requirements under the proposed development are in accordance with the MPW Concept MOD1 CoC 19B to achieve final finished surface levels.</p>	<p><u>RtS:</u> Appendix G</p> <p><u>EIS:</u> Sections 3.1.2 and 11</p>
Soil and Water	Earthworks	<ul style="list-style-type: none"> The SEARS for the Stage 3 proposal state that an assessment of soil and water impacts must include a bulk earthworks strategy detailing the volume of spoil to be extracted from the site, planned reuse and amount of material to be imported. This requirement does not appear to have been addressed in the EIS or the SWMP. 	<p>The Soil and Water Management Plan for the proposal has been updated to clarify that no materials are proposed to be extracted from the site under the proposed development, and so a bulk earthworks strategy for extraction is not required.</p> <p>Approximately 280,000 m³ of unconsolidated clean fill for compaction up to final land level and approximately 540,000 m³ of structural fill for warehouse pad completion is proposed to be imported to the site under the Proposal from offsite locations, in addition to the imported fill approved under SSD 5066 MOD1.</p>	<p><u>RtS:</u> Appendix G</p> <p><u>EIS:</u> Sections 3.1.2 and 11</p>
Soil and Water	Flooding	<ul style="list-style-type: none"> The EPA notes that the EIS and SWMP outlines that the Stage 3 proposal is outside of the 100- year average recurrence interval and 	<p>Noted</p> <p>Noted.</p>	<p><u>RtS:</u> Appendix G</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		probable maximum flood extent and no flooding impacts are expected to arise, nor is the Stage 3 proposal anticipated to adversely impact stormwater quantity or stormwater quality objectives.		<u>EIS:</u> Section 11
Soil and Water	ESC	<ul style="list-style-type: none"> An Erosion and Sediment Control Plan for construction works should be prepared in accordance with the Blue Book Managing Urban Stormwater: Soils and Construction (2004), published by the NSW Government. The plan must show how dust, sediment and erosion will be controlled to prevent air pollution and water pollution. 	<p>The intention is to extend the application of the approved MPW Stage 2 SSD 7709 CSWMP to the proposed development, noting that the MPW 2 CSWMP is presently applicable to the entirety of the MPW Site, inclusive of the area subject to the proposed development.</p> <p>Typical sediment control measure drawings, and sediment treatment and discharge procedures provided in the CSWMP, and the stormwater design principles and operational requirements as detailed in the approved Stormwater Development Design Report (SDDR) (Costin Roe, 29 April 2020) prepared for MPW, would be adopted for the proposed development.</p>	<u>RtS:</u> Appendix G <u>EIS:</u> Section 11
Contamination	Management plans	<p>The EIS for Stage 3 and accompanying report MPW Stage 3: Geology, Soils and Contamination Impacts Assessment prepared by JBS&G dated 3 April 2020 provides an overview of works completed to date in relation to contamination assessment and management.</p> <p>The EPA notes that the report outlines all remediation in the Stage 3 proposal area, which was identified in previous remediation action plans has been completed, except for one stockpile location. The contamination risk for the Stage 3 proposal is intended to be managed through the implementation of a Contamination Management Plan (CMP), reportedly developed in consultation a site auditor.</p>	<p>Noted.</p> <p>The provisions of MPW Stage 2 SSD 7709 consent include implementation of the approved <i>Contamination Management Plan</i> (EP Risk Management, April 2020) and <i>Long Term Environmental Management Plan</i> for the site as a whole. The proposed development would be managed in accordance with these approved plans.</p>	<u>RtS:</u> This table <u>EIS:</u> Section 12 Appendix L

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<p><u>Specific Recommendations:</u></p> <p>The following recommendations are provided:</p>		
Contamination	Management plans	<ul style="list-style-type: none"> Implementation of the Contamination Management Plan (CMP), Moorebank Precinct West (April 2020) developed by EP Risk Management Pty Ltd is included a condition of consent. The EPA has not reviewed the CMP because it was not provided with the EIS. It is recommended that the condition of consent require the proponent to engage a NSW Accredited Site Auditor to review the appropriateness of the CMP. 	<p>A <i>Contamination Management Plan</i> (EP Risk Management, April 2020) and <i>Long Tern Environmental Management Plan</i> developed for the MPW Site would be adopted for the proposed development. The Site Audit Statement and associated documentation including the <i>Contamination Management Plan</i> and <i>Long Term Environmental Management Plan</i> are currently under review by the Site Auditor and are applicable to the whole site – as expressly specified in the MPW Stage 2 SSD 7709 consent.</p>	<p><u>RtS:</u> This table <u>EIS:</u> Section 12 Appendix L</p>
Contamination	Management plans	<ul style="list-style-type: none"> If the site-wide Long Term Environmental Management Plan is to be revised as part of the development, a condition of consent should be including requiring that the proponent engage a NSW Accredited Site Auditor to review the appropriateness of the plan. 	<p>The <i>Long Tern Environmental Management Plan</i> would be implemented as part of the proposed development as being applicable to the whole site as specified in the MPW Stage 2 SSD 7709 consent.</p>	<p><u>RtS:</u> This table <u>EIS:</u> Section 12 Appendix L</p>
Contamination	Remediation	<ul style="list-style-type: none"> Conditions relating to contamination and remediation for MPW – Stage 2 should be replicated in the consent for Stage 3. 	<p>This is not a valid requirement. MPW Stage 2 provides for a Site Audit Statement (A) identifying the whole of the site as being suitable for its intended use as an intermodal facility. There is no justification for this process to be repeated, noting the implementation of the approved <i>Contamination Management Plan</i> (EP Risk Management, April 2020) and <i>Long Tern Environmental Management Plan</i> in support of the SAS (A).</p> <p>The consent identifies a secondary audit assessment to be completed once imported fill has been completed. The consent restricts import of materials to site to VENM and ENM. A subsequent audit statement in</p>	<p><u>RtS:</u> This table <u>EIS:</u> Section 12 Appendix L</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
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respect of the additional imported fill for the proposed development is likewise considered unnecessary.

4.8 NSW Rural Fire Service

The NSW RFS provided a formal letter of submission (dated 27 May 2020) regarding the Proposal. A comment regarding bushfire provision was provided in the submission, as summarised and responded to in Table 4-5.

Table 4-5: Response to Government Agency submissions – NSW Rural Fire Service

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Bushfire	Planning provisions	A bush fire assessment report must be prepared which identifies the extent to which the proposed development conforms with or deviates from the relevant provisions of Planning for Bush Fire Protection 2019.	<p>ABPP (2020) confirms that a Bushfire Protection Assessment Report was prepared for the MPW Concept Plan (SSD 5066) (reference B152598, 29 July 2016) which provided recommendations on the provision of bushfire protection measures to satisfy the requirements of <i>Planning for Bushfire Protection 2006</i>.</p> <p>The report prepared for MPW Concept Plan SSD 5066 found that the aim and objectives of <i>Planning for Bushfire Protection 2006</i> were satisfactorily addressed.</p> <p>ABPP (2020) further confirmed that, regarding the Proposal, no works proposed are to be located outside the scope of the Concept Plan approval and the bushfire impacts associated with MPW Stage 3 have been previously considered and assessed as part of the SSD 5066 MPW Concept Early Works and Stage 1 approval and SSD 7709 MPW Stage 2 approval.</p> <p>The Bush Fire Report (ABPP, 2020) has been updated to clarify NSW RFS requirements regarding <i>Planning for Bush Fire Provisions 2019</i> and is provided in Appendix H of this RtS.</p> <p>Confirmation has been provided from NSW RFS (email 17 July 2020; Appendix H) that a full bush fire assessment report would not be required, 'as long as there is sufficient information in the cover letter and original report for [NSW RFS] to be confident that Stage 3 complies', and so the updated report clarifies the extent to which the Proposal conforms with the relevant provisions of Planning for Bush Fire Protection 2019.</p>	<p><u>RtS:</u> Appendix H</p> <p><u>EIS:</u> Section 17.1</p>

4.9 Sydney Water

Sydney Water provided a formal letter of submission (dated 21 May 2020) regarding the Proposal. Several comments were provided in the submission, as summarised and responded to in Table 4-6.

Table 4-6: Response to Government Agency submissions – Sydney Water

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Services	Approvals	As per the advice of the feasibility case lodged with Sydney Water (CN 157931), our servicing requirements for this proposed development are to be delivered under the Notice of Requirements for the S73 application that the proponent has already lodged with us – CN 144793. Or any future Notice of Requirements.	Noted.	<u>RtS:</u> This table <u>EIS:</u> Section 17.3

4.10 Transport for NSW

TfNSW provided a formal letter of submission (dated 25 May 2020) regarding the Proposal. Several comments were provided in the submission, as summarised and responded to in Table 4-7.

Table 4-7: Response to Government Agency submissions – Transport for NSW

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Traffic and Access	Technical reports	<p>It is noted that Figure 5 of the Transport Assessment prepared to support the development application states that the traffic volumes included in Figure 5 are based on the Moorebank Precinct West (MPW) Stage 2 Proposal - Construction Traffic Impact Assessment, dated October 2016 (2016 MPW Report).</p> <p>It requested that the applicant clarifies the apparent inconsistencies between the Transport Assessment Report and the Moorebank Precinct West (MPW) Stage 2 Proposal - Construction Traffic Impact Assessment, dated October 2016.</p> <ul style="list-style-type: none"> Based on the traffic distribution adopted for Stage 2- Scenario 2 in Figure 5 of the Transport Assessment, number of construction vehicle movements included in Figure 5 are lower during the morning peak period and higher during the afternoon peak period compared to the construction traffic movements reported in the 2016 MPW Report; and Morning and afternoon traffic movements for Stage 2- Scenario 2 included in Figure 5 are not the same as traffic movements included in 2016 MPW Report for this scenario. 	<p>The Traffic Assessment Report for MPW Stage 3 has been updated to clarify inconsistencies as identified by TfNSW between the traffic reports prepared for MPW Stage 2 and the Proposal.</p> <p>The TfNSW comments appear to reference an earlier <i>Construction Traffic Impact Assessment Report</i> (Arcadis, 2016), while the Traffic Assessment Report prepared for the Proposal used the more recent traffic assessment volumes provided in the <i>Construction Traffic Impact Assessment</i> (Arcadis, 2017) prepared for MPW Stage 2 RtS. For clarity, the details for Figure 5 of the report prepared for the Proposal were adopted from Figure A-5 and A-6 of the more recent 2017 traffic report.</p>	<p><u>RtS:</u> Appendix E</p> <p><u>EIS:</u> Section 7</p>
Traffic and Access	Site access	<p>It is noted that Section 3.2 of the Transport Assessment states the following:</p>	<p>The Traffic Assessment Report prepared for the Proposal has been updated to reflect that Chatham Ave</p>	<p><u>RtS:</u></p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<p>“Removal of the Chatham Avenue site access for MPW construction site access during later stages of MPW construction (Works Period C through to completion)”</p> <p>It is also noted that Section 3.3 of the Transport Assessment states the following:</p> <p>“The proposed changes will not have a material impact off-site, with all construction traffic still traversing the MPW precinct access at Anzac Road, noting that there are specific controls in place to restrict construction vehicles from using Moorebank Avenue to the south. There is expected to be some localised redistribution of construction vehicle movements,”</p> <p>It is advised that the redistribution of traffic as a result of the closure of Chatham Avenue access would have the potential to impact on the operation of the Moorebank Avenue/Anzac Road intersection.</p> <p>It is requested that the applicant undertakes traffic modelling as part of the applicant’s Response to Submissions to confirm that the proposed removal of Chatham Avenue access would not have a material impact on the operation of the Moorebank Avenue/Anzac Road intersection.</p>	<p>would remain open and accessible to construction traffic associated with the import of fill materials to the proposed development site. Subsequent traffic volumes would be largely internal site movements with the potential for minor heavy vehicle movements between MPW and MPE where materials have been temporarily stored at the MPW compound/laydown area. All of these vehicle movements would be consistent with the approved vehicle movements under the respective MPW and MPE EIS assessments and identified within the cumulative movements for the respective CTAMPs</p>	<p>Appendix E <u>EIS:</u> Section 7</p>

4.11 DPIE Water and Natural Resources Access Regulator

NSW DPIE Water Group provided a formal letter of submission (dated 26 June 2020) regarding the Proposal. Several comments were provided in the submission, as summarised and responded to in Table 4-8.

Table 4-8: Response to Government Agency submissions – DPIE Water Group

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Water management	Water licence	The proponent will need to acquire the appropriate Water Access Licences if the take of water exceeds 3 ML/year.	Noted	<u>RtS:</u> This table <u>EIS:</u> Sections 4.6.2.1 and 11
Water management	Groundwater	Any interference of groundwater must be addressed in accordance with the Aquifer Interference Policy.	Noted.	<u>RtS:</u> This table <u>EIS:</u> Sections 4.6.2.1 and 11

4.12 Liverpool City Council

Liverpool City Council provided a formal letter of submission (dated 1 June 2020) regarding the Proposal. Several comments were provided in the submission, as summarised and responded to in Table 4-9. Additionally, Council has provided traffic related conditions (as Appendix A of their submission) and general engineering advice (as Appendix B of their submission), should the SSD application be approved.

Table 4-9: Response to Government Agency submissions – Liverpool City Council

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
Subdivision	Planning provisions	<p>The MPW Stage 3 proposal includes the progressive subdivision of the site into nine (9) allotments. This proposed subdivision will result in a significant non-compliance with Clause 4.1 of the Liverpool Local Environmental Plan 2008 (LEP) in the order of 11,987.72%, or a 107.72ha shortfall in the minimum required lot size. It is noted that Council provided a detailed response on the applicant's request for SEARs detailing concerns regarding this contravention of the development standard.</p> <p>Objective 1(c) in Clause 4.1 Minimum subdivision lot size seeks to prevent fragmentation of land which would prevent the achievement of the extent of development and nature of uses envisaged for particular locations. The existing 120ha minimum lot size control was established when the site was rezoned for an intermodal development in order that a holistic approach is undertaken for the construction, operation and management of an intermodal across the entire precinct. The rezoning of the site was not intended to facilitate development of an industrial estate, rather an intermodal development.</p> <p>The application states that the lot layout design will be "characteristic of similar nearby</p>	<p>A Clause 4.6 variation request was submitted with the EIS application as an exemption to (reduce) the minimum lot size requirement within the bounds of the MPW Site, thereby permitting the subdivision of the site into lots that have an area less than the current minimum lot size provision within the Liverpool LEP 2008 (120 ha). Given the MPW Development is part of a greater MLP Development that encompasses both the MPW Development and the adjacent MPE Development, a minimum lot size requirement that is consistent with the MPE Site (i.e. 2,000 m²) is considered appropriate. This will allow a consistent subdivision approach across the greater Precinct.</p> <p>The Clause 4.6 variation request is consistent with the Liverpool LEP objectives of Clause 4.1 (minimum lot size) and the General Industrial (IN1) zone, in that:</p> <ul style="list-style-type: none"> • Compliance with the development standard is considered unreasonable as subdivision of the MPW Site is consistent with the intent of the approved Concept Plan. The development consent (SSD 5066 MOD1), as approved on 30 October 2019, included conditions regarding the 'ability to subdivide the site as part of a future development application'. Given the site is approximately 189.4 ha, compliance with the existing minimum lot size requirements (120 ha) would prohibit any such subdivision at the MPW Site. It is therefore considered unreasonable to comply 	<p><u>RtS:</u> Appendix A</p> <p><u>EIS:</u> Section 3.1.2 Appendix F</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<p>industrial areas. As stated above, the intermodal development is not an industrial park or estate but instead a holistic intermodal freight terminal.</p>	<p>with the development standard as it currently applies. Exception to the existing development standard would facilitate subdivision of the MPW Site as envisaged and approved.</p> <ul style="list-style-type: none"> • The proposed subdivision will facilitate the allocation of distinct management responsibility for the separate functions of the site being: the freight terminal, rail connection, warehousing and distribution activities and the conservation area. • The proposed subdivision will not compromise the site’s ability to provide for industrial and warehouse land use, as permitted within the MPW Concept Plan SSD 5066 consent. Reducing the minimum lot size of the site will, in fact, promote this objective by rendering subdivision practical and feasible. • It is likely that having multiple tenants and warehouses across a single allotment would be more difficult to manage with regards to provision of services and easements. • The proposed subdivision, as a variation to the minimum lot size development standard, will enable the long term lease of buildings and tenanting of individual warehouses and registration of these interests with NSW Land Registry Services in accordance with the <i>Real Property Act 1900</i>. Permitting subdivision will enable orderly and efficient operation and management of the MPW Site. • The proposed subdivision does not seek to amplify or modify the approved industrial operations at the site, as envisaged in the Concept Plan (SSD 5066), or have implications on the intended site use as an IMEX facility. • MPW Stage 3 (SSD 10431) included a VIA (Reid Campbell, 2020) that considered the proposed subdivision of the MPW Site into 9 lots. The assessment found that there was a negligible impact to that which had already been assessed and 	

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>approved within earlier stages of MPW Site development.</p> <p>Contravention of the development standard would not compromise the ability of the MPW development to meet zone objectives, or the minimum lot size objectives (Clause 4.1) of the Liverpool LEP. Further, exception to the development standard does not compromise the development's consistency with the intention or requirements of the consent, and allows the development to be executed as intended and as approved.</p>	
Subdivision	Planning provisions	<p>The applicant's response/justification to Clause 4.6(1b) states the following:</p> <p><i>"Should the development proceed without subdivision, as per the SSD 10431 application, it will create a development that requires management and operation that is consistent with the MPE site, which would have adverse outcomes on the performance of the precinct as a whole."</i></p> <p>Council notes that MPW should be managed and operated consistently in a similar manner to the MPE site, and that compliance with the minimum lot size control would improve the operation and management of the precinct as a whole.</p>	<p>The justification to Clause 4.6(1b) (Appendix F of the EIS) should have stated '<i>Should the development proceed without subdivision, as per the SSD 10431 application, it will create a development that requires management and operation that is inconsistent with the MPE site, which would have adverse outcomes on the performance of the precinct as a whole</i>'. Council also notes that MPW should be managed and operated consistently in a similar manner to the MPE site.</p> <p>Compliance with the current minimum lot size requirement would remove certainty of allocation and apportioning site management responsibility for supporting infrastructure in favour of the various tenancies to be created on site.</p> <p>Subdivision of the site is required to ensure benefits and burdens are effectively managed to support the interdependencies and co-dependencies between warehouse, freight village, terminal and estate management functions.</p> <p>As has previously been identified, the ability to register long term leaseholds requires allocation of defined allotment reflective of the leasehold. The absence of a subdivision reflective of leasehold entitlements creates uncertainty in the land titles registration system and</p>	<p><u>RtS:</u> Appendix A</p> <p><u>EIS:</u> Section 3.1.2 Appendix F</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			has a potential deleterious knock-on effect to land title transactions.	
Subdivision	Planning provisions	The applicant's response/justification to Clause 4.6(3a) states that "exception to the existing development standard would facilitate subdivision of the MPW site as envisaged and approved". This directly contravenes Condition E26(a) of the Concept Approval SSD 5066 MOD1.	Exemptions to minimum lot sizes are a valid process under Cl 4.6 of the Liverpool LEP (2008). The approval of the exemption request in accordance with the defined LEP process would mean the proposed subdivision remained compliant with E26(a).	<u>RtS:</u> Appendix A <u>EIS:</u> Section 3.1.2 Appendix F
Subdivision	Planning provisions	The applicant's response/justification to Clause 4.6(5b) states that "there is no public benefit to maintaining the development standard, thereby prohibiting subdivision of the MPW site, in this case." Council reiterates its concern that the proposed contravention of the minimum lot size will compromise the coordinated and holistic operation and management of MPW.	The proponent has identified how subdivision enables clear and transparent management of site infrastructure in support of the various tenancies and enables for transparent registration of legal interests in land. These represent a public benefit that enable co-ordinated and holistic operation and management of MPW, which are lost in the absence of the proposed subdivision.	<u>RtS:</u> Appendix A <u>EIS:</u> Section 3.1.2 Appendix F
Traffic and Access	Management plans	The construction of the compound and subdivision is not expected to generate significant traffic movements. However, the importation of fill would require haulage vehicles on the local road network. Appropriate construction traffic management will be required.	Importation of fill material under an approved daily cap of 22,000 m3 has already been assessed under MPW Stage 2 and cumulatively by DPIE and IPC for the Moorebank Precinct. This Proposal will not exceed the approved daily fill importation cap, and so no further traffic assessment is required. The CTAMP prepared in accordance with MPW Stage 2 CoC will continue to be applied to accommodate MPW Stage 3.	<u>RtS:</u> Appendix E <u>EIS:</u> Sections 3.1.1 and 7
Traffic and Access	Road upgrades	In addition, Council has objected to the Moorebank terminals development for a number of reasons, including traffic and transport impacts on the road network in the Liverpool Local Government Area and has consistently requested that improvement	Council's continued objection is noted. It is also noted that the local road network was already failing the RMS design standards in advance of the assessment of the initial concept developments in 2011 and would continue to do so do solely to	<u>RtS:</u> This table <u>EIS:</u> Sections 4.6.1 and 7

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<p>works should be carried out to minimise these impacts.</p> <p>A Voluntary Planning Agreement has been signed with Transport for NSW (TfNSW) for a contribution to be paid for improvement works on the arterial road network. A contribution scheme for improvements on the local road network has so far not been adequately addressed and needs to be raised again.</p>	<p>background growth in the absence of the development (MPE 2 EIS and RtS documentation).</p> <p>It should also be noted that the proponent has to date provided approximately \$9.6 million to Liverpool City Council as developer's contributions to be allocated to public benefit.</p> <p>In addition to this contribution the MPW Stage 2 Voluntary Planning Agreement requires demonstration of satisfactory arrangements in respect of State public infrastructure. This process requires the provision of \$48 million to the RMS (now TfNSW) as contribution to regional roads upgrades, in addition to the construction of the Moorebank Avenue Realignment as a works in kind contribution.</p> <p>Further, the MPE Stage 2 consent (Condition B13) requires the following road intersection upgrades to be undertaken at the proponent's expense:</p> <ul style="list-style-type: none"> • Moorebank Avenue/ M5 • Moorebank Avenue • Moorebank Avenue/Heathcote Road • Moorebank Avenue/Newbridge Road. <p>The MPW Stage 2 Consent further requires the upgrade of Moorebank Avenue/Anzac Intersection.</p> <p>Commencement and completion of these works remains dependent upon the TfNSW progression of design review to enable works to commence.</p> <p>Noting that all of the works identified above reflect a proportionate traffic impact associated with the development of between 5% and 10% by volume (with the exception of direct impact on Moorebank Avenue at the point of interface with the development). The majority of impact being attributable to background</p>	

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			traffic within the region and backgrounds residential growth rates.	
Engineering	Technical reports	LCC notes that many of the engineering comments provided for the various MPW applications have not been adequately addressed. For MPW Stage 3, general engineering advice is provided at Appendix B.	Noted.	<u>RtS:</u> This table <u>EIS:</u> -
<p>Liverpool City Council submitted comment regarding the request for Secretary's Environmental Assessment Requirements (SEARs), and have advised that the SEARs are part of their RtS. Council's SEARs comments are summarised below, and responses have been provided.</p>				
Subdivision	Planning provisions	<p>The Liverpool Local Environmental Plan 2008 (LEP) requires a minimum lot size of 120 ha across the MPW site under Clause 4.1 minimum subdivision lot size. It is noted that within the Report, attention is drawn to Section 4.38(3) of the EP&A Act which states the following:</p> <p><i>3) Development consent may be granted despite the development being partly prohibited by an environmental planning instrument.</i></p> <p>It is acknowledged that a partly prohibited development may be granted consent. The relevance of this clause to this matter is questionable however, given that the Clause 4.1 within the Liverpool LEP is a development standard and not a prohibition.</p> <p>Nonetheless, the proposed subdivision will result in a contravention of a development standard in the order of 11,987.72%, or a 107.72ha shortfall in lot size. This is an enormous variation to the existing development standard, and Council does not see this as a partial non-compliance.</p>	<p>A Clause 4.6 variation request was submitted with the EIS application as an exemption to (reduce) the minimum lot size requirement within the bounds of the MPW Site, thereby permitting the subdivision of the site into lots that have an area less than the current minimum lot size provision within the Liverpool LEP 2008 (120 ha). Given the MPW Development is part of a greater MLP Development that encompasses both the MPW Development and the adjacent MPE Development, a minimum lot size requirement that is consistent with the MPE Site (i.e. 2,000 m²) is considered appropriate. This will allow a consistent subdivision approach across the greater Precinct.</p> <p>The Clause 4.6 variation request is consistent with the Liverpool LEP objectives of Clause 4.1 (minimum lot size) and the General Industrial (IN1) zone, in that:</p> <ul style="list-style-type: none"> • Compliance with the development standard is considered unreasonable as subdivision of the MPW Site is consistent with the intent of the approved Concept Plan. The development consent (SSD 5066 MOD1), as approved on 30 October 2019, included conditions regarding the 'ability to subdivide the site as part of a future development application'. Given the 	<u>RtS:</u> Appendix A <u>EIS:</u> Section 3.1.2 Appendix F

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>site is approximately 189.4 ha, compliance with the existing minimum lot size requirements (120 ha) would prohibit any such subdivision at the MPW Site. It is therefore considered unreasonable to comply with the development standard as it currently applies. Exception to the existing development standard would facilitate subdivision of the MPW Site as envisaged and approved.</p> <ul style="list-style-type: none"> • The proposed subdivision will not compromise the site’s ability to provide for industrial and warehouse land use, as permitted within the SSD 5066 consent. Reducing the minimum lot size of the site will, in fact, promote this objective by rendering subdivision practical and feasible. • It is likely that having multiple tenants and warehouses across a single allotment would be more difficult to manage with regards to provision of services and easements. The proposed subdivision, as a variation to the minimum lot size development standard, will enable the long-term lease of buildings and tenancing of individual warehouses and registration of these interests with NSW Land Registry Services in accordance with the <i>Real Property Act</i> 1900. Permitting subdivision will enable orderly and efficient operation and management of the MPW Site, and importantly create consistency with the MPE Development. • The proposed subdivision does not seek to amplify or modify the approved industrial operations at the site as envisaged in the Concept Plan (SSD 5066), or have implications on the intended site use as an IMEX facility. • MPW Stage 3 (SSD 10431) included a VIA (Reid Campbell, 2020) that considered the proposed subdivision of the MPW Site into 9 lots. The assessment has found that there was a negligible impact to that which has already been assessed and 	

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
			<p>approved within earlier stages of MPW Site development.</p> <p>Contravention of the development standard will not compromise the ability of the MPW Development to meet zone objectives, or the minimum lot size objectives (Clause 4.1) of the Liverpool LEP. Importantly, exception to the development standard does not compromise the developments consistency with the intention or requirements of the consent, and allows the development to be executed as intended and as approved.</p>	
Subdivision	Planning provisions	<p>Council and the community have previously raised concerns regarding the possibility of sites being sold off within the broader Moorebank Intermodal development. Furthermore, DPIE have raised concerns that have been acknowledged by the IPC regarding the management and maintenance for the entire precinct. Consequently, Condition E26a) was put in place for the Concept Approval SSD 5066 MOD1 which states:</p> <p><i>Subdivision</i></p> <p><i>E26. Any future Development Application for subdivision must:</i></p> <p><i>a) demonstrate compliance with the minimum lot size specified in the Liverpool Local Environmental Plan;</i></p> <p><i>b) demonstrate compliance with Condition 15 of this consent;</i></p> <p><i>c) include a subdivision plan showing completed estate works including but not limited to site services, internal roads, maintenance access roads, pedestrian paths, landscaping, lighting of</i></p>	<p>In accordance with Clause 4.38 (5) of the EP&A Act, the Planning Secretary may undertake the functions of the planning proposal authority and consider a Clause 4.6 variation application for an exemption to an Environmental Planning Instrument, in order to permit the carrying out of an SSD. A Clause 4.6 variation was prepared and submitted with the MPW Stage 3 EIS on behalf of SIMTA (included as Appendix F of the EIS) which seeks exception to the minimum lot size development standards (Clause 4.1) of the Liverpool LEP within the bounds of the MPW Site, in accordance with Clause 4.6 of the Liverpool LEP.</p>	<p><u>RtS:</u> Appendix A</p> <p><u>EIS:</u> Section 3.1.2 Appendix F</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		<p><i>common areas, provision for emergency services including for firefighting, onsite detention basins and stormwater treatment systems;</i></p> <p><i>d) include a detailed management and maintenance program for estate infrastructure; and</i></p> <p><i>e) nominate a single entity responsible for implementation of the management and maintenance program.</i></p> <p>Given the points and concerns outlined, Council is not supportive of the proposed subdivision included within the Moorebank Precinct West Stage 3 application. If such a lot configuration is to be pursued, this would ordinarily be considered through a planning proposal to ensure such a variation to a development standard has site and strategic merit. This planning proposal should include an Economic Impact Statement that identifies the potential ramification such a proposal would have on surrounding industrial land within Liverpool.</p> <p>Council requests that a concurrent planning proposal be lodged to ensure an appropriate assessment of the potential impacts is undertaken with regard to the proposed subdivision of the MPW development site.</p>		
Subdivision	Site management	<p>Council has consistently stressed the need for a holistic investigation approach to be undertaken with regard to the potential impacts caused by the combined development proposals across MPE and MPW. Council and its community have consistently raised significant concerns about the scale of impacts associated</p>	<p>The minor interfaces in relation to the Proposal which potentially affect both MPW and MPW are limited to traffic and stormwater (OSD 10). A cumulative assessment of potential environmental impacts in relation to the Proposal are provided in Section 18 of the EIS.</p>	<p><u>RtS:</u> Appendix A</p> <p><u>EIS:</u> Section 3.1.2 Appendix F</p>

Key Issue	Sub-Issue	Submission Comment / Summary	Response	Reference
		with the project. The consideration of cumulative impacts must be undertaken to gain a clear understanding of the potential impacts of both projects on the Liverpool community and Council assets. Therefore, with regard to new and updated technical specialist reports, Council stresses the need for cumulative impacts to be assessed, and holistic mitigation measures to be employed.	<p>The construction footprint of MPW Stage 2 covers the entire MPW Site including the proposed works area, and relevant approved CEMP and subplans will continue to be applicable for all construction management processes for the site.</p> <p>The MPW Concept Plan characterises use of the site as an intermodal facility, rather than an industrial park or estate. MPW consents specify use of the site for the purposes directly related to the freight terminal, being:</p> <ul style="list-style-type: none"> • SSD 5066 Schedule 2 CoC 15: <i>The warehousing must only be used for activities associated with freight using the IMEX and interstate terminals unless otherwise approved in a subsequent Development Application.</i> • SSD 7709 CoC A17: <i>The warehousing and distribution facilities must only be used for activities associated with freight using either the MPE or MPW rail intermodal terminal.</i> 	
Urban Design	Cycling and pedestrian access	Council has previously outlined concerns regarding access to the site, and sought pedestrian access from Casula Train Station. A pedestrian and cycling bridge that links MPW and MPE to the Casula Train Station and existing Georges River cycling path would provide significant amenity to future workers within the Moorebank Intermodal development, visitors to the area and surrounding residents. Council is eager for this to facilitate active transport opportunities, as well as improve access to the amenity of the Georges River.	The <i>Urban Development Design Report (UDDR)</i> which provides a consolidated landscape plan for the MPW Site has been approved by DPIE in consultation with GANSW. This plan includes provisions for pedestrian and/or cycling access from Casula train station.	<p><u>RtS:</u> Appendix C</p> <p><u>EIS:</u> Section 7</p>

Council has provided traffic related conditions (as Appendix A of their submission), should the application be approved. Similarly, general engineering advice was provided (as Appendix B) with Council's submission.

5. Response to Community Submissions

Several community submissions were in relation to objection to the overall MLP Project as approved under previous consents (including MPW Concept Plan SSD 5066), rather than directly related to the Proposal. Responses to comments not directly relatable to the Proposal are provided in Section 5.3.

5.1 Community Organisation Submissions

Four formal letter submissions were received from community special interest organisations including:

1. ELPA (dated 27 May 2020).

A significant portion of the ELPA Moorebank submission provided background contextual content and as such was not directly attributable to this Proposal; responses to some of these comments are provided in Section 5.3.

2. GREA (dated 27 May 2020).

The GREA submission provided background contextual content which was not directly attributable to this Proposal; responses to some of these comments are provided in Section 5.3.

3. RAID (27 May 2020).

4. Bankstown Bushland Society Inc (25 May 2020).

The submissions were collated and analysed, and responses are provided in Table 5-1.

Table 5-1: Response to community organisation submissions.

Key Issue	Submission Comment / Summary	Response	Reference
East Liverpool Progress Association			
Site selection, consistency with Concept Plan; traffic (generation)	<p>Objection to the Precinct Development as a whole, and the major focus change for MPW from a rail transport mode with a large rail presence and associated warehousing to a warehousing estate with minimised rail and extra traffic generation</p> <p>The site is not suitable for the intended purpose and the development is not in the public interest. In appropriate site location in respect of the cargo distribution area</p>	<p>The MPW Concept Plan Early Works and Stage 1 approval was granted by the PAC on 3 June 2016 and the MPW Stage 2 approval was granted by the IPC on 11 November 2019. EPBC Approval (No. 2011/6086) was originally granted on 1 July 2014 with variations on 2 February 2016 and 27 September 2016.</p> <p>The MPW Concept Plan characterises use of the site as an intermodal facility, rather than an industrial park or estate.</p>	<p><u>RtS:</u> This RtS</p> <p><u>EIS:</u> Sections 1.3 and 3.3</p>

Key Issue	Submission Comment / Summary	Response	Reference
<p>Traffic (congestion); fill importation (resulting in loss of existing site vegetation and landform changes to floodway lands); air quality (diesel emissions); noise; natural environment (OSD effect on Georges River); surface hydrology</p>	<p>Concerns regarding traffic safety and congestion resulting from the Proposal's construction phase and additional truck movements, importation and site coverage of fill material resulting in loss of existing site vegetation and landform changes to floodway lands, diesel emissions (air quality) and noise impacts on sensitive receivers, intrusion of OSD's into the Georges River riparian corridor, changes to surface water flows over hard ground/roof areas.</p>	<p>MPW consents specify use of the site for the purposes directly related to the freight terminal.</p> <p>The suitability of the site for the approved use as an intermodal terminal and benefits to the public were considered at length in assessment documentation for the aforementioned approved projects, including the MPW Stage 2 EIS (Arcadis, 2016) and MPW Stage 2 RtS Report (Arcadis, 2017) as part of the approval process. It is noted that warehousing was considered under the MPW Concept Plan Early Works and Stage 1 assessment.</p> <p>Project documentation prepared for MPW Stage 2 including the EIS (Arcadis, 2016), specialist technical reports and the RtS report (Arcadis, 2017) were considered in relation to the Proposal. The MPW Stage 2 assessments considered potential environmental impacts in relation to traffic safety and congestion resulting from the Proposal's construction phase and additional truck movements, importation and site coverage of fill material resulting in loss of existing site vegetation and landform changes to floodway lands, diesel emissions (air quality) and noise impacts on sensitive receivers, intrusion of OSD's into the Georges River riparian corridor, and changes to surface water flows over hard ground/roof areas resulting from fill importation.</p> <p>Further, MPW Stage 2 Project documentation assessed the potential impacts of a construction/works compound, hardstand areas and site drainage.</p> <p>Extensive traffic modelling has been undertaken for the MPW (and MPE) Project, including for the MPW Stage 2 EIS (Arcadis, 2016).</p> <p>The Proposal does not involve any changes to the traffic impacts already approved for the MPW Stage 2 Project which considered the daily importation cap of 22,000 m³ fill material. Traffic impacts, and the traffic modelling documentation that underpins them, are detailed in the</p>	<p><u>RtS:</u> This RtS Appendix E Appendix F Appendix G</p> <p><u>EIS:</u> Sections 3.1.1, 7, 8, 9, 10 and 11</p>

Key Issue	Submission Comment / Summary	Response	Reference
		<p><i>Moorebank Precinct West – Stage 2 Proposal EIS</i>, prepared by Arcadis (2016) and the <i>Moorebank Precinct West – Stage 2 Proposal Response to Submissions Report</i>, prepared by Arcadis (2017). Both of these documents are available on SIMTA’s website.</p> <p>The MPW Stage 3 EIS determined that the Proposal does not involve additional potential environmental impacts beyond that which was already assessed and approved for the MPW Stage 2 Project. Environmental assessments for the Proposal are provided in Sections 7 to 19, and Appendices G through Q of the EIS.</p>	

The Georges River Environmental Alliance (GREA)

Compound construction, fill importation, drainage, subdivision	Objection to the proposal for compound worker accommodation, car parking hardstand, road construction, drainage, the importation of fill material, and subdivision and creation of nine allotments for terminal and warehousing purposes.	<p>The MPW Stage 3 EIS has considered potential environmental impacts in relation to construction of the works compound, material and car parking hardstand areas, construction of access roads and drainage infrastructure, importation of fill material and site subdivision. Project documentation prepared for MPW Stage 2, including the EIS (Arcadis, 2016), specialist technical reports and the RtS report (Arcadis, 2017) were considered in relation to the Proposal, and it was determined that the Proposal does not involve additional potential environmental impacts beyond that which were already assessed and approved for the MPW Stage 2 Project. Environmental assessments for the Proposal are provided in Sections 7 to 19, and Appendices G through Q of the EIS.</p> <p>It is noted that subdivision and warehousing were considered under the MPW Concept Plan Early Works and Stage 1 assessment, and importation of fill material under MOD1 to the MPW Concept Plan. The MPW Stage 2 Project documentation assessed the potential impacts of a construction/works compound, hardstand areas and site drainage.</p>	<p><u>RtS:</u> This RtS</p> <p><u>EIS:</u> Sections 3.1.1, 3.1.2 and Section 21</p> <p>Associated appendices</p>
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Key Issue	Submission Comment / Summary	Response	Reference
<p>Fill importation; climate change impact; vegetation loss; visual impacts; contamination (perfluoroalkyl and polyfluoroalkyl substance (PFAS) contamination to land and groundwater)</p>	<p>Concerns regarding the additional volume of fill material, increased local temperature levels due to the development's impact on climate change (large areas of hardstand and roof, and loss of mature site vegetation), visual impacts from the Casula Powerhouse and the tall Liverpool CBD buildings, PFAS contamination and potential PFAS impacts to groundwater</p>	<p>Project documentation prepared for MPW Stage 2 including the EIS (Arcadis, 2016), specialist technical reports and the RtS report (Arcadis, 2017) were considered in relation to the Proposal. The MPW Stage 2 assessments considered potential environmental impacts in relation to importation of fill material, potential impacts of climate change as a result of the development (large areas of hardstand and roof, and loss of mature site vegetation), visual impacts from surrounding areas, PFAS contamination and potential PFAS impacts to groundwater. The MPW Stage 3 EIS determined that the Proposal does not involve additional potential environmental impacts beyond that which was already assessed and approved for the MPW Stage 2 Project.</p> <p>Environmental assessments for the Proposal are provided in Sections 7 to 19, and Appendices G through Q of the EIS.</p>	<p><u>RtS:</u> This RtS</p> <p><u>EIS:</u> Sections 3.1.1, 10, 12, 15, 17.7</p> <p>Associated appendices</p>
<p>Community consultation</p>	<p>Inadequate community consultation, particularly relating to the involvement of the Community Consultative Committee (CCC).</p>	<p>The approval process for this EIS has been undertaken in accordance with Part 4, Division 4.7 of the <i>EP&A Act</i> and Schedule 2, Clause 6 and 7 of the <i>EP&A Regulation</i>.</p> <p>The lodgement and exhibition timeframes for these documents is considered transparent and meets standard requirements for public exhibition. The EIS for the Proposal was placed on public exhibition for comment between 30 April and 27 May 2020 in accordance with the <i>EP&A Act</i> Schedule 1 Clause 9. All submissions are available on DPIE's website.</p> <p>SIMTA's website (www.simta.com.au) includes information regarding the MPW Stage 3 Project, outlining the key elements of the Proposal. In addition to a banner on the home page, the 'Current Works' section provides information about the Proposal and a link to the NSW Planning Portal Major Projects website (SSD 10431 Moorebank Intermodal Precinct West – Stage 3). Email and</p>	<p><u>RtS:</u> Section 5</p> <p><u>EIS:</u> Section 5</p>

Key Issue	Submission Comment / Summary	Response	Reference
		<p>24-hour phone feedback details are also listed on the SIMTA website.</p> <p>The MPW Stage 3 application was briefly discussed at the 11 May 2020 CCC meeting. Elton Consulting has confirmed that a more thorough briefing regarding the Proposal will be held at the next meeting scheduled for 10 August 2020. Future consultation will be guided by the overarching stakeholder engagement principles that have been used to inform previous consultation.</p> <p>Elton Consulting has confirmed that no submissions, comments, complaints or other responses have been received through the website, email or by phone regarding the Proposal.</p>	

Residents Against Intermodal Developments Moorebank Incorporated (RAID)

Compound construction; fill importation; drainage; subdivision	Objection to the proposal for compound worker accommodation, car parking hardstand, road construction, drainage, the importation of fill material, and subdivision and creation of nine allotments for terminal and warehousing purposes.	<p>The MPW Stage 3 EIS has considered potential environmental impacts in relation to construction of the works compound, material and car parking hardstand areas, construction of access roads and drainage infrastructure, importation of fill material and site subdivision. Project documentation prepared for MPW Stage 2, including the EIS (Arcadis, 2016), specialist technical reports and the RtS report (Arcadis, 2017) were considered in relation to the Proposal, and it was determined that the Proposal does not involve additional potential environmental impacts beyond that which were already assessed and approved for the MPW Stage 2 Project. Environmental assessments for the Proposal are provided in Sections 7 to 19, and Appendices G through Q of the EIS.</p> <p>It is noted that subdivision and warehousing were considered under the MPW Concept Plan Early Works and Stage 1 assessment, and importation of fill material under MOD1 to the MPW Concept Plan. The MPW Stage 2 Project documentation assessed the potential impacts of a</p>	<p><u>RtS:</u> This RtS</p> <p><u>EIS:</u> Sections 3.1.1, 3.1.2 and Section 21</p> <p>Associated appendices</p>
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Key Issue	Submission Comment / Summary	Response	Reference
		construction/works compound, hardstand areas and site drainage.	
Site selection; consistency with Concept Plan	Objection to the Proposal, and Moorebank Precinct Development as a whole, where MPW Stage 2 is considered to be in breach of the CoC for MPW Concept	<p>The MPW Concept Plan Early Works and Stage 1 approval was granted by the PAC on 3 June 2016 and the MPW Stage 2 approval was granted by the IPC on 11 November 2019.</p> <p>The suitability of the site for the approved use as an intermodal terminal and benefits to the public were considered at length in assessment documentation for the aforementioned approved projects, including the MPW Stage 2 EIS (Arcadis, 2016) and MPW Stage 2 RtS Report (Arcadis, 2017), as part of the approval process.</p> <p>The MPW Concept Plan characterises use of the site as an intermodal facility, and MPW consents specify use of the site for the purposes directly related to the freight terminal.</p>	<p><u>RtS:</u> This RtS</p> <p><u>EIS:</u> Sections 1.3 and 3</p>
Inadequate technical reports - traffic	Concerns regarding faulty traffic modelling and assessment	<p>Extensive traffic modelling has been undertaken for the MPW (and MPE) Project, including for the MPW Stage 2 EIS (Arcadis, 2016).</p> <p>The Proposal does not involve any changes to the traffic volumes already approved for the MPW Stage 2 Project including the daily importation cap of 22,000 m³ fill material. Traffic impacts and the traffic modelling documentation that underpins them, are detailed in the <i>Moorebank Precinct West – Stage 2 Proposal EIS</i>, prepared by Arcadis (2016) and the <i>Moorebank Precinct West – Stage 2 Proposal Response to Submissions Report</i>, prepared by Arcadis (2017). Both of these documents are available on SIMTA’s website.</p> <p>The Traffic Assessment (Appendix E) has been updated to clarify that it referenced a more recent Construction Traffic Impact Assessment Report (Arcadis, 2017) prepared for MPW Stage 2 RtS, rather than the traffic report originally prepared by Arcadis (2016) for the MPW Stage 2 EIS.</p>	<p><u>RtS:</u> Appendix E</p> <p><u>EIS:</u> Section 7</p>

Key Issue	Submission Comment / Summary	Response	Reference
Submission process	Concerns regarding the timing for the Proposal's assessment process, which has been undertaken during proceedings for Stage 2	<p>The approvals process for this EIS has been undertaken in accordance with Part 4, Division 4.7 of the EP&A Act and Schedule 2, Clause 6 and 7 of the EP&A Regulation.</p> <p>The lodgement and exhibition timeframes for these documents is considered transparent and meets standard requirements for public exhibition. The EIS for the Proposal was placed on public exhibition for comment between 30 April and 27 May 2020 in accordance with the EP&A Act Schedule 1 Clause 9. All submissions are available on DPIE's website.</p> <p>The Proposal is consistent with the MPW Concept Plan, which characterises use of the site as an intermodal facility, and MPW consents which specify use of the site for purposes directly related to the freight terminal.</p>	<p><u>RtS:</u> Sections 2.2 and 2.4</p> <p><u>EIS:</u> Section 1.6</p>
Bankstown Bushland Society Inc			
Fill importation; flooding; decline in property values	Importation of fill material resulting in flood-water displacement, and affects to property values	<p>As per Section 11.3.2 of the EIS and consistent with the detailed flood assessment completed for MPW Stage 2, Costin Roe (2020) confirmed that the proposed compound at approved final site levels is clear of both the 1% AEP and PMF floods and there is no impact on flooding from the development, nor impact on the development from flooding.</p> <p>Costin Roe (2020) also confirmed that the Proposal does not change or affect any water quality, water quantity, or WSUD measures to be implemented as part of the MPW Stage 2 Approval. No further water quality, water quantity, or WSUD measures or assessments are required for the Proposal, other than as already identified for MPW Stage 2.</p> <p>The Proposal is consistent with land uses permitted for IN1 General Industrial zoning. Technical noise, air quality, traffic and health assessments undertaken for MPW Stage 2 considered industrial land uses approved under the MPW</p>	<p><u>RtS:</u> This RtS Appendix G</p> <p><u>EIS:</u> Section 11</p>

Key Issue	Submission Comment / Summary	Response	Reference
		<p>Concept Plan and showed that potential impacts to surrounding properties identified as sensitive receivers could be effectively managed through the application of management and mitigation measures. Environmental assessments undertaken for the Proposal have determined that no significant further impacts are anticipated as a result of the Proposal. No change to the site's land use zoning IN1 General Industrial is proposed, and so no compensation to surrounding properties for changes to property values is considered applicable.</p>	
<p>Habitat and species impacts</p>	<p>Establishment of a works compound resulting in clearing of native flora and fauna habitat</p> <hr/> <p>Earthwork construction of roads, utilities, stormwater and drainage, signage and landscaping which will result in loss of further native ecosystems,</p> <hr/> <p>Progressive subdivision of the MPW Site, resulting in loss of trees</p>	<p>MPW Site vegetation will be cleared under existing consents. The MPW Stage 3 Site is unlikely to contain any significant native vegetation or fauna habitat upon Project commencement, given the area will consist of a cleared landscape. No additional clearing of vegetation is proposed under this application. Project documentation prepared for MPW Stage 2, including the EIS (Arcadis, 2016), specialist technical reports and the RtS report (Arcadis, 2017) provided in depth consideration of site vegetation removal.</p> <p>The MPW Stage 3 EIS determined that the Proposal does not involve additional potential environmental impacts on site biodiversity beyond that which was already assessed and approved for the MPW Stage 2 Project. The biodiversity assessment for the Proposal is provided in Section 10 and Appendix J of the EIS.</p>	<p><u>RtS:</u> This RtS</p> <p><u>EIS:</u> Section 10 Appendix J</p>

5.2 Public Submissions

This section provides a summary of the submissions raised by the community, and individual responses to the issues raised (Table 5-2).

Table 5-2: Response to public community submissions.

Key Issue	Submission Comment / Summary	Response	Reference
A Scutella, Wattle Grove; E Rakowski, Wattle Grove, M Bradley, Coogee			
Compound construction; fill importation, drainage; subdivision	Objection to the proposal for compound worker accommodation, car parking hardstand, road construction, drainage, the importation of fill material, and subdivision and creation of nine allotments for terminal and warehousing purposes.	<p>The MPW Stage 3 EIS has considered potential environmental impacts in relation to construction of the works compound, material and car parking hardstand areas, construction of access roads and drainage infrastructure, importation of fill material and site subdivision. Project documentation prepared for MPW Stage 2, including the EIS (Arcadis, 2016), specialist technical reports and the RtS report (Arcadis, 2017) were considered in relation to the Proposal, and it was determined that the Proposal does not involve additional potential environmental impacts beyond that which were already assessed and approved for the MPW Stage 2 Project. Environmental assessments for the Proposal are provided in Sections 7 to 19, and Appendices G through Q of the EIS.</p> <p>It is noted that subdivision and warehousing were considered under the MPW Concept Plan Early Works and Stage 1 assessment, and importation of fill material under MOD1 to the MPW Concept Plan. The MPW Stage 2 Project documentation assessed the potential impacts of a construction/works compound, hardstand areas and site drainage.</p> <p>The Proposal is consistent with the MPW Concept Plan, which characterises use of the site as an intermodal facility, and MPW consents which specify use of the site for purposes directly related to the freight terminal.</p>	<p><u>RtS:</u> This RtS</p> <p><u>EIS:</u> Sections 3.1.1, 3.1.2 and Section 21</p> <p>Associated appendices</p>
A McGrath, Casula			

Key Issue	Submission Comment / Summary	Response	Reference
Decline in property prices	Concerns about the impact of the development on local property prices	The Proposal is consistent with land uses permitted for IN1 General Industrial zoning. Technical noise, air quality, traffic and health assessments undertaken for MPW Stage 2 considered industrial land uses approved under the MPW Concept Plan and showed that potential impacts to surrounding properties identified as sensitive receivers could be effectively managed through the application of management and mitigation measures. Environmental assessments undertaken for the Proposal have determined that no significant further impacts are anticipated as a result of the Proposal. No change to the site's land use zoning IN1 General Industrial is proposed, and so no compensation to surrounding properties for changes to property values is considered applicable.	<u>RtS:</u> This RtS <u>EIS:</u> Section 4.5

J Anderson, Wattle Grove

Submission process	Objection to the timing of the Proposal (during Covid-19), and lack of advertising	<p>The approval process for this EIS has been undertaken in accordance with Part 4, Division 4.7 of the EP&A Act and Schedule 2, Clause 6 and 7 of the EP&A Regulation.</p> <p>The lodgement and exhibition timeframes for these documents is considered transparent and meets standard requirements for public exhibition. The EIS for the Proposal was placed on public exhibition for comment between 30 April and 27 May 2020 in accordance with the EP&A Act Schedule 1 Clause 9. All submissions are available on DPIE's website.</p> <p>SIMTA's website (www.simta.com.au) includes information regarding the MPW Stage 3 Project, outlining the key elements of the Proposal. In addition to a banner on the home page, the 'Current Works' section provides information about the Proposal and a link to the NSW Planning Portal Major Projects website (SSD 10431 Moorebank Intermodal Precinct West – Stage 3). Email and 24-hour phone feedback details are also listed on the SIMTA website.</p>	<u>RtS:</u> Sections 2.2 and 2.4 <u>EIS:</u> Section 1.6
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Key Issue	Submission Comment / Summary	Response	Reference
		<p>The MPW Stage 3 application was briefly discussed at the 11 May 2020 CCC meeting and again on 10 August 2020. Future consultation will be guided by the overarching stakeholder engagement principles that have been used to inform previous consultation.</p>	
<p>Traffic (congestion); fauna; increased pollution; contamination (historical land uses and PFAS); noise; air quality (pollution), community (public health, employment); flora and fauna (biodiversity), flooding</p>	<p>General concerns regarding impacts on traffic congestion, local koala population, air pollution, contamination from previous land uses and PFAS, increased impacts to noise and air quality, public health issues, job creation, biodiversity, flooding</p>	<p>The MPW Stage 3 EIS has considered potential environmental impacts in relation to traffic congestion, local koala population, pollution, contamination from previous land uses and PFAS, increased impacts to noise and air quality, public health issues, job creation, biodiversity, and flooding.</p> <p>Project documentation prepared for MPW Stage 2 (EIS (Arcadis, 2016), specialist technical reports and the RtS report (Arcadis, 2017)) were considered in relation to the Proposal, and it was determined that the Proposal does not involve additional potential environmental impacts beyond that which was already assessed and approved for the MPW Stage 2 Project. Environmental assessments for the Proposal are provided in Sections 7 to 19, and Appendices G through Q of the EIS.</p>	<p><u>RtS:</u> This RtS Appendix E Appendix F</p> <p><u>EIS:</u> Sections 7, 8, 9, 10, 11, 12 and 17.6 Associated appendices</p>
<p>M Bradley, Coogee</p>			
<p>Air quality (dust); traffic (road safety)</p>	<p>Concerns regarding dust, road user safety during construction</p>	<p>Traffic assessments prepared for MPW Stage 2 were based on construction fill importation (across the Precinct) of 22,000 m³ per day. No change to the approved area of surface disturbance and fill activity or to the construction traffic cap for the Precinct is proposed, and so the Proposal is considered to be consistent with approved construction traffic movements under MPW Stage 2.</p> <p>Potential construction traffic safety related impacts were assessed by the <i>Construction Traffic Impact Assessment</i> (Arcadis, 2016) prepared for MPW Stage 2. The report found that daily traffic volumes on local roads including Moorebank Avenue and Cambridge Avenue would increase as a result of the MPW Stage 2 development works. Road safety for the</p>	<p><u>RtS:</u> This RtS Appendix E</p> <p><u>EIS:</u> Sections 7 and 9 Appendix I</p>

Key Issue	Submission Comment / Summary	Response	Reference
		<p>MPW Stage 2 development would be managed through upgrades to the Moorebank Avenue/Anzac Road intersection and site access points, and implementation of mitigation measures and procedures provided in the CTAMP for MPW.</p> <p>The <i>Air Quality Impact Assessment</i> (Rambol Environ Australia, 2016) prepared for MPW Stage 2 considered construction emissions during demolition, site clearing and earthworks, as well as cumulative impacts across the Precinct. The assessment concluded that dust emissions to local sensitive receivers were not significantly influenced as a result of Precinct developments.</p> <p>The CEMP and subplans prepared for MPW Stage 2 will be adopted for MPW Stage 3 and relevant traffic and air quality mitigation measures will be implemented.</p>	
Submission process	Concerns regarding the timing for the Proposal's assessment process, which has been undertaken during proceedings for Stage 2	<p>The approvals process for this EIS has been undertaken in accordance with Part 4, Division 4.7 of the EP&A Act and Schedule 2, Clause 6 and 7 of the EP&A Regulation.</p> <p>The lodgement and exhibition timeframes for these documents is considered transparent and meets standard requirements for public exhibition. The EIS for the Proposal was placed on public exhibition for comment between 30 April and 27 May 2020 in accordance with the EP&A Act Schedule 1 Clause 9. All submissions are available on DPIE's website.</p>	<p><u>RtS:</u> Sections 2.2 and 2.4</p> <p><u>EIS:</u> Section 1.6</p>
M Gibbons (MP for Holsworthy)			
Site selection; inadequate technical reports (air quality, noise)	General objection to the Precinct as a whole, and location of the development. Concerned that no new studies have been undertaken, including for air quality and vibration, as previous assessments did not adequately address a number of issues previously raised by the community. These issues include noise	<p>Project documentation prepared for MPW Stage 2 including the EIS (Arcadis, 2016), specialist technical reports and the RtS report (Arcadis, 2017) were considered in relation to the Proposal, and assessed potential construction impacts including earthworks and traffic.</p> <p>The MPW Stage 3 EIS has considered potential environmental impacts in relation to potential air quality, noise and vibration</p>	<p><u>RtS:</u> This RtS Appendix F</p> <p><u>EIS:</u></p>

Key Issue	Submission Comment / Summary	Response	Reference
	and air quality impacts generated from the construction and subsequent operation of the development.	<p>impacts as a result of the Proposal. The MPW Stage 3 reports determined that the Proposal does not involve additional potential environmental impacts beyond that which was already assessed and approved for the MPW Stage 2 Project.</p> <p>In accordance with SSD 7709 CoC C2, the CEMP would continue to apply to the Proposal, and would include mitigation, monitoring and management procedures designed to minimise potential environmental impacts within the proposed MPW Stage 3 development area</p> <p>The level of information provided as part of this application is considered adequate for DPIE to assess the application and is commensurate with the nature, scale and extent of likely impacts, which are considered to be minimal, and which have already been assessed and approved as part of the MPW Stage 2 Project.</p>	Sections 1.3, 3.3 8 and 9 Appendix I
N and P van den Bos, Chipping Norton; Name Withheld, Chipping Norton			
Inadequate technical reports - traffic	Concerns regarding inadequate and inaccurate land use - traffic interaction modelling and assessment	<p>The Traffic Assessment Report for MPW Stage 3 has been updated to clarify inconsistencies as identified by TfNSW between the traffic reports prepared for MPW Stage 2 and the Proposal.</p> <p>The TfNSW comments appear to reference an earlier <i>Construction Traffic Impact Assessment Report</i> (Arcadis, 2016) prepared for the MPW Stage 2 EIS, while the Traffic Assessment Report prepared for the Proposal used the more recent traffic assessment volumes provided in the <i>Construction Traffic Impact Assessment</i> (Arcadis, 2017) prepared for the MPW Stage 2 RtS. For clarity, the details for Figure 5 of the report prepared for the Proposal were adopted from Figure A-5 and A-6 of the more recent 2017 traffic report.</p>	<p><u>RtS:</u> Appendix E</p> <p><u>EIS:</u> Section 7</p>

Key Issue	Submission Comment / Summary	Response	Reference
Ason group has provide a more comprehensive response to this submission from N and P van den Bos, refer to Appendix E.			
Name Withheld, Casula			
Subdivision; traffic (road usage, truck worthiness, congestion); fill importation; flooding (resulting from fill importation); light spill; flora and fauna (koala and flying fox habitat)	Objection to subdivision of the site, and concerns regarding lack of truck road usage restrictions, inadequate checking of truck roadworthiness, traffic congestion, excessive fill levels and the resulting impacts to downstream flooding and increased light spill to sensitive receivers, impacts to koala and flying fox habitat, excessive coverage of the site with fill and concrete	<p>Project documentation prepared for MPW Stage 2 including the EIS (Arcadis, 2016), specialist technical reports and the RtS report (Arcadis, 2017) were considered in relation to the Proposal. The MPW Stage 2 assessments considered potential environmental impacts in relation to site subdivision, truck road usage and truck roadworthiness, road capacity levels, fill importation, local flooding, light spill to sensitive receivers, impacts to biodiversity and habitat and site earthworks.</p> <p>The MPW Stage 3 EIS determined that the Proposal does not involve additional potential environmental impacts beyond that which was already assessed and approved for the MPW Stage 2 Project.</p>	<p><u>RtS:</u> This RtS Appendix E Appendix G</p> <p><u>EIS:</u> Sections 3.1.1, 3.1.2, 7, 10, 11 and 15 Appendix J Appendix O</p>
Name Withheld, Wattle Grove			
Fill importation; contamination (imported fill); traffic (generation); site selection (location of the development)	Objection to use of fill across the site, and potential contamination of imported fill material. Concerns regarding increased road traffic as a result of fill material being brought to the site. Objection to the location of the development as a warehouse estate and rail terminal.	In accordance with SSD 5066 MOD1 (30 October 2019) CoC 19B, 1,600,000 m ³ uncompacted fill material may be imported to the site. To provide the structural integrity required to support approved site undertakings, appropriate compaction and stabilisation of imported fill material will be required. Site stormwater design requirements have been modelled and calculated to accommodate finished site surface levels and so compression of the approved 1,600,000 m ³ fill material will result in an ultimate surface level shortfall. The Proposal includes the importation (from offsite locations) of approximately 280,000 m ³ of unconsolidated clean fill for compaction up to final land level and approximately 540,000 m ³ of structural fill for warehouse pad	<p><u>RtS:</u> This RtS Appendix E</p> <p><u>EIS:</u> Sections 3.1.1, 3.3, 3.8, 7 and 12 Appendix L</p>

Key Issue	Submission Comment / Summary	Response	Reference
		<p>completion, in addition to the imported fill approved under SSD 5066 MOD1.</p> <p>Traffic assessments prepared for MPW Stage 2 were based on total construction fill importation (across the Precinct) of 22,000 m³ per day. No change to the approved area of surface disturbance and fill activity or to the construction traffic cap for the Precinct is proposed, and so the Proposal is considered to be consistent with SSD 5066 CoC 19B. There is no intention under the Proposal to exceed the 22,000 m³ daily fill importation cap.</p> <p>The MPW Concept Plan Early Works and Stage 1 approval was granted by the PAC on 3 June 2016 and the MPW Stage 2 approval was granted by the IPC on 11 November 2019. EPBC Approval (No. 2011/6086) was originally granted on 1 July 2014 with variations on 2 February 2016 and 27 September 2016.</p> <p>In addition to the suitability of the site for development, the matters raised in this submission were adequately considered in the assessment documentation for the aforementioned approved projects, including the MPW Stage 2 EIS (Arcadis, 2016) and MPW Stage 2 RtS Report (Arcadis, 2017), as part of the approval process.</p> <p>The Proposal does not involve additional environmental impacts beyond those already assessed and approved for the MPW Stage 2 Project.</p>	
Name Withheld, Wedderburn			
<p>Site selection; air quality (pollution); traffic (congestion); climate change (urban heat)</p>	<p>Objection to the Proposal as a whole. Concerns regarding additional air pollution and heat generated from the Precinct development, impacts to already overcrowded public rail and road transport systems, impacts to public health, increased local temperature levels due to the development's impact on climate</p>	<p>The suitability of the site for the approved use was considered at length in previous development applications for the site.</p> <p>The MPW Concept Plan Early Works and Stage 1 approval was granted by the PAC on 3 June 2016 and the MPW Stage 2 approval was granted by the IPC on 11 November 2019. EPBC</p>	<p><u>RtS:</u> This RtS Appendix E <u>EIS:</u></p>

Key Issue	Submission Comment / Summary	Response	Reference
	change (large areas of hardstand and roof, and loss of mature site vegetation)	<p>Approval (No. 2011/6086) was originally granted on 1 July 2014 with variations on 2 February 2016 and 27 September 2016.</p> <p>Project documentation prepared for MPW Stage 2 including the EIS (Arcadis, 2016), specialist technical reports and the RtS report (Arcadis, 2017) were considered in relation to the Proposal. The MPW Stage 2 assessments considered air pollution, heat generated from the Precinct development, impacts to public health, and the development's impact on climate change.</p> <p>The MPW Stage 3 EIS determined that the Proposal does not involve additional potential environmental impacts beyond that which was already assessed and approved for the MPW Stage 2 Project.</p> <p>Potential impacts from impacts to already overcrowded public rail and road transport systems are not considered relevant to this Proposal. Site vegetation will be removed under previous consents, and so is also not considered relevant to this Proposal.</p>	<p>Sections 3.3, 3.8, 7, 9 and 17.7</p> <p>Appendix I</p>

R Storey, Wattle Grove

Flora and fauna (habitat and species impacts)	Impacts to critical habitat and threatened species	<p>The Proposal sits entirely within the approved MPW Stage 2 footprint and all native vegetation and threatened species habitat within the MPW Site have already been assessed. Whilst the vegetation within the MPW Stage 2 Site has not yet been completely cleared, the MPW Site will be entirely cleared by the time that the Proposal works commence. All required biobanking credits in relation to the MPW Stage 2 Development have been retired. The Proposal does not represent an increase to the construction or operational footprint of the MPW Stage 2 project and so would not result in any additional impacts to threatened species or ecological communities that have not already been assessed and approved under MPW Stage 2.</p>	<p><u>RtS:</u> This RtS</p> <p><u>EIS:</u> Section 10 Appendix J</p>
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Key Issue	Submission Comment / Summary	Response	Reference
		<p>Vegetation and biodiversity assets have already been approved for removal across the Proposal site as part of MPW Concept Plan, Early Works Stage 1, and MPW Stage 2 assessments. No further significant impacts on the biodiversity value of the site are likely as a result of this Proposal.</p>	
<p>Modification to concept plan; inadequate technical reports (traffic)</p>	<p>Modifications to concept plan including container movement, and inadequate traffic studies to support modifications</p>	<p>Extensive traffic modelling has been undertaken for the MPW (and MPE) Project, including for the MPW Stage 2 EIS (Arcadis, 2016).</p> <p>The Proposal does not involve any changes to the traffic impacts already approved for the MPW Stage 2 Project and has considered the daily importation cap of 22,000 m³ fill material. Traffic impacts, and the traffic modelling documentation that underpins them, are detailed in the <i>Moorebank Precinct West – Stage 2 Proposal EIS</i>, prepared by Arcadis (2016) and the <i>Moorebank Precinct West – Stage 2 Proposal Response to Submissions Report</i>, prepared by Arcadis (2017). Both of these documents are available on SIMTA’s website.</p>	<p><u>RtS:</u> This RtS Appendix E</p> <p><u>EIS:</u> Sections 1.3, 3.3 and 7</p>
<p>Subdivision, drainage, fill importation (resulting in changes to flora and fauna, surface flows); construction (onsite crushing activities); Project clarity</p>	<p>Concerns regarding subdivision, inadequate stormwater infrastructure (detention ponds) and inappropriate location of detention ponds within riparian land, excessive site filling, onsite crushing and recycling of material, impacts to biodiversity area and riparian land due to site filling and resulting alteration to surface flows, unclear Project timing completion dates. No landscaping plan was provided with the Proposal.</p>	<p>Project documentation prepared for MPW Stage 2 including the EIS (Arcadis, 2016), specialist technical reports and the RtS report (Arcadis, 2017) were considered in relation to the Proposal. The MPW Stage 2 assessments considered potential environmental impacts in relation to stormwater infrastructure (detention ponds) and location of detention ponds within riparian land, earthworks and site filling, onsite crushing and recycling of material, and impacts to biodiversity areas and riparian land due to site filling and resulting alteration to surface flows. No detention ponds are proposed as part of MPW Stage 3 development works.</p> <p>The MPW Stage 3 EIS determined that the Proposal does not involve additional potential environmental impacts beyond</p>	<p><u>RtS:</u> This RtS Appendix G</p> <p><u>EIS:</u> Sections 3.1.1, 3.1.2, 10 and 11 Appendix J</p>

Key Issue	Submission Comment / Summary	Response	Reference
		<p>that which was already assessed and approved for the MPW Stage 2 Project.</p> <p>It is noted that subdivision was considered under the MPW Concept Plan Early Works and Stage 1 assessment. Importation of fill material was assessed under MOD1 to the MPW Concept Plan, and MPW Stage 2. The MPW Stage 2 Project documentation assessed the potential impacts of a construction/works compound, hardstand areas and site drainage. The UDDR which provides a consolidated landscape plan for the MPW Site is currently under preparation/consultation.</p>	
<p>T.Bertram, Wattle Grove; J Sylvestre, Chipping Norton; M Venakis, Moorebank; R Millane, Casula; S M Seshadrinath, Holsworthy; D Scutella, Wattle Grove; Name Withheld, Moorebank; Name Withheld, Moorebank; Name Withheld, Wattle Grove; Name Withheld, Moorebank; Name Withheld, Moorebank; Name Withheld, Wattle Grove; Name Withheld, Chipping Norton</p>			
<p>Site selection (overall objection to the development)</p>	<p>The site is not suitable for the intended purpose and the development is not in the public interest</p>	<p>The MPW Concept Plan Early Works and Stage 1 approval was granted by the PAC on 3 June 2016 and the MPW Stage 2 approval was granted by the IPC on 11 November 2019. EPBC Approval (No. 2011/6086) was originally granted on 1 July 2014 with variations on 2 February 2016 and 27 September 2016.</p> <p>The suitability of the site for the approved use as an intermodal terminal and benefits to the public were considered at length in assessment documentation for the aforementioned approved projects, including the MPW Stage 2 EIS (Arcadis, 2016) and MPW Stage 2 RtS Report (Arcadis, 2017), as part of the approval process.</p> <p>The MPW Concept Plan characterises use of the site as an intermodal facility, rather than an industrial park or estate. MPW consents specify use of the site for the purposes directly related to the freight terminal.</p>	<p><u>RtS:</u> This RtS</p> <p><u>EIS:</u> Sections 3.3 and 3.8</p>

5.3 Other submissions

Several issues not directly related to the Proposal were raised in the community organisation and public community submissions. Justification as to why these issues were not considered to be directly relevant to the Proposal or this RtS is provided in Table 5-3.

Table 5-3: Summary of key issues identified in public community and special interest organisation submissions, not directly attributable to this Proposal.

Community Organisation / Public Submissions	Key Issues Raised	Concern / Comment	RtS Response
Community Organisation Submissions			
East Liverpool Progress Association	Planning provisions	Application of SSD 5066 Condition of Consent (CoC) 8 a), where the transport system's capacity is exceeded and so IMEX freight throughput is not able to proceed	Consent has already been granted by the Minister for Planning for the IMEX terminal as SSD 6766 (MPE Stage 1; 13 March 2018), subject to CoC. Subsequent to review of assessments, including the <i>SIMTA Stage 1 Traffic Impact Assessment</i> (Hyder Consulting, 2014) completed for the submission, a throughput of 250,000 TEU was approved for the intermodal terminal facility, which does not exceed the transport system's capacity.
	Planning provisions	Initial development consent for the Moorebank development was inappropriate and flawed	<p>The MPW Concept Plan Early Works and Stage 1 approval was granted by the PAC on 3 June 2016 and the MPW Stage 2 approval was granted by the IPC on 11 November 2019. EPBC Approval (No. 2011/6086) was originally granted on 1 July 2014 with variations on 2 February 2016 and 27 September 2016.</p> <p>The approval process for this and previous applications has been undertaken in accordance with Part 4, Division 4.7 (previously Division 4.1) of the EP&A Act and Schedule 2, Clause 6 and 7 of the EP&A Regulation.</p>
Public Submissions			
Name Withheld, Casula	Noise	Warehousing operations resulting in increased rail freight movements and therefore increased noise levels and rail wheel squeal	<p>Potential impacts from warehousing operations resulting in increased rail freight movements and therefore increased noise levels and rail wheel squeal are not considered relevant to the Proposal.</p> <p>An assessment of noise and vibration impacts was undertaken for MPW Stage 2 (Wilkinson Murray, 2016) and included an identification of nearby sensitive receivers. The noise modelling concluded that</p>

Community Organisation / Public Submissions	Key Issues Raised	Concern / Comment	RtS Response
			<p>operational noise levels from the proposed MPW Stage 2 works, which included warehousing operations and construction of a rail link, would comply with relevant noise criteria, with the exception of the most affected receivers in Casula under adverse meteorological conditions during the night time period with an exceedance of intrusive criteria up to 1 dBA. This minor exceedance was considered negligible and could be effectively mitigated with the implementation of best practice noise mitigation measures.</p>
<p>A.Scutella, Wattle Grove; T.Bertram, Wattle Grove</p>	<p>Submissions process</p>	<p>Problems with online lodgement of submission due to DPIE IT issues</p>	<p>The Applicant has no capacity to affect lodgement of submissions with DPIE.</p> <p>The approval process for this EIS has been undertaken in accordance with Part 4, Division 4.7 of the EP&A Act and Schedule 2, Clause 6 and 7 of the EP&A Regulation.</p> <p>The lodgement and exhibition timeframes for these documents is considered transparent and meets standard requirements for public exhibition. The EIS for the Proposal was placed on public exhibition for comment between 30 April and 27 May 2020 in accordance with the EP&A Act Schedule 1 Clause 9. All submissions are available on DPIE's website.</p>
<p>A.McGrath, Casula</p>	<p>Noise</p>	<p>Objection to hours of operation for train movements, and increased noise levels due to increase in freight train movements. Objection to warehousing hours of operation (24 hours per day) as unacceptable.</p> <p>Would like to see restrictions in place for the train movements/warehousing hours of operation</p>	<p>The Proposal does not include freight train movements or warehousing operations as part of the development works under this application.</p> <p>Operational hours for warehousing and freight train movements were considered at length in previous development applications for the site.</p> <p>The MPW Concept Plan Early Works and Stage 1 approval was granted by the PAC on 3 June 2016 and the MPW Stage 2 approval was granted by the IPC on 11 November 2019. Specific hours of operation for warehousing and train movements are provided in relevant CoC in previous approvals, and appropriate mitigation measures will be implemented to manage noise levels associated with the development.</p>

Community Organisation / Public Submissions	Key Issues Raised	Concern / Comment	RtS Response
A.McGrath, Casula	Site selection	Although supports removal of trucks from the Sydney roads resulting from industrial use of the land, concerned the Moorebank Project location has not been adequately assessed regarding impacts to locals	<p>The MPW Concept Plan Early Works and Stage 1 approval was granted by the PAC on 3 June 2016 and the MPW Stage 2 approval was granted by the IPC on 11 November 2019. EPBC Approval (No. 2011/6086) was originally granted on 1 July 2014 with variations on 2 February 2016 and 27 September 2016.</p> <p>The Proposal is consistent with the MPW Concept Plan, which characterises use of the site as an intermodal facility, and MPW consents which specify use of the site for purposes directly related to the freight terminal.</p> <p>The suitability of the site for the approved use for warehousing and an intermodal terminal, as well as potential environmental impacts to sensitive receivers were considered at length in previous development applications for the site. Potential traffic, noise, air quality and health impacts were considered in the assessment process for the aforementioned approved projects, including the MPW Stage 2 EIS (Arcadis, 2016) and MPW Stage 2 RtS Report (Arcadis, 2017).</p>
J.Anderson,	Traffic	Rail freight/passenger usage conflicts, due to increase in residential population	<p>The Proposal does not include freight train movements under this application.</p> <p>The SSFL is a dedicated freight line which includes the Moorebank to Port Botany section, and is not used for passenger trains.</p>

6. Amendments to Plans and Technical Reports

Subsequent to review and analysis of submissions, to further clarify assessments in relation to the Proposal, minor updates were made to plans and specialist technical reports identified in Table 6-1 to address key issues raised in the submissions. The updated plans and reports, and additional documentation for clarification accompany this RtS and are provided in Appendices A through J of this report.

Table 6-1: List of updated technical documentation accompanying this RtS.

Report/Documentation	Consultant / Agency	Location within this RtS
Subdivision Plan and	Reid Campbell	Appendix A
Works Compound Plan	Land Partners	Appendix B
Extracted pages from the UDDR for MPW Stage 2	Reid Campbell	Appendix C
Indicative Cumulative construction timeline for MPW Stages 2 and 3 and MPE Stage 2 works	Aspect Environmental	Appendix D
Traffic and Access	Ason Group	Appendix E
Noise and Vibration	Renzo Tonin	Appendix F
Civil Works / Soil and Water Management Plan	Costin Roe	Appendix G
Bushfire	Australian Bushfire Protection Planners (ABPP)	Appendix H
Consultation	-	Appendix I
Submissions	-	Appendix J

6.1 Plans

6.1.1 Subdivision Plan

The subdivision plan (Appendix A) was updated in response to comments from DPIE, to demonstrate compliance with the requirements of SSD 5066 Schedule 4 CoC E26 (c) (refer to Table 4-1 for further details).

The subdivision plan provides details regarding the proposed lot layout. Descriptions for the intended use of the proposed lots is provided in Section 3.1.2.5 of the EIS.

The updated subdivision plan shows easements for drainage and services, as well as whole of lot easements for services, future services and access, required to maintain internal connections and interdependencies between the individual intermodal functions within the

development site. The subdivision plan identifies lots burdened and benefitting respectively from either existing, created or to be created easements, with access to common areas, facilities and amenities that support the requirements of interdependency and co-dependency of the warehouse and distribution facilities and the freight terminal and rail facilities respectively. Further clarification regarding proposed subdivision and ancillary works is provided in Sections 3.1.2 and 3.1.3 of the EIS.

The proposed subdivision is consistent with the intent of the original MPW Concept Plan Approval, in that it will not compromise the intent for the site to be an integrated intermodal facility.

6.1.2 Works Compound Plan

An updated works compound plan is provided with this RtS (Appendix B), and provides further details regarding the works compound, including:

- Works compound area
- Laydown and material stockpile areas
- Material storage and parking area
- Access to the site from Chatham Avenue
- Location of services and utilities under the permanent ring road
- Connection from the permanent ring road on MPW Stage 3 north to the permanent ring road to be constructed under the MPW Stage 2 consent
- MPW Stage 3 works compound development area
- Location of OSD 6 and OSD 8, to be constructed under MPW Stage 2 consent.

Further details regarding the works compound is provided in Section 3.1.1 of the EIS.

6.2 Traffic Impact Assessment

The Traffic Assessment Report (Ason Group, 2020) has been updated to clarify potential impacts to traffic resulting from the Proposal in response to comments from DPIE and TfNSW, and is provided in Appendix D of this RtS.

The updated Traffic Assessment Report provides clarification regarding:

1. Access to the site from Chatham Avenue, and an indicative access route continuing through to the proposed works compound area.
2. Indicative timing of the decommissioning of Chatham Avenue, to facilitate construction of the IMT and rail link connection.
3. Explanation comments to the 'inconsistencies', as identified by TfNSW, between the Transport Assessment Report and the MPW Stage 2 Proposal – Construction Impact Assessment (October 2016), in particular Stage 2 – Scenario 2 (Figure 5 of the Transport Assessment report).
4. Further traffic modelling requirements as a result of the closure of Chatham Avenue Access.

The Traffic Assessment Report prepared for MPW Stage 3 confirms that no traffic impacts beyond those already identified and assessed under previous approvals are anticipated as part of this Proposal. No changes to the approval fill importation cap or total truck movements are proposed under this application.

The CTAMP prepared for MPW will be adopted for the Proposal.

A full environmental assessment for the Proposal in relation to potential traffic and transport impacts, and mitigation and management measures is provided in Section 7 of the EIS.

6.3 Noise and Vibration Impact Assessment

The Noise and Vibration Impact Assessment (Renzo Tonin, 2020) has been updated to clarify potential noise impacts resulting from the Proposal in response to comments from NSW EPA, and is provided in Appendix E of this RtS.

The updated Noise and Vibration Impact Assessment provides clarification regarding:

1. A cumulative assessment of potential noise impacts across the MLP Precinct, including an indicative cumulative timeline of construction works across MPW Stages 2 and 3 and MPE Stage.
2. Concrete and asphalt batch plants, confirming that no concrete and asphalt batch plants are proposed for the MPW Stage 3 development.

The Noise and Vibration Impact Assessment prepared for MPW Stage 3 confirms that no noise and vibration impacts, and no significant impacts to sensitive receivers, beyond those already identified and assessed under previous approvals are anticipated as part of this Proposal.

The Construction Environmental Management Plan and Construction Noise and Vibration Management Plan prepared for MPW will be adopted for the Proposal.

A full environmental assessment for the Proposal in relation to potential noise and vibration impacts, and mitigation and management measures is provided in Section 8 of the EIS.

6.4 Soil and Water Management Plan

The MPW S3 Soil and Water Management Plan report (Costin Roe, 2020) has been updated to clarify potential water management impacts resulting from the Proposal in response to comments from NSW EPA, and is provided in Appendix F of this RtS.

The updated Soil and Water Management Plan provides clarification regarding:

1. Nominated volumes of imported material, being an estimated 280,000 m³ of unconsolidated clean fill for compaction, and approximately 540,000 m³ of structural fill for warehouse pad completion, in addition to the 1.6M m³ imported fill approved under SSD 5066 MOD1.
2. The requirement for a bulk earthworks strategy, where no materials are proposed to be extracted from the site under the proposed development, and so a bulk earthworks strategy for extraction is not required.

The Soil and Water Management Plan prepared for MPW Stage 3 confirms that no significant water management impacts beyond those already identified and assessed under previous approvals are anticipated as part of this Proposal.

The CEMP and CSWMP prepared for MPW will be adopted for the Proposal.

A full environmental assessment for the Proposal in relation to potential soil and water management impacts, and mitigation and management measures is provided in Section 11 of the EIS.

6.5 Bush Fire Report

The Bush Fire Report (ABPP, 2020) has been updated to clarify NSW RFS requirements regarding *Planning for Bush Fire Provisions 2019*, and is provided in Appendix G of this RtS.

Confirmation has been provided from NSW RFS (email 17 July 2020; Appendix G) that a full bush fire assessment report would not be required, '*as long as there is sufficient information in the cover letter and original report for [NSW RFS] to be confident that Stage 3 complies*', and so the updated report clarifies the extent to which the Proposal conforms with the relevant provisions of *Planning for Bush Fire Protection 2019*.

The Bush Fire Report prepared for MPW Stage 3 confirms that the aim and objectives of *Planning for Bush Fire Protection 2006* have been satisfactorily addressed, based on previous assessments undertaken for the Project. No works are proposed to be located outside the scope of the Concept Plan approval and the bush fire impacts associated with the Proposal have been previously considered and assessed under MPW Concept Plan and MPW Stage 2 approvals.

The approved Bushfire Risk Management Plan prepared for MPW Stage 2 will be adopted for the Proposal.

A full environmental assessment for the Proposal in relation to potential bush fire impacts, and mitigation and management measures is provided in Section 17.1 of the EIS.

7. Conclusion

SIMTA is seeking approval for MPW Stage 3 as SSD 10431, which includes the following key components:

- Establishment of a works compound to facilitate approved site development works for the MPW Site (as per SSD 5066 and SSD 7709) as well as progressive and future MPW Site development works, and includes hardstand, laydown and materials stockpile areas, temporary and permanent access roads, utilities and services
- Progressive subdivision of the MPW Site to create nine allotments for the purpose of separating the interstate freight terminal and warehousing, establishment of a biodiversity conservation allotment and tenancing of individual warehouses
- Ancillary works to facilitate establishment, access and servicing of the construction compound and site subdivision
- Importation of fill to achieve the finished site surface levels.

The EIS for the Proposal was publicly exhibited for comment between 30 April and 27 May 2020 in accordance with the EP&A Act Schedule 1 Clause 9.

Forty (40) submissions were received during (and following) the EIS exhibition period, being

- 11 from government agencies,
- 4 from community organisations and
- 25 from the public community.

Key issues raised in the submissions were addressed in Sections 4 and 5 of this RtS. Some issues raised in community submissions were not directly relevant to the scope of the Proposal and have been addressed in Section 5.3.

The MPW Stage 3 EIS and this RtS have determined that the Proposal does not involve additional potential environmental impacts beyond that which were already assessed and approved for the MPW Stage 2 Project.

Whilst further clarification and justification for the Proposal has been provided in this RtS as a response to satisfy issues raised by submissions, no further changes were made to the Proposal.

Consultation with DPIE will continue to be undertaken throughout the Proposal's assessment process.

Further updates will be provided on SIMTA's website, as required. The Proposal was briefly discussed by the CCC during the 11 May 2020 meeting, and is intended to be discussed in more detail during the next meeting scheduled for 10 August 2020, with future consultation to be guided by the overarching stakeholder engagement principles that have been used to inform previous consultation

DPIE, on behalf of the Minister for Planning, will review and assess the EIS and this RtS. Once the DPIE has completed its assessment, a draft assessment report will be prepared for the Secretary of the DPIE, which may include recommended conditions of approval.

The assessment report will then be provided to the Independent Planning Commission (IPC) for consideration. The IPC will assess and determine the Proposal, with any additional conditions the IPC considers appropriate.

The IPC's determination, including the final conditions of approval and the Secretary's report, will be published on DPIE's website after determination, together with a copy of this RtS.

SIMTA is committed to continuing to consult with stakeholders, including the community throughout the planning of this Proposal and future stages of development. Further information on this Proposal is available on SIMTA's website <https://simta.com.au/>.

Appendix C – Extracted pages from the Urban Design Development
Report for MPW Stage 2 (Reid Campbell, 2020)

Appendix D – Indicative Cumulative Construction Works Timeline for
MPW Stages 2 and 3 and MPE Stage 2 (Aspect
Environmental, 2020)

Indicative timeline of cumulative construction works – MPW Stage 2, MPW Stage 3 and MPE Stage 2

Construction Phase ¹	2020			2021				2022				2023			
	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
SSD 7709 MPW Stage 2															
Pre-construction stockpiling															
Site preparation activities															
Bulk earthworks, drainage and utilities															
Moorebank Avenue/Anzac Road intersection works and internal road network															
Moorebank Avenue Realignment (Upgrade) Works (subject to separate SSI)															
IMT facility and rail link connection															
Construction and fit-out of warehousing															
Freight Village															
SSD 10431 MPW Stage 3															
Fill importation															
Internal roads, services and utilities															
Construction compound															

Construction Phase ¹	2020			2021				2022				2023			
	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
SSD 7268 MPE Stage 2 ²															
Construction of WH5															
Construction of WH6, WH7, WH8															
Construction of Freight Village															
Internal road networks															
Upgrade to Moorebank Avenue/M5 intersection															
Upgrade to Moorebank Avenue/Heathcote Road/Newbridge Road intersections															
Construction of WH2	To be advised														

Notes:

¹ Timings are indicative only and are subject to change. Construction phasing is subject to market conditions, commercial agreements and authority approvals.

² Interim Occupation Certificates have already been issued for WH1, WH3 and WH4.

Appendix F - Noise and Vibration Impact Assessment (Renzo Tonin,
2020)

