



Suite 117, 25 Solent Circuit
Norwest Business Park
Baulkham Hills
NSW 2153
ABN: 50 160 157 666

19 July 2021

By email: ipcn@ipcn.nsw.gov.au

Office of the Independent Planning Commission NSW
Level 3, 201 Elizabeth Street
Sydney NSW 2000

Re: Notice of Modification: Condition A9 of SSD 7709 – Moorebank Precinct West Stage 2 (MPW Stage 2)

Introduction and Background

This notice relates to the development consents granted for Moorebank Precinct West Stage 2 (MPW Stage 2) (SSD 7709) and Moorebank Precinct West Stage 3 (MPW Stage 3) (SSD 10431).

This notice has been prepared following receipt of advice from the NSW Department of Planning, Industry and Environment (DPIE) on 15 June 2021 and in order to comply with a condition of SSD 10431. Condition A9 of SSD 10431 requires:

A9: Prior to the physical commencement of work under this consent, the Applicant is required to modify the following development consents by replacing “22,000 m³” wherever occurring with “13, 000 m³” in:

- a) condition A9 of SSD 7709; and*
- b) condition B56(a) of SSD 7628*

The modifications required by Condition A9 of SSD 10431 may be effected by the giving of notice under cl 97(1) of the *Environmental Planning and Assessment Regulation 2000* (the Regulation) (Notice of Modification). Once the Notice of Modification is given, provided it contains the information required under cl 97 of the Regulation, the Modification to SSD 7709 would be effective immediately.

The following sections provide the information required for a valid Notice of Modification under cl 97(1) of the Regulation, in relation to SSD 7709.

Notice of Modification – SSD 7709 – Clause 97(1) of the Regulation

a) the name and address of the person by whom the notice is given

Name: Sydney Intermodal Terminal Alliance (SIMTA) as Qube Holdings Limited

Address: Level 27, 45 Clarence Street, Sydney NSW 2000

b) the address, and formal particulars of the title, of the land to which the consent or right relates

Site: Moorebank Avenue, Moorebank NSW 2170

Lot/DP details:	Lot 1 DP 1197707	Lot 100 DP 1049508
	Lot 101 DP 1049508	Lot 2 DP 1197707
	Part Lot 3 DP 1197707	Part Anzac Road and Moorebank Avenue public road reserves

c) a description of the development consent or existing use right to be modified or surrendered

This Notice of Modification relates to modification of SSD 7709, as required by Condition A9(a) of SSD 10431.

SSD 7709 was approved by the Independent Planning Commission under s 4.38 of the *Environmental Planning and Assessment Act 1979* on 11 November 2019. SSD 7709 authorises the construction of an interstate freight terminal facility, warehousing and a rail link connection. Specifically, SSD 7709 relates to the following key development components (as per the Consolidated SSD 7709 Consent):

- Construction and 24/7 operation of an intermodal terminal (IMT) facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum, including
 - a rail terminal with nine rail sidings and associated locomotive shifter
 - a rail link connection from the sidings to the rail link constructed under MPE Stage 1 (SSD 6766) to the Southern Sydney Freight Line (SSFL)
 - rail and truck container loading and unloading and container storage areas
 - truck waiting area and emergency truck storage area o container wash-down facilities and degassing area o mobile locomotive refuelling station
 - engineer’s workshop, administration facility and associated car parking.

Operation of the IMT facility includes operation of the rail link to the SSFL and container freight movements by truck to and from the Moorebank Precinct East (MPE) site

- Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility and including:
 - Six warehouses with a total gross floor area (GFA) of 215,000 m² and, for each warehouse, associated offices, staff amenities, hardstands and truck and light vehicle parking
 - 800 m² freight village (operating from 7am to 6pm, 7 days/ week) including staff/ visitor amenities
 - internal roads, noise wall, landscaping, lighting and signage
- Intersection upgrades on Moorebank Avenue at:

- Anzac Road providing site access
- Bapaume Road for left turn only out of the site.
- Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site.
- Construction works and temporary ancillary facilities, including:
 - vegetation clearing, top soil stripping and stockpiling and site earthworks and temporary on site detention
 - importation of up to 1,600,000 m³ of uncompacted fill, temporary stockpiling and placement over the entire site to raise existing ground levels by up to 3 m
 - materials screening, crushing and washing facilities
 - importation and placement of engineering fill and rail line ballast
 - installation and use of a concrete batching plant
 - utilities installation/ connection.

On 24 December, 2020 the Minister for Planning and Public Spaces approved SSD 7709 Mod 1, which included:

- adjustment to the southern boundary of the MPW Stage 2 site.
- increase to maximum building height across warehouses 5 and 6 from approximately 21 m up to and including 45 m
- rearrangement of warehousing
- increases to operational noise criteria
- allowance for storage of Dangerous Goods on-site at warehouses 5 and 6.

An application for SSD 7709 Mod 2 is currently under assessment by DPIE and relates to modification of several construction related conditions.

d) particulars as to whether the consent or right is to be modified (including details of the modification) or surrendered

The Applicant seeks modification of Condition A9 of SSD 7709 which provides:

A9: Importation of imported fill must not exceed a total of 22, 000 m³ of material per day across this development and MPE Stage 2 (SSD 7628) on the same day.

This Notice of Modification modifies the wording of the above Condition A9 of SSD 7709 as follows (change provided in **bold**):

*A9: Importation of imported fill must not exceed a total of ~~22,000 m³~~ **13,000 m³** of material per day across this development and MPE Stage 2 (SSD 7628) on the same day.*

e) if the Applicant is not the owner of the land, a statement signed by the owner of the land to the effect that the owner consents to the modification or surrender of the consent or right.

A statement from the land owner providing consent for this modification is provided in Attachment A.

Conclusion

This Notice of Modification provides the requisite information in accordance with cl 97(1) of the Regulation, to effect modification of Condition A9 SSD 7709, pursuant to Condition A9 of SSD 10431. This modification changes the wording of Condition A9 of SSD 7709 to amend (reduce) the daily limit of importation of fill from 22,000 m³ to 13,000 m³. This modification is required by Condition A9(a) of SSD 10431 prior to physical commencement of work under SSD 10431.

Please feel free to contact me if you wish to discuss further.

A handwritten signature in blue ink, appearing to read 'M. Kovelis', with a long horizontal stroke extending to the right.

Megan Kovelis

Associate

Aspect Environmental

Attachment A – Land Owners’ Consent – SSD 7709

SIMTA
c/- Mr Michael Yiend
Director Development, Qube Holdings Limited
Level 27, 45 Clarence St
SYDNEY NSW 2000

Dear Sir,

Moorebank Precinct West (MPW) Stage 2 State Significant Development Application (SSD_7709) and MPW Concept Plan Approval Modification Application (SSD 5066 MOD 1) Land Owner's consent to MPW Stage 2 (SSD_7709) and MPW Concept Plan Approval Modification (SSD_5066 MOD 1)

Liverpool City Council is the owner of land (**Land Owner**) located at Moorebank, described as the following and referred to herein as Land (**Land**):

- Moorebank Avenue from Anzac Road between Lot 2 DP11977 and Lot 3 DP 1063765 (M5 Interchange)
- Lot 101 DP1049508
- Anzac Road western extent adjoining Moorebank Avenue, west of Lot 3005 DP 1125930
- Bapaume Road
- Lot 6 DP 1063765
- Lot 7 DP 1063765

Council is aware that a Stage 1 development consent has been obtained for a Concept Proposal and Stage 1 Early Works (SSD 5066 issued 3 June 2016) for the proposed Moorebank Precinct West (MPW) Project, and that SIMTA has lodged a State Significant Development Application for Stage 2 of the MPW Project (SSD 7709) seeking development consent for construction and operation of the second stage of the MPW Project, and a Modification Application (Modification 1) seeking to modify the Concept Plan Approval for the Moorebank Precinct West Project (SSD 5066 MOD 1).

The Stage 2 SSD Application has been given reference number SSD 7709 and seeks approval for Stage 2 of the Moorebank Precinct West Project under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Modification Application has been given reference number SSD 5066 MOD 1 and seeks approval to modify the MPW Concept Plan Approval under section 96 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Land forms part of the land on which development is proposed pursuant to the Stage 2 SSD Application (SSD 7709) and the MPW Concept Plan approval Modification application (SSD 5066 MOD 1). As the owner of the Land, I give consent to the making of the Stage 2 SSD Application (SSD 7709) and the MPW Concept Plan Approval Modification Application (SSD 5066 MOD 1).



Customer Service Centre Ground floor, 33 Moore Street, Liverpool NSW 2170

All correspondence to Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170

Fax 9821 9333 **Email** lcc@liverpool.nsw.gov.au

Web www.liverpool.nsw.gov.au **NRS** 13 36 77 **ABN** 84 181 182 471

If you do not understand this letter/application, please ring the Telephone Interpreter Service (131 450) and ask them to contact Council (1300 362 170). Office hours are 8.30 am to 5.00 pm, Monday to Friday.

ARABIC

إذا لم تستطيع فهم هذا الطلب، الرجاء الاتصال بخدمة الترجمة الهاتفية على رقم 131 450 واسألهم أن يتصلوا بالبلدية على رقم 1300 362 170، دوام ساعات العمل هي من الساعة 8.30 صباحاً إلى 5.00 بعد الظهر من الاثنين إلى الجمعة

CHINESE

如看不懂此信/申請書，請打電話給「電話翻譯服務中心」(131 450)，請他們聯絡市政廳(市政廳電話1300 362 170)。市政廳辦公時間：星期一至星期五，上午八時三十分至下午五時。

CROATIAN

Ako ne razumijete ovo pismo/aplikaciju, molimo nazovite Službu prevodilaca i tumača (Translating and Interpreting Service - na broj 131 450) i zamolite ih da nazovu Općinu (na 1300 362 170). Radno vrijeme je od 8.30 ujutro do 5.00 popodne, od ponedjeljka do petka.

GERMAN

Wenn Sie diesen Brief/Antrag nicht verstehen können, rufen Sie bitte den Telefon Dolmetscher Dienst (Telephone Interpreter Service) (131 450) an und lassen Sie sich vom Personal mit dem Gemeinderat (Council) in Verbindung setzen (1300 362 170). Geschäftsstunden sind von 8:30 bis 17:00 Uhr, montags bis freitags.

GREEK

Αν δεν καταλαβαίνετε αυτή την επιστολή/αίτηση, σας παρακαλούμε να τηλεφωνήσετε στην Τηλεφωνική Υπηρεσία Διεργημένων (131 450) και να τους ζητήσετε να επικοινωνήσουν με το Δημοτικό Συμβούλιο (1300 362 170). Τα γραφεία του είναι ανοιχτά από τις 8.30π.μ. μέχρι τις 5.00μ.μ. από Δευτέρα μέχρι και Παρασκευή.

HINDI

अगर आप इस पत्र/आवेदन को पढ़कर समझ नहीं पा रहे हैं तो कृपया टेलीफोन में वाट-महायक सेवा (131 450) को फोन करें और उनसे काउंसिल (1300 362 170) से संपर्क करने को कहें। कार्यालय का समय सोमवार से शुक्रवार तक प्रातः ८:३० बजे से सायं ५:०० तक है।

ITALIAN

Se non comprendi questa lettera/questo modulo di domanda, telefona al Servizio traduzioni e interpreti al numero 131 450 chiedendo di essere messo in contatto con il Comune (telefono 1300 362 170). Orario d'ufficio: ore 8.30 -17.00, dal lunedì al venerdì.

KHMER

ចំណែកអ្នកមិនយល់ពីអត្ថន័យរបស់ការប្រតិបត្តិទេរទេ សូមទូរស័ព្ទទៅសេវាបកប្រែភាសាកម្ពុជា (លេខ 131 450) ហើយស្នើសុំឲ្យគេទាក់ទងភ្នាក់ងារក្រុង (លេខ 1300 362 170)។ ពេលម៉ោងធ្វើការគឺម៉ោង ៨ ភ្នំព្រឹកដល់ម៉ោង ៥ ល្ងាច ពីថ្ងៃចន្ទដល់ថ្ងៃសុក្រ

MACEDONIAN

Ako ne го разбирате ова писмо/апликација, ве молиме да се јавите во Телефонската преведувачка служба на 131 450 и замолете ги да стапат во контакт со Општината на 1300 362 170. Работното време е од 8.30 часот наутро до 5.00 часот попладне од понеделник до петок.

MALTESE

Jekk ma tifhimx din l-ittra/applikazzjoni, jekk joghġbok ċempel lis-Servizz ta' l-Interpretu bit-Telefon (131 450) u itlobhom jikkuntattjaw il-Kunsill (1300 362 170). Il-hinijiet ta' l-Uffiċċju huma mit-8.30a.m. sal-5.00p.m., mit-Tnejn sal-Gimgha.

POLISH

Jesli nie rozumiesz treści niniejszego pisma/podania, zadzwoń do Telefonicznego Biura Tłumaczy (Telephone Interpreter Service) pod numer 131 450 i poproś o telefoniczne skontaktowanie się z Radą Miejską pod numerem 1300 362 170. Godziny urzędowania: 08.30-17.00 od poniedziałku do piątku.

SERBIAN

Ako ne razumete ovo pismo/aplikaciju, molimo vas da nazovete Telefonsku prevodilacku službu (131 450) i zamolite ih da kontaktiraju Opštinu (1300 362 170). Radno vreme je od 8.30 ujutro do 5.00 popodne, od ponedeljka do petka.

SPANISH

Si Ud. no entiende esta carta/solicitud, por favor llame al Servicio Telefónico de Intérpretes (131 450) y pídale que llamen a la Municipalidad (Council) al 1300 362 170. Las horas de oficina son de 8:30 am a 5:00 pm, de lunes a viernes.

TURKISH

Bu mektubu veya müracaatı anlayamazsanız, lütfen Telefon Tercüme Servisi'ne (131 450) telefon ederek Belediye ile (1300 362 170) ilişkiye geçmelerini isteyiniz. Çalışma saatleri Pazartesi - Cuma günleri arasında sabah saat 8:30 ile akşam 5:00 arasındır.

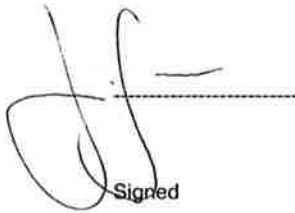
VIETNAMESE

Nếu không hiểu thư/đơn này, xin Quý Vị gọi cho Telephone Interpreter Service (Dịch Vụ Thông Dịch Qua Điện Thoại), số 131 450, và nhờ họ liên lạc với Council (Hội Đồng), số 1300 362 170. Giờ làm việc là 8 giờ 30 sáng đến 5 giờ 00 chiều, Thứ Hai đến Thứ Sáu.

This owner's consent is limited to the Stage 2 SSD Application (SSD 7709) and MPW Concept Plan Approval Modification Application (SSD 5066 MOD 1). Further, this letter does not constitute owner's consent in respect of any subsequent State Significant Development application that may affect the Land. Further requests for owner's consents in respect of any subsequent development applications will be required.

This letter does not constitute agreement by the Land Owner to the grant, or terms of, any easements or rights of carriageway that Qube may seek to obtain in respect of the Land.

Yours faithfully,

 25/10/17
Signed

JOHN F. MACDONALD

Name of landowner

28 August 2018

Mr Michael Yiend

Development Director

Qube Holdings Ltd

Level 27 45 Clarence St

SYDNEY NSW 2000

RE: SIMTA Moorebank Intermodal Terminal Facility State Significant Development SD7709 and Modification Application SSD5066_MOD1 with respect to Southern Sydney Freight Line (SSFL)

Dear Michael

In relation to the above applications and further to the RailCorp letter of landowner's consent dated 22 January 2018 which included Condition 2 as follows:

That approval be obtained from the Australian Rail Track Corporation (ARTC) prior to the lodgement of this letter with the Consent Authority and to comply with any of ARTC's requirements.

ARTC is the owner of assets located on RailCorp Land and the holder of a licence with respect to portion of that land comprising the SSFL corridor. ARTC thereby approves SIMTA's submissions SSD7709 and SSD5066_MOD1 on the basis it has agreed in principle to the rail connections from SIMTA's Intermodal Terminal Facility to the SSFL.

ARTC's approval is given on condition that the following be required:

1. the contract (in the form of a Works Deed) be signed by ARTC and SIMTA following receipt of RailCorp consent by ARTC.
2. That noise management protocols at the interfaces with ARTC be developed and finalised prior to operation.
3. That an Access Agreement with ARTC and an Interface Agreement in line with ONRSR's requirements be developed and agreed prior to operation.

Should you have any questions about any of this, please do not hesitate to contact me.

Yours sincerely



Richard Galbraith
General Manager Commercial and Customer Service
Australian Rail Track Corporation



Australian Government
Department of Defence
Estate and Infrastructure Group

Office of the Deputy Secretary
Estate and Infrastructure
Department of Defence
R1-6-A001
PO Box 7902
CANBERRA BC ACT 2610

Tel: 02 6265 6060
Fax: 02 6265 7998

DEPSEC E&IG/OUT/2017/AF7290130

Sydney Intermodal Terminal Alliance
c/- Mr Michael Yiend
Senior Development Manager, Qube Holdings Limited
Level 27, 45 Clarence St
SYDNEY NSW 2000

Dear Mr Yiend,

Moorebank Precinct West (Stage 2)
State Significant Development Application SDD 16_7709 and Concept Plan and Stage 1
Early Works Approval Modification Application SDD 5066 Mod 1
Owner's consent to State Significant Development Application and Concept Plan and
Stage 1 Early Works Approval Modification Application

The Department of Defence (Defence) is the owner of land (Land Owner) located at Moorebank, known to Defence as Joint Logistics Unit (East) Moorebank (the Land) and defined as:

- Lot 3 DP 1197707

Defence is aware that a Stage 1 development consent has been obtained for a Concept Proposal and Stage 1 Early Works (SSD 5066 issued 3 June 2016) for the proposed Moorebank Intermodal Precinct West. Further, Qube has lodged a State Significant Development Application seeking development consent for construction and operation of the second stage of the Moorebank Intermodal Precinct West, and a Modification Application (Modification 1) seeking to modify SDD 5066 for the Moorebank Intermodal Precinct West.

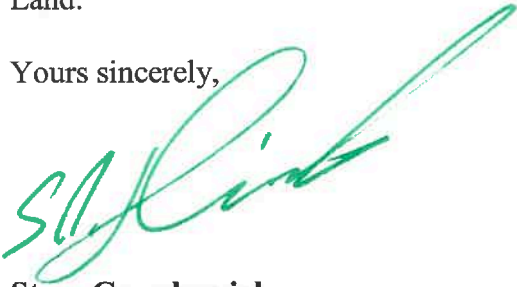
Defence understands the Stage 2 Development Application has been given reference number SSD 16_7709 and it seeks approval for Stage 2 of Moorebank Intermodal Precinct West under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Modification Application has been given reference number SSD 5066 MOD 1 and it seeks approval to modify the Concept Plan and Stage 1 Early Works Approval under section 96 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Land forms part of the land on which development is proposed pursuant to the Stage 2 SSD Application (SSD 16_7709) and the Modification Application (SSD 5066 MOD 1). The proposed works impact on a small part of the northwest corner of the Land for the purpose of upgrading the Moorebank Avenue / Anzac Road intersection. As the owner of the Land, I give consent to the making of the Stage 2 SSD Application (SSD 16_7709) and the Modification Application (SSD 5066 MOD 1).

This owner's consent is limited to this particular version of Stage 2 SSD Application (SSD 16_7709) and Modification Application (SSD 5066 MOD 1). Defence must be notified of any future modification applications in relation to any approval of SSD 16_7709 and SSD 5066 associated with upgrading the Moorebank Avenue / Anzac Road intersection for the purpose of the Moorebank Intermodal Precinct West development. Further, this letter does not constitute owner's consent in respect of any subsequent State Significant Development Applications that may affect the Land. Further requests for owner's consents in respect of any subsequent development applications will also be required.

This letter does not constitute agreement by Defence as Land Owner to the grant, or terms of, any easements or rights of carriageway that Qube may seek to obtain in respect of the Land.

Yours sincerely,



Steve Grzeskowiak
Deputy Secretary Estate and Infrastructure

5 February 2018



Australian Government

Department of Infrastructure and Regional Development

Secretary

File Reference: 17/1558
PDR ID: EC17-001322(B)
Contact: David Crawford

Sydney Intermodal Terminal Alliance
c/- Mr Michael Yiend
Senior Development Manager, Qube Holdings Limited
Level 27, 45 Clarence Street
SYDNEY NSW 2000

Dear Mr Yiend

Moorebank Intermodal Terminal Project - Commonwealth Land Owners consent to the Sydney Intermodal Terminal Alliance (SIMTA) State Significant Development (SSD) Application SSD 16_7709, Concept Plan and Stage 1 Early Works Approval Modification Application SSD 5066 Mod 1 and future modification applications to any approval for the Moorebank Intermodal Precinct West Stage 2

The Commonwealth of Australia is the owner of land (Land Owner) located at Moorebank, New South Wales, described the following and referred to herein as Land (Land):

Lot 1 DP 1197707

Lot 2 DP 1197707

Lot 4 DP 1197707

Lot 100 DP 1049508

Lot 4 DP 1130937

The Land Owner is aware that a Stage 1 development consent has been obtained for a Concept Proposal and Stage 1 Early Works (SSD 5066 issued 3 June 2016) for the proposed Moorebank Intermodal Precinct West, and that Qube has lodged a State Significant Development Application for Stage 2 (SSD 16_7709) seeking development consent for construction and operation of the second stage of the Moorebank Intermodal Precinct West, and a Modification Application (Modification 1) with the seeking to modify the Concept Plan and Stage 1 Early Works Approval for the Moorebank Intermodal Precinct West.

The Stage 2 SSD Application has been given reference number SSD 16_7709 and seeks approval for Stage 2 of the Moorebank Intermodal Precinct West under Part 4, Division 4.1 of the New South Wales *Environmental Planning and Assessment Act 1979* (EP&A Act). The Modification Application has been given reference number SSD 5066 MOD 1 and seeks approval to modify the Concept Plan and Stage 1 Early Works Approval under section 96 of the EP&A Act.

The Land forms part of the land on which development is proposed pursuant to the Stage 2 SSD Application (SSD 16_7709) and the Modification Application (SSD 5066 MOD 1). As the authorised officer on behalf of the Land Owner, I give consent to the making of the Stage 2 SSD Application (SSD 16_7709), the Modification Application (SSD 5066 MOD 1) and any and all future modification applications in relation to any approval issued in respect of SSD 16_7709.

This owner's consent is limited to the Stage 2 SSD Application (SSD 16_7709), Modification Application (SSD 5066 MOD 1) and any future modification applications in relation to any approval of SSD 16_7709 and SSD 5066. Further, this letter does not constitute owner's consent in respect of any subsequent State Significant Development Application that may affect the Land. Further requests for owner's consents in respect of any subsequent development applications will be required.

This letter does not constitute agreement by the Land Owner to the grant or terms of any easements or rights of carriageway that Qube may seek to obtain in respect of the Land.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mike Mrdak AO', written over a horizontal line.

Mike Mrdak AO

Signed on behalf of The Commonwealth of Australia, as
Secretary
Department of Infrastructure and Regional Development

13 September 2017

[insert land owner's address]

P.O. Box 19
GLENFIELD
2167.

SIMTA
c/- Mr Michael Yiend
Development Director, Qube Holdings Limited
Level 27, 45 Clarence St
SYDNEY NSW 2000

Dear Sir,

Moorebank Precinct West (MPW) Stage 2 State significant development Application (SSD_7709) and MPW Concept Plan Approval Modification Application (SSD 5066 MOD 1) Land Owner's consent to MPW Stage 2 (SSD_7709) and MPW Concept Plan Approval Modification (SSD_5066 MOD 1) and any future modification applications to any approval

 Helen Louise Kennett is the owner of land (**Land Owner**) located at Moorebank, described as Lot 5 DP 833516 (**Land**).

The Land Owner is aware that a Stage 1 development consent has been obtained for a Concept Proposal and Stage 1 Early Works (SSD 5066 issued 3 June 2016) for the proposed Moorebank Precinct West (MPW) Project, and that SIMTA has lodged a State significant development Application for Stage 2 of the MPW Project (SSD 7709) seeking development consent for construction and operation of the second stage of the MPW Project, and a Modification Application (Modification 1) seeking to modify the Concept Plan Approval for the Moorebank Precinct West Project (SSD 5066 MOD 1).

The Stage 2 SSD Application has been given reference number SSD 7709 and seeks approval for Stage 2 of the Moorebank Precinct West Project under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Modification Application has been given reference number SSD 5066 MOD 1 and seeks approval to modify the MPW Concept Plan Approval under section 96 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Land forms part of the land on which development is proposed pursuant to the Stage 2 SSD Application (SSD 7709) and the MPW Concept Plan Approval Modification application (SSD 5066 MOD 1). As the owner of the Land, I give consent to the making of the Stage 2 SSD Application (SSD 7709) and the MPW Concept Plan Approval Modification application (SSD 5066 MOD 1) and any and all future modification applications in relation to any approval issued in respect of SSD 7709 and SSD 5066.

This owner's consent is limited to the Stage 2 SSD Application (SSD 7709) and MPW Concept Plan Approval Modification application (SSD 5066 MOD 1) and any future modification applications in relation to any approval of SSD 7709 and SSD 5066. Further, this letter does not constitute owner's consent in respect of any subsequent State significant development application that may affect the Land. Further requests for owner's consents in respect of any subsequent development applications will be required.

This letter does not constitute agreement by the Land Owner to the grant, or terms of, any easements or rights of carriageway that Qube may seek to obtain in respect of the Land.

This owner's consent is limited to the Stage 2 SSD Application (SSD 7709) and MPW Concept Plan Approval Modification application (SSD 5066 MOD 1) and any future modification applications in relation to any approval of SSD 7709 and SSD 5066. Further, this letter does not constitute owner's consent in respect of any subsequent State significant development application that may affect the Land. Further requests for owner's consents in respect of any subsequent development applications will be required.

This letter does not constitute agreement by the Land Owner to the grant, or terms of, any easements or rights of carriageway that Qube may seek to obtain in respect of the Land.

Yours faithfully,

H. L. KENNETT 28/11/17
by her Attorney
PETER DAVID KENNETT
Signed Pursuant to
Power of Attorney Book 4654
No 467,
Peter D Kennett

Name of landowner

[insert land owner's address]

P.O. Box 19
GLENFIELD
2167

SIMTA
c/- Mr Michael Yiend
Development Director, Qube Holdings Limited
Level 27, 45 Clarence St
SYDNEY NSW 2000

Dear Sir,

Moorebank Precinct West (MPW) Stage 2 State significant development Application (SSD_7709) and MPW Concept Plan Approval Modification Application (SSD 5066 MOD 1) Land Owner's consent to MPW Stage 2 (SSD_7709) and MPW Concept Plan Approval Modification (SSD_5066 MOD 1)

Figela Pty Ltd is the owner of land (**Land Owner**) located at Moorebank, described as Lot 103 DP 1143827 and Lot ~~5~~ DP 833516 (**Land**).

The Land Owner is aware that a Stage 1 development consent has been obtained for a Concept Proposal and Stage 1 Early Works (SSD 5066 issued 3 June 2016) for the proposed Moorebank Precinct West (MPW) Project, and that SIMTA has lodged a State significant development Application for Stage 2 of the MPW Project (SSD 7709) seeking development consent for construction and operation of the second stage of the MPW Project, and a Modification Application (Modification 1) seeking to modify the Concept Plan Approval for the Moorebank Precinct West Project (SSD 5066 MOD 1).

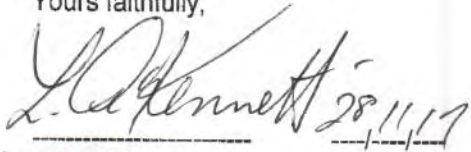
The Stage 2 SSD Application has been given reference number SSD 7709 and seeks approval for Stage 2 of the Moorebank Precinct West Project under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Modification Application has been given reference number SSD 5066 MOD 1 and seeks approval to modify the MPW Concept Plan Approval under section 96 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Land forms part of the land on which development is proposed pursuant to the Stage 2 SSD Application (SSD 7709) and the MPW Concept Plan approval Modification application (SSD 5066 MOD 1). As the owner of the Land, I give consent to the making of the Stage 2 SSD Application (SSD 7709) and the MPW Concept Plan Approval Modification application (SSD 5066 MOD 1).

This owner's consent is limited to the Stage 2 SSD Application (SSD 7709) and MPW Concept Plan Approval Modification application (SSD 5066 MOD 1). Further, this letter does not constitute owner's consent in respect of any subsequent modifications to SSD 7709 and SSD 5066 nor any subsequent State significant development application that may affect the Land. Further requests for owner's consents in respect of any subsequent development applications will be required.

This letter does not constitute agreement by the Land Owner to the grant, or terms of, any easements or rights of carriageway that Qube may seek to obtain in respect of the Land.

Yours faithfully,

 28/11/17

L. A. KENNETT - DIRECTOR
DIRECTOR

Signed



P. D. KENNETT - DIRECTOR

Name of landowner

[insert land owner's address]

P.O. Box 19
GLENFIELD
2167

SIMTA
c/- Mr Michael Yiend
Development Director, Qube Holdings Limited
Level 27, 45 Clarence St
SYDNEY NSW 2000

Dear Sir,

Moorebank Precinct West (MPW) Stage 2 State significant development Application (SSD_7709) and MPW Concept Plan Approval Modification Application (SSD 5066 MOD 1) Land Owner's consent to MPW Stage 2 (SSD_7709) and MPW Concept Plan Approval Modification (SSD_5066 MOD 1) and any future modification applications to any approval

JC and FW Kennett Pty Ltd is the owner of land (**Land Owner**) located at Moorebank, described as the following, and referred to herein as Land (**Land**):

- Lot 51 DP 515696
- Lot 52 DP 517310
- Lot 104 DP 1143827
- Lot 5 DP 833516

The Land Owner is aware that a Stage 1 development consent has been obtained for a Concept Proposal and Stage 1 Early Works (SSD 5066 issued 3 June 2016) for the proposed Moorebank Precinct West (MPW) Project, and that SIMTA has lodged a State significant development Application for Stage 2 of the MPW Project (SSD 7709) seeking development consent for construction and operation of the second stage of the MPW Project, and a Modification Application (Modification 1) seeking to modify the Concept Plan Approval for the Moorebank Precinct West Project (SSD 5066 MOD 1).

The Stage 2 SSD Application has been given reference number SSD 7709 and seeks approval for Stage 2 of the Moorebank Precinct West Project under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Modification Application has been given reference number SSD 5066 MOD 1 and seeks approval to modify the MPW Concept Plan Approval under section 96 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Land forms part of the land on which development is proposed pursuant to the Stage 2 SSD Application (SSD 7709) and the MPW Concept Plan Approval Modification application (SSD 5066 MOD 1). As the owner of the Land, I give consent to the making of the Stage 2 SSD Application (SSD 7709) and the MPW Concept Plan Approval Modification application (SSD 5066 MOD 1) and any and all future modification applications in relation to any approval issued in respect of SSD 7709 and SSD 5066.

Yours faithfully,

L.A. Kennett 28, 11, 14

L. A. KENNETT - DIRECTOR.

Signed

P.D. Kennett

P.D. KENNETT - DIRECTOR

Name of landowner

22 January 2018

SIMTA
c/- Mr Michael Yiend
Senior Development Manager
Qube Holdings Limited
Level 27, 45 Clarence St
SYDNEY NSW 2000

Dear Sir

LAND OWNER'S CONSENT FOR A STATE SIGNIFICANT DEVELOPMENT APPLICATION (SSD_7709) FOR MOOREBANK PRECINCT WEST STAGE 2 AND MODIFICATION APPLICATION (SSD_5066 MOD 1) TO MODIFY MOOREBANK PRECINCT WEST CONCEPT PLAN APPROVAL

I refer to your request for RailCorp's consent for a State Significant Development Application (SSD_7709) for Moorebank Precinct West (MPW) Stage 2 and Modification Application (SSD_5066 MOD 1) to modify Moorebank Precinct West Concept Plan Approval under the Environmental Planning and Assessment Act 1979.

RailCorp's is the owner of the following land located at Moorebank that forms part of the subject development:

- Lot 1 DP 825352
- Lot 2 DP 825348
- Lot 1 DP 1061150
- Lot 2 DP 1061150
- Lot 6 DP 833516
- Lot 1 DP 1130937
- Lot 4 DP 1186349
- Lot 101 DP 1143827
- Lot 102 DP 1143827
- Conveyance Book 76, Number 361

Your request for land owner's consent for the State Significant Development Application (SSD_7709) and Modification Application (SSD_5066 MOD 1) to modify the approved concept plan in accordance with a letter dated 17 October 2017 (copy attached) prepared by SIMTA and addressed to General Manager - Property, Sydney Trains has been reviewed.

RailCorp provides its land owner's consent to lodge the required applications with the NSW Department of Planning and Environment subject to the following conditions:

1. This consent does not constitute agreement by RailCorp, Sydney Trains or Transport for NSW (TfNSW) to the commencement of works within the rail corridor, or the granting, or terms of, any easements or rights of carriageway that SIMTA may seek to obtain in respect of RailCorp land.
2. That approval be obtained from the Australian Rail Track Corporation (ARTC) prior to the lodgement of this letter with the Consent Authority, and to comply with any of the ARTC requirements.
3. The ability to undertake maintenance and emergency activities by RailCorp, Sydney Trains, or Transport for NSW, or any entity authorised by RailCorp, Sydney Trains or TfNSW, shall not be hindered.
4. No work is permitted within the rail corridor at any time unless prior approval or an Agreement has been entered into with RailCorp and Sydney Trains.
5. Prior to the commencement of works and on completion of works a joint inspection with representatives of RailCorp of the rail infrastructure and property in the vicinity of the project is to be carried. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by RailCorp.
6. A plan showing all craneage and other aerial operations for the development shall be submitted to RailCorp for approval.
7. Prior to the commencement of works the Applicant shall peg-out the common property boundary with RailCorp land and easements. This work is to be undertaken by a registered surveyor.
8. Drainage from the proposed works must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.
9. Sydney Trains and Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.



Transport
RailCorp

10. Sydney Trains approval shall be obtained for any level crossing and/or access points over the proposed SIMTA freight line required to facilitate access to the Sydney Trains rail corridor by Sydney Trains or TfNSW (or persons authorised by those entities) prior to the installation of that level crossing/access point.

11. It is noted that the development will require access under the East Hills line via the Glenfield Tip underpass during the construction of the SIMTA freight connection over the Tip lands. The underpass road is currently unsealed and considered unsuitable to service a development of this extent as currently maintained. The proponent and/or the owner of the SIMTA freight line will be required to enter into a licence or any other Agreement stipulated by Sydney Trains for access through the underpass land and to upgrade the underpass to provide a sealed road with adequate headroom and drainage provisions. This condition shall be complied with prior to the use of the underpass.

Should you have any enquiries relating to this matter please do not hesitate to contact Richard Wolfson on (02) 85742162.

Yours sincerely

Julian Narborough
Deputy Executive Director
Future Direction, Growth and Performance
Sydney Trains

As agent for RailCorp

26 August 2015

Mr Michael Yiend
Senior Development Manager
Qube Holdings Limited
Level 22
44 Market Street
SYDNEY NSW 2000

Dear Mr Yiend,

RE: LAND OWNER'S CONSENT FOR THE LODGEMENT OF THE STATE SIGNIFICANT DEVELOPMENT CONCEPT PLAN MODIFICATION (MP10_0193 MOD 1) AND PROJECT APPLICATION (SSD 14-6766) – SIMTA INTERMODAL TERMINAL FACILITY (STAGE 1) AT MOOREBANK.

I refer to your request for RailCorp's consent to lodge State Significant Development (SSD) applications for the SIMTA Intermodal Terminal Facility (Stage 1). RailCorp's land, being Lot 1 DP825352, Lot 4 DP1186349, Lot 101 DP1143827, Lot 102 DP1143827 and Lot 1 DP1130937, form part of the land to which development is proposed under these SSD applications.

RailCorp and its agent Sydney Trains have reviewed your development proposal and RailCorp is prepared to consent to the lodgment of these applications, subject to the conditions listed in Attachment A. RailCorp's land owner's consent is limited to the SSD Application (SSD 14-6766) and Concept Plan Modification (MP10_0193 MOD 1) only.

Please note that the submittal of this letter with an application to the Consent Authority will be considered as your acceptance of the conditions listed in Attachment A and your agreement to obtain further approval and to provide the required documentation at the intervals specified.

Further, this consent is linked to you obtaining approval from the Australian Rail Track Corporation (ARTC) as per Condition 4 in Attachment A of this letter. Should ARTC refuse to grant its approval then RailCorp's land owner's consent is null and void. You are requested to obtain approval from ARTC prior to submitting this consent with the Consent Authority.

RailCorp advises that it and its agent Sydney Trains reserve the right to review and comment on the applications if and when placed on public exhibition and may request the attachment of certain conditions of consent on any approval. In addition, this consent does not give you the right to commence work on RailCorp land without obtaining further approval from RailCorp and/or Sydney Trains.



Should you have any enquiries relating to RailCorp issues please do not hesitate to contact Jim Tsirimiagos on 8575 0780.

Yours sincerely,

A handwritten signature in black ink that reads 'Kevin Sykes'. The signature is written in a cursive style with a large, sweeping 'K' and 'S'.

Kevin Sykes
General Manager Property
Sydney Trains

as agent for RailCorp

Attachment A

1. *Land owner's consent is provided subject to the lodgement of the following plans:*
 - *Rail Design Cover Sheet and Drawing list – Drawing No. SKR400 – Issue 1, dated 31/07/15, prepared by Hyder Consulting Pty Ltd.*
 - *Rail Design General Arrangement Plan – Drawing No. SKR401 – Issue 1, dated 31/07/15, prepared by Hyder Consulting Pty Ltd.*
 - *Rail Setout Plan Sheet 1 – Issue P4, dated 23/03/15, prepared by AECOM.*
 - *Rail Setout Plan Sheet 2 – Issue P4, dated 23/03/15, prepared by AECOM.*
 - *Rail Setout Plan Sheet 3 – Issue P4, dated 23/03/15, prepared by AECOM.*
 - *Rail Design Rail Setout Plan Sheet 7 – Drawing No. SKR411 - Issue 01, dated 31/07/15, prepared by Hyder Consulting Pty Ltd.*
 - *Rail Design Rail Setout Plan Sheet 8 – Drawing No. SKR412 - Issue 01, dated 31/07/15, prepared by Hyder Consulting Pty Ltd.*
 - *Rail Design Rail Setout Plan Sheet 10 – Drawing No. SKR414 - Issue 01, dated 31/07/15, prepared by Hyder Consulting Pty Ltd.*
 - *Land Ownership Plan – Drawing No. SKR111 - Issue 01, dated 17/08/15, prepared by Hyder Consulting Pty Ltd.*
2. *No amendments will be made to the proposed works as shown in the above documents without RailCorp's prior written consent which RailCorp may, in its absolute discretion, withhold or in respect of which RailCorp may impose conditions.*
3. *This consent does not constitute agreement by RailCorp, Sydney Trains or Transport for NSW (TfNSW) to the commencement of works within the rail corridor, or the granting, or terms of, any easements or rights of carriage way that SIMTA may seek to obtain in respect of RailCorp land.*
4. *That approval be obtained from the Australian Rail Track Corporation (ARTC) in relation to work proposed within the Southern Sydney Freight Line (SSFL) corridor prior to the lodgement of this letter with the Consent Authority, and to comply with any of the ARTC requirements.*
5. *The ability to undertake maintenance and emergency activities by RailCorp, Sydney Trains, or Transport for NSW, or any entity authorised by RailCorp, Sydney Trains or TfNSW, shall not be hindered.*
6. *No work is permitted within the rail corridor at any time unless prior approval and/or an Agreement and/or Licence has been entered into with RailCorp and Sydney Trains, and if located within Southern Sydney Freight Line (SSFL) corridor, approval from ARTC.*

7. *Prior to the commencement of works and on completion of works a joint inspection with representatives of Sydney Trains of the rail infrastructure and property in the vicinity of the project is to be carried out. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.*
8. *Detailed work methodology, construction documentation/drawings, a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) are to be submitted to Sydney Trains for review and comment prior to any works commencing on or within 25m of RailCorp land or easement. It should be noted that Sydney Trains representatives may impose conditions on the methods to be used and require the provision of on-site Safe Working supervision for certain aspects of the works.*
9. *A plan showing all craneage and other aerial operations that have the potential to come within close proximity of the rail corridor or Sydney Trains transmission lines shall be submitted to Sydney Trains for approval.*
10. *Prior to the commencement of works the Applicant shall peg-out the common property boundary with RailCorp land and easements. This work is to be undertaken by a registered surveyor.*
11. *Drainage from the proposed works must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.*
12. *Sydney Trains and Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.*
13. *Sydney Trains approval shall be obtained for any level crossing and/or access points over the proposed SIMTA freight line required to facilitate access to the Sydney Trains rail corridor by Sydney Trains or TfNSW (or persons authorised by those entities) prior to the installation of that level crossing/access point.*
14. *It is noted that the development will require access under the East Hills line via the Glenfield Tip underpass during the construction of the SIMTA freight connection over the Tip lands. The underpass road is currently unsealed and considered unsuitable to service a development of this extent as currently maintained. The proponent and/or the owner of the SIMTA freight line will be required to enter into a licence or any other Agreement stipulated by Sydney Trains for access through the underpass land and to upgrade the underpass to provide a sealed road with adequate headroom and drainage provisions. This condition shall be complied with prior to the use of the underpass.*

Kevin Sykes
General Manager – Property
Sydney Trains
PO Box 459, Burwood, NSW, 1805
13/10/2017

Qube Property Management Services
Level 27, 45 Clarence Street
SYDNEY, NSW, 2000

Moorebank Precinct East (MPE) Stage 2 (SSD 7628) and MPE Concept Plan Modification 2 (MP 10_0193 MOD 2) - Land Owner's Consent **SSD5066/ SSD 16_7709**

Dear Kevin

As requested during our meeting with Richard Galbraith on 9 October 2017, and further to our letter dated 22 September 2017, this letter provides an update regarding land owner's consent from RailCorp for the planning applications for the Moorebank Precinct East (MPE) Project which are currently undergoing assessment by the Department of Planning and the Environment (DP&E), as they relate to land owner's consent from RailCorp.

Specifically, this letter:

- Summarises the two planning applications relating to the MPE Project which are currently being assessed by DP&E
- Outlines previous land owner's consent received by RailCorp across the Moorebank Precinct (i.e. Moorebank Precinct East Project)
- Describes the additional land owner's consent which is currently being sought from RailCorp by SIMTA, the Proponent of the MPE Project and for what purpose additional land owner's consent is required.
- Outlines the next steps in the land owner's consent process for the MPE Project planning applications, currently being assessed by DP&E.

Planning Applications currently with DP&E

There are currently two planning applications relating to the MPE Project with DP&E for assessment prior to the commencement of a review of these Proposals by the Planning Assessment Commission (PAC), as follows:

MPE Concept Plan Modification 2 (MPE CP Mod 2) (MP 10_0193 MOD2)

MPE CP Mod 2 does not permit any physical construction or operational activities (subject to further approval); however, seeks to modify the MPE Concept Approval to include the following:

- Extension of the land to which the MPE Concept Approval applies to recognise works on Moorebank Avenue and drainage works to the south and east of the MPE site
- Moorebank Avenue upgrade from the northern to the southern extent of the MPE site, including alterations to the existing lane configuration, increasing the vertical alignment, some widening and ancillary services and infrastructure such as stormwater drainage on the western side of Moorebank Avenue

- Provision of an interim MPE site access to warehousing
- Reconfiguration of the internal road network within the MPE Stage 2 site and use of all internal roads by both light and heavy vehicles, rather than separating heavy and light vehicles within the MPE site
- Importation of clean general fill (approximately 600,000m³) material for bulk earthworks to adjust the building formation to support the functionality of the site stormwater and drainage system
- Change to the location of, and land uses within the freight village and provision of warehousing along the Moorebank Avenue frontage (previously identified as IMT)
- Changes to the staging of development including construction of all warehouses as part of the MPE Stage 2 Proposal
- Subdivision of the MPE site.

The MPE CP Mod 2 facilitates for the construction and operation of MPE Stage 2 (SSD 7628) (discussed further) and future stages of the MPE Project.

MPE Stage 2 Environmental Impact Statement (MPE Stage 2 EIS) (SSD 7628)

The MPE Stage 2 EIS seeks State Significant Development (SSD) Approval for the construction and operations of Stage 2 of the MPE Concept Plan (MP 10_0193, approved 29 September 2014) including:

- Warehousing comprising approximately 300,000m² GFA and additional ancillary offices
- A freight village, comprising 8,000m² GFA of retail, commercial and light industrial land uses
- Establishment of an internal road network, and connection of the Proposal to the surrounding public road network
- Ancillary supporting infrastructure within the Proposal site, including:
 - Stormwater, drainage and flooding infrastructure
 - Utilities relocation and installation
 - Vegetation clearing, remediation, earthworks, signage and landscaping
- Subdivision of the MPE Stage 2 site
- The Moorebank Avenue upgrade, which comprises the following key components:
 - Modifications to the existing lane configuration, including some widening
 - Earthworks, including construction of embankments and tie-ins to existing Moorebank Avenue road level at the Proposal's southern and northern extents
 - Raking of the existing pavement and installation of new road pavement
 - Establishment of temporary drainage infrastructure, including temporary basins and / or swales
 - Adjusting the vertical alignment by about two metres from the existing levels, including kerbs, gutters and a sealed shoulder
 - Signalling and intersection works

- Upgrading existing intersections along Moorebank Avenue, including:
 - Moorebank Avenue / MPE Stage 2 access
 - Moorebank Avenue / MPE Stage 1 northern access
 - Moorebank Avenue / MPE Stage 2 central access
 - MPW Northern Access / MPE Stage 2 southern emergency access.

The Proposal would interact with the MPE Stage 1 Proposal (SSD_6766) via the transfer of containers between the MPE Stage 1 IMT and the Proposal's warehousing and distribution facilities. This transfer of freight would be via a fleet of heavy vehicles capable of being loaded with containers and owned by SIMTA. The fleet of vehicles would be stored and used on the MPE Stage 2 site, but registered and suitable for on-road use. The Proposal would operate 24 hours a day, seven days per week.

Previous Land Owner's Consent from RailCorp

Land owner's consent relevant to the MPE Project for the construction and operation of the rail link has previously been provided for:

- The approved MPE Concept Plan Approval (MP_10_0193) was designated under clause 8F1E of the transitional provisions of Part 3A (now repealed) of the EP&A Act.
- MPE Stage 1 Project (SSD-6766), under Clause 49(a) of the *Environmental Planning and Assessment Regulation 2000*.

In addition, land owner's consent was granted for the MPW Concept Approval (SSD 5066) via a designation of the MPW Project under clause 49 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Additional Land Owner's Consent

MPE CP Mod 2 does not permit any physical construction or operational activities. It is required to ensure that the MPE Stage 2 (SSD 7628) Project is consistent with the MPE Concept Plan Approval as modified, and the application for physical construction and operation activities is included as part of the MPE Stage 2 SSD.

In particular, it is noted that land owned by RailCorp is not directly impacted by the MPE Stage 2 Proposal, and the MPE CP Mod 2 Proposal. This request for land owner's consent for the MPE Concept Plan Approval Modification is being undertaken to ensure all existing land owners consents for the MPE Concept Plan Approval, as modified, are current.

Next Steps

Attachment A of this letter, provides a template letter prepared as a preferred form for Railcorp's consent letter for the abovementioned landowner's consent. We would be anticipating to receive this consent letter from Railcorp during the **week commencing 30 October 2017** and would welcome the opportunity to meet with Railcorp again to discuss this matter in further detail, if required.

The above timeframe has been established based on providing RailCorp suitable time to prepare this landowners consent and also maintain the current timeframes for determination of the MPE Stage 2 Proposal and MPE CP Mod 2 Proposal, which are in the final stages of assessment by DP&E.

It should be noted that a similar letter is to be provided in relation to obtaining land owners consent from Railcorp for another two planning applications being sought in relation to Moorebank, as part of the adjacent MPW Project (MPW Concept Modification 1 (SSD 5066 MOD 1) and MPW Stage 2 Proposal (SSD 7709).

Yours sincerely



Michael Yiend
Development Director
Qube Holdings Ltd

CC. Michael Yiend (Qube Property Management Services Pty Ltd),
Nathan Cairney (Tactical Group), Steve Ryan (Tactical Group),
Claire Vahtra (Arcadis), Westley Owers (Arcadis).

File Ref: 15/10462#04
Related File: 13/10222
Account No: 589968
Trim Ref: DOC17/234844

Contact: Cindy Pillay
Phone: 02 9842 8342
Email: cindy.pillay@crowmland.nsw.gov.au

Qube Holdings Ltd
Sydney Intermodal Terminal Alliance (SIMTA)
michael.yiend@qube.com.au

Attention: Steve Ryan/Michael Yiend

10 November 2017

Dear Sir

Landowner's Consent for Moorebank Precinct West Stage 2, State Significant Development Application (SSD7709) and Modification Application to Moorebank Precinct West Concept Plan Approval (SSD 5066 MOD1).

Consent is granted by the Minister administering the *Crown Lands Act 1989* to the submission of a development application under Part 4 of the *Environmental Planning and Assessment Act 1979*, and any other associated applications required under other legislation, for development on Crown land known as Georges River, for the following purposes:

1. Use of Rail Infrastructure which resides over Crown Land being Georges River and Crown Road (immediately north of Lot 5 DP 833516) which already received land owner's consent under SSD6766.

This consent is subject to the following:

1. Consent is given without prejudice so that consideration of the proposed development may proceed under the *Environmental Planning and Assessment Act 1979* and any other relevant legislation;
2. This consent **does not** imply the concurrence of the Minister for Crown Lands and Water to the proposed development, or to the issue of any necessary approval under the *Crown Lands Act 1989*; and does not prevent Department of Industry – (DOL) Crown Lands and Water from making any submission during public exhibition of the subject application;
3. Consent will expire after a period of 12 months from the date of this letter if not acted on within that time. Extensions of this consent may be sought;
4. The Minister reserves the right to issue landowner's consent for the lodgement of applications for any other development proposals on the subject land concurrent with this landowner's consent; and
5. Irrespective of any development consent or any approval given by other public authorities, any work or occupation of Crown land cannot commence without a current tenure from the Department of Industry, (DoI) – Crown Lands and Water authorising such work or occupation.

This letter should be submitted to the relevant consent or approval authority in conjunction with the development application and/or any other application.

Applicants for landowner's consent are required to provide the Department of Industry, (DoI) – Crown Lands and Water with a copy of any development consent or other approval as soon as practicable after such consent or approval is received. If any modifications are made to the application (whether in the course of assessment, by conditions of consent, or otherwise), it is your responsibility to ensure the modified development remains consistent with this landowner's consent.

This landowner's consent relates to all plans marked "W" and attached is a copy of the "Moorebank Precinct West- Stage 2 Proposal", drawings, design and assessment reports noted on the letter as submitted, and any subsequent revision thereof furnished to the consent authority, as stamped and retained by Department of Industry, (DoI) – Crown Lands and Water.

For further information, please contact Cindy Pillay via the details given in the letter head.

Yours faithfully,



Dennis Buttigieg
Director, Crown Property Services
NSW Department of Industry – Crown Lands and Water

By delegation pursuant to section 180 of the Crown Lands Act 1989 and the Department of Primary Industries' Instrument of Authority dated 27 April 2016, with reference to section 78A(1) of the Environmental Planning & Assessment Act 1979, from the Minister administering the Crown Lands Act 1989 on behalf of the State of New South Wales.