

12 December 2016

## **STATE SIGNIFICANT DEVELOPMENT – SIMTA INTERMODAL TERMINAL FACILITY STAGE 1 MOOREBANK AVENUE, MOOREBANK**

### **1. INTRODUCTION**

Sydney Intermodal Terminal Alliance (SIMTA), (the Proponent) has submitted an application for Stage 1 – construction and operation of infrastructure to support a container freight road volume of 250,000 Twenty Foot Equivalent Units (TEU).

The overall site comprises approximately 83 hectares and is located south of the intersection of Moorebank Avenue and the M5 Motorway and was previously used for the Defence National Storage and Distribution Centre (DNSDC). The location of the site provides access to the Southern Sydney Freight Line (SSFL), the M5 corridor and Western Sydney through the M7 corridor and can contribute to Sydney's intermodal capacity needs.

Stage 1 includes operational areas and the establishment of a rail link to service the site and is consistent with the Concept Plan approval.

#### **1.1 Background**

In 2004, the Commonwealth Government released a plan recommending the establishment of an intermodal terminal at Moorebank due to increasingly complex challenges for governments, industry and the community as a result of the continued growth in freight volumes. Accordingly, the intermodal will improve rail links to Port Botany, reducing truck movement between the port and Western Sydney. Further, the intermodal will alleviate road freight congestion impacts in and around Port Botany. The M5 east accommodates approximately 8000 trucks per day with the potential for significant increases should the use of the current rail link not be increased. The intermodal will capitalise on several opportunities with the realisation of a business and employment precinct; creating jobs that are aligned to the nature of the workforce within Western Sydney.

#### **1.2 Approval of Concept Plan and Modification to Concept Plan**

The Planning Assessment Commission (the Commission) issued an instrument of approval for a Concept Plan for the project on 29 September 2014 permitting up to 500,000 TEUs per annum of port freight. This Concept Plan approval does not permit the construction or operation of any part of the project until development consent is granted in separate approvals under the Environment Planning and Assessment Act 1979 (EP&A Act). This approval was consistent with a recommendation from the 2005 Freight Infrastructure Advisory Board (FIAB) established by the NSW Government. Accordingly, this Stage 1 application includes the construction and operation of infrastructure to support a capacity of 250,000 TEUs, that is, 125,000 TEUs arriving from Port Botany to the facility and 125,000 TEUs being distributed from Moorebank.

On 12 December 2016, the Commission approved a modification application to remove the requirement for SIMTA to enter into a Voluntary Planning Agreement with the relevant authority. This modification involves changes to the 901 bus route and relocation, prior to obtaining planning approval for the first stage of works (including the rail link) in addition to the removal of the infrastructure delivery section of the revised Statement of Commitments (SoC). The Commission notes that the requirement for infrastructure works to be undertaken can be captured in future stages of the project.

### **1.3 Related Application - Moorebank Intermodal Company**

Moorebank Intermodal Company (MIC) on behalf of the Commonwealth Government submitted a Concept Plan to support a container freight volume of 1.05 million TEUs and an interstate terminal that would handle up to 500,000 TEUs. On 3 June 2016, the Commission approved this application for a maximum of 1.05 million TEUs per annum.

MIC announced in 2015 that it had reached an in principle agreement with SIMTA regarding the need for one co-ordinated intermodal facility to be developed across both sites. Notwithstanding this agreement, given that there exists two separate development applications for these two projects, the Commission has assessed both applications for their respective proposals as separate facilities taking into account the capacity issues for the precinct.

## **2. PROPOSAL**

The application to be determined by the Commission is for site preparatory works and includes the construction of the first 600 metres of the rail siding and rail connection to accommodate a container freight volume of 250,000 TEUs. This Stage 1 application is located on land located on the eastern side of Moorebank Avenue.

The key components of the Stage 1 works include:

- An intermodal terminal;
- Truck processing;
- Rail loading and container storage areas;
- An administration facility;
- Rail link; and
- Ancillary works.

## **3. DELEGATION TO THE COMMISSION**

On 4 January 2016, the Stage 1 application was referred to the Commission for determination under Ministerial delegation dated 14 September 2011, as more than 25 objections were received and both Liverpool City Council and Campbelltown City Council object to the proposal.

Ms Lynelle Briggs AO nominated Mr Paul Forward (chair), Mr Stephen O'Connor and Ms Robyn Kruk AM to constitute the Commission to determine the application.

## **4. DEPARTMENT'S ASSESSMENT REPORT**

The Department of Planning and Environment's (the Department) Assessment Report identified the following key issues:

- Traffic;
- Air quality;
- Noise; and
- Contamination.

In addition, the Assessment Report also addressed a range of other issues that were raised in submissions from the public and concluded that the proposal is consistent with the terms of the Concept Plan approval. The Department of Planning and Environment (the Department) is satisfied that the impacts of the proposal can be managed through the implementation of mitigation measures.

Accordingly, the Department recommended approval subject to a comprehensive suite of conditions.

## **5. MEETINGS AND SITE INSPECTION**

A summary of the items discussed at each of the Commissioner's meetings is provided in **Appendix 1** of this report.

### **Meetings on 22 January 2016**

On 22 January 2016, the Commission received briefings from the Department and Transport for NSW (TfNSW) on the project. The Commission also met with Moorebank Intermodal Company (MIC) to discuss the related application on the adjoining site and its relationship to the SIMTA proposal.

### **Meetings and Site Inspection on 29 January 2016**

On 29 January 2016, the Commission received a briefing from SIMTA on the project. The Commission then inspected the site and the surrounding area with SIMTA and MIC to appreciate the related applications as an integrated proposal. The Commission also met with Liverpool City Council and Campbelltown City Council to hear their views on the project.

### **Public Meeting and Site Inspection on 1 February 2016**

The Commission do not hold public meetings during the December/January holiday period. As a result, the Commission held a public meeting at the Bankstown Golf Club on 1 February 2016 to hear the public's views on the proposal. A list of the 37 speakers that presented to the Commission is provided in **Appendix 2**. A summary of the issues raised at the meeting is provided in **Appendix 3**.

### **Meetings on 7 March 2016**

On 7 March 2016, the Commission met with the Department, the Environment Protection Authority (EPA), the Department of Primary Industries (DPI), the Office of Environment and Heritage (OEH), TfNSW and the Roads and Maritime Services (RMS) to discuss the additional information received from each agency on the project.

### **Meeting on 26 April 2016**

The chair of the Commission met with Infrastructure Australia (IA) to discuss the applications and obtain a broader understanding of the Commonwealth Government's objectives for freight and the benefits of having an intermodal terminal at Moorebank.

### **Meeting on 27 April 2016**

The Commission met with TfNSW and the EPA on 27 April 2016. At this meeting, the Commission sought additional advice from TfNSW and the Department on possible amendments to the draft conditions relating to wheel squeal. This information was received on 13 May 2016.

### **Meeting on 17 May 2016**

The Commission met with TfNSW, SIMTA and MIC Proponents to discuss the Commission's proposed amendments to the recommended conditions in relations to noise, air emissions, Section 94 contributions and the combined project throughput. The Proponents were provided with the opportunity to review the conditions prior to the meeting.

## 6. COMMISSION'S CONSIDERATION

The Commission has reviewed the Department's assessment report in addition to considering the comments from Liverpool City Council, Campbelltown City Council, other government agencies and the general public. Consideration has also been given to the issues that were raised during the public meeting held on 1 February 2016 and subsequent comments forwarded by community members.

On the basis of the information available to the Commission, the following issues are considered in detail:

### 6.1 Project Need and Justification

The Commission notes that the Department received 234 public submissions, including 226 from the general public and eight from public authorities. The Commission also received correspondence from members of the public during the determination process. In particular, significant concern was raised about the overall suitability of the site in addition to noise and traffic impacts.

Liverpool City Council and others stated that Badgerys Creek would provide a more suitable location for an intermodal as it would better service Western Sydney and have synergies with the proposed airport at Badgerys Creek. Council and others also questioned the potential benefits of the project as identified in the information provided with the application.

As part of its deliberations the Commission has met and/or received advice on these matters from the following agencies:

- Australian Government Department of Infrastructure and Regional Development;
- Infrastructure Australia (IA);
- NSW Ports;
- The Department;
- TfNSW and RMS.

#### 6.1.1 *The Benefits of Freight Rail*

Freight and logistics are the facilitators or enablers of almost all economic activity and improved logistics can transform the economy<sup>1</sup>. Efficiently operated and networked intermodal terminals will allow a larger volume of goods to be transported, with benefits flowing on to higher industry productivity and more efficient prices. Improved productivity leads to jobs growth, and a networked approach to infrastructure disperses employment more favourably throughout the metropolitan area. Without improvements in the capacity of the container transport chain, it is likely importers and exporters will experience delays in cargo movements resulting in higher costs and unreliable supply<sup>2</sup>. As well as economic benefits, more efficient transportation has the potential to produce environmental and urban amenity benefits including reduced greenhouse gas emissions and congestion.

The utilisation of freight trains rather than trucks, especially during peak hours, would reduce the congestion on roads. Trains are able to transport significantly more containers than trucks and if used efficiently, could remove a large number of trucks from the road. The reduction in truck travel would reduce the growth in congestion across the road network, reduce travel times, and increase the reliability of trip duration.

Short-haul rail's linehaul costs become relatively lower when truck linehaul operations are unproductive. This productivity is often undermined by road congestion over extended distances, as this reduces truck utilisation markedly<sup>3</sup>. The road congestion reduces driver and vehicle utilisation. Road costs are generally higher during peak hours, while unpredictable congestion impact reduces service reliability. Truck operations

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<sup>1</sup> NSW Government 2013, *NSW Freight and Ports Strategy*

<sup>2</sup> *ibid*

<sup>3</sup> Department of Infrastructure and Regional Development 2016, *Why short-haul intermodal rail services succeed*

are also unproductive when there are empty container back hauls. This is a greater issue for trucks than for trains.

#### 6.1.2 *Significant Challenge to Arrest the Decline in Freight Rail Effort as % of Network Throughput*

Between 2010 and 2011, only 14% of containers were moved by rail in NSW<sup>4</sup>. The NSW Government has stated its intention to double the proportion of containers moved by rail by 2021<sup>5</sup>. Investigations and investment to encourage the movement of containers by rail and to increase rail freight network capacity are underway nationally<sup>6</sup>. This push will be required on a national scale in order to provide for significantly greater capacity and efficiency of freight rail movement in the next 10 to 15 years. Significant investment from governments and the private sector will be required regardless of the specific location or scale of individual intermodal projects.

These challenges are not localised in Western Sydney or even NSW, they form part of the national freight rail network response. There is also a desire to achieve national and state productivity gains through freight rail playing a growing role in movement of goods between ports and inland terminals.

In relation to Sydney, IA suggests that the opening of new intermodal terminals at Enfield and Moorebank and the expanded use of existing terminals at Chullora, Minto and Yennora may provide an incentive for movement of containers by rail within the Sydney metropolitan area<sup>7</sup>. IA also recommends that work should also commence to assess options for the full development of the planned Western Sydney Freight Line and Eastern Creek Intermodal Precinct, with the corridor and sites for these important projects required to be reserved now<sup>8</sup>.

#### 6.1.3 *Project Need*

Improving the efficiency and movement of freight at Port Botany is critical to the state's ongoing productivity growth and competitiveness. The Commission notes the recently exhibited Draft South West District Plan makes reference to *growing and diversifying the Liverpool centre*. There is clear evidence that the amount of freight coming into Port Botany is increasing and those increases can be expected to be maintained over the short to medium term. Audits undertaken by IA revealed that freight volumes through Port Botany increased by 7% per year between 2010 and 2015<sup>9</sup>. NSW Infrastructure anticipates freight volumes to increase by 5-8% per year for the next 25 years<sup>10</sup>. Ports NSW estimates growth in TEUs from 2.3 million to 7 million per annum by 2031<sup>11</sup>. The implications of this growth for ports, road and rail networks, intermodal terminals and freight corridors are significant. Without improvements to this infrastructure, it is unlikely that this growth can be accommodated.

The vast majority of containers to and from Port Botany are currently moved by road, producing around 3,900 truck movements daily, principally along the M5 corridor<sup>12</sup>. Road capacity in Sydney is limited even after taking into account planned and committed road infrastructure projects around Port Botany and Western Sydney, for example WestConnex. Greater Sydney traffic modelling undertaken by IA revealed that the demand for many key urban road corridors is projected to significantly exceed current capacity by 2031<sup>13</sup>. These capacity constraints are based on background growth and will occur regardless of any one project.

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<sup>4</sup> NSW Infrastructure 2014, *State Infrastructure Strategy Update*

<sup>5</sup> NSW Government 2013, *NSW Freight and Ports Strategy*

<sup>6</sup> Infrastructure Australia 2015, *Australian Infrastructure Audit*

<sup>7</sup> *ibid*

<sup>8</sup> *ibid*

<sup>9</sup> *ibid*

<sup>10</sup> NSW Infrastructure 2014, *State Infrastructure Strategy Update*

<sup>11</sup> NSW Government 2013, *NSW Freight and Ports Strategy*

<sup>12</sup> NSW Infrastructure 2014, *State Infrastructure Strategy Update*

<sup>13</sup> *ibid*

The proposed intermodal terminal will allow for freight to be transferred to Moorebank by rail from Port Botany, reducing the demand for road transport from the port and providing a hub for the wider road and rail freight networks<sup>14</sup>.

Comments received from the community and agencies throughout the assessment process for this project support Federal government forecasting that much of the strategic road network will be at or well above capacity by 2031 without this project. The Commission notes that the current proposals for Moorebank intermodals must be required to contribute to managing the impacts they generate on the road network in proximately to the terminals. Accordingly road network upgrades will be secured at future stages of the project through voluntary planning agreements or other similar methods acceptable to the consent and road authorities. In effect, should the project proceed beyond the concept stage, it will facilitate the construction of upgrades and improvements identified to help address current background growth and congestion on the network.

#### *6.1.4 Alternative Sites for the Intermodal Terminal*

Speakers at the public meeting and written comments submitted to the Commission questioned the project need and the suitability of the Moorebank site for an intermodal facility. A number of alternate sites were suggested by the community including Eastern Creek and Badgerys Creek. The Commission notes that at this point in time, there is no commitment to freight rail or intermodal facilities within either precinct. However, the Commission has looked at the opportunities and constraints of each of these sites for the development of an intermodal facility.

The redevelopment of the Badgerys Creek precinct for a Western Sydney Airport has been discussed for more than 30 years. However, the airport and related infrastructure is still in the early stages of delivery. The Australian Government's Western Sydney Airport website indicates the earliest date the airport could be operational is during the mid-2020s, with stage 1 to be fully operational by 2030<sup>15</sup>.

An intermodal site at Eastern Creek would require a new dedicated freight rail link. Any new link would be expected to connect to the existing SSFL and/or the northern freight line. At this stage, options for a potential rail corridor have not been identified. IA notes that it is still in the 'options assessment' development stage for this project<sup>16</sup>. On this basis, IA advised the Commission that the earliest possible timeframe for the delivery of a rail serviced intermodal within the Eastern Creek precinct would be at least 15 or more years. As discussed previously, improvements to the capacity of the freight rail network are needed well in advance of 2031 in order to accommodate predicted growth..

A further potential weakness to a site at Badgerys Creek, and to a lesser extent Eastern Creek, is its location in relation to the market. The Commission understands that 80% of freight from Port Botany is transported within 40km<sup>17</sup>. Given that Badgerys Creek is approximately 56km from Port Botany, freight would be taken from Port Botany to an area beyond the majority of the target market and then transferred back into areas of Western Sydney further compounding traffic problems.

#### *6.1.5 Conclusions*

The Commission has reviewed the project need and strategic justification in detail. The views of all those who made submissions to the Commission have been considered along with relevant National and State government infrastructure agencies.

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<sup>14</sup> *ibid*

<sup>15</sup> Department of Infrastructure and Regional Development 2016, <http://westernsydneyairport.gov.au>

<sup>16</sup> Infrastructure Australia 2015, *Australian Infrastructure Audit*

<sup>17</sup> NSW Government 2013, *NSW Freight and Ports Strategy*

Increasing the capacity of the national freight rail network will require significant amounts of funding. Realising mode shift targets from road to rail freight will require infrastructure investment in the network regardless of the location of intermodal sites.

The Commission has found that in the longer term alternate sites at Badgerys Creek and/or Eastern Creek could provide a contribution to the National and State freight rail networks. However, neither site is likely to be delivered in the short or medium term. In both cases only preliminary investigations are underway and it will be some time before the future range of land-uses in these areas becomes clearer.

By comparison, the site at Moorebank is available and ready to be developed. It has good linkages to both road and freight rail. Its size and generally flat topography also make it a suitable site for an integrated freight terminal as determined in 2005.

The Commission concludes that a demonstrated need and strong strategic justification exists for an intermodal terminal to be developed in this location. The Commission is of the opinion that it is rare to find within the Sydney metropolitan area, a large, flat site within such close proximity to the rail and road transport network and the growing consumer markets of western Sydney. The Commission agrees with the Department that an intermodal terminal is a suitable use of the Moorebank site. The specific nature and scale of the development on the site makes it necessary to consider a range of environmental assessment issues. The most significant of these are discussed in the following sections of this determination report.

## **6.2 Noise and Vibration**

One of the key issues identified by the Department and community was noise. Noise was represented in public submissions, and was included in the submissions received from the EPA, Campbelltown and Liverpool City Councils. The Commission notes that potential noise impacts will be generated during construction works in addition to the operation of the intermodal. Stage 1 will entail undertaking works for the construction of the rail link from the site to the Southern Sydney Freight Line (SSFL). Accordingly, the Commission notes that whilst the construction noise is likely to be significant, it is anticipated that appropriate mitigation measures and compliance measures will be applied during the construction phases.

Additionally, due to physical limitations at the site, the intermodal rail link will contain some tight curve radii resulting in wheel squeal noise being a potentially significant issue. TfNSW have conducted modelling in other locations to better understand mitigation measures to alleviate 'wheel squeal' and other noise impacts resulting from rail operations. The Commission has used this as part of the consideration of Stage 1. Consequently, the Commission has included a significantly strengthened modified condition pertaining to the use of 'best practice', which will aid in alleviating noise generated as a result of train operations.

Best practice in this context includes the type of equipment and in particular the standard of intermodal wagon bogies being used. Current best practice is, as a minimum, cross braced three-piece bogies. The Commission is satisfied that the operation of trains at the intermodal can be required to include wagons that operate with the ability to optimise bogie curving performance leading to a much lower likelihood of noise generated from wheel squeal. Furthermore, the Commission is of the view that through the implementation of real time monitoring of the operation of trains, noise impacts can be further mitigated to address any concerns raised by local residents. This will allow the operator and TfNSW to identify trains that cause unacceptable noise impacts and modify arrangements accordingly. Other accepted practices including track grinding and track lubrication will also be required to be implemented as part of a suite of required mitigation measures.

## **6.3 Traffic**

The Commission notes the concerns raised include increased traffic and the associated impacts upon the surrounding road network.

The Commission acknowledges that the Concept Plan approval included an independent review of the Proponent's traffic assessment which was prepared by Hyder Consulting (2013). The modelling included future assessment requirements in consultation with TfNSW and RMS. The Commission notes that TfNSW is of the view that the modelling prepared by SIMTA is satisfactory.

The Commission is satisfied that at a full capacity of 250,000 TEUs, the intermodal has provided efficient mitigation measures to ensure there are no significant impacts on the intersections as identified in the modelling results. The mitigation measures will include staged upgrades to provide for TEU throughput increases.

It is acknowledged by the Commission that the operations of the site will include freight containers being distributed by truck to various destinations. However, Stage 1 is not predicted to create the need for significant infrastructure upgrades to the road network other than those proposed to be undertaken by the proponent, as outlined below in this section of the Report. The Commission acknowledges that RMS are involved in a strategic planning process for upgrading the road network in Western Sydney, irrespective of whether the Moorebank intermodal terminals are approved.

The road network near the site comprises a number of important local roads, notably Moorebank Avenue, Anzac Road, Bapaume Road and Cambridge Avenue, as well as strategic roads including the Hume Highway and the M5 Motorway. The Commission notes that the intermodal once fully operative has the potential to increase traffic and congestion on the surrounding roads. There will also be short-term impacts on local roads during each stage of the construction process.



It is considered that the intermodal will reduce the growth in road-based freight trips between Port Botany and Moorebank as indicated by Infrastructure Australia (IA) and NSW Ports. Notwithstanding, the Commission is aware of the role of Moorebank as one of the key intermodal sites in Sydney and the ramifications as a result of increased use. It is therefore important that each stage of the project is able to demonstrate that the impacts of increasing the use of the transport network and capacity improvements can be accommodated through appropriate road infrastructure upgrades. The Commission also notes the existing traffic modelling demonstrates capacity problems on the northern section of Moorebank Avenue and a preliminary investigation conducted by TfNSW and RMS reaffirmed the existing capacity problems at Newbridge Road. Accordingly, the capacity limits need to be considered at subsequent stages of approval.

Consequently, the Commission acknowledges that a proposed upgrade of infrastructure in the vicinity of the Intermodal will include the construction of new slip lanes at the surrounding intersections. In addition, the proposed widening of Moorebank Avenue to a dual carriageway would minimise impacts in terms of traffic, transport and access. The design and delivery of these infrastructure works will be undertaken in accordance with RMS requirements. The Commission also notes that upgrade works involve the provision of a third right turning lane on the Moorebank Avenue southern approach, and an additional through lane on the eastbound carriageway of Newbridge Road on the departure side of the intersection.

The Commission acknowledges advice from the community and transport authorities that the road network from Moorebank to Port Botany has limited capacity to accommodate trucks commuting to and from the site. Consequently, a condition is included that restricts trucks from making deliveries to the site and includes a rigorous monitoring and reporting requirement.

The Commission notes that the upgrades for the surrounding roads including Cambridge Avenue, are not proposed as part of Stage 1 works. The Commission is aware that the Proponent is proposing to monitor vehicle and container movements once the site is operational which will assist in undertaking future assessments with TfNSW and RMS.

#### **6.4 Air Quality**

Concern about potential air quality impacts was frequently raised in verbal and written submissions from the community. The key concerns regarding air quality include:

- Airborne dust during construction;
- Release of diesel fumes from locomotives, heavy vehicles and other equipment used on site; and
- Poor existing air quality of Western Sydney.

The Commission is aware that an air quality impact assessment was undertaken by Pacific Environment Limited (2012). The Commission notes that Stage 1 works have the potential to create environmental impacts including emissions from the operation of the intermodal.

The Commission acknowledges that air quality impacts during construction would be managed under the *Protection of the Environment Operations (POEO) Act 1997* through a Construction Environment Management Plan. This is required by conditions of approval.

Whilst the air quality impact of the Stage 1 construction works is considered negligible and manageable from an air quality perspective, the operation of the intermodal will result in recurrent emissions. Consequently, the Commission affirms the need for best practice measures to reduce non-road diesel exhaust emissions as recommended by NSW Health. Additionally, the Commission notes TfNSW research into gas alternatives to be considered in the future to enable further emission reductions. The Commission regards it appropriate for further detailed assessments to be undertaken in association with any future development applications.

The Commission notes that the EPA and TfNSW are in the early stages of investigating the application of emission standards for locomotives. The Commission also notes that the National Environment Protection Measures (NEPMs) are currently under review. The Commission recommends that any changes in these standards should be applied to the project in its future stages.

## **6.5 Heritage**

There are 20 World War II (WWII) era buildings located on the site. The Commission acknowledges that the external walls of these buildings have been replaced due to the presence of asbestos cladding. In addition, many of the internal elements are unsuitable for warehousing as they do not achieve fire rating compliance.

### *6.5.1 Non-Indigenous Heritage*

Five WWII buildings will be demolished as part of Stage 1 works, resulting in significant impacts to the collective significance of the DNSDC site. Whilst the Commission acknowledges the heritage significance of the site, it is noted that the buildings are unsuitable for reuse. The Commission is satisfied that conditions of consent, particularly C13 and C14, will ensure that the former use of the site will be acknowledged.

Glenfield Farm is located to the east of the site and is of State heritage significance. Glenfield Farm is one of the few surviving rural farm complexes in New South Wales dating from the original land grant of 1810. The Commission notes that the homestead is restricted in terms of its capability to adopt noise attenuation measures as a result of the heritage significance of the property.

It is recognised that the Farm has potential to be utilised for residential use. However, the homestead is restricted in terms of providing noise attenuation measures as a result of the heritage significance of the property. Comments received by the Commission raised concern about adverse noise impacts during the construction and operation of the intermodal. The Commission is of the view that appropriate conditions are included to ensure the development's compliance with noise restrictions.

### *6.5.2 Aboriginal Heritage*

The Department's Report includes a request for the Proponent to undertake further investigations into the Aboriginal significance of the site and its surrounds. As documented in the Aboriginal Heritage Impact Statement (AHIS) submitted with the Stage 1 Environmental Impact Statement (EIS), 28 Aboriginal objects were recovered from excavations conducted in the area known as MA14. These objects indicate localised evidence of past Aboriginal activity and occupation.

The area is considered to have high research potential, essentially the threshold of local significance. Whilst the proposed rail link will directly impact MA14, the Commission is satisfied that adequate measures will be undertaken to efficiently manage the remainder of the area (refer to **Condition C15**). The AHIS also identified two sites of archaeological concern within the riparian corridor along the western bank of the Georges River. These sites are outside of the Stage 1 proposal site boundary and are unlikely to be impacted by the construction and operation of the intermodal terminal.

The Commission is satisfied that the construction and operation of the intermodal will effectively manage potential impacts on the existing heritage items in particular, Glenfield Farm. Appropriate conditions are included to ensure compliance.

## **6.6 Biodiversity**

Concerns were raised at the public meeting and in written submissions about potential impacts on flora and fauna species and the suitability of proposed biodiversity offsets. Stage 1 includes the clearing of approximately 1.23 hectares of native vegetation and would affect four threatened ecological communities, being the Castlereagh Scribbly Gum Woodland in the Sydney Basin Bioregion, Castlereagh Swamp Woodland,

River-flat Eucalypt Forest and Freshwater Wetlands. Two threatened flora species, *Persoonia nutans* and *Grevillea Parviflora*, would also be affected.

The Commission notes the advice provided by the Office of Environment and Heritage (OEH). This included information about the key policy document that applies to biodiversity offsetting in the NSW called the Biodiversity Offset Policy (Offset Policy), specific to major projects prepared by OEH. It came into effect in September 2014. This policy clarifies, standardises and improves biodiversity offsetting for approvals. The Commission notes that the Offset Policy is an evolving document that will continue to be developed in conjunction with OEH to ensure all impacts are proportionally offset.

The Commission also notes that SIMTA has proposed to secure additional land to be protected through the establishment of an offset site under a BioBanking Agreement. The Commission also notes that the proposed Offset Policy provides sufficient credits to offset the impacts of all communities and species to be affected, with the exception of minor shortfalls for the Castlereagh Scribbly Gum Woodland and *Persoonia nutans*. The Commission acknowledges that the Proponent has sought additional credits on the OEH BioBanking Register. However, no credits were available. The Commission supports the approach proposed by the Proponent to consult further with OEH on this matter to ensure that reasonable steps have been undertaken to locate acceptable offsets in accordance with NSW Offset Policy.

The Commission acknowledges that the proposed offsets would likely address the impacts of this Stage 1 as a standalone project. However, the Commission notes that the offset proposed by SIMTA is also a subset of the offset put forward by MIC to support its concept plan application. The Commission is of the view that this is a matter for MIC and SIMTA to resolve and should be addressed in subsequent stages of both applications following the proponents working with OEH to meet required biodiversity offsets.

In addition, the Commission notes that the site abuts the Georges River and both banks of the river contain a riparian corridor. Recommendations from DPI have been received requesting the Proponent consult with DPI throughout the construction phase, to ensure the proposal provides appropriate mitigation measures. Conditions are included to ensure the project does not have long-lasting effects on native vegetation on and surrounding the project site.

Further, the Commission has included a condition pertaining to safeguarding any future regional recreation trail along the eastern and western banks of the Georges River. This has been recommended by the Department and the Office of Strategic Lands in order to future proof the ability to provide such links.

The Commission is satisfied that through consistent monitoring and management of the site, in addition to the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC) approval, potentially adverse impacts to the existing environment will be reduced. In particular, where land offsets cannot achieve compensation for the loss of habitat, additional measures will be put in place to ensure the delivery of improved or maintained biodiversity.

## **6.7 Economics**

The Commission notes the concerns raised in submissions and comments pertaining to the benefits that the project will provide.

The Commission has reviewed all relevant documentation relating to the economic costs and benefits of the project and notes the project will result in direct and indirect economic benefits. The intermodal is estimated by the proponent to generate 250 jobs during the construction phase and 150 during operation. Further, the intermodal will contribute significantly in terms of productivity and efficiency gains associated with improvements to the freight rail network capacity. In addition, the project contributes to limiting the volume of trucks on the road network between Port Botany and Western Sydney.

The Commission also recognises the potential for adverse impacts, particularly on the surrounding residential areas and its residents. Specifically, these impacts are likely to include noise and pollutants generated during the operation of the intermodal. The Commission is confident after extensive consultation with the relevant agencies that the further mitigation measures incorporated into the project will ameliorate adverse impacts on the surrounding residential areas.

## **6.8 Compliance**

The Commission notes that in accordance with the POEO Act 1997, Liverpool City Council (Council) would be the regulatory authority for the project. However, the Commission notes concerns raised by Council about their capacity and capability to assess and regulate the development.

The Commission acknowledges these concerns and has been advised that the EPA has agreed to assist Council by providing comments and recommendations in relation to the key environmental issues of noise and air quality.

The Commission notes that the Department has a significant regulatory role in monitoring the project's compliance with its development consents. The consents are issued by the Minister and the Department is the relevant State agency to administer these consents. There are a range of conditions relating to the control of environmental impacts and enforcement that will be the responsibility of the Department. Additionally, the recommendations from TfNSW will be implemented to ensure the equipment used on the rail link will optimise performance.

Consequently, the Commission is satisfied that the development will be appropriately monitored throughout the construction and operation of the intermodal.

## 6.9 Section 94

Under Section 94B of the EP&A Act 1979, the Department has the ability to levy developer contributions. Council does not currently have a development contributions plan applicable to the proposed development. The Department has recommended that monetary contributions be sought based on industrial developments in the Liverpool Local Government Area (LGA).

The Commission notes that Council are seeking Ministerial approval to develop and implement a Section 94A scheme, whereby the proposed development would attract a developer contribution of 2% of the Capital Investment Value (CIV). This would result in the Proponent having to pay monetary contributions of \$2.85 million. Should the Minister only permit a maximum 1% of the CIV to be levied, the Applicant would be required to pay a contribution of \$1.425 million. The Department is of the view that this approach by Council does not take into consideration the scale of the development, predicted traffic generation and proposed number of employees for this stage of works.

The Department supports the use of an alternative contribution using the formula from the Liverpool Contributions Plan 2009 (Hoxton Part Stage 2 Industrial Release Areas District Facilities) for transport facilities, as follows:

*Cost of capital works and land Identified  
for the catchment area (\$64,302,727) X Vehicle trips per day (80+670)/6.7 = \$393,122.14  
Number of equivalent lots in the  
Catchment area (18,310)*

In the calculation above, the Department has excluded the rail connection from the cost of capital works given that this infrastructure will have some public benefit. The Department is of the opinion that in the absence of a contributions plan, the offer of \$393,122.14 is fair and reasonable. The Commission acknowledges that the operation of the SIMTA site will cause additional stress to the local transport network and the need for funding to provide future infrastructure.

However, the Commission is of the view that contributions of 1% of the CIV, excluding the cost of the rail connection, would be more appropriate for this development in the absence of an adopted Section 94 Contributions Plan. In this instance, the Proponent would be required to pay \$643,027.27 to Council to assist in supporting the future provision of maintenance of local infrastructure in the Liverpool LGA. The Commission has imposed condition B3 requiring the payment of this amount.

## 6.10 Owners Consent

The Commission cannot determine the application without consent of all the landowners on whose land the development would take place. The Commission identified the absence of owners consent upon receipt of the application early in 2016.

Accordingly, the Commission sought owner's consent from the Proponent in accordance with Clause 49(1) of the Environmental Planning and Assessment Regulation 2000.

The Commission received owner's consent on 7 December 2016.

## 7. COMMISSION'S FINDINGS AND DETERMINATION

This Stage 1 application includes site preparatory and infrastructure works. The Commission has carefully considered all the relevant information about the Project and its associated impacts, including the relevant considerations under Section 79C of the EP&A Act in addition to the EIS, the Response to Submissions (RtS), the Secretary's Environmental Assessment Report, the Commission's previous Concept Plan Approval Report, additional information provided by the Proponent and the Department, submissions from government agencies and all verbal and written comments from the public.

In terms of the impacts associated with the Stage 1 application, the Commission notes that the conditions of consent have been significantly strengthened throughout the development assessment process in order to address the key issues associated with the project, particularly in relation to traffic, noise, air quality, biodiversity, heritage and compliance.

The Commission acknowledges that noise and pollutants will be generated through the operation of intermodal. The Commission is satisfied that the determination strengthens the requirement to adopt best practise relating to noise and emission reduction.

The Commission recognises that the intermodal will enable import-export freight travelling to and from Port Botany to be transported by rail rather than relying on the road network. In addition, both State and Australian governments have policies which support gains to freight rail capacity as a share of overall movements. The Commission concludes that a demonstrated need and strong strategic justification exists for an intermodal terminal to be developed in this location. The Commission notes that an intermodal terminal has been proposed by various governments on this site since 2004. The construction and operation of the intermodal terminal will provide significant public interest benefits in relation to job creation in Western Sydney. The Commission notes that a large proportion of Western Sydney's population are employed in the construction and transport, postal and warehousing industries.

The Commission is satisfied that there are appropriate measures available to ameliorate the potential negative noise impacts of the project. Relevant conditions include a requirement for the Proponent to commit to best practice in terms of equipment to be used on the rail network to optimise performance and real time monitoring during operations on the rail link.

The Commission considers that the intermodal should be approved subject to the amended conditions set out in the instrument of approval.



Mr Paul Forward  
**Commission Chair**



Ms Robyn Kruk AM  
**Commission Member**



Mr Stephen O' Connor  
**Commission Member**

## Notes of Briefing from the Department of Planning and Environment

<b>Meeting note taken by:</b> Jade Shepherd	<b>Date:</b> Friday, 22 January 2016	<b>Time:</b> 2pm
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Planning Assessment Commission Offices		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O'Connor</p> <p>Commission Secretariat: David McNamara – Director and Jade Shepherd – Planning Officer</p> <p>The Department of Planning and Environment (the Department):  Alix Carpenter – Team Leader, Social and Other Infrastructure Assessments  Karen Jones – Director, Transport Assessments  David Gainsford – Executive Director, Priority Projects Assessments  Karen Harragon – Director, Social and Other Infrastructure Assessments</p>		
<b>The purpose of the meeting:</b> For the Department to brief the Commission on the project.		
<p>The Department provided a brief overview of the applications and raised the following key issues:</p> <p><u>Traffic</u></p> <ul style="list-style-type: none"> <li>• Traffic congestion was the main issue raised in submissions.</li> <li>• The modelling undertaken for the two projects is sufficient to enable the applications to progress.</li> <li>• In regards to the MIC Concept Plan proposal, each future stage must rely upon a further, more refined, traffic model which identifies specific intersection upgrades required to mitigate impacts of growth at the terminal.</li> <li>• Future stages cannot proceed without identifying necessary intersection upgrades.</li> <li>• The Department was confident the Concept Plan assessment provides sufficient rigour.</li> <li>• The proposals provide an opportunity to fast track necessary road upgrades required to mitigate background growth and congestion issues forecast to occur with or without an intermodal.</li> <li>• There are limited public transport options to access the site.</li> </ul> <p><u>Planning Proposal</u></p> <ul style="list-style-type: none"> <li>• There is currently a planning proposal with the Department to rezone a portion of the site from SP2 Infrastructure (Defence) to partly E3 Environmental Management and IN1 General Industrial.</li> <li>• The Department advised that the applications do not rely on the planning proposal for permissibility.</li> </ul>		
<b>Meeting closed:</b> 2:30pm		

## Notes of briefing from Transport for New South Wales

<b>Meeting note taken by:</b> Jade Shepherd	<b>Date:</b> Friday, 22 January 2016	<b>Time:</b> 2:30pm
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> PAC Offices		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O'Connor</p> <p>Commission Secretariat: David McNamara – Director and Jade Shepherd – Planning Officer</p> <p>The Department of Planning and Environment (the Department):  Alix Carpenter – Team Leader, Social and Other Infrastructure Assessments  Karen Jones – Director, Transport Assessments  David Gainsford – Executive Director, Priority Projects Assessments  Karen Harragon – Director, Social and Other Infrastructure Assessments</p> <p>Transport for New South Wales (TfNSW):  Mark Ozinga – Principal Manager Land Use Planning and Development  Tony Gausden – Freight Co-ordinator</p>		
<b>The purpose of the meeting:</b> For TfNSW to brief the Commission on the project.		
<p><u>Traffic Modelling</u></p> <ul style="list-style-type: none"> <li>• The Commission asked TfNSW about the status of the traffic modelling, how important it is to the subject proposals and what area the modelling covers.</li> <li>• TfNSW advised that the traffic modelling is close to completion and that the base case of the modelling will shortly be provided to the Proponents.</li> <li>• TfNSW is of the opinion that the strategic modelling undertaken to date is adequate for Stage 1 of the MIC Concept Plan to proceed. TfNSW is also of the view that the modelling prepared by SIMTA is satisfactory.</li> <li>• TfNSW indicated that the Proponents and RMS have discussed the projects and agree on the broad impacts of the proposals. However, no agreements have been reached on a works schedule or who would be responsible for the works.</li> <li>• A works in kind provision has also been discussed with the Proponents and it is possible that a Voluntary Planning Agreement (VPA) will be entered into at the future detailed planning stage.</li> </ul> <p><u>Other</u></p> <ul style="list-style-type: none"> <li>• The Commission queried if providing more public transport to the site is viable. TfNSW raised concern that shift work may not suit public transport, but services could be provided in the future should there be a demand.</li> <li>• The Commission queried how rail wheel squeal could be mitigated. TfNSW advised that rail wheel squeal can be mitigated with top of the range lubrication. TfNSW advised that the Department's conditions encourage best practice for rail operations.</li> <li>• TfNSW requested further time to review the noise conditions in further detail.</li> </ul>		
<b>Meeting closed:</b> 3:15pm		



<b>Meeting note taken by:</b> Jade Shepherd	<b>Date:</b> Friday, 29 January 2016	<b>Time:</b> 9am
<b>Project:</b> Moorebank Intermodal Terminal (SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Site of SIMTA project (formerly Defence National Supply and Distribution Centre)		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O'Connor</p> <p>Commission Secretariat: David McNamara – Director and Jade Shepherd – Planning Officer</p> <p>Representatives for the SIMTA project:</p> <p>Michael Yiend – Development Manager  Steve Ryan – Project Management &amp; Planning  Westley Owers – Environmental Planning Consultant  Shannon Blackmore –Environmental Planning Consultant  Mukit Rahman –Traffic Consultant  Nic Hall – Acoustic Engineer  Ronan Kelleghan– Air Quality Consultant</p> <p>The following representatives from Moorebank Intermodal Company (MIC) joined the Commission, the Commission Secretariat and representatives from SIMTA (at approximately 10:15am) for the site visit:</p> <p>Ian Hunt –Chief Executive Officer  Anthony Vaccaro –Delivery Director  Vanessa Tiernan – Corporate Affairs Manager  Dee Brock – Project Manager</p>		
<b>The purpose of the meeting:</b> For SIMTA to brief the Commission on the project.		
<p><u>Background</u></p> <ul style="list-style-type: none"> <li>SIMTA informed the Commission about the current approvals relating to the project, including the Concept Plan approval and the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC) approval (the EPBC requirements are triggered by Stage 1).</li> <li>SIMTA is of the view that the Stage 1 Proposal is consistent with the Concept Plan approval in relation to built form and assessment reporting.</li> <li>SIMTA provided further information about the relationship between SIMTA and MIC. SIMTA will be responsible for all future approvals and the construction and operation of both projects.</li> <li>The agreement does not prohibit SIMTA from building and operating the SIMTA Concept Plan approval as a stand-alone facility should the agreement between MIC and SIMTA not proceed.</li> </ul> <p><u>Traffic</u></p> <p>SIMTA raised the following matters:</p> <ul style="list-style-type: none"> <li>New traffic surveys have been undertaken since the original Concept Plan approval to satisfy Secretary's Environmental Assessment Requirements (SEARs).</li> <li>There will be a minor increase in traffic impact on Moorebank Avenue, Anzac Road, Cambridge Avenue and the M5 Motorway over the Georges River.</li> <li>There will be a reduction in freight movements along the M5 Motorway between Port Botany and Moorebank Avenue.</li> </ul>		

- Intersection modelling indicates that the proposal would not exceed current capacity on the M5 Motorway/Moorebank Avenue, M5 Motorway/Hume Highway, M5 Motorway/Heathcote Road and Cambridge Avenue.
- Upgrades to the surrounding road network are not required at this stage (for up to 250,000 TEUs).
- There are no southern truck movements proposed towards Cambridge Avenue.

#### Noise

- The Commission raised concern about the noise generated from trucks when reversing. SIMTA indicated that the layout of the site allows for trucks to drive straight in and out of the loading bay. SIMTA also advised that the trucks utilising the site will have a broadband alarm which produce a 'sqawk' rather than a 'beep' sound.
- The Commission raised concern about rail wheel squeal. SIMTA acknowledged that rail wheel squeal is more likely to occur from the south, however only a few trains are likely to run south at this stage.
- SIMTA acknowledged management of rail noise will require co-ordination between themselves and ARTC (who operate the wider rail freight network).

#### Air Quality

- The Commission queried the emissions produced from the trains and trucks utilising the site. SIMTA indicated that the trains utilising the site will be new and that they are working with the government to establish pollution / emission requirements.
- SIMTA noted that a freight train can carry approx. 80 TEU and this equates to 60 trucks.
- The Commission advised that the proposal should demonstrate compliance with the draft National Environmental Protection Measure (NEPM) standards.

#### Other

- The Commission asked SIMTA about any visual impacts from lighting or container stacking during the operation of the terminal.

#### Site Visit

Representatives from SIMTA and MIC accompanied the Commission and the Commission Secretariat on a tour of the site and surrounding area. The Commission viewed:

- The SIMTA site, including a south-eastern outlook towards Wattle Grove;
- The MIC site, including the rail bridge and 'dust bowl' (area to be rezoned to E3);
- The local road network and key intersections, including Moorebank Avenue/Anzac Road, Hume Highway/M5 Motorway, Hume Highway/Hoxton Park Road, Newbridge Road/Heathcote Road/Moorebank Avenue, Moorebank avenue/M5 Motorway and the M5 Motorway weave;
- Carroll Park including views to the site and beyond;
- Leacock Park including views to the site and beyond;
- The rail bridge at Glenfield on Cambridge Avenue;
- The low level bridge along Cambridge Avenue; and
- The rail line crossing on Moorebank Avenue.

**Documents:** PowerPoint presentation and maps to assist site visit

**Meeting closed:** 10:15am

**Site visit concluded:** 1pm

## Notes of meeting with Liverpool City Council

<b>Meeting note taken by:</b> Jade Shepherd	<b>Date:</b> Friday, 29 January 2016	<b>Time:</b> 2pm
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Liverpool City Council Offices		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O'Connor</p> <p>Commission Secretariat: David McNamara – Director and Jade Shepherd – Planning Officer</p> <p>Liverpool City Council (Council):  Toni Averay – Director, Planning &amp; Growth  Bruce Macnee – Manager, Strategic Planning  Charles Wiafe – Service Manager, Traffic &amp; Transport  Stephen Joannidis – Manager, Development Engineering  Daniel Mills – Media and Communications Officer  Maruf Hossain – Coordinator, Floodplain and Water Management  Lina Kakish – Manager, Development Assessment  Neil Ramsay – Senior Environmental Health Officer  Steven Tuntevski – Team Leader, Environmental Health  Barry Millwood – Strategic Planning Coordinator</p>		
<b>The purpose of the meeting:</b> For Liverpool City Council to discuss its views on the project and the Department's Environmental Assessment Reports.		
<p>Council raised the following matters:</p> <p><u>Council's Position</u></p> <ul style="list-style-type: none"> <li>• Council advised that it is opposed to the proposals due to impacts on the Georges River, air, noise and traffic.</li> <li>• Council acknowledged the projects could be approved. However, it is of the view that any decision on the proposals should be deferred due to the lack of traffic analysis. Modelling should be completed, all works should be identified and all funding secured before a decision is made.</li> <li>• The project should be dealt with as a masterplan and not on a piecemeal basis.</li> <li>• The (Environment Protection Authority (EPA), rather than Council, should be the agency responsible for monitoring the compliance of the project. Council does not have the resources or the legislative capacity to enforce compliance.</li> </ul> <p><u>Developer Contributions</u></p> <ul style="list-style-type: none"> <li>• Council does not support the proposed developer contributions.</li> <li>• Council does not have a S94 contribution plan for commercial or industrial development within the MIT area. Council advised that it is in the process of preparing a S94A scheme.</li> <li>• Council is of the view that the developer should enter into a VPA with Council.</li> <li>• Council noted that S80A of the EP&amp;A Act allows Council to take funding for infrastructure.</li> <li>• Should the application be approved with current S94 conditions, Council advised that the development would set an undesirable precedent for developer contributions.</li> </ul>		

### Strategic Context

- Council is of the opinion that the intermodal is in the wrong location and that there are better uses for the site. The intermodal should be at Badgerys Creek.
- Council is currently working on a masterplan to rezone the site from industrial to mixed use. Council is also working on a new LEP with a vision to develop the site and the adjacent Liverpool CBD into a river city.
- Council advised that the Commission should analyse how other intermodals terminals are operating. For example at Enfield, only 14% of freight comes in via rail.

### Traffic

- There will be significant population growth within the Liverpool local government area (LGA) over the next 20 years and arterial roads are already congested.
- Council is of the view that a comprehensive assessment needs to be undertaken to identify the cumulative impacts of the proposals.
- The development will worsen congestion at existing intersections.
- Council advised that Moorebank Avenue is not adequately constructed for heavy vehicles. The road should be upgraded to accommodate 4 lanes of traffic, should the proposal proceed.
- Council is of the opinion that the M5 Motorway should allocate 1 lane for exclusive use by trucks, should the project be approved.
- Council advised that it would not be able to monitor vehicle movements.

### Flooding and Water Quality

- Council indicated that 80% of the MIC site is flood affected.
- Council is of the view that the studies undertaken by the Proponent are inadequate.
- In addition to the 1 in 100 year flood scenario, the Proponent should model the worst case scenario.
- The Proponent should provide an emergency evacuation plan.
- The development is almost 100% impervious land. Council advised that flooding and drainage impacts from the impervious land could be mitigated with raingardens.

### Health Issues

- Council advised that it will be difficult to regulate the site for compliance with noise limits.
- Council raised concern about the noise from shunting, dropped containers and beeping from trucks and that the proposal will result in sleep disturbance from any noise exceedances.
- Council queried if an air inversion layer may occur during winter that would exacerbate noise impacts from the development.
- Council raised concern about the EPA's monitoring of Port Botany.
- Council is of the view that the conditions lack detail to ensure there are no adverse impacts from the development on human health.

**Documents:** N/A. However, Council indicated it would provide a detailed response including matters discussed in today's meeting to the Commission no later than 5 February 2016.

**Meeting closed:** 3:10pm

## Notes of meeting with Campbelltown City Council

<b>Meeting note taken by:</b> Jade Shepherd	<b>Date:</b> Friday, 29 January 2016	<b>Time:</b> 3:10pm
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Liverpool City Council Offices		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O'Connor</p> <p>Commission Secretariat: David McNamara – Director and Jade Shepherd – Planning Officer</p> <p>Campbelltown City Council (Council): Jeff Lawrence – Director, Planning and Environment</p>		
<b>The purpose of the meeting:</b> For Campbelltown City Council to discuss its views on the project and the Department's Environmental Assessment Reports.		
<p>Council raised the following matters:</p> <p><u>General</u></p> <ul style="list-style-type: none"> <li>• Council acknowledged the State and regional significance of the project.</li> <li>• Whilst generally complimentary of the DP&amp;E assessment reports, however, noted there were concerns in relation to inconsistencies between conditions for the two projects which needed to be reviewed.</li> </ul> <p><u>Cambridge Avenue</u></p> <ul style="list-style-type: none"> <li>• Council raised safety concerns about the impact of trucks and other heavy vehicles using Cambridge Avenue during the construction and operation of the project. Council requested conditions to prohibit heavy vehicles using Cambridge Avenue, except in emergencies.</li> <li>• Council noted that the bridge on Cambridge Avenue should be upgraded to enable more trucks to utilise and connect into the northern part of the Council's LGA from the site. If the project is approved, Council requested that the traffic on Cambridge Avenue should be monitored over three years to assess local traffic impacts.</li> <li>• Council requested that conditions be amended to ensure that any mitigation measures or actions relevant to road and traffic management infrastructure in Council's LGA arising from either the outcomes of RMS modelling or the monitoring of Cambridge Avenue must be required to be undertaken at the full cost to the Applicant.</li> <li>• Council noted that in the event of an emergency, incident, breakdown or the like, heavy vehicles may need to use Moorebank Avenue South and Cambridge Avenue. Council requested that a condition be imposed that requires the preparation of an emergency access management plan in consultation with Council and approved by the Secretary.</li> </ul> <p><u>Other Traffic</u></p> <ul style="list-style-type: none"> <li>• Council queried if all trucks could be accommodated on site.</li> <li>• Any advice from RMS regarding local traffic impacts should be rigorously examined prior to the MIC approval and subsequent stages for SIMTA.</li> </ul> <p><u>Construction of Rail Link</u></p> <ul style="list-style-type: none"> <li>• Council is of the view that the rail link should be operational prior to the commencement of terminal operations. This would ensure the sustainability gains promised by the project are secured.</li> </ul>		

Noise

- In order to mitigate the potential for rail wheel squeal, Council is of the view that the conditions relating to noise should be tightened to enforce the incorporation of rail curve radii of no less than 500m. Council would also like further conditions imposed on any consent granted for MIC consistent with recommended conditions G6 and G8 for the SITMTA Stage 1 application.

Air Quality

- Council is of the opinion that appropriate conditions should be imposed to ensure that all container handling equipment and locomotives operating within the site and to and from the site comply with appropriate best practice emission standards.
- All equipment, including locomotives, should comply with best practice emission standards.

**Meeting closed: 4pm**

## Notes of Briefing from the Department of Planning and Environment

<b>Meeting note taken by:</b> Jade Shepherd	<b>Date:</b> Monday, 7 March 2016	<b>Time:</b> 10am
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Planning Assessment Commission Offices		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O'Connor</p> <p>Commission Secretariat: David McNamara – Director and Jade Shepherd – Planning Officer</p> <p>The Department of Planning and Environment (the Department):  Alix Carpenter – Team Leader, Social and Other Infrastructure Assessments  Andrew Beattie – Senior Planning Officer, Social and Other Infrastructure Assessments  Karen Jones – Director, Transport Assessments  David Gainsford – Executive Director, Priority Projects Assessments  Karen Harragon – Director, Social and Other Infrastructure Assessments</p>		
<b>The purpose of the meeting:</b> For the Commission and the Department to discuss correspondence from the Department dated 3 March 2016.		
<p>The following key issues were discussed:</p> <p><u>Location</u></p> <ul style="list-style-type: none"> <li>• The site has been identified for a long period of time as a key freight terminal location. It will be one of many intermodal freight terminals required in Sydney.</li> <li>• The flat topography of the site is suitable for the construction of a rail line.</li> <li>• The Department noted that container freight from Port Botany will be different from what comes in via air to the future Badgerys's Creek airport (after 2025).</li> </ul> <p><u>Conditions</u></p> <ul style="list-style-type: none"> <li>• The Commission and the Department agreed that the application has not been assessed as a road freight arrival terminal, only a rail freight arrival terminal. Include in Report.</li> <li>• The Commission requested the Department's view on MIC's proposed amendments to the conditions.</li> <li>• The Commission asked Department if it could provide a rationale for condition 13.</li> <li>• The Commission recommended that further consideration should be given to community consultation. Establishment of a structure like the CCCs</li> <li>• The Commission queried if the Department had received legal advice on the recommended conditions. The Department advised that the legal team was involved in the drafting of the conditions.</li> <li>• The Commission asked about the rationale behind the amount of Section 94 contribution. The Department advised that the Section 94 contribution equates to 1% of Capital Investment Value (CIV).</li> <li>• The Commission noted that Council have argued that they don't have the capacity to regulate the site. The Department advised that it will be regulating the development's compliance with conditions. The Department will provide formal advice on whether Department could be the regulatory authority.</li> </ul>		

### Noise

- The Commission raised concern about noise and the EPA's previous advice dated 2 July 2015 regarding rail wheel squeal.
- The Commission queried if lubricant is a reliable measure for reducing rail wheel squeal. The Department advised that it is, as long as it is regularly serviced and maintained. Thornleigh now has an electronic system which can be operated remotely. The Department advised that lubrication does not get rid of all wheel squeal due to the type and maintenance of the locomotives and wagons themselves.
- The Commission queried if any consideration has been given to noise barriers to reduce noise from the rail link. The Department indicated that noise barriers have not been considered.
- Newer locomotives produce less noise and emissions.
- The EPA is moving towards regulating rail stock.

### Other

- The Commission raised concern about water quality from the development. The Department advised that water quality will be improved as a result of the new stormwater works. The Department is satisfied the level of detail on stormwater management submitted by SIMTA.
- The Department advised that land owner's consent is still outstanding for the SIMTA applications (Stage 1 works and Mod 1).
- Department advised that Alix and Andrew will be staying for the rest of the meetings for the day to take notes.

**Meeting closed: 11:15am**



## Notes of Briefing from the Environment Protection Authority

<b>Meeting note taken by:</b> Jade Shepherd	<b>Date:</b> Monday, 7 March 2016	<b>Time:</b> 11:20am
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Planning Assessment Commission Offices		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O'Connor</p> <p>Commission Secretariat: David McNamara – Director and Jade Shepherd – Planning Officer</p> <p>The Department:</p> <p>Alix Carpenter – Team Leader, Social and Other Infrastructure Assessments          Andrew Beattie – Senior Planning Officer, Social and Other Infrastructure Assessments</p> <p>Environment Protection Authority (EPA):</p> <p>Greg Sheehy – A/Director Metropolitan Infrastructure          Jacinta Hanneman – Unit Head Infrastructure and Transport          Anthony Savage – Manager Air Technical Advisory Services          Rhys Watson, Technical Policy Advisor</p>		
<b>The purpose of the meeting:</b> For the Commission and the EPA to discuss correspondence from the EPA to the Department dated 22 February 2016.		
<p>The following matters were discussed:</p> <ul style="list-style-type: none"> <li>• EPA is changing how it regulates rail. There is currently draft regulations prepared to go on public exhibition.</li> <li>• The Commission queried if trucks or trains produce more emissions. The EPA advised that it is hard to compare road to rail emissions as there are many variables e.g. traffic conditions, gradient of rail lines and the models of trucks and locos.</li> <li>• The EPA asked if there is scope for the Commission to condition that locomotives must be of a certain model and that the intermodal must operate according to best practice.</li> <li>• The Commission queried if the EPA could comment on the emissions modelling.</li> <li>• The Commission asked if lubricant would reduce rail wheel squeal. The EPA advised that lubricant and rail grind may help reduce rail wheel squeal but it will not fully mitigate it.</li> <li>• The Commission asked if a noise barrier or wall is a possibility for the rail link. The EPA advised that it hadn't considered this measure. However, a tunnel could help reduce noise although it was questionable if a tunnel enclosure would fit on the site.</li> <li>• The EPA advised that a part of the proposed rail link has a tighter curve than Wollstonecraft and would have a radius of approximately 160m.</li> <li>• The EPA advised that it had no objections for monitoring to be undertaken at Glenfield Farm.</li> <li>• The EPA advised that it would help Liverpool Council with noise and air quality monitoring.</li> <li>• The EPA advised it would provide written confirmation that it is satisfied with the recommended conditions.</li> </ul>		
<b>Meeting closed:</b> 12:10pm		

## Notes of Briefing from the Department of Primary Industries

<b>Meeting note taken by:</b> Jade Shepherd	<b>Date:</b> Monday, 7 March 2016	<b>Time:</b> 12:20pm
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Planning Assessment Commission Offices		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O'Connor</p> <p>Commission Secretariat: David McNamara – Director and Jade Shepherd – Planning Officer</p> <p>The Department:</p> <p>Alix Carpenter – Team Leader, Social and Other Infrastructure Assessments          Andrew Beattie – Senior Planning Officer, Social and Other Infrastructure Assessments</p> <p>Department of Primary Industries (DPI):          Mitchell Isaacs – Director Planning Policy &amp; Assessment Advice</p>		
<b>The purpose of the meeting:</b> For the Commission and the EPA to discuss correspondence from the DPI to the Department dated 22 February 2016.		
<p>The following issues were discussed:</p> <ul style="list-style-type: none"> <li>• DPI key concerns are with threatened species and key fish habitat.</li> <li>• The studies in the EIS were largely desktop. DPI advised that no surveys or sampling of Georges River near the rail crossing. However, desktop studies are adequate for this stage.</li> <li>• DPI advised that freshwater species were likely to occur in the river adjacent to the site.</li> <li>• DPI advised that the rail bridge has the potential to impact on riparian vegetation and canopy. However, this could be addressed via conditions.</li> <li>• DPI to confirm that it is satisfied with the recommended conditions.</li> </ul>		
<b>Meeting closed:</b> 12:40pm		

**Notes of Briefing from the Office of Environment and Heritage**

<b>Meeting note taken by:</b> Jade Shepherd	<b>Date:</b> Monday, 7 March 2016	<b>Time:</b> 2pm
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Planning Assessment Commission Offices		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O'Connor</p> <p>Commission Secretariat: David McNamara – Director and Jade Shepherd – Planning Officer</p> <p>The Department:</p> <p>Alix Carpenter – Team Leader, Social and Other Infrastructure Assessments          Andrew Beattie – Senior Planning Officer, Social and Other Infrastructure Assessments</p> <p>Office of Environment and Heritage (OEH):</p> <p>Tom Grosskopf – Director Regional Operations Metro          Susan Harrison – Senior Team Leader Regional Operations Metro          Ray Giddens – Regional Biodiversity Conservation Officer, Threatened Species          Sam Higgs – Archaeologist, Greater Sydney          Peter Scanes – Senior Team Leader, Waters, Wetlands and Coasts Science</p>		
<b>The purpose of the meeting:</b> For the Commission and the EPA to discuss correspondence from the OEH to the Department dated 3 March 2016.		
<p>The following matters were discussed:</p> <ul style="list-style-type: none"> <li>• OEH holds the view that the bio banking framework will make it easier for the consent authority as it is a legally binding contract.</li> <li>• There is a significant shortage of Forest Red Gum in Western Sydney (an EEC). The Applicants need to be more proactive in finding offsets.</li> <li>• There is a level of flexibility with the biodiversity offsets due to the project being State Significant Development (SSD).</li> <li>• OEH advised it would like conditions to be amended as per its correspondence dated 3 March 2016 to the Department.</li> <li>• Aboriginal heritage items MA14, MA6 and MA7 have not been discussed. OEH would like salvage of these items undertaken prior to construction.</li> <li>• OEH advised that the aquatic ecology assessment undertaken in the EIS was poor. All sampling was done on a single day with no spatial or temperature variation. Pools could have dragonflies, based on known distribution. OEH indicated it will provide conditions on monitoring dragonflies.</li> <li>• OEH advised that the Georges River is in good condition and is improving. It is creating economic value for properties nearby.</li> <li>• OEH raised concern about the quality of stormwater coming off the site as there is nothing in SIMTA's EIS that discusses impact from oil or grease. OEH will provide suggested conditions to address this issue.</li> </ul>		
<b>Meeting closed:</b> 3:30pm		

## Notes of briefing from Transport for New South Wales and Roads and Maritime Services

<b>Meeting note taken by:</b> Jade Shepherd	<b>Date:</b> Monday, 7 March 2016	<b>Time:</b> 3:30pm
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Planning Assessment Commission Offices		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O'Connor</p> <p>Commission Secretariat: David McNamara – Director and Jade Shepherd – Planning Officer</p> <p>Transport for New South Wales (TfNSW):            Tim Dewey – Senior Transport Planning, Land Use Planning and Development Unit            Tony Gausden – General Manager, Freight Network Efficiency and Regulation</p> <p>Roads and Maritime Services (RMS)            John Hart- Leader Network &amp; Corridor Planning            Colin Langford –Executive Manager Sydney            Gregory Flynn – Manager Strategic Land Use</p> <p>The Department:            Alix Carpenter – Team Leader, Social and Other Infrastructure Assessments            Andrew Beattie – Senior Planning Officer, Social and Other Infrastructure Assessments</p>		
<b>The purpose of the meeting:</b> For the Commission and TfNSw and RMS to discuss correspondence from the TfNSW to the Department dated 2 March 2016.		
<p>The following matters were discussed:</p> <p><u>Road</u></p> <ul style="list-style-type: none"> <li>• RMS advised that Moorebank Ave/Heathcote Road and Moorebank/M5 interchange works would provide short term mitigation to impacts of the intermodal development. The cost of works is likely to be less than \$20 million.</li> <li>• RMS advised that the base case modelling of the Moorebank area has been given to the Applicants. The model looks at network constraints and the future performance of the network.</li> <li>• RMS will have some recommendations for the government on how to handle the weave issue on the M5 Motorway near Moorebank Ave.</li> <li>• RMS has had discussions with the Australian government on the proposed road upgrades.</li> <li>• There will be a strategy for potential upgrades over the next 10 to 20 years.</li> <li>• The Commission noted that Campbelltown Council is concerned about trucks leaving via the south and going on Cambridge Avenue. RMS advised that it is looking at upgrades to Cambridge Avenue.</li> <li>• RMS advised that it is comfortable with cap of 250,000 TEUs. Prior to any increase, further traffic modelling needs to be undertaken.</li> <li>• RMS predicts the proposal will result in 500 to 1000 less traffic movements on the portion of the M5 Motorway near Port Botany. There will also be benefits to the M4 Motorway.</li> </ul>		

## Rail

- TfNSW advised that although the number of operators of freight rail has been declining, the number of containers on rail has been increasing.
- TfNSW advised that Sydney does not have the capacity to transport more containers by rail at the moment, especially since there has been a reduction of terminals in Sydney since 2010.
- TfNSW advised that the NSW freight line is moving approximately 170,000 TEUs.
- TfNSW advised that in order to be successful, the facility must have competitive advantage over road, must have warehousing, must have adequate access to road network and must be located in an area that feeds within its catchment. The proposal satisfies these criteria.
- The Commission asked if the capacity of rail network is able to meet the rail movements proposed. TfNSW advised that the current configuration of the constrained network between Moorebank and Port Botany supports 24 – 30 train movements (estimated, both ways).
- TfNSW advised that wheel squeal will occur on any rail line with a radius under 400m. Ways to reduce wheel squeal include lubrication, the installation of a friction modifier or to modify rolling stock e.g. polymer lining on bogey.
- TfNSW advised that per tonne/km, rail is less emitting than road. Emissions from diesel are not regulated at the moment but this is under consideration by EPA.
- TfNSW will provide to the Commission: the criteria for a successful intermodal; what the competitive advantage is for Moorebank; its views on proposed condition 13; ways to mitigate wheel squeal; and, information on whose responsibility it is to undertake measures to reduce wheel squeal.

**Documents:** 'Moorebank Intermodal Terminal Arterial Roads Investigation' prepared by Colin Langford

**Meeting closed:** 5pm

## Notes of Meeting with Infrastructure Australia

<b>Meeting note taken by:</b> David McNamara	<b>Date:</b> 26 April 2016	<b>Time:</b> 4pm
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Infrastructure Australia Office		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair)</p> <p>Commission Secretariat: David McNamara - Director</p> <p>Infrastructure Australia (IA): Stephen Alchin – Executive Director, Planning and Jeremy Parkinson – Director, Planning</p>		
<p><b>The purpose of the meeting:</b> For the Commission to gain a broader understanding of the objectives and policies on freight and the impacts of constructing an intermodal terminal at Moorebank.</p>		
<ul style="list-style-type: none"> <li>• The Commission outlined the projects being considered by the Commission and the panel’s interest in gaining a broader understanding of the freight situation and the impacts of constructing an intermodal terminal at Moorebank.</li> <li>• IA advised that there has been interest from both the Commonwealth and State governments in the development of Moorebank as an intermodal terminal since 2004.</li> <li>• IA noted that a number of relevant background reports and studies have been undertaken in the past related to Moorebank and the wider national freight strategy. In particular, IA noted that there were a number of documents available related to the national freight strategy; the M5 corridor congestion volume and capacity; increased relevance of interstate freight (particularly between Melbourne – Sydney) as well as the idea of freight being driven by GDP, rather than population growth.</li> <li>• IA confirmed that Eastern Creek was considered to be a long term option for an intermodal site as was Badgery’s Creek.</li> <li>• IA advised that it would provide further information on the matters discussed and the reports mentioned via a follow up email.</li> </ul>		
<b>Documents:</b> N/A		
<b>Meeting closed:</b> 4:40pm		

## Notes of Meeting with Transport for New South Wales and the Environment Protection Authority

<b>Meeting note taken by:</b> Muriel Maher	<b>Date:</b> 27 April 2016	<b>Time:</b> 9:30am
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Planning Assessment Commission Offices and Teleconference		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O'Connor</p> <p>Commission Secretariat: David McNamara - Director and Muriel Maher - Senior Planning Officer</p> <p>The Department: Alix Carpenter - Team Leader, Social and Other Infrastructure Assessments</p> <p>Transport for NSW (TfNSW): Justin McGuire - Principal Manager Freight Access and Performance and Bruce Dowdell - Senior Manager Rail Noise Program</p> <p>Environment Protection Authority (EPA): Jacinta Hanemann - Unit Head Metropolitan Infrastructure and Greg Sheehy - Acting Director Metropolitan</p>		
<b>The purpose of the meeting:</b> For TfNSW to provide clarity about the noise mitigation measures.		
<p>TfNSW provided an overview of wheel squeal mitigation measures:</p> <p><u>Proposed rail link</u></p> <ul style="list-style-type: none"> <li>• TfNSW raised concern about the curve radius in its submission of the project to DPE and again today.</li> <li>• TfNSW have conducted modelling on rail curve noise in various urban locations.</li> <li>• The average curve radius to avoid wheel squeal is greater than 500 metres.</li> <li>• There is a greater probability of wheel squeal with any curve radius less than 300 metres.</li> <li>• A curve radius of 160 metres, as proposed, would be assessed in accordance with the angle of attack (AOA) of a wheel to the rail.</li> <li>• The mitigation of rail squeal falls into three orders of effectiveness:             <ul style="list-style-type: none"> <li>○ 1st order – curve radius and/or bogie design</li> <li>○ 2<sup>nd</sup> order – lubrication and track grinding</li> <li>○ 3<sup>rd</sup> order – noise barriers (walls, tunnels, mounds).</li> </ul> </li> <li>• 3-piece bogies have been in operation since 1950's; they are known to cause rail wheel squeal however can be retrofitted to include cross-bracing to enable the bodies to stiffen and withstand manoeuvring with far less probability of wheel squeal even on tight curve radius such as 240m.</li> <li>• Rolling stock has traditionally been supplied from the United States (US). More recently stock from China has become available and cross-bracing is very prevalent in China.</li> <li>• Best practice in terms of locomotive and wagons, is a noise solution for the whole rail link between Port Botany and Moorebank.</li> <li>• Assets Standards Authority is seeking to release standards this year for the equipment used on rail links.</li> <li>• Wheel squeal can be monitored through technology to identify problems on rail lines. This includes laser wheel sensors.</li> </ul>		

Rail Noise and Air Emissions

- The proposed curve radii are of concern.
- Best practice rolling stock would be the best option to mitigate noise impacts, as per TfNSW recommendations.

Additional time was requested to provide further detail about the recommendations provided to the Commission and also in relation to air emissions.

**Documents:** TfNSW provided information about the best practice rolling stock.

**Meeting closed:** 10:15am (EPA) and 11:30pm (TfNSW)



**Notes of Meeting with MIC, SIMTA, the Department and TfNSW**

<b>Meeting note taken by:</b> Jade Shepherd	<b>Date:</b> 17 May 2016	<b>Time:</b> 4pm
<b>Project:</b> Moorebank Intermodal Terminal (MIC Intermodal Terminal Concept Plan & SIMTA Intermodal Terminal Facility Stage 1)		
<b>Meeting place:</b> Planning Assessment Commission Office		
<p><b>Attendees:</b></p> <p>Members of the Commission: Paul Forward (Chair), Robyn Kruk AM and Stephen O’Connor</p> <p>Commission Secretariat: Muriel Maher - Senior Planning Officer and Jade Shepherd - Senior Planning Officer</p> <p>The Department:  Alix Carpenter – Team Leader, Social and Other Infrastructure Assessments  Andrew Beattie – Senior Planning Officer, Social and Other Infrastructure Assessments</p> <p>Transport for NSW (TfNSW):  Justin McGuire - Principal Manager Freight Access and Performance  Bruce Dowdell - Senior Manager Rail Noise Program</p> <p>Moorebank Intermodal Company (MIC):  Ian Hunt - Chief Executive Officer  Anthony Vaccaro - Delivery Director</p> <p>SIMTA:  Michael Yiend - Development Manager  Steve Ryan - Project Management &amp; Planning</p>		
<b>The purpose of the meeting:</b> To discuss the Commission’s proposed amendments to the recommended conditions.		
<p>The following matters were raised at the meeting:</p> <ul style="list-style-type: none"> <li>• The Commission queried about the status of land owner’s consent from Glenfield Waste Facility. SIMTA advised that land owner’s consent was due to be received within coming days.</li> <li>• The Commission advised MIC that it would be seeking legal advice about how to structure the consent to reflect the proposed combined throughput of 1.55 million TEU. The Commission also requested confirmation from MIC regarding the implementation of recommended conditions 7 and 8.</li> <li>• The Commission requested further information on how the Section 94 contributions for the SIMTA Stage 1 project were calculated. The Commission advised that 1% of the total cost of works, excluding the rail link, may be more appropriate for this type and scale of development.</li> <li>• The Commission requested further information about how the proposed combined throughput of 1.55 million TEU was reached.</li> </ul>		

- The Commission advised that some members of the public had raised concern about the word 'predominantly' in condition 13. The Commission was of the view that the word 'predominantly' is ambiguous and does not provide the public with certainty about the ratio of containers that would arrive by rail in comparison to road.
- MIC raised concern about the proposed amendments to conditions 10(a) and (b), as recommended by TfNSW. MIC was of the view that the conditions did not specifically relate to wheel squeal. MIC also raised concern that the condition would limit its ability to compete with other intermodals. MIC advised that it would be providing written comments to the Commission about the proposed changes.
- The Commission queried MIC and SIMTA's proposed change to the definition of 'construction' in the development consent. MIC and SIMTA advised that their proposed changes would enable early works to be undertaken on site without having to wait for certain reports and studies, which could take months.

**Documents:** N/A

**Meeting closed:** 5pm

**Appendix 2**  
**List of Speakers at the Public Meeting**

**Venue:** Bankstown Golf Club  
70 Ashford Avenue  
Milperra NSW 2214

**Time and Date:** 10am, 1 February 2016

1. Mayor Ned Mannoun (Liverpool City Council)
2. Deputy Mayor Clr Tony Hadchiti
3. Peter Harle
4. Valerie Newman
5. Dara Bonic
6. Michael Byrne (East Liverpool Progress Association)
7. Alan Robert Randall
8. Denise Pianta
9. Signe Westerberg (Georges River Environmental Alliance)
10. Peter Savidis
11. Craig Kelly MP (Federal Member for Hughes)
12. Jennifer French
13. Brian Marston
14. Svetlana Kotevska (Georges River Combined Council Committee)
15. Alan Keith Corban
16. Robert Storey
17. John Bennion
18. Surendra Bhatt
19. Wayne Prior
20. John Anderson
21. Kirstie Williams
22. Kathy Williams
23. Michael Russell (Liverpool Community Independence Team)
24. Narelle Vandenbos (RAID)
25. Paul Vandenbos
26. Rosa Quinn
27. Mirella Riga
28. Mohan Vijayaraghavan
29. Graham Hoskin
30. Roslyn Fagan
31. David Fagan
32. David Mawer
33. Damien Smith
34. Lorrae Lemond
35. Fiona Macnaught (Moorebank Residents' Action Group)
36. Erik Rakowski
37. Dominic Scutella

### **The Public Meeting Logistics**

- There was not enough notice for the public meeting.
- The location of the public meeting is inconvenient.
- The location of the public meeting is not in the Liverpool LGA.
- The time and date of the public meeting is inconvenient.

### **Traffic**

- The proposal will result in increased traffic in the Liverpool LGA
- The traffic in the area is already bad.
- Traffic modelling needs to be undertaken to show the impacts of the intermodal terminal on the traffic in the area.
- Multiple upgrades to intersections are required.
- There will be a higher risk of accidents.
- The intermodal must not exceed the capacity of the road network.
- There are errors and uncertainties in the Applicants' traffic studies.
- Trucks will slow traffic.
- The intermodal would relieve congestion at Port Botany.
- It is unclear how many trucks will be taken off the M5 Motorway from Port Botany.

### **Location**

- The intermodal should be in Badgerys Creek.
- The intermodal should be in Eastern Creek.
- There are already intermodal terminals at Enfield and Chullora.
- Intermodals should be located in the outskirts of cities.
- Liverpool has a vision for the site – it will be a city by the river.
- NSW and Commonwealth Governments need to demonstrate why this is the right location for the intermodal.
- The intermodal is incompatible with the surrounding area.
- The site is constrained by its size, the surrounding congested road network and its topography.
- There are better uses for the site e.g. housing, business technology park or university campus.
- The site is likely to be affected by flooding from the George's River
- The intermodal is unsuited to the area.

### **Air Quality**

- The intermodal will result in decreased air quality for Liverpool LGA residents.
- There will be emissions from diesel engines of trucks and locomotive engines.
- There will be health impacts from fuel emissions.
- New diesel truck engines (models after 2007) will reduce particulate matter. There is no need for trains.
- The Liverpool LGA already experiences PM2.5 levels above the relevant standards.
- Trains should match USA and European standards in regards to emissions.

### **Flooding/ Stormwater Drainage**

- There is only one flood free exit point potentially hindering emergency access.
- The water management measures are inadequate.
- There is no discussion of the proposed drainage structure.

### **Noise**

- There will be noise from the operation of the terminal.
- Noise from the terminal will impact on sleep quality.
- Noise walls need to be installed along the M5 Motorway near Casula.
- Glenfield Farm will be subject to noise impacts. Readings should be taken from the farm.
- Lubricant is not 100% effective in eliminating wheel squeal.
- The cumulative impact of construction noise will impact on residents.
- Warehouses will not mitigate noise to Wattle Grove.
- People living within 3kms of Port Botany suffer sleep disturbance. There are residents within 800m of the proposed terminal at Moorebank.

### **Amenity**

- There will be light spill from the operation of the terminal.

### **Other**

- The site does not pay rates.
- It is expensive to move freight containers via rail.
- There is no need for the intermodal terminal.
- The Government does not spend money on south west residents.
- SIMTA and MIC have already been advertising for jobs.
- Hazardous or dangerous goods may be transported on the freight rail line.
- Emergency plans need to be in place.
- There are more hard paved surfaces proposed than the existing development. Flow from the site will increase speed and will flow into the river, causing erosion.
- There is no monitoring of heavy pollutants included in the conditions.
- Where will the claimed \$9 billion of benefits come from?

### **The Assessment Process**

- A comprehensive precinct plan is required.
- There has been a piecemeal approach to the development. Stages approvals are unacceptable.
- The Department's report is incomplete and cannot be assessed.
- There have been a lot of objections, including from 5 Councils in Western Sydney.
- The proposal needs to be assessed in accordance with the Environmental Planning & Assessment Act 1979.
- There is a lack of public trust and confidence in the planning process.
- Local knowledge and opinions are being overlooked.
- Local Environmental Plans (LEPs), Regional Environmental Plans (REPs) and State Environmental Planning Policies (SEPPs) are being overlooked.
- The Planning Assessment Commission (PAC) has the power to stop the proposal.
- The complete history of the project should be made public. Key documents have not been made available.

### **Georges River**

- There will be adverse impacts on the Georges River from site run-off.
- The intermodal should result in improvements for the Georges River.

**Biodiversity**

- The Biodiversity offsets are not appropriate for 4 species.
- The Biodiversity offsets are not like for like.
- There will be a loss of habitat and biodiversity.
- The rail link cuts through vegetation and severs vegetation communities.
- No surveys were undertaken for aquatic habitat and species, so the impacts of the development are unknown.
- The intermodal needs to ensure pests are not spread from other States and jurisdictions.
- The intermodal will impact on koalas.