# Secretary's Environmental Assessment Requirements

## Section 78A (8A) of the *Environmental Planning and Assessment Act 1979*
## Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

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| **Application Number** | SSD - 5066 |
| **Development** | **Moorebank Intermodal Terminal Facility -** an intermodal terminal (IMT) with a capacity to handle up to 1.2 million twenty foot equivalent units per annum (intrastate) and 500,000 twenty foot equivalent units per annum (interstate), including:<br>a) a port shuttle and interstate terminal area for the movement of rail freight, loading and unloading of containers, storage of freight carriages and container laydown/ storage areas;<br>b) internal roads, stormwater management infrastructure, power and utilities;<br>c) a rail link connecting the facility to the Southern Sydney Freight Line including a bridge crossing of the Georges River;<br>d) an environmental conservation zone on the eastern bank of the Georges River;<br>e) associated commercial warehouse infrastructure and support functions for the terminal; and<br>f) vehicle access, including for heavy and light vehicles into the site off Moorebank Avenue, with potential upgrades to Moorebank Avenue. |
| **Location** | Generally located within land bounded by the Georges River to the west, Moorebank Avenue to the east, the M5 Motorway and ABB Medium Voltage Production facility to the north and the East Hills Railway line to the south. |
| **Applicant** | Moorebank Intermodal Company Limited |
| **Date of Issue** | 2 September 2014 |
| **General Requirements** | The Environmental Impact Statement (EIS) must be prepared in accordance with and meet the minimum requirements of Part 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (the Regulation) and include the following:<br><br>1. the information required by clause 6 of Schedule 2 of the Regulation, including a description of the staging and timing of the relevant components of the development, and required infrastructure to enable operation of the development;<br>2. the content listed in clause 7 of Schedule 2 of the Regulation, including but not limited to:<br>o a summary of the EIS;<br>o a statement of the objectives of the development, including consideration of container trade numbers (import and export); and the development's consistency with the aims and objectives of relevant State policies and plans including the *NSW 2021, draft Metropolitan Plan for Sydney (March 2013), Draft South West Subregional Strategy, Railing Port Botany's Containers, Action for Air, NSW Freight and Ports Strategy 2013,* the Commonwealth's *draft National Ports Strategy and National Freight Strategy*;<br>o future trends in container origin/destination in Sydney, intermodal capacity and demand, and identification of the terminal's freight catchment area and freight split;<br>o the development's relationship to and interaction with adjoining development, including the proposed intermodal on the SIMTA site and consideration of cumulative impacts of the two intermodals;<br>o an analysis of feasible alternatives to carrying out the development, having regard to its objectives, including the consequences of not carrying out the development;<br>o an analysis of the development, including an assessment, with a |

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| | particular focus on the requirements of the listed key issues, in accordance with clause 7(1)(d) of Schedule 2 of the Regulation (where relevant), including for normal and worst case scenarios (as relevant);<br>o an identification of how relevant planning, land use and development matters (including relevant strategic and statutory matters) have been considered in the impact assessment (direct, indirect and cumulative impacts) and/or in developing management, mitigation, and monitoring measures, including 79C of the *Environmental Planning and Assessment Act 1979* (EP&A Act), applicable State Environmental Planning Policies (SEPP) and Local Environmental Plans (LEP), and the nature and extent of any prohibitions that apply to the development and demonstration that the site is suitable for the proposed use in accordance with SEPP 55;<br>o a compilation of the measures proposed to mitigate any adverse effects of the development on the environment;<br>o a justification of the development taking into consideration the objects of the EP&A Act; and<br>o detail how ESD principles (as defined in clause 7(4) of the Regulation) will be incorporated in each stage of the development.<br><br>The EIS must also include:<br>• a detailed description of any rail link option, together with a detailed impact assessment for each option;<br>• a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues;<br>• potential options for future ownership of the development; and<br>• consideration of the cumulative impacts of this proposal with the adjacent SIMTA proposal.<br><br>**Quantity Surveyor's Report**<br>• A Quantity Surveyor's Report that provides a detailed calculation of the Capital Investment Value (CIV) of the development shall be submitted with the EIS. The Report shall be prepared on company letterhead and indicate the applicable GST component of the CIV. |
| **Key issues** | **Traffic, Transport and Access** – including but not limited to:<br>• a Transport and Accessibility Impact Assessment demonstrating how the development will facilitate freight transport objectives, meet freight infrastructure requirements and address impacts to local and regional road and rail transport networks;<br>• access to and from the development (including truck routes and rail access to the Southern Sydney Freight Line), and interaction and integration with existing and planned transport infrastructure and services; and details of internal transport and logistic requirements to minimise external transport impacts and access to public transport for employees;<br>• the number of train and truck movements, origin and destination, time of movements, modal split targets, types of road transport likely to be used (for example B-Doubles) and the capacity of existing and proposed road and rail routes to handle predicted increases in traffic, based on appropriate empirical analysis and modelling, including freight and non- freight movements and vehicle utilisation;<br>• a breakdown of the split of import and export container movements by rail, including the proportion of empty container movements;<br>• proportion of port shuttle services, regional and interstate rail being serviced by the IMT, including predicted daily port shuttle movements;<br>• demonstrate plans and capacity for an empty container storage within the site, including the transport of empty containers to regional areas (if required);<br>• consideration of the cumulative impacts of this proposal with the adjacent SIMTA proposal and other existing and proposed freight distribution facilities in the locality and on local and regional road and rail networks; |

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| | • identification of required road and rail infrastructure upgrades within proximity of the site, including the M5 and M7 motorways and interchanges, the Moorebank Avenue / Heathcote Road intersection, the Moorebank Avenue / Newbridge Road intersection and Cambridge Avenue;<br>• a consideration of road safety in the vicinity of the site including the identification of any 'black spots';<br>• identification of cycleway and pedestrian links between Liverpool, Holsworthy, Wattle Grove, Moorebank, M5 corridor, Casula and Macquarie Fields to maximise active transport options to the site;<br>• impacts on users of the Georges River, including an assessment of bridge clearance to ensure safe passage of water vessels; and<br>• taking into account the *Guide to Traffic Generating Developments (RTA)* and the *Integrating Land Use and Transport Package (DUAP).*<br><br>**Noise and Vibration** – including but not limited to:<br>• assessment of the noise and vibration impacts from the development (on and offsite), including cumulative impacts from associated precursor activities, the Southern Sydney Freight Line and the SIMTA intermodal proposal on sensitive receivers;<br>• consideration of associated road and rail noise impacts;<br>• the nature and sensitivity of, and impact to potentially affected receivers (including nearby residential areas of Moorebank, Wattle Grove and Casula, transport noise affected receivers and other sensitive land uses);<br>• the consideration of relevant meteorological conditions and topographical features; and<br>• taking into account the *Interim Construction Noise Guideline (DECC 2009), NSW Industrial Noise Policy (DEC), Assessing Vibration: A Technical guideline (DECC 2006), NSW Road Noise Policy (DECCW 2011), and the Rail Infrastructure Noise Guideline (EPA 2013).*<br><br>**Biodiversity** – including but not limited to:<br>• assessment of the biodiversity values of the site and adjoining areas, (particularly the Georges River and its riparian areas), including terrestrial and aquatic flora, fauna, habitat and corridors;<br>• an impact assessment of threatened terrestrial and aquatic (including groundwater dependent) species, populations and endangered ecological communities and/or critical habitat under both State and Commonwealth legislation, including the Cumberland Plain Woodland;<br>• ecological surveys in accordance with the relevant State and Commonwealth survey guidelines commensurate with the biology/ecology of species and extent of habitat within and adjacent to the development site;<br>• vegetation clearing (resultant foraging, nesting, roosting and habitat loss and fragmentation, weed and edge effects) and operational impacts;<br>• identification of riparian corridors to be established on the site and details of the riparian area to be rehabilitated along the Georges River and Anzac Creek;<br>• a strategy to offset unavoidable, residual ecological impacts and native vegetation clearance, consistent with the 'avoid, minimise or offset' principle. This includes an offset strategy for any impacts of the development on matters of environmental significance under the *Environment Protection and Biodiversity Conservation Act 1999* and the *EPBC Environmental Offsets Policy* (October 2012) and on threatened species and endangered ecological communities and/or critical habitat under the *Threatened Species Conservation Act 1995*, in accordance with the *NSW Biodiversity Offsets Policy for Major Projects* 2014. The proposed strategy must demonstrate how it meets each of the overarching principles of the State and the Commonwealth offset policy to achieve long term conservation outcomes; and<br>• taking into account the OEH's *Threatened Species Survey and Assessment Guidelines* (www.environment.nsw.gov.au/threatenedspecies/surveyassessmentgdlns.htm), any relevant draft or final recovery plans*, Fish Passage Requirements* |

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| | *for Waterway Crossings, Policy and Guidelines for Fish Friendly Waterway Crossings* (DPI), *NSW Biodiversity Offsets Policy for Major Projects* 2014 *Commonwealth EIS guidelines* (EPBC 2011/6086, as revised)*, Significant Impact Guidelines, information on listed ecological communities and listed species, survey guidelines for nationally threatened species and the EPBC Environmental Offsets Policy* (DSEWPaC 2012)*.*<br><br>**Hazards and Risks** – including but not limited to:<br>• potential hazards and risks associated with the site as a whole and offsite, taking into account activities that have the potential to cause harm to people and/or the environment, including potential impacts associated with storing and handling dangerous goods on-site and transporting such goods to and from the site consistent with the Department's guideline *Applying SEPP 33 and taking into account the Hazardous Industry Planning Advisory Paper No 10: Land Use Safety Planning* (DoP);<br>• a Preliminary Hazard Analysis, if relevant, in accordance with the *Hazardous Industry Planning Advisory Paper No. 6 Guidelines Hazard Analysis* (DoP); and<br>• bushfire protection, taking into account *Planning for Bushfire Protection* (RFS).<br><br>**Soils and Contamination** – including but not limited to:<br>• potential land contamination, and identification of the need for remediation having regard to the ecological and human health risks posed by existing and past land uses on and adjoining the site;<br>• where remediation is required, presentation of remediation options;<br>• natural soil constraints, including potential for acid sulphate soils; and<br>• taking into account the *Acid Sulfate Soils Manual* (ASSMAC), *Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land* (DUAP), relevant Australian Standards, Commonwealth guidelines and codes of practice.<br><br>**Hydrology** – including but not limited to:<br>• changes to the site's hydrology and an assessment of the hydrological impacts of the development and the development effects on flood characteristics on and off the site (in particular Cambridge Avenue), including the consideration of effects associated with climate change, such as changes to rainfall frequency and/ or intensity;<br>• surface water and stormwater quality, erosion, spill, and sedimentation impacts, on and off site; and<br>• taking into account the *Managing Urban Stormwater Soils and Construction, Vol. 1, 2A and 2D* (DECC), *National Water Quality Management Strategy Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC), *Georges River Floodplain Risk Management Study and Plan, Anzac Creek Floodplain Risk Management Study and Plan* and *Floodplain Development Manual* (DIPNR).<br><br>**Air Quality** – including but not limited to:<br>• a quantitative assessment of worst-case predicted emission of air pollutants, including an assessment of potential air pollution sources (including identifying locomotive standards), dust deposition, total suspended particulates, $PM_{10}$, $PM_{2.5}$ and atmospheric pollutants of concern for local and regional air quality;<br>• consideration of relevant weather characteristics, seasonal variations and topographic features that may affect the dispersion of atmospheric pollutants;<br>• identify impacts of the pollutants on human health, including cumulative impacts from background air pollution;<br>• a Scope 1 greenhouse gas assessment, as defined by the Greenhouse Gas Protocol; and<br>• taking into account the *Australian Greenhouse Office Factors and Methods workbook* (AGO 2006), *Approved Methods for the Modelling and* |

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| | *Assessment of Air Pollutants in NSW* (DEC 2005) and the *National Environmental Protection Measures for Ambient Air Quality* (National Protection Council), and *Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards* (enHealth, 2012).<br><br>**Heritage** – including but not limited to:<br>• *Aboriginal heritage* (including cultural and archaeological significance), in particular impacts to Aboriginal objects and potential archaeological deposits (PAD), should be assessed. Where impacts to Aboriginal heritage are identified the assessment shall:<br>o outline the proposed mitigation and management measures (including measures to avoid significant impacts and an evaluation of the effectiveness of the measures) generally consistent with the Draft *Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (DEC 2005);<br>o be undertaken by a suitably qualified heritage consultant(s);<br>o demonstrate effective consultation with Aboriginal communities in determining and assessing impacts and developing and selecting options and mitigation measures (including the final proposed measures);<br>o demonstration that an appropriate archaeological assessment methodology, including research design (where relevant), to guide physical archaeological test excavations of areas of potential archaeological deposits that establishes the full spatial extent and significance of any archaeological evidence has been undertaken, including results;<br>o assess and document the archaeological and cultural significance of cultural heritage values of affected sites; and<br>o develop an appropriate assessment methodology, including research design, in consultation with the Office of Environment and Heritage, to guide physical archaeological test excavations of the sites and areas of PAD identified in a manner that establishes the full spatial extent and significance of any archaeological evidence across each site/area of PAD, and include the results of these excavations.<br>• *Historic heritage* (including archaeology, heritage items and conservation areas). Where impacts to National, State or locally significant historic heritage items are identified the assessment shall:<br>o outline the proposed mitigation and management measures (including measures to avoid significant impacts and an evaluation of the effectiveness of the mitigation measures) generally consistent with the guidelines in the *NSW Heritage Manual* (Heritage Office and Department of Urban Affairs and Planning 1996);<br>o be undertaken by a suitably qualified heritage consultant(s) (note: where archaeological excavations are proposed, the relevant consultant must meet the NSW Heritage Council's Excavation Director criteria);<br>o include a statement of heritage impact for all heritage items (including significance assessment). This should include detailed mapping of all heritage items and how they are affected by the proposal including actual or residual heritage impacts arising from pre-cursor or ancillary activities or projects (such as early works, decontamination, demobilisation or relocating the School of Military Engineering from the site);<br>o include details of any proposed mitigation measures (architectural and landscape),<br>o consider impacts from vibration, demolition, archaeological disturbance, altered historical arrangements and access, landscape and vistas, and architectural noise treatment; and<br>o develop an appropriate archaeological assessment methodology, including research design, in consultation with the Heritage Council of New South Wales, to guide physical archaeological test excavations and include the results of these excavations, and |

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| | o provision of future mitigation strategies for all identified archaeological impacts that would arise from the project.<br><br>**Visual and Urban Design** – including but not limited to:<br>• identify and evaluate the visual impacts of the development including an analysis of views from key vantage points and proposed management/mitigation measures to address the visual impact of the proposal;<br>• a design analysis and justification of the key built form elements of the proposal ; and<br>• lighting impacts in the local area, analyse and describe the contribution and impacts of the proposed facility on light spill at the local scale and to sensitive receivers.<br><br>**Property and Infrastructure** – including but not limited to:<br>• impacts on affected properties and land uses, including impacts relating to access, land use, business activities, future development potential, and property acquisition; and<br>• service demand, capacity and augmentation of existing and proposed utilities and infrastructure, including any relocation as a result of the development. |
| **General Environmental Risk Analysis** | Notwithstanding the above key assessment requirements, the EIS must include an environmental risk analysis to identify potential environmental impacts associated with the development (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed avoidance and mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of this additional key environmental impact must be included in the EIS. |
| **Plans and Documents** | The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*. Provide these as part of the EIS rather than as separate documents. |
| **Consultation** | The Applicant must undertake a consultation programme as part of the EIS process, including consultation with, but not necessarily limited to the following parties:<br>• local, State or Commonwealth government authorities, including the:<br>- Commonwealth Department of the Environment;<br>- Environment Protection Authority;<br>- Office of Environment and Heritage;<br>- Transport for NSW;<br>- Department of Primary Industries (Fisheries & Office of Water);<br>- NSW Rural Fire Service;<br>- NSW Health;<br>- Sydney Ports Corporation;<br>- Liverpool City Council; and<br>- Campbelltown City Council.<br>• service and infrastructure providers:<br>- Roads and Maritime Services;<br>- Australian Rail Track Corporation;<br>- Sydney Trains;<br>- Sydney Water Corporation;<br>- Endeavour Energy;<br>- Jemena;<br>- Telstra; and<br>- AGL Upstream Investments Pty Ltd.<br>• specialist interest groups, including Local Aboriginal Land Councils; and<br>• the public, including community groups and adjoining and affected landowners.<br><br>The consultation process shall include measures for disseminating information |

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| | to increase awareness of the development as well as methods for actively engaging stakeholders on issues that would be of interest/concern to them. The EIS must:<br>• demonstrate effective consultation with stakeholders, and that the level of consultation with each stakeholder is commensurate with their degree of interest/concern or likely impact;<br>• clearly describe the consultation process undertaken for each stakeholder/group including details of the dates of consultation and copies of any information disseminated as part of the consultation process (subject to confidentiality); and<br>• describe the issues raised during consultation and how and where these have been addressed in the EIS, including where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided. |
| **Further consultation after 2 years** | If you do not lodge an EIS for the development within 2 years of the issue date of these SEARs, you must consult with the Secretary in relation to the requirements for lodgement. |