

SIMTA Intermodal Terminal Facility

Concept Plan Approval (MP 10_0193) Modification



SIMTA

SYDNEY INTERMODAL TERMINAL ALLIANCE

Transitional Part 3A Concept Plan
Application

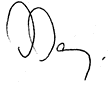


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SYDNEY INTERMODAL TERMINAL ALLIANCE (SIMTA)

SIMTA Intermodal Terminal Facility

Concept Plan (MP 10_0193) Modification

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Report No

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1 INTRODUCTION

This modification application has been prepared on behalf of the Sydney Intermodal Terminal Alliance (**SIMTA**) and seeks approval to modify the Concept Plan Approval (MP 10_0193) for the SIMTA Intermodal Terminal Facility, Moorebank issued on 29 September 2014, in accordance with section 75W (now repealed) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The SIMTA Intermodal Terminal Facility (SIMTA Project) is a Transitional Part 3A Project, and accordingly section 75W of the EP&A Act continues to apply pursuant to clause 3C of Schedule 6A of the EP&A Act.

This modification seeks approval for the following:

- **Land Description Modification**- Modification of the land described as ‘rail corridor’ within Schedule 1 of the Concept Plan Approval to include Lot 1 in Deposited Plan (DP) 1130937 (located within the Main Southern Corridor), a Crown Road (located within the Glenfield Waste Facility) and the public road reserve of Moorebank Avenue (located to the north of Anzac Road)
- **Bus Services Modification** – Modification of Condition 1.8 and 1.9 within Schedule 2 of the Concept Plan Approval concerning the need for a Voluntary Planning Agreement (VPA) in relation to possible changes to the 901 bus route prior to the determination of any future Development Application (DA), and consequential changes to the Revised Statement of Commitments.

These modifications are required to facilitate the first stage of development of the SIMTA Project under the Concept Plan Approval. SIMTA’s State Significant Development Application (SSD 14_6766) for Stage 1 of the SIMTA Project is currently under assessment by the Department of Planning and Environment (DP&E) (refer to Section 1.2.3 for further detail).

This application for modifications to the Concept Plan Approval has been prepared based on a review of relevant environmental and planning legislation, analysis of past approvals for the Project site, and an assessment of the predicted environmental impacts associated with the proposed modification.

The suitability of pursuing approval for the Land Description Modification has been confirmed in principle by the DP&E through discussions undertaken in February 2015. Further discussions have been undertaken in March 2015 for the Bus Services Modification with DP&E (refer to Attachment A).

This report includes discussion on the background to the Concept Plan Approval (Section 1), the location and context of the Project site (Section 2), proposed modifications (Section 3) and legislative framework and environmental assessment for these modifications (Section 4).

1.1 BACKGROUND

The SIMTA Project involves the development of an intermodal terminal facility (IMT), including warehouse and distribution facilities, freight village (ancillary site and operational services), stormwater, landscaping, servicing and associated works on the eastern side of Moorebank Avenue, Moorebank (the SIMTA site). The SIMTA Project also includes an indicative rail link, within an identified rail corridor, which connects from the southern part of the SIMTA site to the Southern Sydney Freight Line (SSFL). The entire area, SIMTA site and rail corridor is referred to as the Project site. The SIMTA Project is to be developed in three key stages, namely:

- Stage 1- Construction of the IMT and rail link
- Stage 2- Construction of warehouse and distribution facilities
- Stage 3- Extension of the IMT and completion of warehouse and distribution facilities.

1.2 PREVIOUS APPROVALS AND CURRENT APPLICATIONS

1.2.1 CONCEPT PLAN APPROVAL

Approval was granted by the Planning Assessment Commission (PAC) on 29 September 2014 for the 'Concept Plan' of the SIMTA Project under the transitional provisions for Part 3A projects under Schedule 6A of the EP&A Act.

The terms of Concept Plan Approval included a number of future assessment requirements to be addressed during future development applications for the SIMTA Project that are subject to assessment under Part 4, Division 4.1 of the EP&A Act. The Concept Plan Approval also included the Revised Statement of Commitments which provided measures to be implemented for future stages of development of the SIMTA Project. The Revised Statement of Commitments is Appendix 1 to the instrument of approval.

The Concept Plan Approval is the subject of this modification application. The terms of approval which are relevant to this modification application are included in Table 1-1.

Table 1-1 Concept Plan Approval (MP 10_0193) relevant Terms of Approval

Term No.	Term														
Schedule 1															
Land:	<p>Intermodal site: Land generally described as being located on the eastern side of Moorebank Avenue, between Anzac Road and the East Hills Passenger Line, Moorebank (Lot 1 in DP 1048263); and</p> <p>Rail corridor: Land generally described as being located between the intermodal site and the East Hills Passenger Line to the south, part of the East Hills passenger Line/Commonwealth Land to the southwest, and the northern portion of the Glenfield Waste Disposal Facility to the west, comprising:</p> <table border="1"> <tbody> <tr> <td>- Lot 3001 DP 1125930</td> <td>- Lot 52 DP 517310</td> </tr> <tr> <td>- Lot 1 DP 825352</td> <td>- Lots 101 – 104 DP 1143827</td> </tr> <tr> <td>- Lot 2 DP 825348</td> <td>- Lot 91 DP 1155962</td> </tr> <tr> <td>- Lots 1 & 2 DP 1061150</td> <td>- Lot 4 DP 1130937</td> </tr> <tr> <td>- Lot 1 DP 712701</td> <td>- Conveyance Book 76 Number 361</td> </tr> <tr> <td>- Lots 5 – 7 in DP 833516</td> <td>- George's River, Crown Land</td> </tr> <tr> <td>- Lot 51 in DP 515696</td> <td></td> </tr> </tbody> </table>	- Lot 3001 DP 1125930	- Lot 52 DP 517310	- Lot 1 DP 825352	- Lots 101 – 104 DP 1143827	- Lot 2 DP 825348	- Lot 91 DP 1155962	- Lots 1 & 2 DP 1061150	- Lot 4 DP 1130937	- Lot 1 DP 712701	- Conveyance Book 76 Number 361	- Lots 5 – 7 in DP 833516	- George's River, Crown Land	- Lot 51 in DP 515696	
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- Lot 51 in DP 515696															

Term No.	Term
Schedule 2	
1.	<i>Terms of Concept Plan Approval</i>
1.8	<i>In determining the TEU limit, the consent authority may take account any roadworks or mitigation measures proposed under a Voluntary Planning Agreement to minimise traffic impacts.</i>
1.9	<p><i>Prior to the determination of any future Development Application pursuant to this Concept Plan, the Proponent shall provide written evidence to the Secretary that it has executed a Voluntary Planning Agreement with the relevant authority consistent with terms outlined in the Revised Statement of Commitments, except for the terms relating to road infrastructure upgrades and when they will be carried out.</i></p> <p><i>Note: Assessments at the development application stage will determine the nature and timing of road infrastructure upgrades. These may prove to be different from what is proposed in the Statement of Commitments in Appendix 1.</i></p>

The commitments within the Revised Statement of Commitments (at Appendix 1 to the Concept Plan Approval) which are relevant to this modification application are included in Table 1-2.

Table 1-2 Concept Plan Approval (MP 10_0193) relevant commitments within Revised Statement of Commitments

Subject	Commitment	Timing
<i>Infrastructure Delivery</i>	<p><i>The proponent commits to entering into a Voluntary Planning Agreement with the relevant authority to facilitate delivery of the following works:</i></p> <ul style="list-style-type: none"> ▪ <i>Upgrade of the Moorebank Avenue / M5 Motorway interchange;</i> ▪ <i>Upgrade of Moorebank Avenue between Anzac Road and the southern entrance to the site to four lanes;</i> ▪ <i>Provision of a new traffic signal at SIMTA's northern access with Moorebank Avenue;</i> ▪ <i>Provision of a new traffic signal 750 metres south of the central access to the site;</i> ▪ <i>Other parts of the site that will be upgraded, embellished, constructed or dedicated to the Commonwealth, Transport for NSW or the relevant Council that is directly attributable to the carrying out of the proposal; and</i> ▪ <i>Investigating possible changes to the 901 bus route including frequency, stop locations and route.</i> <p><i>The timing for the delivery of the works will be in accordance with the agreed timing contained within the relevant Voluntary Planning Agreement.</i></p>	<i>Prior to obtaining planning approval for the first stage of works (including the rail link)</i>

Of particular note is that Condition 1.9 of the Terms of Approval of the Concept Plan reduced the scope of items under the heading 'Infrastructure Delivery' which were to be the subject of a

VPA pursuant to the Revised Statement of Commitments, to exclude road infrastructure upgrades.

In particular, Condition 1.9 has the effect that the only items to be included within a Voluntary Planning Agreement are the investigation of possible changes to the 901 bus route and also the upgrading, embellishment or dedication of parts of the site to government authorities. In relation to the latter, SIMTA does not currently propose any such upgrading, embellishment or dedication as part of Stage 1 of the SIMTA Project.

Although Condition 1.9 of the Concept Plan Approval no longer requires road infrastructure upgrades to be the subject of a VPA, it is noted that the Revised Statement of Commitments within the 'Transport and Access' section still includes a commitment by the Proponent to negotiate with relevant agencies to facilitate the staged delivery of those road upgrades prior to exceeding nominated additional TEU throughput per annum.

The section of the Revised Statement of Commitments headed 'Transport and Access' also includes a commitment by the Proponent to consult with relevant bus provider(s) regarding the potential to extend the Route 901 bus throughout the detailed planning, construction and operation stages of the SIMTA Project. The subject of this modification application does not seek to modify that commitment.

1.2.2 EPBC APPROVAL

The EPBC Approval (No. 2011/6229) was granted in March 2014 for the impact of the SIMTA Project on listed threatened species and communities (sections 18 and 18A of the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act)) and Commonwealth land (sections 26 and 27A of the EPBC Act). The EPBC Approval included a number of conditions which were to be implemented within the design, construction and operation of future stages of development of the SIMTA Project.

The EPBC Approval is not the subject of this modification application and would not be affected by the modification.

1.2.3 STAGE 1 PROPOSAL

In October 2014, SIMTA lodged a Preliminary Environment Assessment and request for Secretary's Environmental Assessment Requirements (SEARs) in respect of its State Significant Development Application seeking development consent for Stage 1 of the SIMTA Project (SSD 14_6766) (SSD Application).

In December 2014, SEARs were issued in respect of SIMTA's SSD Application for the preparation of an Environmental Impact Statement (EIS) for the first stage (Stage 1 Proposal) of the SIMTA Project. An EIS has subsequently been prepared and was lodged with DP&E, in May 2015, seeking development consent for the Stage 1 Proposal, under Part 4, Division 4.1 of the EP&A Act.

The Stage 1 Proposal involves the construction and operation of the necessary infrastructure to support a container freight volume of 250,000 TEU (twenty-foot equivalent units) per annum. Specifically, Stage 1 comprises the IMT and the rail link connecting the IMT to the SSFL, traversing Moorebank Avenue, Anzac Creek and Georges River.

The Stage 1 Proposal design and environmental assessment provided within the EIS has been prepared to provide further details required within the Concept Plan Approval, the SEARs and the EPBC Approval.

During development of the EIS for the Stage 1 Proposal it has been identified that the proposed modifications the subject of this application are required to facilitate the Stage 1 Proposal and the development of the SIMTA Project (further details are provided below). The purpose of this modification application is to amend the Terms of Approval and Revised Statement of Commitments within the Concept Plan Approval, to permit the development of Stage 1 and future stages of the SIMTA Project. The EIS for the Stage 1 Proposal has been prepared to be consistent with this modification.

1.3 PLANNING APPROVAL PATHWAY

The SIMTA Project was granted Concept Approval on 29 September 2014 under the former Part 3A of the EP&A Act. Part 3A of the EP&A Act continues to have effect in relation to the SIMTA Project by virtue of Schedule 6A of the EP&A Act given its status as a Transitional Part 3A Project.

This modification application has been submitted under s75W of the EP&A Act, which continues to apply to this approved Concept Plan in accordance with Schedule 6A, clause 3C of the EP&A Act. Section 75W(2) allows a Proponent to submit a request for modification of a Part 3A project with the Director-General of the DP&E.

The Court of Appeal has indicated that modifications under s 75W should be of 'limited environmental consequences beyond those' evaluated in the original environmental impact assessment for a project (*Barrick Australia Ltd v Williams* (2009) 74 NSWLR 733, per Basten JA). Section 4 of this document discusses the environmental impacts of this modification. As discussed in Section 4, this modification is expected to have limited environmental consequences beyond those envisaged in the Environmental Assessment (Urbis, 2013) prepared for the Concept Plan Approval (known as the Concept Plan EA).

On this basis, it is appropriate to consider the proposed modifications to the Concept Plan Approval in accordance with Section 75W of the EP&A Act.

1.4 LANDOWNERS CONSENT

The additional land which this modification application seeks to include in Schedule 1 of the Concept Plan Approval is owned by RailCorp (Lot 1 in DP 1130937), Crown Lands (Department of Trade and Investment) (Crown Road) and Roads and Maritime Services (public road reserve of Moorebank Avenue).

On 22 February 2013, prior to the issue of the Concept Plan Approval, the then Director-General designated the SIMTA Project as 'a project on land which has multiple landowners' in accordance with clause 8F(1)(e) of the *Environmental Planning and Assessment Regulations 2000* (EP&A Regs). This designation continues to have effect pursuant to clause 3(2)(b) of Schedule 6A of the EP&A Act. Therefore landowners consent is not required for this modification application.

2 SITE CONTEXT

The SIMTA site and the land the subject of the Stage 1 Proposal is located around 2.5 kilometres to the south of the Liverpool City Centre. The site is located around 800 metres (m) south of the M5 Motorway / Moorebank Avenue interchange and around one kilometre to the east of the Southern Sydney Freight Line (SSFL) providing convenient access to and from the site for rail freight (via dedicated freight rail line) and for trucks via the Sydney Motorway Network.

The SIMTA site was recently operating as the Defence National Storage and Distribution Centre (DNSDC) however Defence is currently in the process of relocating this operation and vacating the SIMTA site. The majority of land immediately surrounding the SIMTA site is owned and operated by the Commonwealth and comprises:

- School of Military Engineering (SME), on the western side of Moorebank Avenue directly adjacent to the SIMTA site.
- Holsworthy Military Reserve, to the south of the Project site on the southern side of the East Hills Passenger Railway Line.
- Commonwealth Residual Land, to the east between the SIMTA site and the Wattle Grove residential area.
- Defence National Storage and Distribution Centre (DNSDC), to the north and north east of the SIMTA site.

The site to immediate west of the SIMTA site which currently includes the SME is the subject of a Development Application (DA) (SSD-5066), under Part 4, Division 4.1 of the EP&A Act, for the development of an IMT known as the Moorebank Intermodal Terminal Project (MIC Proposal). The EIS for the MIC Proposal has recently been prepared and was publically exhibited from 8 October 2014 to 8 December 2014. A Preferred Project Report (PPR) is currently under preparation to respond to submissions received during public exhibition. The MIC Proposal has yet to be determined by the DP&E.

A number of residential suburbs are located in proximity to the Project site including Wattle Grove (east), Moorebank (north-east), Casual (west) and Glenfield (south-west).

The Project site is located near a number of significant industrial areas, including Moorebank and Warwick Farm to the north, Chipping Norton to the north-east, Prestons to the west and Glenfield and Ingleburn to the south-west. The Moorebank Industrial Area comprises approximately 200 ha of industrial development, the majority of which is located north of the M5 Motorway between Newbridge Road, the Georges River and Anzac Creek. This industrial area supports a range of industrial uses including freight and logistics, heavy and light manufacturing, office and business park developments.

The 901 TransDev bus service operates between Holsworthy Train Station (south) to the Liverpool City Centre (north). The 901 bus service provides a limited service to the SIMTA site, via Moorebank Avenue.

The SIMTA site, on which the IMT is to be located, is owned by the Sydney Intermodal Terminal Alliance. The proposed rail corridor (which includes the indicative rail link alignment) traverses land which is owned by the Commonwealth of Australia, State Government (RailCorp (Sydney Trains) and Crown Land) and private landowners (Glenfield Waste Facility). Utilities connections for the SIMTA site are located at various locations including on Moorebank Avenue to the north of Anzac Road.

3 PROPOSED MODIFICATION

This modification application seeks to modify Concept Plan Approval (MP 10_0193) under Section 75W of the EP&A Act. This modification seeks approval for the following:

- **Land Description Modification**- Modification of the land described as ‘rail corridor’ within Schedule 1 of the Concept Plan Approval to include Lot 1 in Deposited Plan (DP) 1130937 (located within the Main Southern Corridor), a Crown Road (located within the Glenfield Waste Facility) and the public road reserve of Moorebank Avenue (located to the north of Anzac Road)
- **Bus Services Modification** – Modification of Condition 1.8 and 1.9 within Schedule 2 of the Concept Plan Approval concerning the need for a Voluntary Planning Agreement (VPA) in relation to possible changes to the 901 bus route to be executed prior to the determination of any future DA, and consequential changes to the Revised Statement of Commitments.

A summary of the modifications required, including a description of the changes and amendments to the Concept Plan Approval (Conditions of Approval), is provided within this section.

3.1 LAND DESCRIPTION MODIFICATION

3.1.1 DESCRIPTION

The Concept Plan Approval, in Schedule 1, includes a description of the land on which the SIMTA Project (IMT and rail link) is to be developed (refer to Section 1.2 of this report).

As a consequence of discussions between SIMTA and Commonwealth and State agencies (specifically ARTC), SIMTA has recently identified that the Concept Plan Approval omits reference in Schedule 1 to three parcels of land, which are to be developed for the purpose of the SIMTA Project.

Part of this land was previously shown as being within the ‘rail corridor’ identified within SIMTA’s Concept Plan Application, however the land parcels were not specifically listed within the Concept Plan EA. This additional land includes:

- Lot 1 in DP 1130937 – located adjacent to the SSFL and owned by Rail Corp (Sydney Trains)
- Crown Road – located within the Glenfield Waste Facility to the immediate west of the Georges River and owned by Crown Lands (Department of Trade and Investment).

Another parcel of land, the northern part of the Moorebank Avenue (to the north of Anzac Road), was not referenced within the Concept Plan Approval. This land is required to be developed for the purposes of connecting the SIMTA site to utilities (sewer). The Concept Plan EA did identify that an extension to the existing sewer infrastructure was required, along Moorebank Avenue, however that this would be determined during the ‘design development of subsequent planning applications’ in consultation with Sydney Water (Urbis, 2013- Section 14.3.3, pg 140).

The location of this land is provided in Figure 1 and, in the context of the SIMTA Project, in Figure 2.

This modification proposes a minor change to the Concept Plan Approval, to include the listing of these three land parcels within Schedule 1 to facilitate future stages of development of the SIMTA Project.



Figure 1: Location of Lot 1 DP 1130937 and Crown Road in relation to the SIMTA site

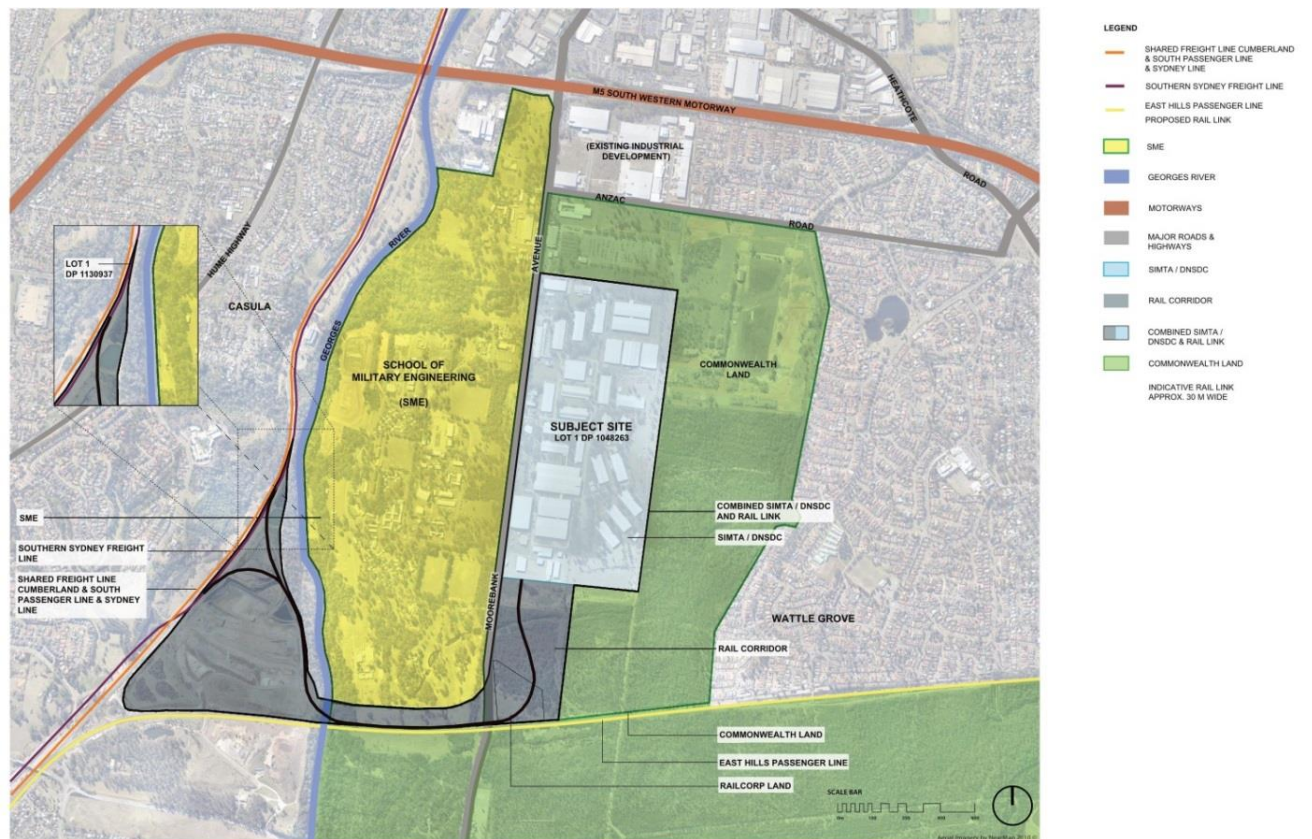


Figure 2: Location of Lot 1 DP 1130937 and Crown Road in relation to the SIMTA Project

3.1.2 PROPOSED MODIFICATION

In order to facilitate the inclusion of Lot 1 in DP 1130937, the Crown Road and the public road reserve of Moorebank Avenue as land to which the Concept Plan Approval relates, a modification is required to the Concept Plan Approval (MP 10_0193). Approval is sought for the modification to ‘Schedule 1, Land’ shown in Table 3-3, with additions underlined and in bold and omissions struck through.

Table 3-3 Land Description Modification to Concept Plan Approval

Term No.	Term																
Schedule 1																	
Land:	<p>Intermodal site: Land generally described as being located on the eastern side of Moorebank Avenue, between Anzac Road and the East Hills Passenger Line, Moorebank (Lot 1 in DP 1048263); and</p> <p>Rail corridor: Land generally described as being located between the intermodal site and the East Hills Passenger Line to the south, part of the East Hills passenger Line/Commonwealth Land to the southwest, and the northern portion of the Glenfield Waste Disposal Facility to the west, comprising¹:</p> <table border="1"> <tbody> <tr> <td>- Lot 3001 DP 1125930</td> <td>- Lot 52 DP 517310</td> </tr> <tr> <td>- Lot 1 DP 825352</td> <td>- Lots 101 – 104 DP 1143827</td> </tr> <tr> <td>- Lot 2 DP 825348</td> <td>- Lot 91 DP 1155962</td> </tr> <tr> <td>- Lots 1 & 2 DP 1061150</td> <td>- Lot 4 DP 1130937</td> </tr> <tr> <td>- Lot 1 DP 712701</td> <td>- Conveyance Book 76 Number 361</td> </tr> <tr> <td>- Lots 5 – 7 in DP 833516</td> <td>- George’s River, Crown Land</td> </tr> <tr> <td>- Lot 51 in DP 515696</td> <td><u>- Lot 1 DP 1130937</u></td> </tr> <tr> <td><u>- Crown Road</u></td> <td><u>- Public road reserve of Moorebank Avenue (north of Anzac Road)</u></td> </tr> </tbody> </table>	- Lot 3001 DP 1125930	- Lot 52 DP 517310	- Lot 1 DP 825352	- Lots 101 – 104 DP 1143827	- Lot 2 DP 825348	- Lot 91 DP 1155962	- Lots 1 & 2 DP 1061150	- Lot 4 DP 1130937	- Lot 1 DP 712701	- Conveyance Book 76 Number 361	- Lots 5 – 7 in DP 833516	- George’s River, Crown Land	- Lot 51 in DP 515696	<u>- Lot 1 DP 1130937</u>	<u>- Crown Road</u>	<u>- Public road reserve of Moorebank Avenue (north of Anzac Road)</u>
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¹ Note some of the legal descriptions for land included in this description have since been altered to reflect subdivisions and consolidation of lots. This modification does not propose to update the description of these altered lands to minimise alteration to the Concept Plan Approval. Notwithstanding this, Figure 1 shows the current legal descriptions of this land.

3.2 BUS SERVICE MODIFICATION

3.2.1 DESCRIPTION

Condition 1.9, Schedule 2 of the Concept Plan Approval, requires the Proponent to provide written evidence to the Secretary (of the DP&E) that a Voluntary Planning Agreement (VPA) has been executed with the relevant authority consistent with terms outlined within the Revised Statement of Commitments prepared for the SIMTA Project, with the exception of the terms relating to road infrastructure upgrades (refer to Section 1.2 of this report).

As a result, Condition 1.9 requires the Proponent to investigate possible changes to the 901 bus route including frequency, stop locations and route 'prior to obtaining planning approval for the first stage of works (including the rail link)' (refer to Section 1.2 of this modification application). The Revised Statement of Commitments also, within the 'Infrastructure Delivery' section, commits to entering into a VPA with the relevant authority to facilitate the delivery of other parts of the site that will be upgraded, embellished, constructed or dedicated to the Commonwealth, Transport for NSW or the relevant Council that is directly attributable to the carrying out of the SIMTA Project. SIMTA does not currently propose any such upgrading, embellishment or dedication as part of Stage 1 of the SIMTA Project.

On the 17th March 2015 the Proponent submitted a letter to DP&E confirming that SIMTA was willing to enter into a VPA and enclosing the initial terms of a VPA, as required under Condition 1.9 of the Concept Plan Approval. DP&E have subsequently reviewed this letter and provided advice to the Proponent in an email from Enguang Lee (Senior Planner- Developer Contributions) on 1 April 2015 (refer to Attachment A). The advice received from DP&E was that:

"The Department's Developer Contributions Team has reviewed Condition 1.9 of Concept Approval MP_0193 and the accompanying Revised Statement of Commitments and can confirm that the only item required to be addressed by a planning agreement is the re-routing of the 901 bus. In this regard, your letter of offer is consistent with the requirements of Condition 1.9, as all other traffic upgrade works will be subject to a separate planning agreement in connection with future project applications on the site.

However, the current infrastructure contribution framework does not allow government to levy contributions related to bus services. Instead the government will bear the costs [of] bus service provision. See Planning Circular 2008-017 below².

Accordingly, a planning agreement is not the appropriate mechanism to secure changes to the 901 bus route....it is suggested that you consider dealing with this matter as part of [this] modification."

This email from Enguang Lee of DP&E further recommended that a modification be submitted to DP&E to remove the requirement for a VPA for the changes to the 901 bus service.

Approval for the deletion of Condition 1.9 of the Concept Plan Approval is therefore sought to provide flexibility in the mechanism for undertaking any future change to the 901 bus service, and to accord with the advice from DP&E. In particular, the Bus Services Modification proposes to alter the legal mechanism for investigating changes to the 901 bus service, in consultation with Transport for NSW and DP&E.

² http://www.planning.nsw.gov.au/planningsystem/pdf/ps08_017_review_infrastructure_contributions.pdf

As a consequence, the Revised Statement of Commitments would also be modified to remove the commitments under the heading 'Infrastructure Delivery'. This modification would not alter the 'Transport and Access' section of the Revised Statement of Commitments which continues to provide that the Proponent will consult with relevant bus service provider(s) regarding the potential to extend the Route 901 bus through the site subject to further assessment throughout the detailed planning, construction and operation stages of the SIMTA Project. Therefore, the proposed modification does not preclude a change to the 901 bus service to facilitate transport to the SIMTA site, subject to a need being identified, for future stages of the SIMTA Project.

The deletion of the commitment for 'Infrastructure Delivery', within the Revised Statement of Commitments, would also remove the requirement for a VPA to facilitate the delivery of other parts of the site that will be upgraded, embellished, constructed or dedicated to the Commonwealth, Transport for NSW or the relevant Council that is directly attributable to the carrying out of the SIMTA Project. SIMTA does not propose any such works or dedication as part of Stage 1 of the SIMTA Project (refer to the Revised Statement of Commitments, also reproduced above in Section 1.2 of this report). Dedication of parts of the site could be undertaken as necessary and subject to future stages of approval, via a VPA or another suitable mechanism. Note further provision for the undertaking of dedications would, subsequent to the removal of this commitment, remain in the Conditions of Approval under 'Section 94 Contributions' in Schedule 2.

Ultimately this modification will not impact on the Proponent's commitment to negotiating with relevant agencies as required to facilitate the staged delivery of necessary road infrastructure upgrades in the event that an application is made for increased volumes of throughput (see Revised Statement of Commitments, under the heading 'Transport and Access').

3.2.2 PROPOSED MODIFICATION

In order to remove the need for a VPA, to facilitate changes to the 901 bus service, a modification is required to the Concept Plan Approval (MP 10_0193). Approval is sought for the modification of Condition 1.9 shown in Table 3-4, with additions underlined and in bold and omissions struck through.

Table 3-4 Bus Services Modification to Terms of Approval for the Concept Plan Approval

Term No.	Term
Schedule 2	
1.	<i>Terms of Concept Plan Approval</i>
1.8	<p><i>In determining the TEU limit, the consent authority may take account any roadworks or mitigation measures proposed under a Voluntary Planning Agreement to minimise traffic impacts.</i></p> <p><u>Note: Assessments at the development application stage will determine the nature and timing of road infrastructure upgrades. These may prove to be different from what is proposed in the Statement of Commitments in Appendix 1.</u></p>

Term No.	Term
1.9	<p>Prior to the determination of any future Development Application pursuant to this Concept Plan, the Proponent shall provide written evidence to the Secretary that it has executed a Voluntary Planning Agreement with the relevant authority consistent with terms outlined in the Revised Statement of Commitments, except for the terms relating to road infrastructure upgrades and when they will be carried out.</p> <p>Note: Assessments at the development application stage will determine the nature and timing of road infrastructure upgrades. These may prove to be different from what is proposed in the Statement of Commitments in Appendix 1.</p>

In addition to the above modification, it is proposed to delete that part of the Revised Statement of Commitment under the heading 'Infrastructure Delivery' as shown in Table 3-5 with omissions struck through. For completeness and to avoid confusion, the Revised Statement of Commitments has been updated and attached (Attachment B) to this modification, showing the 'Infrastructure Delivery' section removed. With the exception of the removal of this commitment, for 'Infrastructure Delivery', no other changes have been made to the Revised Statement of Commitments.

Table 3-5 Bus Services Modification to Revised Statement of Commitments for the Concept Plan Approval

Subject	Commitment	Timing
Infrastructure Delivery	<p>The proponent commits to entering into a Voluntary Planning Agreement with the relevant authority to facilitate delivery of the following works:</p> <ul style="list-style-type: none"> • Upgrade of the Moorebank Avenue / M5 Motorway interchange; • Upgrade of Moorebank Avenue between Anzac Road and the southern entrance to the site to four lanes; • Provision of a new traffic signal at SIMTA's northern access with Moorebank Avenue; • Provision of a new traffic signal 750 metres south of the central access to the site; • Other parts of the site that will be upgraded, embellished, constructed or dedicated to the Commonwealth, Transport for NSW or the relevant Council that is directly attributable to the carrying out of the proposal; and • Investigating possible changes to the 901 bus route including frequency, stop locations and route. • The timing for the delivery of the works will be in accordance with the agreed timing contained within the relevant Voluntary Planning Agreement. 	<p>Prior to obtaining planning approval for the first stage of works (including the rail link)</p>

4 IMPACT ASSESSMENT

4.1 RELEVANT LEGISLATION AND APPROVALS

4.1.1 RELEVANT LEGISLATION

The following environmental legislation and plans are relevant to the Concept Plan Approval:

- *Environment Protection and Biodiversity Conservation Act 1999*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulations 2000*
- *Protection of the Environment Operations Act 1997 (POEO Act)*
- *Contaminated Land Management Act 1997*
- *National Parks and Wildlife Act 1974 (NPW Act)*
- *Threatened Species Conservation Act 1995*
- *Noxious Weeds Act 1993*
- *Fisheries Management Act 1994 (FM Act)*
- *Water Act 1912*
- *Water Management Act 2000 (WM Act)*
- *Crown Lands Act 1989*
- *Roads Act 1993 (Roads Act)*
- *Heritage Act 1977 (Heritage Act)*
- *Waste Avoidance and Resource Recovery Act 2001*
- *Rural Fires Act 1997 (Rural Fires Act)*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy No. 55- Remediation of Land*
- *State Environmental Planning Policy No. 33- Hazardous and Offensive Development*
- *State Environmental Planning Policy No. 64- Advertising and Signage*
- *Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment*
- *Liverpool Local Environment Plan 2008*
- *Liverpool Development Control Plan 2008 (LDCP 2008).*

The Proposed Land Description Modification is minor in nature and, although not specifically listed, was previously identified in the Concept Plan Application as being within the rail corridor. As a result, this would not alter the assessment provided in the Concept Plan EA for this legislation.

A further parcel of land, the public road reserve of Moorebank Avenue, was envisaged to be impacted within the Concept Plan EA, however was subject to further design development. The potential impact is considered minor in nature and would be subject to further approval (and impact assessment) within the future stages of development.

Further, all of the landowners of the land included within this modification have previously been consulted as part of the preparation of the Concept Plan EA and throughout the approval process. This modification would not impact on any landowners whom have not previously been consulted.

Planning agreements, or VPAs, are prepared and executed under Section 93F – 93L of the EP&A Act. The proposed Bus Services Modification would alter the mechanism for the changes to the 901 bus service. This modification is minor in nature and does not impact on the SIMTA Project's overall compliance with the EP&A Act and brings the delivery of the commitments into line with Planning Circular 2008-017. Further, the proposed Bus Service Modification would not impact on the assessment of the SIMTA Project with the above mentioned relevant legislation and plans.

Overall, the proposed modifications would not adversely alter the assessment for the relevant legislation and plans provided with the Concept Plan Approval EA.

4.1.2 APPROVALS

As discussed above, an approval under the EPBC Act (known as the EPBC Approval (No. 2011/6229)) was granted for the impact of the SIMTA Project on both listed threatened species and communities (sections 18 and 18A of the EPBC Act) and Commonwealth land (sections 26 and 27A of the EPBC Act). The modifications proposed to the Concept Plan Approval would not result in any changes to the impact of the SIMTA Project as approved under the EPBC Approval.

4.2 ENVIRONMENTAL ASSESSMENT

4.2.1 POTENTIAL ENVIRONMENTAL IMPACTS

The purpose of this section is to identify and provide an environmental assessment of the key environmental issues associated with the modifications proposed to the Concept Plan Approval.

The Concept Plan Approval did not provide approval for any physical works associated with the SIMTA Project. The Concept Plan Approval included an indicative rail link which was to be located within a prescribed rail corridor. The specific location of the rail link and the specific design IMT included within the SIMTA Project is to be determined through future stages of development. Further the locations of utilities and associated impact assessment is identified in the Concept Plan EA to be undertaken as part of future stages of development.

The Concept Plan Approval reflects this, and includes a number of 'Future Assessment Requirements' which are to be addressed as part of future stages of development approval, assessed under Part 4, Division 4.1 of the EP&A Act. On this basis, an assessment of the proposed modifications having regard to their 'consequence' beyond those evaluated in the Concept Plan EA has been provided below.

Land Description Modification

For the purposes of the Land Description Modification, it should be noted that all the impact assessment studies undertaken for the Concept Plan Approval considered the impacts of the SIMTA Project, including the SIMTA site and the rail corridor. The land subject to the Land Description Modification is located within the rail corridor, and although not specifically listed, has been considered in the impact assessment within the EA for the Concept Plan Approval.

Further comment was provided within the Concept Plan EA on the location of key utilities and potential connection points, in particular the sewer along Moorebank Avenue. The land subject

to the Land Description Modification, although not identified in the Concept Plan Approval, was envisaged to be impacted as part of future stages of development (subject to design development and consultation).

The modification would result in negligible impacts, above that identified in the Concept Plan Approval. On this basis no further environmental assessment is considered necessary for the Land Description Modification.

Bus Services Modification

The Bus Services Modification does not preclude the provision of a change to the 901 bus service to accommodate future stages of the SIMTA Project. The effect of the proposed modification is to introduce flexibility in the selection of the legal mechanism by which the change to the 901 bus route may be achieved. Further stages of development of the SIMTA Project, assessable under Part 4, Division 4.1 of the EP&A Act, would provide assessment for the need for a change to the 901 bus service, based on the proposed staffing of the project and the potential impacts on traffic generation.

On this basis the Bus Services Modification would not result in any impacts, above those identified in the Concept Plan Approval.

4.2.2 SUMMARY

The proposed modifications, which form the basis of this modification application are generally considered minor in nature and have a negligible environmental impact. Both of these modifications would also not impact on further assessment requirements for DAs submitted under Part 4, Division 4.1, prescribed within the Concept Plan Approval.

Overall, the modifications proposed would be of 'limited environmental consequences beyond those' evaluated in the original EA for the Concept Plan Approval.

5 CONCLUSION

This modification application seeks approval for modifications to the Concept Plan Approval (MP 10_0193) for the SIMTA Project, in accordance with section 75W of the EP&A Act. This modification application seeks approval for the modifications included in Table 5-6.

Table 5-6 Summary of modifications to the Concept Plan Approval (MP 10_0193)

Name	Description	Term of Approval to be modified
Land Description Modification	Modification of the land described as 'rail corridor' within Schedule 1 of the Concept Plan Approval to include Lot 1 in Deposited Plan (DP) 1130937 (located within the Main Southern Corridor), a Crown Road (located within the Glenfield Waste Facility) and the public road reserve of Moorebank Avenue (located to the north of Anzac Road).	Schedule 1, Land
Bus Services Modification	Modification of Condition 1.8 and 1.9 of the Concept Plan Approval concerning the need for a Voluntary Planning Agreement (VPA) in relation to possible changes to the 901 bus route prior to the determination of any future DA, and consequential changes to the Revised Statement of Commitments.	Schedule 2, Condition 1.8 and 1.9 'Infrastructure Delivery' section, Revised Statement of Commitments

The proposed modifications would not considerably alter the assessment provided in the Concept Plan EA for the relevant legislation and plans. The proposed modifications are generally considered minor in nature and would not result in any additional environmental impacts to those identified in the Concept Plan EA. Both of these modifications would also not impact on further assessment requirements which have been provided within the Concept Plan Approval.

Overall, the modifications proposed would be of 'limited environmental consequences beyond those' evaluated in the original EA for the Concept Plan Approval which was established in *Barrick Australia Ltd v Williams* (2009) (74 NSWLR 733, per Basten JA). On this basis the modifications to the Concept Plan Approval should be considered under Section 75W of the EP&A Act.

Having regard to this assessment, it is therefore recommended that approval is granted to these modifications to the Concept Plan Approval.

ATTACHMENT A- DP&E Email

From: Enguang Lee [<mailto:Enguang.Lee@planning.nsw.gov.au>]
Sent: Wednesday, 1 April 2015 2:30 PM
To: Steve Ryan
Cc: Andrew Beattie; Lisa Mitchell
Subject: SIMTA: VPA Requirements and Supplementary Information

Hi Steve,

Further to your letter of offer dated 17 March 2015 and accompanying information in relation to a planning agreement at the SIMTA intermodal site, Moorebank.

The Department's Developer Contributions Team has reviewed Condition 1.9 of Concept Approval MP_0193 and the accompanying Revised Statement of Commitments and can confirm that the only item required to be addressed by a planning agreement is the re-routing of the 901 bus. In this regard, your letter of offer is consistent with the requirements of Condition 1.9, as all other traffic upgrade works will be subject to a separate planning agreement in connection with future project applications on the site.

However, the current infrastructure contribution framework does not allow government to levy contributions related to bus services. Instead the government will bear the costs bus service provision. See Planning Circular 2008-017 below:

http://www.planning.nsw.gov.au/planningsystem/pdf/ps08_017_review_infrastructure_contributions.pdf

Accordingly, a planning agreement is not the appropriate mechanism to secure changes to the 901 bus route. In discussions with the Department's Assessments Team, I understand that a modification proposal is currently being prepared in relation to other matters on the site. In this instance, it is suggested that you consider dealing with this matter as part of this modification. I have spoken to Andrew Beattie regarding the above and can confirm that the existing requirements of Condition 1.9 can be re-addressed through any concept plan modification application process.

Should you be agreeable to this arrangement, please confirm in writing which will serve to withdraw your letter of offer dated 17 March 2015. Should you have any queries please contact me on 9228 6579.

Kind regards

Enguang Lee

Senior Planner, Developer Contributions

Department of Planning & Environment

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ATTACHMENT B- Revised Statement of Commitments (May 2015)

1 Revised Statement of Commitments

The following table outlines the Revised Statement of Commitments proposed by SIMTA, as the proponent of the Concept Plan Application, pursuant to s75H(6) of the EP&A Act.

The Revised Statement of Commitments includes the recommendations provided in the specialist consultant reports comprising the Concept Plan Application to mitigate the environmental impacts, monitor the environmental performance and/or achieve a positive environmentally sustainable outcome in respect of the SIMTA proposal. It also incorporates:

- Additional commitments, over and above those included within the Amended EA, so as to respond to the issues raised in the submissions lodged in respect of the Amended EA.
- A new column to identify the timing for the satisfaction of each commitment.

For ease of reference, the changes that have been made by SIMTA to the original Draft Statement of Commitments provided in the Amended EA are highlighted in red in the table below.

TABLE 1 – STATEMENT OF COMMITMENTS

SUBJECT	COMMITMENT	TIMING
Development and Staging	The Proponent commits to carrying out the development of the SIMTA Intermodal Terminal Facility generally in accordance with the following plans and documents: <ul style="list-style-type: none"> ▪ Land Use Plan, prepared by Reid Campbell. ▪ Indicative Staging Plan, prepared by Reid Campbell. 	Throughout the construction and operation of the SIMTA proposal
	The Proponent commits to seeking planning approval for the delivery of the rail link between the SIMTA site and the Southern Sydney Freight Line as part of the detailed planning application for the first stage of works. The planning application shall include the following information: <ul style="list-style-type: none"> ▪ Clear and comprehensive description of the proposed infrastructure and operational details associated with the intermodal terminal. ▪ Detailed assessment of all environmental issues, including geotechnical, ecological, stormwater/flooding and contamination. ▪ Clear demonstration that the proposed new siding will be compatible with the current and future track alignment, including the proposed quadruplication of the East Hills railway corridor. Details of consultation with the relevant agencies, including Transport for NSW, Railcorp/Sydney Trains, ARTC, Crown	Provide with the planning application for the first stage of works (including the rail link)

SUBJECT	COMMITMENT	TIMING
	Lands Office, NSW Office of Water, NSW Fisheries and others, as required.	
	<p>The Proponent commits to including the following information with the detailed planning application(s) for the warehouse buildings:</p> <ul style="list-style-type: none"> ▪ Details of the building massing and internal layouts. ▪ Siting and design of buildings in consideration of potential noise impacts from the intermodal terminal facility. ▪ Perspective images that clearly show the proposed building treatments. 	Provide with the planning application(s) for the warehouse buildings
	The Proponent will consider the inclusion of facilities within the Freight Village that meet the needs of employees.	Provide with the planning application(s) for the freight village
	The principles of Crime Prevention Through Environmental Design are to be considered and incorporated into the design.	Provide with the planning applications for the three major stages of the Concept Plan and as required throughout the construction and operation of the SIMTA proposal
Transport and Access	<p>The Proponent commits to negotiating with the relevant agencies/authorities as required to facilitate the staged delivery of the following road infrastructure upgrades in accordance with the Transport Accessibility Impact Assessment:</p> <ul style="list-style-type: none"> ▪ Provide a new traffic signal at SIMTA's northern access with Moorebank Avenue. 	Prior to exceeding 250,000 TEU terminal (rail side) throughput
	<ul style="list-style-type: none"> ▪ Provide a new traffic signal approximately 750 metres south of SIMTA Central access. 	Prior to exceeding 250,000 TEU terminal (rail side) throughput.
	<ul style="list-style-type: none"> ▪ Widen Moorebank Avenue to four lanes between the M5 	Address within 24

SUBJECT	COMMITMENT	TIMING
	<p>Motorway/Moorebank Avenue grade separated interchange and the southern SIMTA site access. Some localised improvements will be required around central access and southern access points.</p> <ul style="list-style-type: none"> ▪ Concurrent with four lane widening on Moorebank Avenue, the Moorebank Avenue/Anzac Road signal will require some form of widening at the approach roads. 	<p>months of operating at 300,000 TEU throughput per annum</p>
	<ul style="list-style-type: none"> ▪ Potential upgrading works at the M5 Motorway/Moorebank Avenue grade separated interchange to cater for both background and additional SIMTA traffic growth as outlined in Table 9-1 of the Transport Accessibility Impact Assessment (and Table 6 of the Environmental Assessment report). 	<p>Address within 24 months of operating at 500,000 TEU throughput per annum</p>
	<p>The Proponent commits to negotiating with the relevant agencies/authorities as required to facilitate the staged delivery of the public transport infrastructure in accordance with the Transport Accessibility Impact Assessment:</p> <ul style="list-style-type: none"> ▪ Designing and constructing the central spine road and other site roads to accommodate buses, bus infrastructure and cyclist use for employees. ▪ Construction of a covered bus drop off/pick up facility within the site to encourage the use of buses for employees. ▪ Review and rationalisation of the locations of Route 901 bus stops in the vicinity of the site to match the proposed northern terminal entry location and enhance accessibility. ▪ Providing peak period and SIMTA shift work responsive express buses to/from the site and Liverpool Station via Moorebank Avenue and Newbridge Roads with frequency dependant on the development of the site. ▪ Providing peak period express buses to/from the site and Holsworthy rail station via Anzac Road, Wattle Grove Drive and Heathcote Road with frequency dependant on the development of the site. ▪ Consulting with relevant bus provider(s) regarding the potential to extend the Route 901 bus through the site via the light vehicle road and increasing peak period bus service frequencies to better match the needs of existing 	<p>Throughout the detailed planning, construction and operation stages of the SIMTA proposal</p>

SUBJECT	COMMITMENT	TIMING
	<p>and future employees of the locality with frequency dependent on the development of the site.</p> <ul style="list-style-type: none"> ▪ Consulting with relevant bus providers regarding changes to existing bus stop location and the identification of new bus stop locations if required. 	
	<p>The Proponent shall encourage walking and cycling by the inclusion of appropriate facilities including under cover bike storage, showers and change facilities.</p>	<p>Address in the planning applications for the three major stages of the Concept Plan, where relevant, taking into account employee numbers</p>
	<p>The Proponent commits to undertaking an actual truck trip generation survey after 24 months of operation and then progressively as the SIMTA site is developed.</p>	<p>Address after 24 months of commencing operation and within 24 months of operating at an annual throughput of 500,000 TEU and 1,000,000 TEU</p>
	<p>The Proponent commits to developing a Construction Traffic Management Plan to minimise the potential impacts of the construction stage(s), including:</p> <ul style="list-style-type: none"> ▪ Heavy vehicle access routes ▪ Location of construction worker parking ▪ Mitigation measures to avoid any unacceptable impacts on the surrounding land uses. ▪ Mitigation measures to avoid any unacceptable impacts on regular bus services and school bus services operating on roads within the vicinity of the site and pedestrian and cyclist access. 	<p>Prior to construction</p>
	<p>The Proponent commits to developing a Traffic Site Management Plan prior to the commencement of operations at the site to minimise the potential impacts, including:</p>	<p>Address prior to commencement of operation for each of the three major</p>

SUBJECT	COMMITMENT	TIMING
	<ul style="list-style-type: none"> ▪ Management measures to avoid trucks parking and idling either within or outside of the site boundaries ▪ Provision of adequate parking for heavy vehicles to accommodate any potential delays in schedule times 	stages of the Concept Plan
Noise and Vibration	The Proponent will undertake further detailed assessments at each application stage after the Concept Plan Approval to provide input to planning and confirm the need for and degree of noise mitigation if required. This should be undertaken based on the most detailed information available at that stage of works. These subsequent assessments should address the DGR requirements for the SIMTA proposal as a minimum.	Provide with the planning applications for the three major stages of the Concept Plan
	The Proponent will carry out detailed assessments when the SIMTA proposal is operational, including monitoring of operational noise levels at nearby receivers. The monitoring data should be used to validate noise models used in these assessments.	Address within 12 months of commencing operation and within 12 months of operating at an annual throughput of 500,000 TEU and 1,000,000 TEU
	The Proponent shall consider locating buildings at or near the north-eastern and south-eastern boundaries of the site to provide beneficial acoustic shielding to the nearest residences.	Address in the planning applications for the warehouse buildings and/or freight village
	The Proponent shall consider locating less noise-intensive activities and operations at the north-eastern and south-eastern corners of the site where residences are closest.	Address in the planning applications for the three major stages of the Concept Plan
	The Proponent should make provision for a noise barrier along the western boundary of the SIMTA site. The requirement for the barrier will be determined having regard to the outcomes of the operational noise monitoring.	Address in the planning applications for the three major stages of the Concept Plan
	The Proponent will carry out detailed assessments for the subsequent application stages and when the SIMTA proposal is operational, including monitoring of background noise levels	Provide with the planning applications for the three major

SUBJECT	COMMITMENT	TIMING
	<p>at nearby receivers. The monitoring data should be used to validate noise models used in these assessments. The subsequent assessments should address the environmental assessment requirements, as determined by the approval authority, as a minimum.</p>	<p>stages of the Concept Plan and within 12 months of the commencement of operation for each stage</p>
	<p>The Proponent commits to undertaking a review of national and international 'best practice' for the design and operation of intermodal facilities to identify reasonable and feasible management strategies to reduce air quality and noise impacts associated with construction and operation of the intermodal terminal development stages of the proposal.</p>	<p>Provide with the planning application for the first stage of works (including the rail link)</p>
	<p>Prior to undertaking demolition and construction on site, a Construction Noise and Vibration Management Plan should be prepared based on details of the proposed construction methodology, activities and equipment. This should identify potential noise and vibration impacts and reasonable and feasible noise mitigation measures (such as those identified in this report) that may be implemented to minimise any potential impacts, including engineering and management controls.</p>	<p>Prior to demolition and/or construction</p>
	<p>All construction activities will have regard to the standard hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturday (with approval from relevant authorities). Any works undertaken outside of these hours will be undertaken in consultation with relevant authorities. Works outside these hours that may be permitted will include:</p> <ul style="list-style-type: none"> ▪ Any works which do not cause noise emissions to be audible at any nearby sensitive receptors. ▪ The delivery of materials which is required outside of these hours as requested by Police or other authorities for safety reasons. Local residents, commercial and industrial premises will be informed of the timing and duration of approved works in accordance with the notification provisions outlined in the CNMP. ▪ Emergency work to avoid the loss of lives, property and/or to prevent environmental harm. ▪ Any other work as approved through the CNMP Process. 	<p>During construction</p>

SUBJECT	COMMITMENT	TIMING
<p>Health</p>	<p>The Proponent will undertake further health impact assessments for lodgement with each of the detailed planning applications for the three major stages of the development, including:</p> <ul style="list-style-type: none"> ▪ Discussion of the known and potential developments in the local region ▪ Assessment of the impact on the environmental values of public health. ▪ Assessment of local and regional impacts including health risks <p>Health impact assessments will be undertaken with reference to the Centre for Health Equity Training, Research, and Evaluations' practical guide to impact assessment (August 2007).</p>	<p>Provide with the planning applications for the three major stages of the Concept Plan</p>
<p>Biodiversity</p>	<p>The Proponent will undertake further detailed assessment to establish the potential biodiversity impacts of the proposed rail link and measures to mitigate its potential impacts. The investigations shall incorporate the mitigation measures listed within Section 5 of the Flora and Fauna Assessment and as summarised below:</p> <p><u>Avoid Impacts</u></p> <ul style="list-style-type: none"> ▪ Site establishment, earthworks and rail construction <p><u>Mitigate Impacts</u></p> <ul style="list-style-type: none"> ▪ Soil disturbance related to site establishment, earthworks and rail construction ▪ Vegetation clearance for rail construction, access and maintenance tracks ▪ Construction in riparian areas/in proximity to watercourse ▪ Construction of pavement, slabs and building structures ▪ Hot works (including vegetation clearing requiring heat producing equipment) ▪ Alteration to air quality and noise environments 	<p>Provide with the planning application for the first stage of works (including the rail link)</p>

SUBJECT	COMMITMENT	TIMING
	<ul style="list-style-type: none"> ▪ Operation of the SIMTA proposal 	
	<p><u>Management of Threatened Plant Species</u></p> <p>The Proponent shall prepare and implement a Threatened Species Management Plan for the <i>Persoonia nutans</i> and <i>Grevillea parviflora</i> subsp. <i>parviflora</i> populations within the rail corridor that would be affected by the rail link</p>	<p>Provide with the planning application for the first stage of works (including the rail link)</p>
	<p><u>Off-Set Impacts</u></p> <p>The Proponent will update the <i>Preliminary Biodiversity Offset Strategy</i> (Hyder Consulting 2013) in accordance with the NSW offset principles for major projects (state significant development and state significant infrastructure) and continue to consult with the Department of the Environment (DOTE) through the project approval processes.</p> <p>The offset package will be secured before any clearing of endangered ecological communities or threatened species is carried out.</p>	<p>Address within 12 months of the approval of the planning application for the first stage of works (including the rail link) and secure offsets prior to vegetation clearing.</p>
	<p><u>Aquatic Flora and Fauna</u></p> <p>The Proponent will implement the following measures to protect the aquatic flora and fauna as part of the applications for the detailed planning applications (where relevant and applicable):</p> <ul style="list-style-type: none"> ▪ Implementation of design principles for friendly fish passage. 	<p>Provide with the planning application for the first stage of works (including the rail link)</p>
	<ul style="list-style-type: none"> ▪ Implementation of Construction and Operation Management Plans for maintenance of structures in riparian and aquatic zones. ▪ Minimise siltation of the Georges River during construction through implementing the water quality mitigation measures detailed within the Stormwater and Flooding section of the Statement of Commitments. 	<p>During construction</p>
	<ul style="list-style-type: none"> ▪ Thorough assessment of any development within the Anzac Creek CSWL community, including potential impacts 	<p>Provide with the planning applications for the three major</p>

SUBJECT	COMMITMENT	TIMING
	<p>on groundwater quality and quantity.</p>	<p>stages of the Concept Plan that impact on Anzac Creek</p>
	<ul style="list-style-type: none"> ▪ Lantana removal within nominated construction zones to reduce degradation of streamside vegetation and offset any potential impacts to aquatic biodiversity. 	<p>During construction</p>
	<p><u>Riparian</u></p> <ul style="list-style-type: none"> ▪ The proposed rail link (located within the rail corridor) is exempt from the requirement for an a WM Act controlled activity approval from NOW as a transitional Part 3A project; however the detailed design of the rail link will seek to conform to the objects of the WM Act and its associated guidelines. 	<p>Provide with the planning application for the first stage of works (including the rail link)</p>
	<ul style="list-style-type: none"> ▪ The riparian setback for Anzac Creek, as specified by NOW, is 30 metres (20 metre CRZ and 10 metre VB), while for Georges River the riparian setback is likely to be a minimum of 50 metres (40 metre CRZ and 10 metre VB). 	<p>Provide with the planning applications for the three major stages of the Concept Plan</p>
	<ul style="list-style-type: none"> ▪ Riparian corridors will be appropriately revegetated to restore and/or maintain ecological, functional and habitat values and impede surface flows and drop sediment before it reaches the waterways. 	<p>During construction</p>
	<ul style="list-style-type: none"> ▪ Water quality and quantity issues will be managed during the construction phase through the implementation, inspection and maintenance of best practice soil and water management techniques which will be defined in the CEMP for sedimentation and erosion control during construction. 	<p>During construction</p>
	<ul style="list-style-type: none"> ▪ Water quality and quantity issues will be managed during the operation phase through the implementation, inspection and maintenance of Water Sensitive Urban Design (WSUD) measures such as rainwater tanks, grass filter strips, swales and bio retention. 	<p>During operation</p>
<p>Hazards and Risks</p>	<p><u>Asbestos</u></p> <ul style="list-style-type: none"> ▪ The Proponent will develop an asbestos management plan for the SIMTA proposal containing a risk assessment undertaken in accordance with Code of Practice for the 	<p>Prior to demolition and/or construction</p>

SUBJECT	COMMITMENT	TIMING
	<p>Management and Control of Asbestos in the Workplace (NOHSC, 2005).</p> <ul style="list-style-type: none"> ▪ Where the management plan recommends the removal of asbestos from site all works will be undertaken in accordance with the Code of Practice for the Safe Removal of Asbestos (NOHSC, 2005), including the development of an asbestos removal control plan and an emergency plan. 	
	<p><u>Dangerous Goods</u></p> <ul style="list-style-type: none"> ▪ The Proponent commits to undertaking a preliminary hazard assessment either during the preparation of the subsequent detailed planning applications (where tenants and purposes have been defined) or by tenants during the operational phase of development, as required by State Environmental Planning Policy No. 33 Hazardous and Offensive Development (SEPP No. 33). ▪ Once the level of risk has been identified the aim will be to reduce the risk to 'as low as reasonably possible' (ALARP) through the application of specific operational management procedures that would form part of a framework for managing risks, captured within the facility's Hazard and Risk Management Plan and Emergency Response Plan. ▪ Should unacceptable levels of risk be identified during the Preliminary Hazard Assessment (PHA), SIMTA will require potential tenants to demonstrate measures to reduce the risk to an acceptable level prior to acceptance of tenancy. ▪ The Proponent will require all tenants to disclose the anticipated type and quantity of goods entering the SIMTA site prior to award of tenancy. Prior to commencement of a lease on the SIMTA site, all tenants that would handle dangerous goods would be required to sign on to SIMTA's Hazard and Risk Management Plan and the Emergency Response Plan for the site. 	<p>Prior to occupation of buildings by tenants proposing to store, handle or transport dangerous goods</p>
	<ul style="list-style-type: none"> ▪ These plans will be reviewed regularly and updated as goods entering the site may change with the tenancies. The requirements in the Code of Practice for storage and handling of dangerous goods (Work Cover NSW, 2005) would be adopted in these plans as a minimum. 	<p>During operation</p>

SUBJECT	COMMITMENT	TIMING
	<p><u>Spills</u></p> <p>The Proponent commits to the preparation of a Construction and Operational Management Plan prior to the commencement of site operations for control/mitigation and management of any spillage/leaks etc.</p>	<p>Prior to commencement of operation for the first stage of works (including the rail link)</p>
	<p><u>Unexploded Ordnance</u></p> <p>The Proponent commits to undertaking and remediation (where necessary) prior to the commencement of construction.</p>	<p>Prior to construction on land potentially affected by UXO</p>
	<p><u>Bushfire Management</u></p> <ul style="list-style-type: none"> ▪ The Proponent commits to incorporating the key objectives identified by the Rural Fire Service (RFS) into relevant future design stages, in accordance with the following principles: <ul style="list-style-type: none"> – Afford occupants of any building adequate protection from exposure to a bush fire. – Ensure safe operational access and egress for emergency service personnel and residents – Provide for ongoing management and maintenance of bush fire protection measures, including fuel loads in asset protection zones (APZs) – Ensure that utility services are adequate to meet the needs of fire fighters 	<p>Address in the planning applications for the three major stages of the Concept Plan</p>
	<ul style="list-style-type: none"> ▪ The Proponent commits to the development of a Bushfire Management Plan for both the construction and operational phases of the SIMTA proposal that aligns with the requirements of the local RFS Bushfire Management Committee operational plans of management. 	<p>Prior to construction of the three major stages of the Concept Plan</p>
<p>Contamination</p>	<p>The following tasks will be undertaken in association with the detailed planning applications for the staged redevelopment of the SIMTA site:</p> <ul style="list-style-type: none"> ▪ Confirming what, if any, actions were taken in regards to 	<p>Provide with the planning applications for the three major stages of the</p>

SUBJECT	COMMITMENT	TIMING
	<p>the Milsearch (2002) recommendations and the associated low risk ordnance issues.</p> <ul style="list-style-type: none"> ▪ Undertaking further investigations in the areas of environmental concern likely to be impacted upon by the proposed development. These investigations will be based on the detailed design of the proposed development to identify the extent of contamination, and what, if any, remediation activities are needed. The remediation of areas of the site (if any) would be best matched to the development of the site and considered as part of the future design. 	<p>Concept Plan</p>
	<ul style="list-style-type: none"> ▪ Developing a Contamination Management Plan with detailed procedures on: <ul style="list-style-type: none"> – Handling, stockpiling and assessing potentially contaminated materials encountered during the development works; – Landfill gas management during the excavation, handling, and stockpiling of waste materials, if excavation is required during the development, in the area of the Glenfield Quarry and Landfill; – Assessment, classification and disposal of waste in accordance with relevant legislation; and – A contingency plan for unexpected contaminated materials, such as materials that is odorous, stained or containing anthropogenic materials, that may be encountered during site works. 	<p>Prior to construction of the three major stages of the Concept Plan</p>
	<p>The Proponent will undertake the following tasks in association with the detailed planning applications for the rail link:</p> <ul style="list-style-type: none"> ▪ Undertaking a Phase 2 intrusive environmental site assessment of the proposed rail corridor lands, with an objective to assess the risk posed to the detailed design and construction of the rail corridor by the areas of environmental concern identified within this report. The Phase 2 intrusive investigation would include a program of soil and groundwater sampling completed in accordance with the guidelines made or approved by the EPA under s 105 of the Contaminated Land Management Act 1997; 	<p>Provide with the planning application for the first stage of works (including the rail link)</p>

SUBJECT	COMMITMENT	TIMING
	<ul style="list-style-type: none"> ▪ Developing and implementing a contamination management plan as part of the project construction environmental management plan for managing contaminated materials either expected or unexpectedly encountered during the construction of the rail corridor. The contamination management plan would include detailed procedures on: <ul style="list-style-type: none"> – Handling, stockpiling and assessing potentially contaminated materials encountered during the development works; – Assessment, classification and disposal of waste in accordance with relevant legislation; and ▪ A contingencies plan for unexpected contaminated materials, such as materials that is odorous, stained or containing anthropogenic materials that may be encountered during site works. 	<p>Developed prior to construction of the rail link</p>
<p>Stormwater and Flooding</p>	<p>The Proponent will incorporate stormwater quantity and quality management measures into the detailed applications in accordance with the objectives and performance standards outlined in the <i>Stormwater and Flooding Environmental Assessment</i> report and including:</p> <ul style="list-style-type: none"> ▪ Preparation of a Soil and Water Management Plan (SWMP) and Erosion and Sediment Control Plan (ESCP) for both the construction and operation phases. 	<p>Provide with the planning applications for the three major stages of the Concept Plan</p>
	<ul style="list-style-type: none"> ▪ Implementation of management plan strategies prior to commencement of the staged construction phase. 	<p>Prior to construction</p>
	<ul style="list-style-type: none"> ▪ Monitoring and review performance of sediment and water control structures during construction and operation phases. 	<p>Throughout construction and operation</p>
	<p>The proponent commits to providing a multi-cell culvert (with elevated 'dry' cells and recessed 'wet' cells) to facilitate aquatic and terrestrial fauna movement in accordance with Witheridge (2003) and Part 7 (Division 3) of the Fisheries Management Act 1994 (FM Act).</p>	<p>Provide with the planning application for the first stage of works (including the rail link)</p>
	<p>The Proponent will prepare and update a flood emergency response plan as necessary to address the staged development of the site. Details are to be provided prior to the</p>	<p>Prior to construction of the three major</p>

SUBJECT	COMMITMENT	TIMING
	<p>construction of each of the three major stages of the development.</p>	<p>stages</p>
	<p>The proponent will investigate opportunities to minimise the number of piers located within Georges River during detail design development.</p>	<p>Provide with the planning application for the first stage of works (including the rail link)</p>
<p>Air Quality</p>	<p>The Proponent commits to undertaking a review of national and international 'best practice' for the design and operation of intermodal facilities to identify reasonable and feasible management strategies to reduce air quality and noise impacts associated with construction and operation of the intermodal terminal development stages of the proposal.</p>	<p>Provide with the planning application for the first stage of works (including the rail link)</p>
	<p>The Proponent will undertake an air quality monitoring programme during the initial phases of both construction and operation of the SIMTA site in accordance with the <i>Air Quality Impact Assessment</i> and including:</p> <ul style="list-style-type: none"> ▪ Nuisance Dust ▪ Air Emissions – PM₁₀ and Nitrogen Dioxide 	<p>Within 12 months of commencing operation and within 12 months of operating at an annual throughput of 500,000 TEU and 1,000,000 TEU</p>
	<p>The Proponent shall consider the need to develop a vehicle efficiency and emissions reduction program for the facility to encourage good maintenance and efficient vehicle selection, taking into account the results of the air quality monitoring programme.</p>	<p>Within 12 months of commencing operation and within 12 months of operating at an annual throughput of 500,000 TEU and 1,000,000 TEU</p>
	<p>The Proponent commits to the preparation of a Construction Environmental Management Plan prior to the construction of each stage to provide air quality and dust management/ mitigation procedures to be adopted during each of the construction phases of the development.</p>	<p>Prior to construction</p>
	<p>The Proponent commits to the preparation of a Greenhouse Gas Management Plan for the three major stages of the development in accordance with the provisions of the</p>	<p>Provide with the planning applications for the three major</p>

SUBJECT	COMMITMENT	TIMING
	<i>Greenhouse Gas Assessment.</i>	stages of the Concept Plan
Heritage	<p>The Proponent commits to the implementation of the following General Mitigation Measures in the <i>Aboriginal Cultural Heritage Assessment</i> and including:</p> <ul style="list-style-type: none"> ▪ Consultation between SIMTA and relevant Registered Aboriginal Parties (RAPs) throughout the design and construction of the SIMTA proposal. ▪ Where possible, SIMTA should aim to avoid impacting any known Aboriginal heritage objects, sites or places and places that have potential Aboriginal heritage or cultural values, throughout the life of the SIMTA proposal. ▪ Where impact cannot be avoided, SIMTA should choose partial impact rather than complete impact wherever possible and ensure that appropriate measures to mitigate impacts are developed and implemented as required and as appropriate during design, construction and operation of the various stages of the SIMTA proposal. ▪ If relocation of any element of the SIMTA proposal outside area assessed in this study is proposed, further assessment of the additional area(s) should be undertaken to identify and appropriately manage Aboriginal objects/sites/places that may be in this additional area(s). ▪ In the event that previously undiscovered Aboriginal objects, sites or places (or potential Aboriginal objects, sites or places) are discovered during construction, all works in the vicinity of the find should cease and SIMTA should determine the subsequent course of action in consultation with a heritage professional, relevant Registered Aboriginal Parties and/or the relevant State government agency as appropriate. ▪ Should suspected human skeletal material be identified, all works should cease and the NSW Police and the NSW Coroner's office contacted. Should the burial prove to be archaeological of Aboriginal origin, consultation with a heritage professional, relevant RAPs and/or the relevant State government agency, should be undertaken by 	Provide an implementation plan with the planning application for the first stage of works (including the rail link)

SUBJECT	COMMITMENT	TIMING
	<p>SIMTA.</p> <ul style="list-style-type: none"> ▪ SIMTA should ensure that any reports or documents for the SIMTA proposal concerning Aboriginal heritage comply with applicable statutory requirements (those currently applicable are outlined in this report), are prepared in accordance with best practice professional standards and, where appropriate, ensure findings are provided to OEH AHIMS Registrar and the relevant RAPs. <p>The Proponent commits to the implementation of the following Site Specific Mitigation Measures:</p> <ul style="list-style-type: none"> ▪ To ensure cultural values of land affected by the rail link are appropriately characterised and assessed, Aboriginal consultation should continue to be undertaken in accordance with applicable guidelines and requirements. ▪ Where potentially impacted by the proposed rail link footprint, the artefacts identified in Transect 1 on the SIMTA site, and Transect 7 immediately south of the SIMTA site, should be collected by RAPs in conjunction with a heritage professional before construction commences. A Care and Control Agreement should be completed between SIMTA and the RAPs regarding the future of the artefacts (it is usually preferred that they be reburied nearby). ▪ Given the extensive historical disturbance within the remainder of the SIMTA site, it is considered that the likelihood of the presence of intact or significant Aboriginal objects and/or sites is low and no further archaeological investigations are warranted in these remaining areas. ▪ In relation to the proposed rail link footprint, with the exception of PADs 1 - 3 (Figure 33), it is considered that the likelihood of the presence of intact or significant Aboriginal objects and/or sites is low and no further archaeological investigations are warranted in the remaining areas. ▪ Areas within 50 metres of the eastern and western banks of the Georges River, should not be impacted without further assessment. ▪ The detailed application for the first stage of works shall include test excavations in each of PADs 1 - 3 in 	<p>During construction of the first stage of works (including the rail link)</p>

SUBJECT	COMMITMENT	TIMING
	<p>accordance with current archaeological practice and any relevant guidelines to determine the nature, extent and significance of any Aboriginal archaeological deposit. Such testing would be undertaken under Section 75U of the Environmental Planning and Assessment Act 1979, and be used to inform the assessment of these areas prior to lodgement of the subsequent staged application.</p>	
	<p>Where the detailed design of the rail link would result in disturbance to a potential archaeological deposit or an area of potential archaeological value the detailed application for that stage of works shall include test excavations in those areas that may be disturbed in accordance with current archaeological practice and any relevant guidelines to determine the nature, extent and significance of any Aboriginal archaeological deposit. Such testing would be undertaken under Section 75U of the Environmental Planning and Assessment Act 1979, and be used to inform the assessment of these areas prior to lodgement of the subsequent staged application.</p>	<p>Provide with the planning application for the first stage of works (including the rail link)</p>
	<p><u>Non-Indigenous Heritage</u></p> <p>The Proponent commits to undertaking the recommendations within the Non-Indigenous Heritage report and including:</p> <ul style="list-style-type: none"> ▪ Preparing a Statement of Heritage Impact (SoHI) for submission to the Minister for Planning and Infrastructure as part of staged planning applications at State level. ▪ Commencing discussions with the appropriate heritage bodies regarding the potential listing of the DNSDC site on the National Heritage List or the State Heritage Register. ▪ Preparing a Statement of Heritage Impact for each stage, including the legal status of the site and advice on required actions depending on whether the site is listed or unlisted at the time that approval is sought. ▪ Development of an overall mitigation strategy for the DNSDC site, which may be based on Table 3 of the Non-Indigenous Heritage report. ▪ Undertaking further archaeological assessment and investigation or monitoring, where required in areas 	<p>Provide with the planning applications for the three major stages of the Concept Plan as applicable to that stage of the project</p>

SUBJECT	COMMITMENT	TIMING
	<p>designated as having archaeological potential that would be impacted by the proposal. The SoHIs for each stage should address the archaeological potential within the development area for each stage.</p> <ul style="list-style-type: none"> ▪ If any archaeological deposit or item of heritage significance is located within the study area and is at risk of being impacted, the NSW Heritage Council should be notified and a heritage consultant/archaeologist should be engaged to assess the item to determine its heritage significance. <p>The potential visual impact of the proposed rail corridor shall be mitigated by the use of screening vegetation and terracing or earth mounding to soften the impact of the flyover.</p>	<p>Provide with the planning application for the first stage of works (including the rail link)</p>
<p>Visual and Urban Design</p>	<p>The Proponent commits to the preparation and submission of a Landscape Management Plan with the detailed applications for the for the three major stages of the development that address each of the objectives and design principles contained within the Urban Design and Landscape report and the following mitigation measures:</p> <ul style="list-style-type: none"> ▪ High quality landscaping throughout the site, which will reinforce and extend the surrounding natural context and ecological qualities into the site. ▪ Inclusion of an 18 metre wide corridor of screening vegetation and a bio-retention swale along the Moorebank Avenue frontage, which will utilise a selection of native tree species with dense tree canopy and low screen planting. ▪ Landscape punctuation of nodal points along Moorebank Avenue. ▪ A ‘boundary treatment’ or ‘buffer zone’ along the other site boundaries, consisting of existing local species in the area and providing an essential scale of planting to complement the built form, including: <ul style="list-style-type: none"> ▪ Southern boundary: combination of 10 metre and 20 metre wide landscape corridors and a bio-retention swale adjacent to the warehouse and distribution facilities and 	<p>Provide with the planning applications for the three major stages of the Concept Plan</p>

SUBJECT	COMMITMENT	TIMING
	<p>Intermodal Terminal.</p> <ul style="list-style-type: none"> ▪ Eastern boundary: total buffer zone of 13.5 metres consisting of 2.5 metre landscape corridor, a 6 metre internal light vehicle access road and a five metre wide bio-retention swale. ▪ Land cleared for the railway alignment will be include planting consisting of tall trees with a height of 20 metres at Maturity, interspersed with medium height trees. <p>The Proponent will use lighting which is in accordance with Australian Standard AS4282-1997 ‘Control of Obtrusive Effect of Outdoor Lighting’. The height of the permanent light poles will be a maximum of 40 metres and reduced in height, where possible, to minimise potential light spill while maintaining appropriate safety standards.</p>	<p>Provide with the planning applications for the three major stages of the Concept Plan</p>
Utilities	<p>The Proponent will protect and relocate (where required) the existing services passing through the site, including stormwater, sewer, water, telecommunications and electricity.</p> <p>The Proponent will undertake further investigations, as required, and provide details that adequate services are available to the site and/or provide details regarding the proposed servicing upgrades. Details are to be provided with the applications for each of the future stages of the development.</p> <p>The Proponent will undertake to source all water supplies for the project from an authorised and reliable source.</p> <p>The Proponent will obtain authorisation for the taking of water for purposes other than water supply, including for dewatering during construction.</p>	<p>Prior to/during construction as impacted</p> <p>Provide with the planning applications for the three major stages of the Concept Plan</p> <p>Prior to construction and operation</p> <p>Prior to construction</p>
Climate Change Risk	<p>The Proponent will where applicable implement the controls and mitigation measures summarised in the <i>Climate Risk Assessment</i> report and including:</p> <ul style="list-style-type: none"> ▪ Incorporate climate change sensitivity analyses for 20 per cent increase in peak rainfall and storm volumes into flood modelling assessment to determine system performance ▪ Incorporate appropriate flood mitigation measures, where practical within the design to limit the risk to acceptable 	<p>Address within the planning applications for the three major stages</p>

SUBJECT	COMMITMENT	TIMING
	<p>levels</p> <ul style="list-style-type: none"> ▪ Consider the impacts of climate change on system performance, and where practical incorporate adaptive capacity measures within the design to limit the risk to acceptable levels ▪ Use of appropriate materials and engineering design capable of withstanding potential impacts posed by storm damage ▪ Incorporate appropriate strategic protection zones, including asset protection zones into design to limit bushfire risk to acceptable levels, where required ▪ Control of performance of hotworks on total fire ban days during construction and operation, particularly within any defined asset protection zones. ▪ Maintain track stability through regular maintenance, use concrete sleepers in place of wooden ones and use preventative measures in the event of heatwaves (e.g. speed restrictions, warehouse ventilation for improved heat removal) ▪ Consider further assessment of Marginal Abatement Cost Curves to assess commercial opportunities of reducing reliance on single energy source 	
<p>Ecological Sustainable Development</p>	<p>Where applicable the Proponent will implement the Ecological Sustainable Development initiatives across the construction, operation and decommissioning stages of the SIMTA proposal including:</p> <ul style="list-style-type: none"> ▪ Site management policies and strategies. ▪ Materials selection and energy and water demand management. ▪ On-site renewable energy generation. 	<p>Provide with the planning applications for the three major stages of the Concept Plan and throughout the project, as required</p>
	<p>The following principles will be achieved during the design development and construction phase of the proposal:</p> <ul style="list-style-type: none"> ▪ Precautionary principles. ▪ Inter-generational equality. 	<p>During construction</p>

SUBJECT	COMMITMENT	TIMING
	<ul style="list-style-type: none"> ▪ Conservation of biological and ecological integrity. ▪ Improved valuation, pricing and incentive mechanisms. 	
<p>Waste Management</p>	<p>The Proponent commits to undertaking waste management in the demolition, construction and operational phases of the development as listed below:</p> <p><u>Demolition</u></p> <ul style="list-style-type: none"> ▪ Re-use of material will have priority over recycling ▪ Recycling will have priority over disposal ▪ Selection of reputable waste removal contractors who will guarantee that recyclable material will be recycled and will provide any relevant certificates ▪ Vegetation removed shall be either preserved for use in the new development, or mulched for inclusion in landscaping activities. The remainder will be sent to a composting facility ▪ Excavated earth will be used for infill and landscaping where feasible, the remainder will be sent to a recycling facility ▪ Asphalt will be re-used by transferring it to a batching plant or using it as a base layer for access roads ▪ Concrete components will where possible be crushed and reused on site, the remainder will be sent to a recycling facility ▪ Fuel and oil storage from demolition machinery will be secured and managed responsibly within compound sites during works, and removed upon completion of works ▪ Sewage waste shall be disposed of by a licensed waste contractor in accordance with Sydney Water and OEH requirements. 	<p>Prior to and during demolition</p>
	<p><u>Construction</u></p> <ul style="list-style-type: none"> ▪ Reduce potential waste by ordering the correct quantities of materials 	<p>Prior to and during construction</p>

SUBJECT	COMMITMENT	TIMING
	<ul style="list-style-type: none"> ▪ Coordinate and sequence trades people to minimise waste ▪ Prefabricate materials where possible ▪ Use modular construction and basic designs to reduce the need for off-cuts ▪ Reuse formwork ▪ Reuse or recycle materials from the demolition phase ▪ Separate off-cuts to facilitate reuse, resale or efficient recycling ▪ Minimise site disturbance and limit unnecessary excavation ▪ Select landscaping which reduces green waste ▪ Select waste removal contractors to guarantee that recyclable waste are recycled ▪ Engage with the supply chain to supply products and materials that use minimal packaging ▪ Set up schemes with suppliers to take back packaging materials ▪ Sewage waste shall be disposed of by a licensed waste contractor in accordance with Sydney Water and OEH requirements. 	
	<p><u>Operations</u></p> <ul style="list-style-type: none"> ▪ Appropriate areas shall be provided for the storage of waste and recyclable material ▪ Standard signage on how to use the waste management system and what materials are acceptable in the recycling will be posted in all waste collection and storage areas ▪ All domestic waste shall be collected regularly and disposed of at licensed facilities. ▪ Waste collection vehicles will be able to service the development efficiently and effectively. ▪ An education programme and on-going monitoring will to be implemented for training personnel to properly sort and 	<p>Throughout the operation of the SIMTA proposal</p>

SUBJECT	COMMITMENT	TIMING
	<p>transport waste into the right components and destinations.</p> <ul style="list-style-type: none"> ▪ Sewage waste will be disposed of by a licensed waste contractor in accordance with Sydney Water and OEH requirements. ▪ Trade waste will be discharged to the sewer through a trade waste agreement with Sydney Water 	
<p>Consultation</p>	<p>The Proponent will continue to consult with relevant government authorities and bodies during the design development process for the detailed applications for the three major stages of the development. Depending on the development proposed, these may include:</p> <ul style="list-style-type: none"> ▪ Liverpool City Council ▪ Transport for NSW ▪ Railcorp ▪ Australian Rail Track Corporation Ltd (ARTC) ▪ NSW Department of Primary Industries (including NSW Office of Water, NSW Fisheries and Crown Lands) ▪ NSW Office of Environment and Heritage ▪ Heritage Council of NSW ▪ NSW Environment Protection Authority ▪ Department of Defence ▪ Department of Finance and Deregulation 	<p>Provide with the planning applications for the three major stages of the Concept Plan</p>
	<p>The Proponent will continue to engage and consult with the community during the future detailed planning applications. Depending on the scale of the proposed, development, SIMTA may undertake the following activities either prior to lodgement or during the public exhibition of the application:</p> <ul style="list-style-type: none"> ▪ Open a Community Information Centre (as appropriate) to provide stakeholders with information and to receive feedback on the proposal ▪ Update the existing project website and maintain access 	<p>Provide with the planning applications for the three major stages of the Concept Plan</p>

SUBJECT	COMMITMENT	TIMING
	<ul style="list-style-type: none"> ▪ Continued operation of the email feedback system and free-call information line. 	
	<p>The Proponent shall:</p> <ul style="list-style-type: none"> ▪ Obtain the consent of the ARTC with respect to the connection to the Southern Sydney Freight Line (noting that the granting of consent by ARTC is subject to the provision of ARTC Interstate Access Undertaking). ▪ Work with ARTC to identify the timing, scope and staging of any required capacity enhancement to the ARTC Network. 	<p>Prior to issue of a construction certificate for the rail link construction.</p>