

# Notice of Modification

## Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 14 September 2011, the Planning Assessment Commission of NSW approves the modification of the Concept Approval referred to in Schedule 1, subject to the Terms of Approval in Schedule 2.



Member of the Commission

Sydney

12 December 2016

### SCHEDULE 1

<b>Application No.:</b>	MP10_0193
<b>Proponent:</b>	Sydney Intermodal Terminal Alliance (SIMTA)
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	<p><b>Intermodal site:</b> 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><b>Rail Corridor:</b> 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> <ul style="list-style-type: none"><li>- Lot 3001 DP 1125930</li><li>- Lot 52 DP 517310</li><li>- Lot 1 DP 825352</li><li>- Lots 101 – 104 DP 1143827</li><li>- Lot 2 DP 825348</li><li>- Lot 91 DP 1155962</li><li>- Lots 1 &amp; 2 DP 1061150</li><li>- Lot 4 DP 1130937</li><li>- Lot 1 DP 712701</li><li>- Conveyance Book 76 Number 361</li><li>- Lots 5 – 7 in DP 833516</li><li>- George's River, Crown Land</li><li>- Lot 51 in DP 515696</li></ul>
<b>Concept Approval:</b>	The Concept Plan involves the use of the site as an intermodal facility, including a rail link to the Southern Sydney Freight Line within an identified rail corridor, warehouse and distribution facilities, freight village (ancillary site and operational services), stormwater, landscaping, servicing and associated works.
<b>Modification</b>	MP10_0193 MOD 1 – modifications include: <ul style="list-style-type: none"><li>- modification to land description in Schedule 1</li><li>- modification to requirement to enter into a Voluntary Planning Agreement for changes to the 901 bus service</li><li>- changes to the Revised Statement of Commitments</li></ul>

## SCHEDULE 2

The Concept Approval for MP10\_0193 is modified as follows:

(a) Schedule 1 is modified by the insertion of the **bold and underlined** words/numbers as follows:

**Application No.:** MP10\_0193

**Proponent:** Sydney Intermodal Terminal Alliance (SIMTA)

**Approval Authority:** Minister for Planning

**Land:** **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  
**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

- 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	- <b><u>Crown Road</u></b>
- <b><u>Lot 1 DP 1130937</u></b>	- <b><u>Public road reserve of Moorebank Avenue (north of Anzac Road)</u></b>

**Concept Approval:** The Concept Plan involves the use of the site as an intermodal facility, including a rail link to the Southern Sydney Freight Line within an identified rail corridor, warehouse and distribution facilities, freight village (ancillary site and operational services), stormwater, landscaping, servicing and associated works.

(b) Schedule 2, Condition 1.1 is modified by the deletion of the words marked in ~~strike through~~ and the insertion of the **bold and underlined** words as follows:

1.1 The Concept Plan approval shall be undertaken generally in accordance with:

- a) Major Projects Application 10\_0193;
- b) the *Environmental Assessment SIMTA Sydney Intermodal Terminal Alliance Part 3A Concept Application*, Volumes 1-4, prepared by Urbis and dated March 2012;
- c) the *Environmental Assessment SIMTA Sydney Intermodal Terminal Alliance Transitional Part 3A Concept Application*, Volumes 1-4, prepared by Urbis and dated August 2013;
- d) the *SIMTA Sydney Intermodal Terminal Alliance Submissions Report (including Revised Statement of Commitments)*, prepared by Urbis and dated December 2013; and
- e) ~~the terms of this approval.~~
- e) **the Modification request 10 0193 MOD 1 with supporting documents titled Concept Plan Approval (MP 10 0193) Modification (including the Revised Statement of Commitments), prepared by Hyder and dated May 2015; and**
- f) **the terms of this approval.**

(c) Schedule 2, Condition 1.2 is modified by the deletion of the words marked in ~~strike through~~ and the insertion of the **bold and underlined** words as follows:

1.2 In the event of an inconsistency between:

- a) the terms of this Concept Plan approval and any document listed from term 1a) to ~~4e)~~ **1f)** inclusive, the terms of this Concept Plan approval shall prevail to the extent of the inconsistency; and
- b) any document listed from terms 1a) to ~~4e)~~ **1f)** inclusive, and any other document listed from terms 1a) to ~~4e)~~ **1f)** inclusive, the most recent document shall prevail to the extent of the inconsistency.

- (d) Schedule 2, Condition 1.8 is modified by the deletion of the words marked in ~~strike through~~ and the insertion of the **bold and underlined** words as follows:

1.8 In determining the TEU limit, the consent authority may take into account any roadworks or mitigation measures proposed ~~under a Voluntary Planning Agreement to minimise traffic impacts,~~ **including the measures listed in the Revised Statement of Commitments dated May 2015 under the heading 'Transport and Access'.**

**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 Revised Statement of Commitments dated May 2015 (Appendix 1).**

- (e) Schedule 2, Condition 1.9 is deleted.
- (f) Appendix 1 is replaced by the Revised Statement of Commitments, prepared by Hyder Consulting and dated May 2015.