

Aspect	Issue	Clarification / Response	EA Section/ Specialist Study reference
Fisheries NSW			
General	Fisheries NSW has considered the environmental assessment and proposed mitigation measures and raises no objection to the proposal provided that the following aspects of the 'Aquatic Flora and Fauna' and 'Riparian' subsections and storm water treatment measures of the Statement of Commitments are implemented.	Noted. Mitigation measures identified in Statement of Commitments (Section 18 of the EA) would be implemented, and integrated into future stages of approval, to minimise the impact of the proposal on aquatic flora and fauna and riparian areas.	Section 18
	There is no detail in respect to the design and construction of the proposed water crossing of the Georges River at this Concept Stage. SIMTA should consult with NSW Fisheries during the finalisation of the design of the crossing and when developing the CEMP for construction of the crossing and other works in the riparian zone. It is critical that the passage of fish in the Georges River is not completely obstructed during the bridge construction.	<p>Appendix A: <i>Bridge Options Report</i> of the <i>Rail Access Report</i> provides details and plans for a proposed bridge configuration for the railway bridge over Georges River.</p> <p>A Statement of Commitment is included in Section 18 of the EA stating:</p> <p><i>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:</i></p> <ul style="list-style-type: none"> ▪ <i>NSW Fisheries</i> 	<p>Section 18</p> <p>Appendix H <i>Rail Access Report – Transitional Part 3A Concept Plan Application</i> (Hyder Consulting, June 2013b)</p>
	It is noted that the construction of another bridge for a proposed neighbouring intermodal facility is proposed across the Georges River in the Moorebank Area. The preference is that one bridge be constructed over the river.	Section 2.2 of the <i>Rail Access Report</i> and Section 5.3.2.3 of the EA outline the suitability of the proposed rail alignment and connection to the SSFL. It is concluded that the current rail alignment is considered to be a suitable alignment to support a future whole of precinct access arrangement, with the MICL site also being able to access through the same connection point. Therefore there is the potential for both proposals to utilise one bridge over the Georges River.	<p>Section 5.3.2.3</p> <p>Appendix H <i>Rail Access Report – Transitional Part 3A Concept Plan Application</i> (Hyder Consulting,</p>

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Fish passage	The possibility of two bridges so close to each other emphasises the necessity to ensure that the bridge design is consistent with fish-friendly design principles.	<p><i>Rail Access Report (Section 7.4)</i> states that the design and construction of rail crossings over Georges River will be in accordance with <i>Fish Passage Requirements for Waterway Crossings</i> (Fairfull and Witheridge 2003). It is noted that the design is also consistent with the integrated <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (2013).</p> <p>In addition the following statement of commitments is included in the EA:</p> <p><i>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):</i></p> <ul style="list-style-type: none"> ▪ <i>Implementation of design principles for fish friendly passage</i> <p>As noted above, the <i>Rail Access Report</i> Section 2.2 of the <i>Rail Access Report</i> and Section 5.3.2.3 of the EA outline the suitability of the proposed rail alignment and connection to the SSFL. It is concluded that the current rail alignment is considered to be a suitable alignment to support a future whole of precinct access arrangement, with the MICL site also being able to access through the same connection point. Therefore there is the potential for both proposals to utilise one bridge over the Georges River.</p>	Section 18 Appendix H <i>Rail Access Report - Transitional Part 3A concept Plan Application</i> (Hyder Consulting, June 2013b)
Riparian zone	Reference to the Department's 'Policy and Guidelines for Fish Habitat Conservation and Management' (2013) should be made for further detailed design for works in the riparian zone of the Georges River.	<p>As far as practicable, development of the rail link across Georges River will comply with the riparian corridor setbacks prescribed under <i>Guidelines for riparian corridors on waterfront land</i> (July 2012).</p> <p>It is noted that <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (2013) will also be referenced for the detailed design for works in the riparian zone of Georges River.</p>	Section 18 Appendix K <i>Riparian Assessment – Transitional Part 3A</i>

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		Overall, as stated in the Statement of Commitments the proposal will implement design principles for fish friendly passage (refer to Section 18).	<i>Concept Plan Application</i> (Hyder Consulting, June 2013d)
Crown Lands			
General	Any component of the proposed development occurring on Crown Land will require an approval under the <i>Crown Lands Act 1989</i> for occupation of the Crown Land.	Noted.	N/A
NSW Office of Water (NOW)			
Riparian zone	<p>The draft Statement of Commitments in the EA includes a Commitment that the riparian setback along the Georges River is likely to be between 30 and 50m (20-40m CRZ and 10m VB) and a 30m wide riparian setback is to be established for Anzac Creek (page 176). This Commitment for Anzac Creek is consistent with advice previously provided by NOW for this project and the nearby SSD-5066 (MICL proposal). NOW recommends that a 30m wide setback (measured from top of bank) is established on either side of Anzac Creek.</p> <p>In relation to the Georges River, NOW previously provided riparian corridor advice in its submission for the SSD-5066 (MICL proposal) (letter dated 16/12/2011). The PEA for SSD-5066 indicated a 50m riparian corridor is to be established along the river and NOW recommended wider widths are provided in addition to the riparian requirements along the river to function as a regional corridor network.</p> <p>Since providing the above riparian advice, NOW has issued a new series of controlled activities guidelines (July 2012). The guidelines</p>	<p>As far as practicable, development of the rail link across Anzac Creek and the Georges River will comply with the riparian corridor setbacks prescribed under <i>Guidelines for riparian corridors on waterfront land</i> (July 2012).</p> <p>It is noted that <i>Policy and Guidelines for Fish Habitat Conservation and Management</i> (2013) will also be referenced for the detailed design for works in the riparian zone of Anzac Creek and Georges River.</p> <p>The following statement of commitment has been updated to be consistent with NOW requirements:</p> <p><i>The Proponent will implement the following measures to protect aquatic flora and fauna as part of the applications for the detailed planning applications (where relevant and applicable):</i></p> <p><u>Riparian</u></p> <ul style="list-style-type: none"> ▪ <i>The riparian setback for Anzac Creek, as specified by NOW, is 30 metres (20 metre CRZ and 10 metre VB), while for Georges River</i> 	<p>Section 18</p> <p>Appendix K <i>Riparian Assessment – Transitional Part 3A</i> <i>Concept Plan Application</i> (Hyder Consulting, June 2013d)</p> <p>Submissions Report</p>

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	<p>provide information relating to controlled activities on waterfront land.</p> <p>Please note, other agencies may have differing or stricter requirements in relation to aspects of riparian corridor management and it is recommended the DP&I consider the riparian advice of these agencies.</p>	<p><i>the riparian setback is likely to be a minimum of 50 metres (40 metre CRZ and 10 metre VB).</i></p>	
Riparian corridors	<p>Prior to any project approval, it is recommended the riparian corridor widths to be established are clarified so as to inform the riparian areas that are proposed to be revegetated and restored with local provenance species. The corridors should be measured from top of bank. It is recommended a Condition of Approval specifies the riparian corridor widths to be established along the watercourses.</p>	<p>Figure 7 of the <i>Riparian Assessment</i> (Appendix K) shows the riparian corridors associated with Georges River and Anzac Creek, and provides indications of the range of potential corridor widths for the Georges River. Section 3.2.2 of the report states that:</p> <p><i>Figure 7 indicates the maximum corridor width (50 metres) in the main map, with the 30 and 40 metre corridors presented in the inserts.</i></p>	<p>Appendix K <i>Riparian Assessment – Transitional Part 3A Concept Plan Application</i> (Hyder Consulting, June 2013d)</p>
Riparian corridors	<p>Management controls and mitigation measures in the EA include an operation control that revegetation in the riparian zone will be checked and maintained regularly (see Section 7.3.2.3, page 88). The EA indicates that a Vegetation Management Plan (VMP) should be prepared prior to the construction of the rail corridor detailing restoration, regeneration and rehabilitation of areas of native vegetation in the vicinity of the proposed rail corridor (page 253). The revegetation and maintenance of the riparian corridors should be in accordance with a VMP which provides specific details on the riparian corridor areas to be restored. It is recommended a condition of approval is included that the riparian corridors to be restored are in accordance with the VMP.</p>	<p>This comment is accepted as it is generally consistent with the following statement of commitment included in the EA (Section 18):</p> <p><i>The Proponent will implement the following measures to protect aquatic flora and fauna as part of the applications for the detailed planning applications (where relevant and applicable):</i></p> <p><u>Riparian</u></p> <p><i>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.</i></p>	<p>Section 18</p> <p>Appendix K <i>Riparian Assessment – Transitional Part 3A Concept Plan Application</i> (Hyder Consulting, June 2013d)</p>

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Watercourse crossings	<p>The Urban Design and Landscape Report notes the proposed rail link to the SIMTA site will need to cross both Anzac Creek and the Georges River (see page 14). NOW in its previous submission on the EA (dated 24 May 2012) recommended that the design and construction of watercourse crossing and outlet structures is in accordance with the NOW guidelines for Controlled Activities (i.e. 'Guidelines for Watercourse Crossings on Waterfront Land').</p>	<p>Appendix A: <i>Bridge Options report</i> of the <i>Rail Access Report</i> notes that the existing structure that carries Moorebank Avenue over Anzac Creek is a small box culvert. Section 2.2.1 of the <i>Stormwater and Flooding Environmental Assessment</i> assesses the existing conditions of Anzac Creek and found that:</p> <p><i>The existing culverts through the M5 Motorway embankment adequately convey flood waters to the downstream reaches of the catchment without significant retention and / or backwater accumulation.</i></p> <p>It is also noted that the aquatic and riparian habitat assessment of the portion of Anzac Creek in proximity to the site had limited habitat. In addition, at the time of the assessment there was no open or running water present at the site with water being mostly static and shallow.</p> <p>It was concluded in the <i>Bridge Options Report</i> that at the location of the proposed railway line, approximately 100 metres downstream of the Moorebank Avenue road crossing of Anzac Creek, it would be envisaged a small box culvert-style bridge would only be necessary to provide for Anzac Creek.</p> <p>Section 4.1.3 of the <i>Stormwater and Flooding Environmental Assessment</i> outlines principles that would be considered in culvert crossing design for Anzac Creek. These principles are designed for a Class 3 fish habitat for which the preferred type of watercourse crossing is a culvert (Fairfull and Witheridge 2003).</p> <p>Additionally, the following statement of commitment has been updated to be consistent with NOW requirements:</p> <p><i>The Proponent will implement the following measures to protect aquatic flora and fauna as part of the applications for the detailed</i></p>	<p>Appendix H <i>Rail Access Report – Transitional Part 3A concept Plan Application</i> (Hyder Consulting, June 2013b)</p> <p>Appendix O <i>Stormwater and Flooding Environmental Assessment – Transitional Part 3A Concept Plan Application</i> (Hyder Consulting, June 2013f)</p> <p>Submissions Report</p>

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		<p><i>planning applications (where relevant and applicable):</i></p> <p><u>Riparian</u></p> <p><i>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).</i></p>	
Watercourse crossings	<p>The EA indicates rail infrastructure will include a culvert crossing of Anzac Creek and bridging of the Georges River (see Section 2.5.1.1, pages 30 and 31). The Aquatic Ecology report (July 2011) indicates a rail bridge is proposed to traverse both the Georges River and Anzac Creek watercourse crossing for Anzac Creek is a culvert because it is a Class 3 fish habitat (page 29). However, it is unclear why a bridge crossing of Anzac Creek is not an option.</p>	<p>Appendix A: <i>Bridge Options report</i> of the <i>Rail Access Report</i> notes that the existing structure that carries Moorebank Avenue over Anzac Creek is a small box culvert. Section 2.2.1 of the <i>Stormwater and Flooding Environmental Assessment</i> assesses the existing conditions of Anzac Creek and found that:</p> <p><i>The existing culverts through the M5 Motorway embankment adequately convey flood waters to the downstream reaches of the catchment without significant retention and / or backwater accumulation.</i></p> <p>Further, the aquatic and riparian habitat assessment of the portion of Anzac Creek in proximity to the site had limited habitat. In addition, at the time of the assessment there was no open or running water present at the site with water being mostly static and shallow.</p> <p>It was concluded in the <i>Bridge Options Report</i> that at the location of the proposed railway line, approximately 100 metres downstream of the Moorebank avenue road crossing of Anzac Creek, it would be envisaged a small box culvert-style bridge would only be necessary to provide for Anzac Creek.</p> <p>Section 4.1.3 of the <i>Stormwater and Flooding Environmental Assessment</i> outlines principles that would be considered in culvert crossing design for Anzac Creek. These principles are designed for a</p>	<p>Appendix H <i>Rail Access Report – Transitional Part 3A concept Plan Application</i> (Hyder Consulting, June 2013b)</p> <p>Appendix O <i>Stormwater and Flooding Environmental Assessment – Transitional Part 3A Concept Plan Application</i> (Hyder Consulting, June 2013f)</p>

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		<p>Class 3 fish habitat for which the preferred type of watercourse crossing is a culvert (Fairfull and Witheridge 2003).</p> <p>Therefore the proposed culvert design is considered suitable for the crossing over Anzac Creek.</p>	
	<p>In accordance with the NOW Guidelines ('Guidelines for Watercourse Crossings on Waterfront Land') for Watercourse Crossings on Waterfront land, the design and construction of crossings should consider the full width of the riparian corridor and its functions. Bridges which span the watercourse channel provide the best opportunities for maintaining the channel functions. Ideally bridge crossings should be elevated and span the riparian corridor.</p>	<p>Section 4.1.3 of the <i>Stormwater and Flooding Environmental Assessment</i> outlines the principles that would be considered in the design of any bridge / arch crossing Georges River:</p> <ul style="list-style-type: none"> ▪ <i>Locating of bridge piers or foundations within the main waterway channel would be avoided as far as possible.</i> ▪ <i>Bridge piers would be designed and orientated to avoid the formation of large-scale turbulence or the erosion of the bed and banks of the waterway.</i> ▪ <i>Light penetration under bridges to encourage fish passage would be maximised.</i> <p>The following statement of commitment has been updated to be consistent with NOWs requirements (included in the Submissions Report):</p> <p><i>The Proponent will implement the following measures to protect aquatic flora and fauna as part of the applications for the detailed planning applications (where relevant and applicable):</i></p> <p><u>Riparian</u></p> <p><i>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).</i></p>	<p>Section 18</p> <p>Appendix O <i>Stormwater and Flooding Environmental Assessment – Transitional Part 3A Concept Plan Application</i> (Hyder Consulting, June 2013f)</p> <p>Submissions report</p>

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	<p>Section 10.3.1 of the EA recommends consideration is given to a multi cell culvert crossing design for Anzac Creek with a combination of elevated “dry” cells to encourage terrestrial movement and recessed wet cells to facilitate fish passage (page 106). If a culvert crossing of Anzac Creek is to be used, it is recommended the Statement of Commitments are amended to include a commitment that a multi cell culvert crossing design is to be used to facilitate aquatic and terrestrial fauna movement with elevated “dry” culvert cells and recessed “wet” cells, It is suggested the cell size of the culverts facilitates the movement of woody debris and the culverts have naturalised bases rather than concrete flooring.</p>	<p>Section 4.1.3 of the <i>Stormwater and Flooding Environmental Assessment</i> outlines the principles that would be considered in the design of the culvert crossing for Anzac Creek, including:</p> <p><i>A multi-cell culvert design would be considered with a combination of elevated “dry” cells to encourage terrestrial movement, and recessed “wet” cells to facilitate fish passage.</i></p> <p>The Statement of Commitments has been updated to include the above commitment.</p>	<p>Appendix O <i>Stormwater and Flooding Environmental Assessment – Transitional Part 3A Concept Plan Application</i> (Hyder Consulting, June 2013f)</p> <p>Submissions report</p>
Groundwater	<p>Section 9.3.1 of the EA notes the areas of environmental concern should be addressed through the implementation of a Site Management Plan (SMP), including a groundwater monitoring program to confirm and monitor groundwater quality over time. It indicates that elevated concentrations of chemicals of concern identified in the groundwater and fill materials are to be addressed as part of the SMP (page 97). The Statement of Commitments includes a commitment that a Phase 2 intrusive investigation would be undertaken for the staged redevelopment of the rail corridor land and this investigation would include a program of soil and groundwater sampling (page 178). Given that the EPA would regulate any clean-up of the site. NOW does not have a specific role but requests copies of any groundwater management plans, groundwater monitoring reports and the outcomes of the investigations etc to gain an understanding of any groundwater impacts over time to assist in managing groundwater access.</p>	<p>Noted.</p> <p>The Statement of Commitments (Section 18) for the proposal states the following:</p> <p><i>The Proponent will undertake the following tasks in association with the detailed planning applications for the staged redevelopment of the rail corridor lands:</i></p> <ul style="list-style-type: none"> ▪ <i>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.</i> 	Section 18

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		<p>In addition to this, the proponent has made a Statement of Commitment (Section 18) to protect the aquatic flora and fauna as part of the applications for the detailed planning applications, including a:</p> <p><i>Thorough assessment of any development within the Anzac Creek CSWL community, including potential impacts on groundwater quality and quantity.</i></p> <p>The results of these investigations and assessments will be made available to NOW. SIMTA will continue to consult with NOW during the design development process for the detailed applications for the proposal, where applicable.</p>	
Groundwater	As previously advised the proponent needs to ensure that the taking of water, such as dewatering during construction, is appropriately authorised and should liaise with NOW in relation to this.	<p>The following Statements of Commitments are included in the EA (Section 18):</p> <p><i>The Proponent will obtain authorisation for the taking of water for purposes other than water supply, including for dewatering during construction.</i></p> <p><i>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:</i></p> <ul style="list-style-type: none"> ▪ <i>NSW Office of Water</i> 	Section 18