



Mr Richard Johnson
Director
Aspect Environmental Pty Limited
117/25-27 Solent Circuit
BAULKHAM HILLS NSW 2153

05/06/2020

Dear Mr Johnson

**Moorebank Intermodal Precinct West - Stage 3 (SSD-10431)
Response to Submissions**

The exhibition of the development application including the Environmental Impact Statement (EIS) for the above proposal ended on 27 May 2020. All submissions received by the Department during the exhibition of the proposal are available on the Department's website at www.planningportal.nsw.gov.au/major-projects/projects.

The Department requires that you provide a response to the issues raised in those submissions, in accordance with clause 82 (2) of the Environmental Planning and Assessment Regulation 2000. In addition, the Department has identified supplementary key issues, including (but not limited to) subdivision of the MPW site, importation of fill to the MPW Stage 3 site, traffic, access and parking, engagement with the Community Consultative Committee, interaction between MPE and MPW sites, construction and operational program and staging, light spill and constriction activities.

Further details on these matters are presented in **Attachment 1**. Please note that DPIE – Water Group and NSW Health have not provided their comments. These comments are expected shortly and will be forwarded once received by the Department for your response.

Note that under clause 113(7) of the Environmental Planning and Assessment Regulation 2000, the days occurring between the date of this letter and the date on which your response to submissions is received by the Secretary are not included in the deemed refusal period.

If you have any questions, please contact Nathan Heath, who can be contacted on 02 8289 6617 or at nathan.heath@planning.nsw.gov.au.

Yours sincerely,

Dominic Crinnion
Acting Director
Social and Infrastructure Assessments
as delegate for the Planning Secretary

Attachment 1: Supplementary Key Issues

Supplementary Key Issues

Subdivision of the MPW site

Further information is required to support the Applicant's 'Clause 4.6 Request – Minimum Lot Size Requirements' (Appendix F of the EIS) and subdivision plans provided as part of the EIS.

In particular, the Submissions Report must provide a detailed response demonstrating how objective (c) in clause 4.1 (1) of the LLEP would be achieved, including the mechanisms proposed to prevent fragmentation of the MPW site. This includes demonstrating how the construction, operation and management of the MPW site would allow for the development of a 'holistic intermodal freight terminal', rather than an industrial park or estate.

The Department requests that further information is provided to demonstrate compliance with the requirements of condition E26 of Schedule 4 (Conditions to be met in future development applications) of SSD 5066 (as modified). In particular, the Submissions Report must address the requirements of condition E26 (c) in detail and provide an updated set of subdivision plans that clearly illustrate completed estate works for the entire MPW site, including maintenance of access roads, pedestrian paths, landscaping, lighting of common area and provision for emergency services including for firefighting. If this information has been submitted to the Department as part of an Urban Development Design Report (UDDR) for MPW Stage 2 works (northern portion of the MPW site), then that information must also be provided as part of the Response to Submissions Report. This information is also required for the proposed works compound in the southern portion of the MPW site.

Importation of fill to the MPW Stage 3 site

The Submissions Report must clarify whether the proposed fill volumes are additional to those volumes assessed as part of SSD 5066 and SSD 7709. Further, the Submissions Report must provide a detailed response that demonstrates compliance with condition 19B of SSD 5066 (as modified), which stipulates:

the total volume of uncompacted fill to be imported must not exceed 1,600,000 m³ unless it can be demonstrated in a future Development Application that the proposed finished surface level of any filled section of the site does not exceed 16.6 m AHD.

In addition, the Submissions Report must provide a detailed response that demonstrates compliance with condition 19C of SSD 5066 (as modified) which stipulates:

clearing native vegetation and earthworks including fill importation and placement for a future Development Application must be undertaken in a phased manner to minimise dust and native fauna impacts, with no long term stockpiling of imported fill and no stockpiling of imported material for use as part of a subsequent future Development Application.

Traffic, access and parking

The Department has concerns regarding construction vehicle access to the MPW site. The EIS asserts that an alternate site access from Moorebank Avenue may be required subsequent to the removal of the Chatham Avenue access to facilitate MPW construction works when the new perimeter road is utilised by operational traffic. The Submissions Report must provide additional information on the likely location of the proposed alternate site access. Please also indicate the likely timing of when the Chatham Avenue access road would be decommissioned.

The Submissions Report must provide the total number of light vehicle parking bays proposed within the Construction, Operation and Maintenance Compound on the proposed Lot 10. Further, the location and total number of proposed heavy vehicle parking bays should be provided.

Engagement with the Community Consultative Committee

Section 5.2.2 of the EIS states that ‘the Community Consultative Committee (CCC) formed for MPW would be notified throughout the course of the application’. The Submissions Report must clarify and provide evidence of consultation with the CCC, including relevant meeting minutes and/or notes of out-of-session consultation.

Interaction between MPE and MPW sites

The EIS asserts that:

the compound and laydown area may also be used to support progressive construction requirements on the MPE Stage 2 SSD 7628 site as available laydown and temporary accommodation space reduces as site construction works progress.

The Submissions Report must provide additional information outlining the likely timing and extent of interaction between the MPE and MPW Stage 3 sites, whether any additional cumulative impacts from traffic or spoil movement have been considered in detail, and an analysis of compliance of the proposed interactions with any relevant conditions of consent for SSD 7628.

Construction and operational program and staging

The Submissions Report must clearly outline the indicative duration of construction activities and indicative duration of operational activities associated with use of the proposed works compound for MPW Stage 3. In particular, the Submissions Report must provide an indicative operational timeline for the proposed stockpiling of materials and laydown.

The Submissions Report must also provide further information on the likely future operational staging of the entire MPW site, including proposed future stages or sub stages that may influence, or be influenced by, the MPW Stage 3 proposal.

Light spill

The Department notes Secretary’s Environmental Assessment Requirement (SEARs) 10 (b) requires ‘consideration of lighting impacts in the local area, analyse and describe the contribution and impacts of the proposed facility on light spill at the local scale and to sensitive receivers’.

Appendix O (Visual Impact Assessment) of the EIS does not include an updated Light Spill Assessment that considers potential light spill impacts from use of the works compound on the MPW Stage 3 site. It is considered that light spill impacts generated from the MPW Stage 3 proposal may be different to those previously assessed under the MPW Stage 2 proposal. The Submissions Report should therefore demonstrate that the light spill impacts are the same or less than previously assessed and approved, for example by including a revised Light Spill Assessment for MPW Stage 3 works, with particular attention given to impacts at the closest sensitive receivers in Casula, to the west of the site.

Construction Activities

The Moorebank Precinct West – Stage 3 Noise and Vibration Impact Assessment (Appendix H of EIS) identifies concrete and asphalt batch plants, crushing plants and material processing sites as construction activities to be undertaken for MPW Stage 3 works. The EIS main document does not appear to include any information on proposed concrete and asphalt batch plants and crushing plants. The Submissions Report must clearly identify and provide detailed justification for all construction activities proposed for MPW Stage 3, including proposed concrete and asphalt batch plants and crushing plants.