

[New South Wales Government](#)

[Department of Planning](#)

[Skip to content](#)

[Home](#) > [Development Assessments](#) > [Major Project Assessments](#)

## **East Liverpool Progress Association, Moorebank NSW, made the following submission on the project:**

### **MIC Intermodal Terminal - Concept Proposal**

#### **Objects to this project**

Submission Response to Project SSD-5066

Moorebank Intermodal Terminal

We write to express our absolute objection to the subject proposal : reference SSD-5066

Other local submission authors with professional standing in Traffic Modelling provide the unassailable facts that this proposal cannot attain the quality of Infrastructure development the nation expects from its professional public servants and associated courts, tribunals and panels in delivering government objectives.

Attached is a document containing a quick overview of facts relating to the subject site at Moorebank. We expect this EIS process to provide specific answers as to how and at what cost to the taxpayer can the proposed project with its huge trucking demand be made to fit into the river bound East Liverpool traffic corridor servicing the existing south west of Sydney, already at congestion levels, and its growth in the next decades to include a population in housing numbers and area equivalent to Canberra.

Let us state that the entire Moorebank Intermodal proposal, from the Greiner / Corrigan SIMTA to Albanese / Wong MICL, has been one of compounding error to which we will gladly speak given the opportunity. It is a story of the opportunistic greed of captain capitalists - free access to State utilities - and of lazy sloppy socialists who relied upon the enterprise of Greiner / Corrigan to build a Business Case ( heavily redacted upon release ) to commit Commonwealth river side lands.

The Objects of this project are reasonable but can be met by other locations, such as Badgery's Creek as well argued in work done by Liverpool City Council. They are not served well when the commercial viability of a Moorebank project has been questioned by Infrastructure NSW ( 2012).

Of specific concern is the Staged Approval process as per Chapter 10.4.1 of the EIS.

Postponement until a Stage 2 development approval, the "environmental impacts associated with the construction and operation of the project", must not be supported. It will be a dereliction of duty as local knowledge highlights for all to see the obstacles ahead and that no engineering can remedy the volumes of traffic into which the 1000's of daily truck movements need to merge and then wind out to their destination. Please note that the only solution is a second traffic route east from the Campbelltown region to the east / north east. This will require alienation of existing and long used lands within the Liverpool Military Area.

Staged development approval must be rejected. This is a major infrastructure development with extensive interruption to the lives of local and regional residents, local recreational pursuits based on the Georges River and surrounds, local and regional small business

through traffic congestion.

The project is a major infrastructure development and must be fully implemented as modelled and planned to attain a positive return for the major investors. Unless it proceeds to its fullest planned intention then it is to be condemned as half baked and having been agreed to by authorities knowing it alienated environmentally sensitive river lands, dumped a 24 x 7 noise, light, diesel emitting industry within 100's of metres of existing neighbourhoods, and further choked regional traffic after having been provided with the full information that exposes the compounding errors to date since 2005.

Thank you for the opportunity to make this representation.

- Attachment: [MIFT EIS SubmissionFactSheet 4C08.pdf](#)

AFR : 4/8/16

Letters: Moorebank, renewables and China



#### **Aurizon exit from Moorebank timely**

Matthew Stevens ("Aurizon Moorebank divorce a win-win," August 3) tells only some of the story when he says the Moorebank "freight precinct ... has two unique advantages over ... any other sites in and around Sydney"; they being proximity to transport assets (funded by the taxpayer) and the expanse of flat lands for development.

A third unique feature of Moorebank is less identifiable from board rooms and cabinet rooms. Yet it is destined to have the development fail on all measures of infrastructure financial and operational success.

East Liverpool-Moorebank serves as a narrow, river-bound, bridge reliant transport corridor for the entire south-west Sydney region, the nursery region for a growing city.

The two bridges adjacent and near the Moorebank site carry almost as many daily traffic movements as the Sydney Harbour Bridge and Tunnel combined. They are near capacity already. Mr Stevens writes of freight, rail and warehousing. What of the estimated 8000 to 10,000 truck movements daily?

Contrary to his commentary, the facts of planning approval to date are that SIMTA/Qube have approval for only 250,000 TEU containers after applying for one million TEU on two occasions. Further approval is reliant on the condition "it must not exceed the capacity of the transport network".

The softly, softly approach taken by the people of East Liverpool has flowed from the soundly reasoned belief that "truth will out".

If the "we can build to fix" mentality prevails then we want to know who pays for what? to bring Qube's extension of this compounding error to a profitable outcome.

It seems Aurizon management has made a timely decision.

Michael Byrne

President, East Liverpool Progress Association

Chipping Norton, NSW

**AFR : 9/8/16**

**Letters: Intermodal, RBA and nuclear weapons**



**Moorebank Intermodal stirs passions**

Liverpool community activist Michael Byrne is wrong about the Moorebank intermodal terminal ("Aurizon exit from Moorebank timely" Letters, August 5).

Moorebank is recognised by all serious infrastructure experts including Infrastructure Australia as the prime location in Australia for an intermodal terminal given its size and unrivalled access to major motorway links and the dedicated Southern Sydney rail freight line. That is why successive state and Commonwealth governments have identified Moorebank as vital to serving the community's rapidly growing freight task.

The bridges Mr Byrne mentions are already carrying the freight to south-western Sydney from Port Botany. Moorebank will reduce that traffic by moving thousands of containers from road to rail.

Moorebank will use the latest environmentally sensitive technology to transform the way that community freight task is managed, take thousands of heavy trucks off Sydney's roads every day and deliver cost savings to consumers and business.

Maurice James

Managing director  
Qube Holdings

**AFR : 10/8/16**

**Qube sophistry**

Qube Holdings MD Maurice James (Letters, August 8) labels me an "activist". Activists work to an agenda, to the exclusion of unfolding facts and truth of an issue.

As "campaigners" we stay open to the process of review based on changing facts. And the facts of the proposed Moorebank Intermodal Freight Terminal (MIFT) are still unfolding.

We know there are facts on public infrastructure costs (for private profit ) not yet revealed. Yet enough is known, and supported by the sophistry of Mr James' letter, that MIFT is the consequence of compounding error attached to poor performance of politicians, public servants and business people. We fear it has attained "too big to fail" status.

A more recent revealing fact was reported in Australian Business Review. The origins of Moorebank rest directly with Chris Corrigan from 2004 when he was running Patrick.

Today, as chairman of Qube Holdings, he completes the link of compounding errors including leading business people and politicians such names as Greiner, Knowles, Brereton, Albanese, Wong, Cormann, Truss and Schott since 2004.

Mr Corrigan had every resource available to him other than local knowledge. This declares the site cannot sustain the generated heavy vehicle traffic of a major 1.5 million TEU terminal and that Moorebank is destined to be an infrastructure failure as just another small pocket freight terminal to the cost of all.

Michael Byrne

President, East Liverpool Progress Association,

Chipping Norton, NSW

# Fact Sheet

## Concerning costly constraints to the proposed Moorebank Intermodal

### **Moorebank Intermodal Freight Terminal - - a quick overview**

Note: SIMTA = 83 hectare private project : MIFT = 220 hectare government project

### **The unassailable deficiencies of East Liverpool as the location for a Road / Rail Freight Terminal.**

- Moorebank is in East Liverpool.
- East Liverpool is a flood prone area bounded on three sides by the Georges River. Bridges are fundamental to traffic movement.
- East Liverpool is at the northern end of the Liverpool Military Area ( Holsworthy) which runs to the far south joining with water catchment areas at the east of Campbelltown. There are no roads running east from the Macarthur Region due to this planning restriction.
- East Liverpool serves as the main traffic corridor to the north, east and south for the entire Macarthur Region and the City of Liverpool which are the locations of Sydney's fast growing South West Urban Growth area. The Badgery's Creek airport traffic will have to flow through it.
- The four western river crossings into East Liverpool **(14 lanes)** Glenfield causeway, M5 Bridge, Liverpool Bridge and Warwick Farm Bridge **carry daily traffic volumes that are 92% of that of the Sydney Harbour Bridge and Harbour Tunnel combined.** They carry more than the bridges that service the Sutherland Shire - **(18 lanes)** ( Tom Uglys, Taren Point, Alford's Point).
- The placement of a Freight Terminal at Moorebank is like locating one at Kirribilli with the need of trucks to merge with harbour crossing traffic for access to their Sydney south, east and southwest destinations.
- The local traffic intersections are already at or near "fail " level service status.
- The MIFT / SIMTA projects will have , **PER HOUR, 300 to 500** B Doubles, Semi Trailers, Rigid trucks and employee vehicles merging into already congested intersections. With the slowness of haulage trucks a mere **100** heavy trucks per hour will have an annoying adverse effect on the daily commuting workers and transport businesses.

- The SIIMTA / MIFT site is defined as a "flood island" according to a NSW Government Department submission on SIMTA and would require boat access upon a major flood.
- The SIMTA site is separated by 400 metres of flat lands from established neighbourhoods of families. MIFT, an extra 200 metres.
- The developments will see over 100 hectares of bitumen / concrete carrying 80+ diesel train movements, 1000's of diesel truck movements and 1000's of container loader movements. This dirty diesel, tar and cement, industrial plant operating across lands from a narrow green 80 metre barrier for the Georges River to within 400 metres of established family neighbourhoods.
- The air quality in our region is already on the lower end of the scale. Diesel is the main source of traffic generated carcinogenic Particulate Matter ( PM 2.5). This location will become more of a diesel sink, with its bad air flowing across the local area and downstream to Chipping Norton and beyond.
- The Government to date has failed to respond to these realities.
- The 2012 State Infrastructure Strategy questioned the commercial viability of short haul freight rail to/from Port Botany.
- There have been no published business case analysis of alternatives. Indeed, we cannot access the NSW Government Submission to Infrastructure Australia (2012) covering public infrastructure costs to service the SIMTA project.
- See Google Map below - The green bush country below Holsworthy is the Liverpool Military Area and joins near Campbelltown a Sydney Water Catchment Area - hence no roads to the east from Campbelltown until you reach East Liverpool.
- Contact: Michael Byrne - 0414 978 694





# EAST LIVERPOOL PROGRESS ASSOCIATION

President: Mr. M. Byrne 0414 978 694  
Secretary: Mr. M. Frew

PO Box 47  
MOOREBANK NSW 1875

14th December 2016

The Premier - NSW Government  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Premier Baird,

Please find attached our submission to the Planning Assessment Commission covering the Moorebank Intermodal Freight terminal (MIFT) - SSD16-7709.

It carries a description of the passage of this major infrastructure development displaying its origins as representations by Mr. Chris Corrigan ( now of Qube Holdings), support of it from the Hon Bruce Baird in the then Howard Government, support of the Howard Government in 2004 resulting in the creation of the SIMTA site proposal, reaction by the ALP Government in 2010 in creating the MICL site and finally the agreement of the Turnbull Government to form a single integrated development at Moorebank under the management and control of Qube Holdings which in the meantime consumed Asciano's Patricks Ports in a stock market take over, leaving Mr. Corrigan as both initiator and "owner" of the entire development.

The submission describes the compounding error from Mr. Corrigan's original observations of the site. This rests with what Mr. Corrigan did not observe but which was as easily observable as the valuable public assets he saw. It further explains how the error compounded over the years with the focus of both LNP and ALP governments being more concerned with the "who" over the "how" of the project as evidenced in the Senate Estimates Hansard records.

We encourage you to have your office peruse it.

The many MIFT planning EIS and reports are full of projections that read well but are greatly diminished as their use seems to build a case to meet an end. There is a complete absence of information responding to the physical reality local public groups have been expressing. Matters that were explicitly commented upon by Independent Reviewers, Aurecon, appointed by the Dept of Planning and Environment in 2015 in a previous EIS stage. Their explicit critical comments do not flow onto the Executive Summary by the D P&E. Aurecon's Conclusion was fit for purpose with very qualified commentary.

The latest 600+ page Environmental Impact Statement for SSD16-7709 is devoid of description and comment on how the MIFT, and indeed the normal growth traffic, will be managed in the Moorebank regional traffic corridor.

The ELPA Submission states the position of the East Liverpool Progress Association.

That is, we accept the development, in the national interest which is stated as being of \$9 billion worth over 30 years. However we oppose any approvals until the governments exhibit how the traffic systems in East Liverpool and beyond will handle the projected 12000+ daily vehicle movements on to and off from the M5 Georges River Bridge adjacent to the site, and how the 15 to 30 local Liverpool intersections will be upgraded to meet the trucking demand.

Our demand is that this major infrastructure not be a failed investment with it attaining only 50% of its 1.5 million TEU throughput to create yet another pocket intermodal with a public funded \$400 million rail link to the Southern Sydney freight line.

We need your Government to exhibit how the 16,000 daily intermodal / warehousing traffic movements (**Appendix C of Appendix M MPW Stage 2 - Traffic Generation...**WSP : Parsons Brinkerhoff) will operate in the merge / weave complexity, safely and efficiently, without major infrastructure costs on new roads and bridges that extend beyond the requirement of meeting the regional background growth.

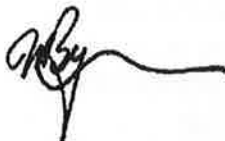
We understand that RMS and TfNSW have modelled such events yet there has been no public presentation of it. In our view this is a key "right to know" matter.

To that end the ELPA has convened a public information meeting for Wednesday February 1st 2017.

We are requesting through your Office, as MIFT is presented as a NSW Government favoured infrastructure project, that a presentation be made by the departmental offices concerned, and if indeed possible with your self or an appointed Minister present.

Premier, the MIFT site's constraints are not a local issue. They affect an entire region and its efficient and safe road operations.

Yours faithfully,



Michael Byrne  
President 0414 978 694 elpa2008@gmail.com

PS: Please respond via email as we will be away over Christmas / New Year

There is one minute YouTube video of what Mr. Corrigan missed and is at the core of the site constraints.....

<https://youtu.be/IRQ7SRcEJDE>

# EAST LIVERPOOL PROGRESS ASSOCIATION

President: Mr. M. Byrne 0414 978 694  
Secretary: Mr. M. Frew

PO Box 47  
MOOREBANK NSW 1875

## **Public Submission EIS Response to : Project SSD16-7709 - Moorebank Intermodal Terminal - MPW Stage 2**

### **1.0 - Preliminary Comments**

The East Liverpool Progress Association has been a firmly established association of local ratepayers for over 100 years.

This is the third time at forwarding a submission in exercising our public response to an EIS for a particular project. As such, It reflects the unique structure and process of the Moorebank Intermodal Freight Terminal.

**Note: we use the abbreviation - MIFT - in this submission to cover both proponents ( SIMTA & MICL ) and all the configurations of their proposals.**

This uniqueness, we propose, was formed in its origins with a reported fly over of the site by Mr. Chris Corrigan in his recreational helicopter in the early 2000's, and, as reported in The Australian became an "obsession" for him -

**"Moorebank project has its roots in Corrigan's obsession with the potential of a strategic piece of federal government land just off the M5 freeway that stretches westward from Sydney city" - The Australian June 5th 2015.**

We argue that Mr. Corrigan's presence in the project planning has seen a corruption of process emanating from the standing of him as a hero / villain on the Australian political stage at all levels. There is no fault of Mr. Corrigan in this, as he is simply a businessman going about his business within the law.

Corrigan's historical play in the breaking of trade union power on the wharfs in 1998 sees the hero / villain status held of him by the Liberal Party and the Labor Party respectively. Both Parties have adopted unsound positions when dealing with his commercial interests when either in Government or Opposition. Unsound, in that the question was of "who" rather than the "what, why and how" in studying a major infrastructure development as is MIFT. Where the public would expect the presence of public accessible comparative benefit-cost analysis we saw **"desk top checks"** by Infrastructure Australia of alternative sites in western Sydney. Where one would expect the Senate Estimates process be used to drill down on such a major national interest project to ensure it is truly viable, and the best value of all alternatives, it became a slanging tirade at times by friends and foes of Mr. Corrigan.

The Senate Estimates of May 24th 2012 and May 26th 2014 are most revealing.

In 2012, with Labor in government, Senator Cormann was challenging the Labor Government for initiating a government run MIFT ( MICTL) with Senator Wong challenging him on "whose interests" is he representing.?

\*\*\*\*\* **Senate Estimates Hansard Extracts - 24/5/2012 - ALP Gov.**

Senator CORMANN: The advice that I have got from the responsible shadow minister is that the—

**Senator Wong:** Which is from the proponent in whose commercial interests it would be?

Senator CORMANN: The advice that I have got, Minister—

Senator Wong: I think you should be upfront with the public. If you are coming in here and advocating a private sector proposal because of those commercial interests, it is fine for you to do that but I think you should be upfront about it.

**Senator CORMANN:** Minister, I am not pushing a private sector proposal: I am pushing for value for money for the taxpayer—

**Senator Wong:** And so are we.

\*\*\*\*\* **End of Extract**

In 2014, with the LNP in government, Senator Dastyari mentioned Mr. Corrigan's name 18 times in pursuing "who owns what" concerning MIFT. The following extracts provide for our claim that the process became corrupted with the intent of Corrigan's friends and enemies reigning over the pursuit for the best outcome for a major infrastructure investment. Labor, in Albanese MP and Senator Wong, betrayed their Party's loyal voters in south western Sydney in their desire for a stoush with a Labor enemy. Rather than use the facts of the fatal flaws in the original SIMTA proposition they, as Government Ministers, took Mr. Corrigan's business plan as credible and workable in order to gazump him with a far larger site to meet the same objective. How pathetic, and embarrassing, it must be today with Mr. Corrigan sitting atop the pile.

Hereunder Labor pursues the obvious. How perverse that the bipartisan position ( establishing MIFT ) quoted by Senator Dastyari turns on the superficial dialectic of hero and villain.

\*\*\*\*\* **Senate Estimates Hansard Extracts - 26/5/2014 - LNP Gov.**

Senator DASTYARI: The proposal is bipartisan. No-one is opposed to the proposal.

Senator CONROY: It is actually not bipartisan for Chris Corrigan to be given a monopoly, and expand his wealth. That is absolutely not bipartisan.

CHAIR: With your indulgence, Senator Conroy., pausing there for a second. So, what you are proposing is that this is a corrupt deal?

Senator CONROY: We are investigating what is going on.

Senator DASTYARI: I want to get to the bottom of the arrangement that came to this.

Senator STERLE: It is a bit sus, Chair.

Senator DASTYARI: I think it is a bit more than a bit sus, Chair.

\*\*\*\*\* **End of Extract**

\*\*\*\*\* **Senate Estimates Hansard Extracts - 26/5/2014 - LNP Gov.**

Senator DASTYARI: So, you are saying that while obviously people from your department have met with Qube—and I understand they are a big company and there would be reasons to meet with them—are you aware of any other meetings with Qube and Mr Corrigan and the minister?

Mr Mrdak : I am not aware of any such meetings or discussions.

Senator DASTYARI: Is anyone aware of any meetings?

CHAIR: Minister, can you take that on notice?

Senator Colbeck: Yes.

Senator DASTYARI: Is anyone in the department aware of meetings that have happened with Mr Corrigan and the minister?

Mr Jaggars : I am not aware.

Senator DASTYARI: Are you aware of any meetings with Mr Corrigan and the Prime Minister?

Ms O'Connell : I am not aware.

Mr Mrdak : I am not aware.

CHAIR: Cube still lives in Switzerland.

Senator DASTYARI: Are you aware that according to the donor to political party disclosure returns, the last one that was publically available, that Mr Corrigan's company, Qube, was one of the largest donors to Liberal Party?  
Mr Mrdak : I am not aware of that.

\*\*\*\*\* **End of Extract**

Further extracts exhibit a statement that it was Mr. Bruce Baird MP who recommended to the Howard Government the Moorebank Site in 2004.

\*\*\*\*\* **Senate Estimates Hansard Extracts - 24/5/2012 - ALP Gov.**

**Senator THISTLETHWAITE:** And what was the process that was undertaken by the Howard government to identify that site as appropriate?

**Mr Renwick :** This is just from my recollection: there was a report, I think by Mr Baird, which identified it as a Site.

**Senator THISTLETHWAITE:** Bruce Baird, that is? **Mr Renwick :** I believe so. It has been identified as the perfect site for an IMT since then.

\*\*\*\*\* **End of Extract**

If the above is correct then it is not known who advised (lobbied?) Mr Bruce Baird on the use of Moorebank as a freight terminal. He was not the local member. Mr. Baird's son is the current Premier of NSW who, it seems, has graced the development with compliant public servants seemingly working to order. We understand some TfNSW staff associated with traffic modelling have felt the wrath of non-compliance.

The purpose of these Extracts is to exhibit the processes of review that were played out on Moorebank in the Senate. An attempt was made by the ELPA and Mr. Paul van den Bos to have Senator Leyonhjelm place questions on the project with the Senate. The Senator, upon understanding that both major political parties were supportive of the project, questioned at why he should engage in a futile exercise and refused, "as he had so much to do with his own Party's agenda".

A single voice has been heard in the Parliament. That of Mr Craig Kelly MP who as a lone soldier in the House of Representatives has called to question the project with all the force of a single MP given free reign in the liberal tradition.

## **2.0 General Comments**

One advantage of the multiple Proposals / EIS is the opportunity to address the veracity of facts and soundness of reasoning reflected in previous decisions covering MIFT.

A further advantage is that with the passage of time more facts arise to give understanding of the dynamics that lay behind the decision making by the authorities in response to political masters, and, of how error in fact and process can persist through the iterations of planning process. This enhanced understanding provides the public "outsiders" further loss of faith in the democratic process. This is particularly the case where the proponents and the Transport for NSW (TfNSW) refuse to acknowledge the flaw in the original proposal to locate a heavy haulage freight terminal within a river bound, bridge reliant, flood prone, traffic corridor that is already near congestion levels and is expected to serve a region of Greater Sydney that is yet to grow by another 300,000 people in the coming 15 to 20 years.

## **2.1 Our Support, with proviso:**

At this stage, the ELPA reminds PAC that we support the development if it can be demonstrated how the local traffic systems will support the 1.5 million TEU throughput, and who funds the solution. We hold that construction works required will place so much extra cost into the Benefit-Cost Ratio to make it far from acceptable for public tax payer investment.

This is why we require far better and immediate responses from the NSW Government Departments, the Proponents and the Federal Government to the requests of the public for recognition of the traffic problems and of the new road / bridge infrastructure costs to be incurred to meet the demands of the mix of 10,000 intermodal ( IMEX / Warehouse ops ) vehicles into the daily traffic passing through the Moorebank Corridor.

## **2.2 Dirty Industrial Use :**

The ELPA reminds PAC that the core MIFT development is for a dirty industrial use; Hectares of hard covering and tyre residue - Diesel emission from train, trucks and container movers - Continual noisy electronic reverse warning sounds - 21 metre light poles - Container gantries and ground vehicles moving metal containers - Noisy stacking and un-stacking of empty heavy metal containers. All of this is located between existing residential neighbourhoods and flat terrain scrub to the East and the riparian areas of the Georges River. It is no place for another "pocket" IMT development of 250 - 500 TEU throughput as MIFT, we argue, is destined if approved in any configuration.

## **2.3 A Business Indicator?**

Of interest is that the Proponents (MCL) applied to, and attained, listing on the Infrastructure Australia Priority List. The purpose of this action was to attain "access to the Infrastructure Tax Loss Incentive and to highlight the improvements required to local arterial roads to support the terminal." ( IA 2014-15 Assessment Brief). The Infrastructure Tax Loss Incentive provides for a more amenable exit allowing losses to be retained with the site ownership, as we understand it.

\*\*\*\*\*

<http://infrastructureaustralia.gov.au/projects/tax-loss-incentive.aspx>

### **Tax Loss Incentive**

The tax loss incentive was introduced in 2013 to encourage private investment in nationally significant infrastructure. The incentive works by removing two key impediments in the tax system, allowing eligible entities to benefit from:



- Uplifting the value of carry forward losses by the 10 year Government bond rate; and
- Exempting the carry forward losses and bad debt deductions from the continuity of ownership and the same business tests.

To receive the tax loss incentive, applications must first be made to the Chief Executive Officer of Infrastructure Australia for designated infrastructure project status.

\*\*\*\*\*

## **2.4 Sophistry at work:**

In his response to our correspondence to Mr. Corrigan the "re-lisitng" was expressed as an achievement of attaining recognition by IA; there was no reference to the Tax Loss Incentive. Such is the sophistry coming from Qube and MICL in their endeavours to counter the facts placed before them. It seems their sole task is get the planning approval to their latest configuration while hanging on to what they have got so far. The status of "planning approvals gained" have been quoted in QUBE Holdings publications supporting their various stock market takeover plays and debt funding promotions. We understand from published stock market analysis that the Qube share price is valued to include the full 1.5 mill TEU development at Moorebank.

Further sophistic comments were offered by the Mr Maurice James, MD of Qube Holdings in a published letter in the Australian Finance Review (9/8/16) responding to an AFR letter by the signatory to this submission. (see attached copy). Mr. James again referred to taking trucks off the M5 referred to in **S1** below. As well, to past governments recognising Moorebank for its attributes discussed in **G4** below.

## **3.0 Rebuttal of PACs "Commission Consideration" dated 3rd June 2016**

As an initial comment we commend PAC for introducing the condition that the project approved does not "exceed the capacity of the transport network with, or without, mitigation measures/upgrades". We received this as a recognition by PAC of the credible and argued facts covering Transport / Traffic issues in the public submissions and Hearings to date.

### **There are several matters open to challenge in PAC's consideration.**

One is the reliability PAC places on the TfNSW. Its work has been challenged directly by independent reviewers engaged by the Department of Planning and Environment ( D P&E) . There is a litany of inconsistencies provided by the department since the earliest of applications for planning approvals from SIMTA. We understand personnel have been sidelined for not producing the product required. This adds to our concern of the project being a top down initiative with minds made up already and not open to the reality of facts and argument that may counter the interests concerned.

### 3.1 General Points:

Note: From here we refer to the professional works by Paul and Narelle van den Bos (**vdb**) covering the deep analysis of the site's traffic restraints and general freight industry demands. We recommend that PAC review fully the work of **vdb**.

**G1:** The urgency of the project is overstated. Statistics (**vdb**) show the demand of port freight transport is below the lower projections by State and Industry authorities. Urgency and scarcity are no longer a factor.

**G2:** Alternative sites at Badgery's Creek and Eastern Creek are green field developments, and expansive for good planning. Infrastructure Australia has had the identification of a Rail Corridor to Eastern Creek on its Priority List as a High Priority for several years.

**G3:** Moorebank is a circumference site, not a hub site for efficient distribution. The suburb to its east is Milperra which registers on the web site of Intermodal Logistics Centre - Enfield as a circumference delivery location.

Port Botany is in a geographical corner owing to 270 degrees of sea water around it. The question remains as why locate Moorebank in a geographical corner that is reliant upon bridges and surrounded by existing traffic congestion along routes to delivery points?

**G4:** The Moorebank site's attributes - availability, topography, and access transport infrastructure with its proximity to M5, M7, and SSFL - are fine to initiate a study of an option. These are referenced by all, and acknowledged by all, including the locals. However, we are armed with local knowledge to put light on the limits of the attributes to deliver a successful IMT operation.

Ignorance is no defence in any investment decision.

**G5:** It is stated that MIFT will return \$9 billion economic benefits to the nation. The largest component of benefit is the removal of traffic congestion from around and beyond Port Botany. Presumably to free up more road for heavy truck transport from that location regardless of the expanded short haul rail operations.

**MIFT is merely relocating the traffic congestion.** In modern Australia there is no place for infrastructure development that has the seeds of stunted growth sown from the outset.

The independent reviewer of the SIMTA Stage 1 EIS makes this point, but it never surfaced in the EIS summary of it.

**G6::** There are no accessible "studies" ( Business Case, Benefit Cost Ratio analysis of Moorebank and comparable sites. ) This is confirmed in the Senate Estimates Hansard.

\*\*\*\*\* **Senate Estimates Hansard Extracts - 24/5/2012 - ALP Gov.**

Ms Mason : Greenhill Caliburn conducted a peer review of the detailed business case and that confirmed that this site was the best site. ( MICL )

Senator CORMANN: But that was a business case focused on one site—or did you evaluate different sites?

Ms Mason : We evaluated different options for delivering the government's policy.

Senator CORMANN: Did you evaluate different sites or did you only evaluate one site?

Mr Renwick : We were asked to evaluate, or do a feasibility study for, the site in Moorebank. In undertaking that, **we did a desktop review of other sites** which had been identified as potential sites—such as Eastern Creek, Badgerys Creek and a few others.

Senator CORMANN: Sorry: did you assess different sites?

Mr Renwick : We did not go into a detailed assessment as we did on the Moorebank site but we did have a look at the work that had previously been done on those sites.

\*\*\*\*\* **End of Extract**

**G7:** It is difficult to think other that the MICL site ( MPW) was taken up by the Labor Government in 2010 to be in opposition to the committed Corrigan interests across the road.

At alternate times of Government we had the LNP support a valid opportunity knock from a Party hero, and then, with the ALP in Government, it assuming a business case (Corrigan's presence confirms there would have been one) to initiate a commercial project, far larger and in opposition to an old villain as they see Corrigan. With the return to Government by the LNP, we see all eyes on the inevitable integrated operation.

More recent history has seen Mr. Corrigan's Qube consume its main competitor, Asciano, and pick the bones for Patricks and several other pocket IMTs in the Sydney mix.

**G8:** Some observations PAC may pursue are:

- that the site models appear to have the rail operations packed in with very tight turning at the southern end towards the sidings.
- The lack of integration across Moorebank Avenue. From rail to warehouse. There are published maps from MICL that exhibit Moorebank Avenue

being re-routed to the east boundary of the industrial area. At what cost to the remaining amenity of nearby residential neighbourhoods, and who pays for the land and construction?

**We have here delivered the scenario of where government failure occurs.**

The public interest, and the processes to enhance and protect it, play second fiddle to those of political / corporate / industrial - friend and foe.

### **3.2 Rebuttal and Comment on Specific Points of PAC Commissioner's Consideration - 3rd June 2016**

**S1:** "MIC estimates that 5522 heavy vehicles per day as a result of the proposal and 3000 heavy vehicles per day would be removed from a section of the M5 motorway between Moorebank Avenue and Port Botany. "

This carries the longest surviving misrepresentation. It has been carried by Ministers of the day, from Albanese to Truss., from Qube's CEO to MICL publicists, and anyone from the side line to justify the case. Minister Albanese was the first to use the falsity of "3200" heavy vehicles travelling from Port Botany to Moorebank and beyond on the M5 Motorway. **It is a falsehood and one recognised and admitted to by the Chair of MICL Dr Schott in an email to vdB stating it is in error.** The original calculation was 1.2 mill TEU / 365 = 3267 .. And yet it is still used by MICL. There are no statistics or other references to give this claim any foundation. So the bulk of the admitted 5522 heavy vehicle daily traffic is new traffic to the Moorebank M5 Bridge.

**S2:** "The Commission notes that MIC is continuing to consult with TfNSW and RMS regarding the proposed mitigation measures and delivery timing."

Our observation is that TfNSW is acting to instruction from political masters and is failing in its responsibilities.

MICL insist on limiting its traffic studies to Moorebank Avenue and its junction with the M5 Motorway. **The M5 Georges River Bridge is the link out of the corner located MIFT to the wider west.** Yet its problematic current traffic counts and performance, and its status as a Traffic Black Spot with a worsening danger factor, **(vdB)** should be ringing alarm bells.

The length of Moorebank Avenue itself is a Traffic Blackspot as well.

The most dangerous, and insurmountable effect / efficiency problem, is the **weave / merge operations on the M5 Georges River Bridge.** This bridge and the nearby 4 lane bridge at Liverpool CBD and the 2 x Warwick Farm Bridges carries more daily traffic than all bridges that serve the Sutherland Shire ( Taren Point, Tom Uglys and Alford's Point) and 80-90% of all Harbour Tunnel and Bridge traffic. The M5 bridge alone carries 80%-90% of this traffic.

The M5 GR Bridge is the only component of the M5 Motorway complex between King Georges Road and Prestons that did not have widening works performed in the recent M5 upgrades. The M5 GR bridge carries 3 lanes in each direction, with a 4th lane used for the ingress and egress of traffic across its span. **Traffic is travelling at 80 to 100 kph.** Vehicles on the eastern side of the bridge heading west **are merging from Moorebank Ave into the same lane from which cars are weaving to exit to the Hume Highway** on the western side.

This is all occurring along the span of the bridge, say 200 metres.

The same occurs for the opposite direction. Merging and weaving are dangerous driving exercises at the best of times. Yet it is here that the proponents plan to have their trucking services enter and exit the M5 - by the thousand per day.

This merge/weave action at this point causes loss of speed by a factor of 50%+ of the M5 Motorway in afternoon peaks to as far back as Revesby.

PAC may well ask of TfNSW their plan to avoid this from worsening.

**There is not a mention of this activity in the 500+ page EIS.**

The word "merge" is not present. The word "weave" appears once on Page 133 under the Consultation / Traffic / Transport / Access heading - "It was recognised within the assessment that the increased congestion and **inadequate weave distance** associated with M5 Motorway would require more sophisticated traffic modelling..".

Its context saw it reduced to a "safety" issue. Which it certainly is. Yet it is fundamental to the traffic operations of the overall project - even as a far reduced "pocket" sized MIFT.

**The B-Doubles, Semi Trailers and rigid trucks, by their thousands, merging and weaving in both directions on the M5 bridge will be the cause of failure of the Proponent's project in attaining 33% of plan, let alone the full 1.5 million TEU throughput.**

**The limited 250,000 TEU capacity will place more heavy vehicles in to the mix of the dangerous merge/weave activity.**

**That MICL, and TfNSW, make no reference to the above in the body of their submissions should be of real concern to the Commissioners.** MICL's view is that it is responsible to get trucks to the M5 junction. That all other key local intersections are soon to fail, or exacerbate existing low performance appears of no concern to them as expressed in their EIS. They seem to have no concern of adding a mere "3 to 4%" of heavy vehicle traffic into the

existing traffic congestion with a dangerous merge/weave operation. We view this as shameful.

The same can be stated for the previous SIMTA/MICL EISs.

**It is best to leave it to the experts.** The Department of Planning & Environment (D P&E) engaged Aurecon Australia Pty Ltd in 2015 to provide advice on the adequacy of the assessments and reports for the Moorebank Intermodal Company's (MIC) proposed Moorebank Intermodal Terminal (IMT), including:

1. the scope of the assessment in relation to both local, regional and cumulative impacts;
2. the validity of the underlying assumptions, modelling undertaken, and outcomes of the modelling;
3. the validity of the conclusions reached in relation to impacts
4. the validity and adequacy of proposed management and mitigation measures at a conceptual level.

**We commend the full report to PAC** - Independent Review : Aurecon  
Moorebank Intermodal Terminal - 8th October 2015 : Revision: 2 : Reference: 236935

We offer the following **extracted statements**:

- Given the network in this area is largely at congestion even without the project.
- The **most contentious ongoing issue is the traffic congestion** of the existing road network around the Intermodal Terminal, even with just background traffic growth into the future. The results of the modelling show that even without the Intermodal Terminal, many intersections will be operating at LoS E or F during peak hours at "full build", and will continue to do so even after the localised intersection adjustments proposed by MIC.
- **One of the key "benefits" of the project** - that it is close to key motorways (M5, M7, Hume Highway) which will provide convenient and economic access to large areas of Sydney - **would be significantly compromised**, and may therefore impact on the ongoing and long-term viability of the Intermodal Terminal facility.
- Subsequent to the release of the Supplementary Response to Submissions, MIC agreed to work with the State Government transport agencies, the Roads and Maritime Services (RMS) and Transport for New South Wales (TfNSW) **in developing a mesoscopic and microsimulation** transport model for the combined MIC/SIMTA Intermodal Terminal project. The intended scope of this model should be communicated publicly immediately, but at least on approval of the EIS.

**ELPA Note: This has not occurred.** And it seems Condition 12 of PAC Development Consent to MICL on 3rd June 2016 has not been met. The

published Minutes exhibit no reference to mesoscopic and microsimulation transport modelling .

- **Given the concerns about the veracity of the traffic modelling results (as discussed in Section 3.1)**, coupled with the actual results showing LoS E and F for many intersections beyond 2025 - which is only 10 years from the present - Aurecon has concerns that the traffic modelling results (impacts) and proposed mitigation measures **do not have a sound basis** on which to be considered.
- Given that the traffic impacts are a crucial impact to be considered in an environmental assessment process, this leaving over of responses **shifts the risk and responsibility of approval onto Government**. MIC is effectively asking government to "take it on faith" that the traffic issues will be satisfactorily resolved.

The body of the Aurecon report is far more informative. Aurecon, as the Independent reviewer engaged by the Dept of Planning & Environment, goes on to challenge the modelling methods and assumptions used by MICL.

The commentary within the report is most revealing of the MIFT's traffic problems. Their Conclusion is, as expected, qualified approval. The Department of Planning and Environment, in the Secretary's Environmental Report on SIMTA Intermodal Terminal Stage 1, ( Dec 2015) **very much understated the Aurecon commentary, almost to the point of misrepresenting it.**

This Aurecon report alone highlights the absence of thoroughness by the proponent and their persistence that anything beyond the Moorebank Ave works are not their concern. Yet the facts cannot be denied that the MIFT will never reach its planned levels of operations, and therefore fail to provide returns to taxpayer and shareholder - Of note, it was reported by investment commentary that Qube share value has factored in the full value of the "approved" MIFT.

D P&E seem to be happy to proceed with an early 250,000 TEU development - serviced by a \$400 million Federally funded railway link - and monitor operations at that stage. With the knowledge we have it is beyond doubt that the project will fail in its objectives.

The only course to avoid failure to attain the 1.5 million TEU throughput is the construction of new road works that must involve bridge works. Or as mentioned in previous submissions, the only sure way is to build a road to the east from Ingleburn or Macquarie Fields through the Liverpool Military Area, but this land is apparently "inalienable" for such use.

Where new works are required then the Liverpool Local Environment Plan 2008 7.36 **"Arrangements for infrastructure arising out of development of**

**Intermodal terminal at Casula and Moorebank"** : requires that Development Consent must not be granted ... unless the Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of relevant State public infrastructure in relation to that land." - **ELPA Comment:** With the process of staged development after initial approval then the process will see further expense by the State.

**It must surely be agreed that this is an absurd outcome to visit upon the public.**

#### **Concluding Comment:**

The signatory of this submission has been a resident of East Liverpool ( Chipping Norton ) for near 40 years. Over that time, of the 1000's of bus and car drives across the Liverpool Bridge, viewing the factories located on the eastern shoreline of the Georges River led him to think of the lack of imagination and appreciation of natural environments when planning for such use was permitted in earlier years. With a balanced view of life he understands the necessity sometimes of the less optimum, or even destructive, land use to occur in the national interest.; albeit limited to the economic interest. Such is Moorebank Intermodal in the view of a string of people from Corrigan, Greiner, Knowles MP \*\*, Baird, Howard, Albanese, Wong, Cormann, Truss, and ending with Corrigan again. Yet a compounding error has passed through their deeds from Corrigan and on to Corrigan again as he stands as the Chairman of Qube Holdings having sold a lemon to the public through, not the massive public assets (to be lobbied for) he saw from his recreational helicopter ( as reported ), but from what he failed to see - his Moorebank site sitting at the most northern point of the Liverpool Military Area and hence being the traffic corridor to the east and near north and near south for all suburbs south of Liverpool to Campbelltown and beyond.

**\*\* Craig Knowles** was the local member for Moorebank or adjacent areas in the State Parliament from 1990 to 2005. As NSW Minister for Infrastructure & Planning Mr. Knowles commissioned a report by the Freight Infrastructure Advisory Board ,with the Hon. Laurie Brereton as Chairman, titled Railing Port Botany's Containers. It is a much referenced document due to its recommendation of Moorebank as a "key component" of the rail freight plan. The FIAB formation and Report's commissioning occurred soon after the 2004 pick up of the site by the then Howard Government who had been seemingly approached by Mr. Corrigan. The report was published in July 2005. Two months later Mr. Knowles terminated his political career after exhausting his ambitions, and moved to retirement in the Southern Highlands.

Ironically, with his local knowledge, Mr. Knowles could have written the core reasoning of this submission at the outset. It would have saved 1000's of hours



of local people in their unpaid endeavours to have the project properly evaluated.

## **Recommendation - next page**

### **Recommendation :**

Based upon the case we have submitted and with confidence in its content of fact and argument, we offer the Commissioners a path to follow:

1: With the now evident presence of an outside person of influence who chooses not to recognise his original error in selecting Moorebank as "the site" to exploit, and with our political masters responding in either gracious agreement to his plan, or acting immaturely to counter the plan and seeing them (the ALP) squealing at his commercial triumph, then it appears no solution can be won through the process of representation as it stands.

As such we recommend to the members of the Planning Assessment Commission **to withhold consent totally** and pass the onus back to the politicians via the Ministers to decide. Let them be directly accountable, in these interesting days, for an infrastructure investment failure, which will be evident within the two years up to the next Federal and State elections.

2: It would be beneficial for PAC to advise the NSW Government to bring the planning processes into order by preparing and providing the public demonstration of how the future traffic systems in East Liverpool and beyond will be enhanced to accommodate the efficient and effective operations of a 1.5 million TEU MIFT, and at what cost to whom.

This response would have the effect of holding off "financial closure" between the Federal Government and the proponent. It would time the financing of the \$400 million Rail Link to the SSFL with the successful demonstration of traffic enhancements to manage 1.5 million TEU throughput to underpin the promise of \$9 billion national economic benefit.

The response would break the nexus of influence and diminished processes.

3: A six month interval would allow the Federal and State Governments to make good the shortcomings to date in the process. Have Infrastructure

Australia actually perform full comparative BCA's for Moorebank, Eastern Creek and Badgerys Creek, or the Newcastle Port option that is now subject to some interesting comment. At least the full costs factors of Moorebank are revealed through step 2: \* M5 Georges River Bridge upgrade for more efficient and safe operation; \* local road intersection works linking to other major routes in Liverpool; \* the Rail Link; and \* the lowering of benefit factors due to the more likely far lower throughput of Moorebank.

Finally, it would be in order for PAC to enquire of the Commonwealth Government as to whether there can ever be an east - west traffic route through the Liverpool Military Area to lessen the traffic volumes from the Moorebank traffic corridor.

**End of Submission:**

Thanking you for this opportunity to again make representation on behalf of the citizens of East Liverpool and the daily users of the Moorebank traffic corridor.

Yours faithfully,



Michael Byrne

President 0414 978 694

elpa2008@gmail.com

**Attachments:**

- 1: Original Fact Sheet
- 2: AFR Letter exchange between Byrne and James of Qube
- 3: Copy of address to PAC in February 2016



**Transport  
for NSW**

Our Ref: 00240213

The Hon Anthony Roberts MP  
Minister for Planning  
Special Minister of State  
Minister for Housing  
Member for Lane Cove  
Level 16, 52 Martin Place  
SYDNEY NSW 2000

Dear Minister

Please find attached correspondence to the former Premier, which was referred to the Minister for Roads, Maritime and Freight, from Mr Michael Byrne about the Moorebank Intermodal.

As this matter falls within your portfolio, Mr Byrne has been advised his correspondence has been forwarded to you for consideration.

Yours sincerely

*T Pearce* 16-2-17

**Tracey Pearce**

Manager, Ministerial & Government Services – Roads, Maritime and Freight  
Customer Relations & Government Services

Encl

From: NSW Premier  
Sent: 2016-12-14 16:35:02  
To: premier@nsw.gov.au  
Subject: Invite to Public Information Meeting on Traffic Solutions for Moorebank Intermodal

Submitted on Wednesday, December 14, 2016 - 16:35

Submitted by anonymous user: [108.162.215.24]

Submitted values are:

Title: Mr

First Name: Michael

Last Name: Byrne

Organisation: East Liverpool Progress Association

Phone: 0414 978 694

Email: elpa2008@gmail.com

Street address: 151 Alfred Road

Suburb: Chipping Norton

State: New South Wales

Postcode: 2170

Subject: Invite to Public Information Meeting on Traffic Solutions for Moorebank Intermodal

Type of enquiry: Message

Message:

Please find attached our submission to the Planning Assessment Commission covering the Moorebank Intermodal Freight terminal (MIFT) - SSD16-7709.

It carries a description of the passage of this major infrastructure development displaying its origins as representations by Mr. Chris Corrigan ( now of Qube Holdings), support of it from the Hon Bruce Baird in the then Howard Government, support of the Howard Government in 2004 resulting in the creation of the SIMTA site proposal, reaction by the ALP Government in 2010 in creating the MICL site and finally the agreement of the Turnbull Government to form a single integrated development at Moorebank under the management and control of Qube Holdings which in the meantime consumed Asciano's Patricks Ports in a stock market take over, leaving Mr. Corrigan as both initiator and "owner" of the entire development

I would like a response: Yes, I would like a response

I would like to receive regular updates from the NSW Government: No

End of message

[New South Wales Government](#)

[Department of Planning](#)

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[Home](#) > [Development Assessments](#) > [Major Project Assessments](#)

## **East Liverpool Progress Association, Moorebank NSW, made the following submission on the project:**

### **MIC Intermodal Terminal - Concept Proposal**

#### **Objects to this project**

Submission Response to Project SSD-5066

Moorebank Intermodal Terminal

We write to express our absolute objection to the subject proposal : reference SSD-5066

Other local submission authors with professional standing in Traffic Modelling provide the unassailable facts that this proposal cannot attain the quality of Infrastructure development the nation expects from its professional public servants and associated courts, tribunals and panels in delivering government objectives.

Attached is a document containing a quick overview of facts relating to the subject site at Moorebank. We expect this EIS process to provide specific answers as to how and at what cost to the taxpayer can the proposed project with its huge trucking demand be made to fit into the river bound East Liverpool traffic corridor servicing the existing south west of Sydney, already at congestion levels, and its growth in the next decades to include a population in housing numbers and area equivalent to Canberra.

Let us state that the entire Moorebank Intermodal proposal, from the Greiner / Corrigan SIMTA to Albanese / Wong MICL, has been one of compounding error to which we will gladly speak given the opportunity. It is a story of the opportunistic greed of captain capitalists - free access to State utilities - and of lazy sloppy socialists who relied upon the enterprise of Greiner / Corrigan to build a Business Case ( heavily redacted upon release ) to commit Commonwealth river side lands.

The Objects of this project are reasonable but can be met by other locations, such as Badgery's Creek as well argued in work done by Liverpool City Council. They are not served well when the commercial viability of a Moorebank project has been questioned by Infrastructure NSW ( 2012).

Of specific concern is the Staged Approval process as per Chapter 10.4.1 of the EIS.

Postponement until a Stage 2 development approval, the "environmental impacts associated with the construction and operation of the project", must not be supported. It will be a dereliction of duty as local knowledge highlights for all to see the obstacles ahead and that no engineering can remedy the volumes of traffic into which the 1000's of daily truck movements need to merge and then wind out to their destination. Please note that the only solution is a second traffic route east from the Campbelltown region to the east / north east. This will require alienation of existing and long used lands within the Liverpool Military Area.

Staged development approval must be rejected. This is a major infrastructure development with extensive interruption to the lives of local and regional residents, local recreational pursuits based on the Georges River and surrounds, local and regional small business

through traffic congestion.

The project is a major infrastructure development and must be fully implemented as modelled and planned to attain a positive return for the major investors. Unless it proceeds to its fullest planned intention then it is to be condemned as half baked and having been agreed to by authorities knowing it alienated environmentally sensitive river lands, dumped a 24 x 7 noise, light, diesel emitting industry within 100's of metres of existing neighbourhoods, and further choked regional traffic after having been provided with the full information that exposes the compounding errors to date since 2005.

Thank you for the opportunity to make this representation.

- Attachment: [MIFT EIS SubmissionFactSheet 4C08.pdf](#)

AFR : 4/8/16

Letters: Moorebank, renewables and China



#### **Aurizon exit from Moorebank timely**

Matthew Stevens ("Aurizon Moorebank divorce a win-win," August 3) tells only some of the story when he says the Moorebank "freight precinct ... has two unique advantages over ... any other sites in and around Sydney"; they being proximity to transport assets (funded by the taxpayer) and the expanse of flat lands for development.

A third unique feature of Moorebank is less identifiable from board rooms and cabinet rooms. Yet it is destined to have the development fail on all measures of infrastructure financial and operational success.

East Liverpool-Moorebank serves as a narrow, river-bound, bridge reliant transport corridor for the entire south-west Sydney region, the nursery region for a growing city.

The two bridges adjacent and near the Moorebank site carry almost as many daily traffic movements as the Sydney Harbour Bridge and Tunnel combined. They are near capacity already. Mr Stevens writes of freight, rail and warehousing. What of the estimated 8000 to 10,000 truck movements daily?

Contrary to his commentary, the facts of planning approval to date are that SIMTA/Qube have approval for only 250,000 TEU containers after applying for one million TEU on two occasions. Further approval is reliant on the condition "it must not exceed the capacity of the transport network".

The softly, softly approach taken by the people of East Liverpool has flowed from the soundly reasoned belief that "truth will out".

If the "we can build to fix" mentality prevails then we want to know who pays for what? to bring Qube's extension of this compounding error to a profitable outcome.

It seems Aurizon management has made a timely decision.

Michael Byrne

President, East Liverpool Progress Association

Chipping Norton, NSW



**AFR : 9/8/16**

## **Letters: Intermodal, RBA and nuclear weapons**



### **Moorebank Intermodal stirs passions**

Liverpool community activist Michael Byrne is wrong about the Moorebank intermodal terminal ("Aurizon exit from Moorebank timely" Letters, August 5).

Moorebank is recognised by all serious infrastructure experts including Infrastructure Australia as the prime location in Australia for an intermodal terminal given its size and unrivalled access to major motorway links and the dedicated Southern Sydney rail freight line. That is why successive state and Commonwealth governments have identified Moorebank as vital to serving the community's rapidly growing freight task.

The bridges Mr Byrne mentions are already carrying the freight to south-western Sydney from Port Botany. Moorebank will reduce that traffic by moving thousands of containers from road to rail.

Moorebank will use the latest environmentally sensitive technology to transform the way that community freight task is managed, take thousands of heavy trucks off Sydney's roads every day and deliver cost savings to consumers and business.

Maurice James

Managing director  
Qube Holdings

**AFR : 10/8/16**

**Qube sophistry**

Qube Holdings MD Maurice James (Letters, August 8) labels me an "activist". Activists work to an agenda, to the exclusion of unfolding facts and truth of an issue.

As "campaigners" we stay open to the process of review based on changing facts. And the facts of the proposed Moorebank Intermodal Freight Terminal (MIFT) are still unfolding.

We know there are facts on public infrastructure costs (for private profit ) not yet revealed. Yet enough is known, and supported by the sophistry of Mr James' letter, that MIFT is the consequence of compounding error attached to poor performance of politicians, public servants and business people. We fear it has attained "too big to fail" status.

A more recent revealing fact was reported in Australian Business Review. The origins of Moorebank rest directly with Chris Corrigan from 2004 when he was running Patrick.

Today, as chairman of Qube Holdings, he completes the link of compounding errors including leading business people and politicians such names as Greiner, Knowles, Brereton, Albanese, Wong, Cormann, Truss and Schott since 2004.

Mr Corrigan had every resource available to him other than local knowledge. This declares the site cannot sustain the generated heavy vehicle traffic of a major 1.5 million TEU terminal and that Moorebank is destined to be an infrastructure failure as just another small pocket freight terminal to the cost of all.

Michael Byrne

President, East Liverpool Progress Association,

Chipping Norton, NSW

# Fact Sheet

## Concerning costly constraints to the proposed Moorebank Intermodal

### **Moorebank Intermodal Freight Terminal - - a quick overview**

Note: SIMTA = 83 hectare private project : MIFT = 220 hectare government project

### **The unassailable deficiencies of East Liverpool as the location for a Road / Rail Freight Terminal.**

- Moorebank is in East Liverpool.
- East Liverpool is a flood prone area bounded on three sides by the Georges River. Bridges are fundamental to traffic movement.
- East Liverpool is at the northern end of the Liverpool Military Area ( Holsworthy) which runs to the far south joining with water catchment areas at the east of Campbelltown. There are no roads running east from the Macarthur Region due to this planning restriction.
- East Liverpool serves as the main traffic corridor to the north, east and south for the entire Macarthur Region and the City of Liverpool which are the locations of Sydney's fast growing South West Urban Growth area. The Badgery's Creek airport traffic will have to flow through it.
- The four western river crossings into East Liverpool **(14 lanes)** Glenfield causeway, M5 Bridge, Liverpool Bridge and Warwick Farm Bridge **carry daily traffic volumes that are 92% of that of the Sydney Harbour Bridge and Harbour Tunnel combined.** They carry more than the bridges that service the Sutherland Shire - **(18 lanes)** ( Tom Uglys, Taren Point, Alford's Point).
- The placement of a Freight Terminal at Moorebank is like locating one at Kirribilli with the need of trucks to merge with harbour crossing traffic for access to their Sydney south, east and southwest destinations.
- The local traffic intersections are already at or near "fail " level service status.
- The MIFT / SIMTA projects will have , **PER HOUR, 300 to 500** B Doubles, Semi Trailers, Rigid trucks and employee vehicles merging into already congested intersections. With the slowness of haulage trucks a mere **100** heavy trucks per hour will have an annoying adverse effect on the daily commuting workers and transport businesses.

- The SIIMTA / MIFT site is defined as a "flood island" according to a NSW Government Department submission on SIMTA and would require boat access upon a major flood.
- The SIMTA site is separated by 400 metres of flat lands from established neighbourhoods of families. MIFT, an extra 200 metres.
- The developments will see over 100 hectares of bitumen / concrete carrying 80+ diesel train movements, 1000's of diesel truck movements and 1000's of container loader movements. This dirty diesel, tar and cement, industrial plant operating across lands from a narrow green 80 metre barrier for the Georges River to within 400 metres of established family neighbourhoods.
- The air quality in our region is already on the lower end of the scale. Diesel is the main source of traffic generated carcinogenic Particulate Matter ( PM 2.5). This location will become more of a diesel sink, with its bad air flowing across the local area and downstream to Chipping Norton and beyond.
- The Government to date has failed to respond to these realities.
- The 2012 State Infrastructure Strategy questioned the commercial viability of short haul freight rail to/from Port Botany.
- There have been no published business case analysis of alternatives. Indeed, we cannot access the NSW Government Submission to Infrastructure Australia (2012) covering public infrastructure costs to service the SIMTA project.
- See Google Map below - The green bush country below Holsworthy is the Liverpool Military Area and joins near Campbelltown a Sydney Water Catchment Area - hence no roads to the east from Campbelltown until you reach East Liverpool.
- Contact: Michael Byrne - 0414 978 694



# EAST LIVERPOOL PROGRESS ASSOCIATION

President: Mr. M. Byrne 0414 978 694  
Secretary: Mr. M. Frew

PO Box 47  
MOOREBANK NSW 1875

14th December 2016

The Premier - NSW Government  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Premier Baird,

Please find attached our submission to the Planning Assessment Commission covering the Moorebank Intermodal Freight terminal (MIFT) - SSD16-7709.

It carries a description of the passage of this major infrastructure development displaying its origins as representations by Mr. Chris Corrigan ( now of Qube Holdings), support of it from the Hon Bruce Baird in the then Howard Government, support of the Howard Government in 2004 resulting in the creation of the SIMTA site proposal, reaction by the ALP Government in 2010 in creating the MICL site and finally the agreement of the Turnbull Government to form a single integrated development at Moorebank under the management and control of Qube Holdings which in the meantime consumed Asciano's Patricks Ports in a stock market take over, leaving Mr. Corrigan as both initiator and "owner" of the entire development.

The submission describes the compounding error from Mr. Corrigan's original observations of the site. This rests with what Mr. Corrigan did not observe but which was as easily observable as the valuable public assets he saw. It further explains how the error compounded over the years with the focus of both LNP and ALP governments being more concerned with the "who" over the "how" of the project as evidenced in the Senate Estimates Hansard records.

We encourage you to have your office peruse it.

The many MIFT planning EIS and reports are full of projections that read well but are greatly diminished as their use seems to build a case to meet an end. There is a complete absence of information responding to the physical reality local public groups have been expressing. Matters that were explicitly commented upon by Independent Reviewers, Aurecon, appointed by the Dept of Planning and Environment in 2015 in a previous EIS stage. Their explicit critical comments do not flow onto the Executive Summary by the D P&E. Aurecon's Conclusion was fit for purpose with very qualified commentary.

The latest 600+ page Environmental Impact Statement for SSD16-7709 is devoid of description and comment on how the MIFT, and indeed the normal growth traffic, will be managed in the Moorebank regional traffic corridor.

The ELPA Submission states the position of the East Liverpool Progress Association.

That is, we accept the development, in the national interest which is stated as being of \$9 billion worth over 30 years. However we oppose any approvals until the governments exhibit how the traffic systems in East Liverpool and beyond will handle the projected 12000+ daily vehicle movements on to and off from the M5 Georges River Bridge adjacent to the site, and how the 15 to 30 local Liverpool intersections will be upgraded to meet the trucking demand.

Our demand is that this major infrastructure not be a failed investment with it attaining only 50% of its 1.5 million TEU throughput to create yet another pocket intermodal with a public funded \$400 million rail link to the Southern Sydney freight line.

We need your Government to exhibit how the 16,000 daily intermodal / warehousing traffic movements (**Appendix C of Appendix M MPW Stage 2 - Traffic Generation**...WSP : Parsons Brinkerhoff) will operate in the merge / weave complexity, safely and efficiently, without major infrastructure costs on new roads and bridges that extend beyond the requirement of meeting the regional background growth.

We understand that RMS and TfNSW have modelled such events yet there has been no public presentation of it. In our view this is a key "right to know" matter.

To that end the ELPA has convened a public information meeting for Wednesday February 1st 2017.

We are requesting through your Office, as MIFT is presented as a NSW Government favoured infrastructure project, that a presentation be made by the departmental offices concerned, and if indeed possible with your self or an appointed Minister present.

Premier, the MIFT site's constraints are not a local issue. They affect an entire region and its efficient and safe road operations.

Yours faithfully,



Michael Byrne  
President 0414 978 694 elpa2008@gmail.com

PS: Please respond via email as we will be away over Christmas / New Year

There is one minute YouTube video of what Mr. Corrigan missed and is at the core of the site constraints.....

<https://youtu.be/IRQ7SRcEJDE>

# EAST LIVERPOOL PROGRESS ASSOCIATION

President: Mr. M. Byrne 0414 978 694  
Secretary: Mr. M. Frew

PO Box 47  
MOOREBANK NSW 1875

## **Public Submission EIS Response to : Project SSD16-7709 - Moorebank Intermodal Terminal - MPW Stage 2**

### **1.0 - Preliminary Comments**

The East Liverpool Progress Association has been a firmly established association of local ratepayers for over 100 years.

This is the third time at forwarding a submission in exercising our public response to an EIS for a particular project. As such, It reflects the unique structure and process of the Moorebank Intermodal Freight Terminal.

**Note: we use the abbreviation - MIFT - in this submission to cover both proponents ( SIMTA & MICL ) and all the configurations of their proposals.**

This uniqueness, we propose, was formed in its origins with a reported fly over of the site by Mr. Chris Corrigan in his recreational helicopter in the early 2000's, and, as reported in The Australian became an "obsession" for him -

**"Moorebank project has its roots in Corrigan's obsession with the potential of a strategic piece of federal government land just off the M5 freeway that stretches westward from Sydney city" - The Australian June 5th 2015.**

We argue that Mr. Corrigan's presence in the project planning has seen a corruption of process emanating from the standing of him as a hero / villain on the Australian political stage at all levels. There is no fault of Mr. Corrigan in this, as he is simply a businessman going about his business within the law.

Corrigan's historical play in the breaking of trade union power on the wharfs in 1998 sees the hero / villain status held of him by the Liberal Party and the Labor Party respectively. Both Parties have adopted unsound positions when dealing with his commercial interests when either in Government or Opposition. Unsound, in that the question was of "who" rather than the "what, why and how" in studying a major infrastructure development as is MIFT. Where the public would expect the presence of public accessible comparative benefit-cost analysis we saw **"desk top checks"** by Infrastructure Australia of alternative sites in western Sydney. Where one would expect the Senate Estimates process be used to drill down on such a major national interest project to ensure it is truly viable, and the best value of all alternatives, it became a slanging tirade at times by friends and foes of Mr. Corrigan.



The Senate Estimates of May 24th 2012 and May 26th 2014 are most revealing.

In 2012, with Labor in government, Senator Cormann was challenging the Labor Government for initiating a government run MIFT ( MICTL) with Senator Wong challenging him on "whose interests" is he representing.?

\*\*\*\*\* **Senate Estimates Hansard Extracts - 24/5/2012 - ALP Gov.**

Senator CORMANN: The advice that I have got from the responsible shadow minister is that the—

**Senator Wong:** Which is from the proponent in whose commercial interests it would be?

Senator CORMANN: The advice that I have got, Minister—

Senator Wong: I think you should be upfront with the public. If you are coming in here and advocating a private sector proposal because of those commercial interests, it is fine for you to do that but I think you should be upfront about it.

**Senator CORMANN:** Minister, I am not pushing a private sector proposal: I am pushing for value for money for the taxpayer—

**Senator Wong:** And so are we.

\*\*\*\*\* **End of Extract**

In 2014, with the LNP in government, Senator Dastyari mentioned Mr. Corrigan's name 18 times in pursuing "who owns what" concerning MIFT. The following extracts provide for our claim that the process became corrupted with the intent of Corrigan's friends and enemies reigning over the pursuit for the best outcome for a major infrastructure investment. Labor, in Albanese MP and Senator Wong, betrayed their Party's loyal voters in south western Sydney in their desire for a stoush with a Labor enemy. Rather than use the facts of the fatal flaws in the original SIMTA proposition they, as Government Ministers, took Mr. Corrigan's business plan as credible and workable in order to gazump him with a far larger site to meet the same objective. How pathetic, and embarrassing, it must be today with Mr. Corrigan sitting atop the pile.

Hereunder Labor pursues the obvious. How perverse that the bipartisan position ( establishing MIFT ) quoted by Senator Dastyari turns on the superficial dialectic of hero and villain.

\*\*\*\*\* **Senate Estimates Hansard Extracts - 26/5/2014 - LNP Gov.**

Senator DASTYARI: The proposal is bipartisan. No-one is opposed to the proposal.

Senator CONROY: It is actually not bipartisan for Chris Corrigan to be given a monopoly, and expand his wealth. That is absolutely not bipartisan.

CHAIR: With your indulgence, Senator Conroy., pausing there for a second. So, what you are proposing is that this is a corrupt deal?

Senator CONROY: We are investigating what is going on.

Senator DASTYARI: I want to get to the bottom of the arrangement that came to this.

Senator STERLE: It is a bit sus, Chair.

Senator DASTYARI: I think it is a bit more than a bit sus, Chair.

\*\*\*\*\* **End of Extract**

\*\*\*\*\* **Senate Estimates Hansard Extracts - 26/5/2014 - LNP Gov.**

Senator DASTYARI: So, you are saying that while obviously people from your department have met with Qube—and I understand they are a big company and there would be reasons to meet with them—are you aware of any other meetings with Qube and Mr Corrigan and the minister?

Mr Mrdak : I am not aware of any such meetings or discussions.

Senator DASTYARI: Is anyone aware of any meetings?

CHAIR: Minister, can you take that on notice?

Senator Colbeck: Yes.

Senator DASTYARI: Is anyone in the department aware of meetings that have happened with Mr Corrigan and the minister?

Mr Jaggars : I am not aware.

Senator DASTYARI: Are you aware of any meetings with Mr Corrigan and the Prime Minister?

Ms O'Connell : I am not aware.

Mr Mrdak : I am not aware.

CHAIR: Cube still lives in Switzerland.

Senator DASTYARI: Are you aware that according to the donor to political party disclosure returns, the last one that was publically available, that Mr Corrigan's company, Qube, was one of the largest donors to Liberal Party?  
Mr Mrdak : I am not aware of that.

\*\*\*\*\* **End of Extract**

Further extracts exhibit a statement that it was Mr. Bruce Baird MP who recommended to the Howard Government the Moorebank Site in 2004.

\*\*\*\*\* **Senate Estimates Hansard Extracts - 24/5/2012 - ALP Gov.**

**Senator THISTLETHWAITE:** And what was the process that was undertaken by the Howard government to identify that site as appropriate?

**Mr Renwick :** This is just from my recollection: there was a report, I think by Mr Baird, which identified it as a Site.

**Senator THISTLETHWAITE:** Bruce Baird, that is? **Mr Renwick :** I believe so. It has been identified as the perfect site for an IMT since then.

\*\*\*\*\* **End of Extract**

If the above is correct then it is not known who advised ( lobbied?) Mr Bruce Baird on the use of Moorebank as a freight terminal. He was not the local member. Mr. Baird's son is the current Premier of NSW who, it seems, has graced the development with compliant public servants seemingly working to order. We understand some TfNSW staff associated with traffic modelling have felt the wrath of non-compliance.

The purpose of these Extracts is to exhibit the processes of review that were played out on Moorebank in the Senate. An attempt was made by the ELPA and Mr. Paul van den Bos to have Senator Leyonhjelm place questions on the project with the Senate. The Senator, upon understanding that both major political parties were supportive of the project, questioned at why he should engage in a futile exercise and refused, "as he had so much to do with his own Party's agenda".

A single voice has been heard in the Parliament. That of Mr Craig Kelly MP who as a lone soldier in the House of Representatives has called to question the project with all the force of a single MP given free reign in the liberal tradition.

## **2.0 General Comments**

One advantage of the multiple Proposals / EIS is the opportunity to address the veracity of facts and soundness of reasoning reflected in previous decisions covering MIFT.

A further advantage is that with the passage of time more facts arise to give understanding of the dynamics that lay behind the decision making by the authorities in response to political masters, and, of how error in fact and process can persist through the iterations of planning process. This enhanced understanding provides the public "outsiders" further loss of faith in the democratic process. This is particularly the case where the proponents and the Transport for NSW ( TfNSW) refuse to acknowledge the flaw in the original proposal to locate a heavy haulage freight terminal within a river bound, bridge reliant, flood prone, traffic corridor that is already near congestion levels and is expected to serve a region of Greater Sydney that is yet to grow by another 300,000 people in the coming 15 to 20 years.

## **2.1 Our Support, with proviso:**

At this stage, the ELPA reminds PAC that we support the development if it can be demonstrated how the local traffic systems will support the 1.5 million TEU throughput, and who funds the solution. We hold that construction works required will place so much extra cost into the Benefit-Cost Ratio to make it far from acceptable for public tax payer investment.

This is why we require far better and immediate responses from the NSW Government Departments, the Proponents and the Federal Government to the requests of the public for recognition of the traffic problems and of the new road / bridge infrastructure costs to be incurred to meet the demands of the mix of 10,000 intermodal ( IMEX / Warehouse ops ) vehicles into the daily traffic passing through the Moorebank Corridor.

## **2.2 Dirty Industrial Use :**

The ELPA reminds PAC that the core MIFT development is for a dirty industrial use; Hectares of hard covering and tyre residue - Diesel emission from train, trucks and container movers - Continual noisy electronic reverse warning sounds - 21 metre light poles - Container gantries and ground vehicles moving metal containers - Noisy stacking and un-stacking of empty heavy metal containers. All of this is located between existing residential neighbourhoods and flat terrain scrub to the East and the riparian areas of the Georges River. It is no place for another "pocket" IMT development of 250 - 500 TEU throughput as MIFT, we argue, is destined if approved in any configuration.

## **2.3 A Business Indicator?**

Of interest is that the Proponents (MICL) applied to, and attained, listing on the Infrastructure Australia Priority List. The purpose of this action was to attain "access to the Infrastructure Tax Loss Incentive and to highlight the improvements required to local arterial roads to support the terminal." ( IA 2014-15 Assessment Brief). The Infrastructure Tax Loss Incentive provides for a more amenable exit allowing losses to be retained with the site ownership, as we understand it.

\*\*\*\*\*

<http://infrastructureaustralia.gov.au/projects/tax-loss-incentive.aspx>

### **Tax Loss Incentive**

The tax loss incentive was introduced in 2013 to encourage private investment in nationally significant infrastructure. The incentive works by removing two key impediments in the tax system, allowing eligible entities to benefit from:

- Uplifting the value of carry forward losses by the 10 year Government bond rate; and
- Exempting the carry forward losses and bad debt deductions from the continuity of ownership and the same business tests.

To receive the tax loss incentive, applications must first be made to the Chief Executive Officer of Infrastructure Australia for designated infrastructure project status.

\*\*\*\*\*

## **2.4 Sophistry at work:**

In his response to our correspondence to Mr. Corrigan the "re-lisitng" was expressed as an achievement of attaining recognition by IA; there was no reference to the Tax Loss Incentive. Such is the sophistry coming from Qube and MICL in their endeavours to counter the facts placed before them. It seems their sole task is get the planning approval to their latest configuration while hanging on to what they have got so far. The status of "planning approvals gained" have been quoted in QUBE Holdings publications supporting their various stock market takeover plays and debt funding promotions. We understand from published stock market analysis that the Qube share price is valued to include the full 1.5 mill TEU development at Moorebank.

Further sophistic comments were offered by the Mr Maurice James. MD of Qube Holdings in a published letter in the Australian Finance Review (9/8/16) responding to an AFR letter by the signatory to this submission. (see attached copy). Mr. James again referred to taking trucks off the M5 referred to in **S1** below. As well, to past governments recognising Moorebank for its attributes discussed in **G4** below.

## **3.0 Rebuttal of PACs "Commission Consideration" dated 3rd June 2016**

As an initial comment we commend PAC for introducing the condition that the project approved does not "exceed the capacity of the transport network with, or without, mitigation measures/upgrades". We received this as a recognition by PAC of the credible and argued facts covering Transport / Traffic issues in the public submissions and Hearings to date.

### **There are several matters open to challenge in PAC's consideration.**

One is the reliability PAC places on the TfNSW. Its work has been challenged directly by independent reviewers engaged by the Department of Planning and Environment ( D P&E) . There is a litany of inconsistencies provided by the department since the earliest of applications for planning approvals from SIMTA. We understand personnel have been sidelined for not producing the product required. This adds to our concern of the project being a top down initiative with minds made up already and not open to the reality of facts and argument that may counter the interests concerned.

### 3.1 General Points:

Note: From here we refer to the professional works by Paul and Narelle van den Bos (**vdB**) covering the deep analysis of the site's traffic restraints and general freight industry demands. We recommend that PAC review fully the work of **vdB**.

**G1:** The urgency of the project is overstated. Statistics (**vdB**) show the demand of port freight transport is below the lower projections by State and Industry authorities. Urgency and scarcity are no longer a factor.

**G2:** Alternative sites at Badgery's Creek and Eastern Creek are green field developments, and expansive for good planning. Infrastructure Australia has had the identification of a Rail Corridor to Eastern Creek on its Priority List as a High Priority for several years.

**G3:** Moorebank is a circumference site, not a hub site for efficient distribution. The suburb to its east is Milperra which registers on the web site of Intermodal Logistics Centre - Enfield as a circumference delivery location.

Port Botany is in a geographical corner owing to 270 degrees of sea water around it. The question remains as why locate Moorebank in a geographical corner that is reliant upon bridges and surrounded by existing traffic congestion along routes to delivery points?

**G4:** The Moorebank site's attributes - availability, topography, and access transport infrastructure with its proximity to M5, M7, and SSFL - are fine to initiate a study of an option. These are referenced by all, and acknowledged by all, including the locals. However, we are armed with local knowledge to put light on the limits of the attributes to deliver a successful IMT operation.

Ignorance is no defence in any investment decision.

**G5:** It is stated that MIFT will return \$9 billion economic benefits to the nation. The largest component of benefit is the removal of traffic congestion from around and beyond Port Botany. Presumably to free up more road for heavy truck transport from that location regardless of the expanded short haul rail operations.

**MIFT is merely relocating the traffic congestion.** In modern Australia there is no place for infrastructure development that has the seeds of stunted growth sown from the outset.

The independent reviewer of the SIMTA Stage 1 EIS makes this point, but it never surfaced in the EIS summary of it.

**G6::** There are no accessible "studies" ( Business Case, Benefit Cost Ratio analysis of Moorebank and comparable sites. ) This is confirmed in the Senate Estimates Hansard.

\*\*\*\*\* **Senate Estimates Hansard Extracts - 24/5/2012 - ALP Gov.**

Ms Mason : Greenhill Caliburn conducted a peer review of the detailed business case and that confirmed that this site was the best site. ( MICL )

Senator CORMANN: But that was a business case focused on one site—or did you evaluate different sites?

Ms Mason : We evaluated different options for delivering the government's policy.

Senator CORMANN: Did you evaluate different sites or did you only evaluate one site?

Mr Renwick : We were asked to evaluate, or do a feasibility study for, the site in Moorebank. In undertaking that, **we did a desktop review of other sites** which had been identified as potential sites—such as Eastern Creek, Badgerys Creek and a few others.

Senator CORMANN: Sorry: did you assess different sites?

Mr Renwick : We did not go into a detailed assessment as we did on the Moorebank site but we did have a look at the work that had previously been done on those sites.

\*\*\*\*\* **End of Extract**

**G7:** It is difficult to think other that the MICL site ( MPW) was taken up by the Labor Government in 2010 to be in opposition to the committed Corrigan interests across the road.

At alternate times of Government we had the LNP support a valid opportunity knock from a Party hero, and then, with the ALP in Government, it assuming a business case (Corrigan's presence confirms there would have been one) to initiate a commercial project, far larger and in opposition to an old villain as they see Corrigan. With the return to Government by the LNP, we see all eyes on the inevitable integrated operation.

More recent history has seen Mr. Corrigan's Qube consume its main competitor, Asciano, and pick the bones for Patricks and several other pocket IMTs in the Sydney mix.

**G8:** Some observations PAC may pursue are:

- that the site models appear to have the rail operations packed in with very tight turning at the southern end towards the sidings.
- The lack of integration across Moorebank Avenue. From rail to warehouse. There are published maps from MICL that exhibit Moorebank Avenue

being re-routed to the east boundary of the industrial area. At what cost to the remaining amenity of nearby residential neighbourhoods, and who pays for the land and construction?

**We have here delivered the scenario of where government failure occurs.**

The public interest, and the processes to enhance and protect it, play second fiddle to those of political / corporate / industrial - friend and foe.

### **3.2 Rebuttal and Comment on Specific Points of PAC Commissioner's Consideration - 3rd June 2016**

**S1:** "MIC estimates that 5522 heavy vehicles per day as a result of the proposal and 3000 heavy vehicles per day would be removed from a section of the M5 motorway between Moorebank Avenue and Port Botany. "

This carries the longest surviving misrepresentation. It has been carried by Ministers of the day, from Albanese to Truss., from Qube's CEO to MICL publicists, and anyone from the side line to justify the case. Minister Albanese was the first to use the falsity of "3200" heavy vehicles travelling from Port Botany to Moorebank and beyond on the M5 Motorway. **It is a falsehood and one recognised and admitted to by the Chair of MICL Dr Schott in an email to vdB stating it is in error.** The original calculation was 1.2 mill TEU / 365 = 3267 .. And yet it is still used by MICL. There are no statistics or other references to give this claim any foundation. So the bulk of the admitted 5522 heavy vehicle daily traffic is new traffic to the Moorebank M5 Bridge.

**S2:** "The Commission notes that MIC is continuing to consult with TfNSW and RMS regarding the proposed mitigation measures and delivery timing."

Our observation is that TfNSW is acting to instruction from political masters and is failing in its responsibilities.

MICL insist on limiting its traffic studies to Moorebank Avenue and its junction with the M5 Motorway. **The M5 Georges River Bridge is the link out of the corner located MIFT to the wider west.** Yet its problematic current traffic counts and performance, and its status as a Traffic Black Spot with a worsening danger factor, **(vdB)** should be ringing alarm bells.

The length of Moorebank Avenue itself is a Traffic Blackspot as well.

The most dangerous, and insurmountable effect / efficiency problem, is the **weave / merge operations on the M5 Georges River Bridge.** This bridge and the nearby 4 lane bridge at Liverpool CBD and the 2 x Warwick Farm Bridges carries more daily traffic than all bridges that serve the Sutherland Shire ( Taren Point, Tom Uglys and Alford's Point) and 80-90% of all Harbour Tunnel and Bridge traffic. The M5 bridge alone carries 80%-90% of this traffic.



The M5 GR Bridge is the only component of the M5 Motorway complex between King Georges Road and Prestons that did not have widening works performed in the recent M5 upgrades. The M5 GR bridge carries 3 lanes in each direction, with a 4th lane used for the ingress and egress of traffic across its span. **Traffic is travelling at 80 to 100 kph.** Vehicles on the eastern side of the bridge heading west **are merging from Moorebank Ave into the same lane from which cars are weaving to exit to the Hume Highway** on the western side.

This is all occurring along the span of the bridge, say 200 metres.

The same occurs for the opposite direction. Merging and weaving are dangerous driving exercises at the best of times. Yet it is here that the proponents plan to have their trucking services enter and exit the M5 - by the thousand per day.

This merge/weave action at this point causes loss of speed by a factor of 50%+ of the M5 Motorway in afternoon peaks to as far back as Revesby.

PAC may well ask of TfNSW their plan to avoid this from worsening.

**There is not a mention of this activity in the 500+ page EIS.**

The word "merge" is not present. The word "weave" appears once on Page 133 under the Consultation / Traffic / Transport / Access heading - "It was recognised within the assessment that the increased congestion and **inadequate weave distance** associated with M5 Motorway would require more sophisticated traffic modelling..".

Its context saw it reduced to a "safety" issue. Which it certainly is. Yet it is fundamental to the traffic operations of the overall project - even as a far reduced "pocket" sized MIFT.

**The B-Doubles, Semi Trailers and rigid trucks, by their thousands, merging and weaving in both directions on the M5 bridge will be the cause of failure of the Proponent's project in attaining 33% of plan, let alone the full 1.5 million TEU throughput.**

**The limited 250,000 TEU capacity will place more heavy vehicles in to the mix of the dangerous merge/weave activity.**

**That MICL, and TfNSW, make no reference to the above in the body of their submissions should be of real concern to the Commissioners.** MICL's view is that it is responsible to get trucks to the M5 junction. That all other key local intersections are soon to fail, or exacerbate existing low performance appears of no concern to them as expressed in their EIS. They seem to have no concern of adding a mere "3 to 4%" of heavy vehicle traffic into the

existing traffic congestion with a dangerous merge/weave operation. We view this as shameful.

The same can be stated for the previous SIMTA/MICL EISs.

**It is best to leave it to the experts.** The Department of Planning & Environment (D P&E) engaged Aurecon Australia Pty Ltd in 2015 to provide advice on the adequacy of the assessments and reports for the Moorebank Intermodal Company's (MIC) proposed Moorebank Intermodal Terminal (IMT), including:

1. the scope of the assessment in relation to both local, regional and cumulative impacts;
2. the validity of the underlying assumptions, modelling undertaken, and outcomes of the modelling;
3. the validity of the conclusions reached in relation to impacts
4. the validity and adequacy of proposed management and mitigation measures at a conceptual level.

**We commend the full report to PAC** - Independent Review : Aurecon  
Moorebank Intermodal Terminal - 8th October 2015 : Revision: 2 : Reference: 236935

We offer the following **extracted statements**:

- Given the network in this area is largely at congestion even without the project.
- The **most contentious ongoing issue is the traffic congestion** of the existing road network around the Intermodal Terminal, even with just background traffic growth into the future. The results of the modelling show that even without the Intermodal Terminal, many intersections will be operating at LoS E or F during peak hours at "full build", and will continue to do so even after the localised intersection adjustments proposed by MIC.
- **One of the key "benefits" of the project** - that it is close to key motorways (M5, M7, Hume Highway) which will provide convenient and economic access to large areas of Sydney - **would be significantly compromised**, and may therefore impact on the ongoing and long-term viability of the Intermodal Terminal facility.
- Subsequent to the release of the Supplementary Response to Submissions, MIC agreed to work with the State Government transport agencies, the Roads and Maritime Services (RMS) and Transport for New South Wales (TfNSW) **in developing a mesoscopic and microsimulation** transport model for the combined MIC/SIMTA Intermodal Terminal project. The intended scope of this model should be communicated publicly immediately, but at least on approval of the EIS.

**ELPA Note: This has not occurred.** And it seems Condition 12 of PAC Development Consent to MICL on 3rd June 2016 has not been met. The

published Minutes exhibit no reference to mesoscopic and microsimulation transport modelling .

- **Given the concerns about the veracity of the traffic modelling results (as discussed in Section 3.1),** coupled with the actual results showing LoS E and F for many intersections beyond 2025 - which is only 10 years from the present - Aurecon has concerns that the traffic modelling results (impacts) and proposed mitigation measures **do not have a sound basis** on which to be considered.
- Given that the traffic impacts are a crucial impact to be considered in an environmental assessment process, this leaving over of responses **shifts the risk and responsibility of approval onto Government**. MIC is effectively asking government to "take it on faith" that the traffic issues will be satisfactorily resolved.

The body of the Aurecon report is far more informative. Aurecon, as the Independent reviewer engaged by the Dept of Planning & Environment, goes on to challenge the modelling methods and assumptions used by MICL.

The commentary within the report is most revealing of the MIFT's traffic problems. Their Conclusion is, as expected, qualified approval. The Department of Planning and Environment, in the Secretary's Environmental Report on SIMTA Intermodal Terminal Stage 1, ( Dec 2015) **very much understated the Aurecon commentary, almost to the point of misrepresenting it.**

This Aurecon report alone highlights the absence of thoroughness by the proponent and their persistence that anything beyond the Moorebank Ave works are not their concern. Yet the facts cannot be denied that the MIFT will never reach its planned levels of operations, and therefore fail to provide returns to taxpayer and shareholder - Of note, it was reported by investment commentary that Qube share value has factored in the full value of the "approved" MIFT.

D P&E seem to be happy to proceed with an early 250,000 TEU development - serviced by a \$400 million Federally funded railway link - and monitor operations at that stage. With the knowledge we have it is beyond doubt that the project will fail in its objectives.

The only course to avoid failure to attain the 1.5 million TEU throughput is the construction of new road works that must involve bridge works. Or as mentioned in previous submissions, the only sure way is to build a road to the east from Ingleburn or Macquarie Fields through the Liverpool Military Area, but this land is apparently "inalienable" for such use.

Where new works are required then the Liverpool Local Environment Plan 2008 7.36 **"Arrangements for infrastructure arising out of development of**

**Intermodal terminal at Casula and Moorebank"** : requires that Development Consent must not be granted ... unless the Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of relevant State public infrastructure in relation to that land." - **ELPA Comment:** With the process of staged development after initial approval then the process will see further expense by the State.

**It must surely be agreed that this is an absurd outcome to visit upon the public.**

#### **Concluding Comment:**

The signatory of this submission has been a resident of East Liverpool ( Chipping Norton ) for near 40 years. Over that time, of the 1000's of bus and car drives across the Liverpool Bridge, viewing the factories located on the eastern shoreline of the Georges River led him to think of the lack of imagination and appreciation of natural environments when planning for such use was permitted in earlier years. With a balanced view of life he understands the necessity sometimes of the less optimum, or even destructive, land use to occur in the national interest.; albeit limited to the economic interest. Such is Moorebank Intermodal in the view of a string of people from Corrigan, Greiner, Knowles MP \*\*, Baird, Howard, Albanese, Wong, Cormann, Truss, and ending with Corrigan again. Yet a compounding error has passed through their deeds from Corrigan and on to Corrigan again as he stands as the Chairman of Qube Holdings having sold a lemon to the public through, not the massive public assets (to be lobbied for) he saw from his recreational helicopter ( as reported ), but from what he failed to see - his Moorebank site sitting at the most northern point of the Liverpool Military Area and hence being the traffic corridor to the east and near north and near south for all suburbs south of Liverpool to Campbelltown and beyond.

**\*\* Craig Knowles** was the local member for Moorebank or adjacent areas in the State Parliament from 1990 to 2005. As NSW Minister for Infrastructure & Planning Mr. Knowles commissioned a report by the Freight Infrastructure Advisory Board ,with the Hon. Laurie Brereton as Chairman, titled Railing Port Botany's Containers. It is a much referenced document due to its recommendation of Moorebank as a "key component" of the rail freight plan. The FIAB formation and Report's commissioning occurred soon after the 2004 pick up of the site by the then Howard Government who had been seemingly approached by Mr. Corrigan. The report was published in July 2005. Two months later Mr. Knowles terminated his political career after exhausting his ambitions, and moved to retirement in the Southern Highlands.

Ironically, with his local knowledge, Mr. Knowles could have written the core reasoning of this submission at the outset. It would have saved 1000's of hours

of local people in their unpaid endeavours to have the project properly evaluated.

## **Recommendation - next page**

### **Recommendation :**

Based upon the case we have submitted and with confidence in its content of fact and argument, we offer the Commissioners a path to follow:

1: With the now evident presence of an outside person of influence who chooses not to recognise his original error in selecting Moorebank as "the site" to exploit, and with our political masters responding in either gracious agreement to his plan, or acting immaturely to counter the plan and seeing them (the ALP) squealing at his commercial triumph, then it appears no solution can be won through the process of representation as it stands.

As such we recommend to the members of the Planning Assessment Commission **to withhold consent totally** and pass the onus back to the politicians via the Ministers to decide. Let them be directly accountable, in these interesting days, for an infrastructure investment failure, which will be evident within the two years up to the next Federal and State elections.

2: It would be beneficial for PAC to advise the NSW Government to bring the planning processes into order by preparing and providing the public demonstration of how the future traffic systems in East Liverpool and beyond will be enhanced to accommodate the efficient and effective operations of a 1.5 million TEU MIFT, and at what cost to whom.

This response would have the effect of holding off "financial closure" between the Federal Government and the proponent. It would time the financing of the \$400 million Rail Link to the SSFL with the successful demonstration of traffic enhancements to manage 1.5 million TEU throughput to underpin the promise of \$9 billion national economic benefit.

The response would break the nexus of influence and diminished processes.

3: A six month interval would allow the Federal and State Governments to make good the shortcomings to date in the process. Have Infrastructure

Australia actually perform full comparative BCA's for Moorebank, Eastern Creek and Badgerys Creek, or the Newcastle Port option that is now subject to some interesting comment. At least the full costs factors of Moorebank are revealed through step 2: \* M5 Georges River Bridge upgrade for more efficient and safe operation; \* local road intersection works linking to other major routes in Liverpool; \* the Rail Link; and \* the lowering of benefit factors due to the more likely far lower throughput of Moorebank.

Finally, it would be in order for PAC to enquire of the Commonwealth Government as to whether there can ever be an east - west traffic route through the Liverpool Military Area to lessen the traffic volumes from the Moorebank traffic corridor.

**End of Submission:**

Thanking you for this opportunity to again make representation on behalf of the citizens of East Liverpool and the daily users of the Moorebank traffic corridor.

Yours faithfully,



Michael Byrne

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**Attachments:**

- 1: Original Fact Sheet
- 2: AFR Letter exchange between Byrne and James of Qube
- 3: Copy of address to PAC in February 2016