LIVERPOOL CITY COUNCIL

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Contact: Charles Wiafe
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**Re: Council's comments on Proposed Moorebank Avenue Realignment (SSI-10053)**

Dear Mr Blackmore,

Thank you for the opportunity to comment on the Environmental Impact Statement (EIS) for the proposed Moorebank Avenue Realignment to bypass the Moorebank Logistics Park (MLP) to the east (Project).

Council notes that the Project involves realignment and upgrade of the section of Moorebank Avenue approximately 130m south of the Anzac Road/Moorebank Avenue intersection to the bridge over the East Hills railway and is being assessed under Environmental Planning and Assessment Act 1979 (EP&A Act) and Federal Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Council also notes that the Project is one of following two Moorebank Avenue upgrade options specified in the Planning Agreement between Transport for NSW (TfNSW) and Qube Holdings Pty Ltd, to accommodate the expected additional traffic from the Moorebank Intermodal Precinct West (MPW) development:

- Option 1 – Realignment to the east of The Project site; or
- Option 2 – Road upgrade to a four-lane road from south of the entrance to MPE freight terminal to a point approximately 120m south of the MPE site, (along the existing road alignment).

Council appreciates that Moorebank Avenue in its current configuration, acts as a barrier to east-west movements within the MLP and restricts operational efficiency of the precinct.

Hence, the realignment is proposed to enable more efficient, and direct travel route for haulage vehicles between the railway yard and terminals, and facilitate future automation of the precinct (including the use of the most efficient modes of transport for a given task).

However, Council is concerned that the project would result in significant impacts including the following:

- Biodiversity impacts - Clearing of areas of significant native vegetation, high-quality threatened species habitat and threatened ecological communities (TECs), disturbance of waterway beds and banks and riparian vegetation; habitat fragmentation and increased fauna vehicle strikes.

- Traffic impacts - Increased travel distance of approximately 1km and travel time of up to 60% for through traffic including bus services, at the existing 60km/hr sign posted speed limit., with no demonstrated analysis on how the project would integrate with the TfNSW proposed Cambridge Avenue Upgrade and Moorebank Avenue Upgrade, north to the M5 Motorway.

- Construction noise and vibration impacts - Construction noise levels could exceed the relevant Interim Construction Noise Guideline at residential properties in the western boundary of Wattle Grove (to the east of the proposed road corridor works), whilst details of mitigation measures are not outlined.

- Road noise impacts - Increased road traffic noise levels at residential areas (to the east of the project), in the western boundary of Wattle Grove, whilst no noise mitigation measures are proposed.

In addition, Council considers that the local community in Wattle Grove that would be affected by the project has been not adequately consulted about possible impacts and mitigation measures to minimise the expected impacts.

Please find attached details of Council's submission on the above concerns/impacts as well as water quality, air quality, environmental and flooding impacts, with recommendations. Council requests these concerns/impacts should be taken into consideration in the determination of the project.

Council considers that if the above concerns/impacts cannot be adequately addressed to minimise these impacts, further consideration should be given to upgrading Moorebank Avenue along its current alignment with modifications to permit integration between the MPE and MPW precincts.

Should you require any further information on this matter, please contact me via email wiafec@liverpool.nsw.gov.au.

Yours sincerely,

Charles Wiafe
**Acting Manager Planning and Transport Strategy**

**Attachment**

## Background

Council notes that the Project involves the realignment and construction of approximately 3km of a new road to bypass the Moorebank Logistics Park (MLP) to the east, between 130m south of the Anzac Road/Moorebank Avenue intersection to the bridge over the East Hills railway.

Council notes that the Project is one of following two Moorebank Avenue upgrade options specified in the Planning Agreement between Transport for NSW (TfNSW) and Qube Holdings Pty Ltd, to accommodate the expected additional traffic from the Moorebank Intermodal Precinct West (MPW) development:

- Option 1 – Realignment to the east of The Project site; or
- Option 2 – Road upgrade to a four-lane road from south of the entrance to MPE freight terminal to a point approximately 120m south of the MPE site, (along the existing road alignment).

## Project Justification

Council appreciates the information outlined in the EIS indicates that Moorebank Avenue currently acts as a barrier to east-west movements within the MLP and that the realignment will achieve the following benefits:

- Enable shorter, more efficient, and direct travel route for haulage vehicles between the railway yard and terminals.
- Facilitate a direct access between MPE and MPW and contribute to achievement of precinct targets.
- Facilitate future automation of the precinct (including the use of the most efficient modes of transport for a given task); and
- Enhance access arrangements between the MLP and Moorebank Avenue by separating public through traffic and haulage vehicles between MPE and MPW, and minimise traffic conflicts between through traffic and traffic generated by the MLP.

## Biodiversity Impacts

Council is concerned the Project would require clearing of areas of significant native vegetation, high-quality threatened species habitat and threatened ecological communities (TECs), disturbance of waterway beds and banks and riparian vegetation; could result is habitat fragmentation and increased fauna vehicle strikes.

The project could also affect known and potential habitats for a range of additional threatened species and ecological communities including the following:

- Broad-leaved Ironbark - Grey Box - Melaleuca decora grassy open forest on clay/gravel soils of the Cumberland Plain, Sydney Basin Bioregion).

- Broadleaved Ironbark – Melaleuca decora shrubby open forest on clay soils of the Cumberland Plain, Sydney Basin Bioregion).

- Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin Bioregion description).

- Parramatta Red Gum woodland on moist alluvium of the Cumberland Plain, Sydney Basin Bioregion).

These impacts would trigger an offset obligation in accordance with the Biodiversity Assessment Method.

In addition, the Project would have a potential significant impact on matters of national environmental significance protected under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), including the Castlereagh Scribbly Gum and Agnes Banks Woodlands of the Sydney Basin Bioregion EEC, Thick Lip Spider Orchid, Woronara Beard-heath and Koala.

In addition, to the above impacts, the EIS (section 3.3) only discusses the Project as it relates to Region and District Plans but has no detailed information on other pertinent considerations such as bushland and biodiversity protections.

Figure 7.1 of the EIS (plant community type and vegetation zone mapping within the proposed Moorebank Avenue realignment) only includes vegetation within the indirect impact area buffer and land adjacent to the project site.

<u>Recommendations</u>

- Option to minimise the identified biodiversity impacts including offsets in accordance with the Biodiversity Assessment Method, should be addressed as part of the assessment and determination.

  If the biodiversity impacts, cannot be addressed, further consideration should be given to upgrading of the existing road (Option 2) would cause less impacts than the proposed realignment (Option 1), to ensure that the route selection is based on an appropriately balanced assessment of options.

- The EIS is to addresses pertinent strategic planning and policy documents in greater detail, including but not limited to the Region Plan and District Plan, other pertinent considerations such as the protection of bushland and biodiversity.

- Figure 7.1 of the EIS (plant community type and vegetation zone mapping within the proposed Moorebank Avenue realignment) is to be revised to include the vegetation within the construction footprint.

- Mitigation measure BIO29 is to be clarified regarding the period the 40km/h speed limit is intended to cover.

**Biodiversity Development Assessment Report [BDAR] (Appendix B of the EIS)**

The EIS states that Hibbertia fumana (and its habitat), is not within the direct and indirect impacted areas. Figure 6.2 (existing threatened species records from previous ecological

surveys) within the BDAR includes the location of this species, but some occurrences may be obscured by the vast number of other threatened species records at this location.

Recommendations

- The location of Hibbertia fumana (and its habitat) in relation to the proposed works needs to be clarified, and distance from the expected extent of impacts quantified.

- Due to the density of threatened species records at this location, it would be more effective to present the distribution map for this species as a separate map.

- Further, given that the 20m buffer used to consider the extent of indirect impacts appears to be based on weed cover changes sourced from Snowy 2.0 exploratory works (and therefore of unknown applicability for the current project), if this species is in close proximity to this boundary, it is recommended that a precautionary approach is taken when considering potential impacts.

- Consideration of potential hydrological impacts is generally restricted to impacts on Anzac Creek, groundwater, and catchment scale issues. It is recommended that additional hydrological impacts, such as the potential diversion of surface water flows and localised ponding due to impervious surfaces and contour changes (e.g. by batters and retaining walls) are considered further.

Table J.6 (significant impact criteria assessment – vulnerable mammals) assumes that no important populations of Koalas are present. Justification for this assumption should be included, or pertinent criteria should be further addressed.

**Bushfire Risk**

The proposed realigned road corridor is partially mapped as Bushfire Prone Land (Vegetation Category 1 and Buffer) on Council's Bushfire Prone Land Map.

The EIS indicates that a Bushfire Management Plan would be prepared post-approval. This could result in the identification of measures such as asset protection zones and access provisions, that are not considered by the EIS Biodiversity Development Assessment Report.

Recommendation

- To address this concern, all project impacts, including preparation of a Bushfire Management Plan, which outlines mitigation measures for managing bushfire risks (during construction and operation of the project) such as identification of Asset Protection Zones and access arrangement, are to be carried out prior to approval.

**Traffic and Transport Impacts**

Moorebank Avenue, south of Anzac Road is a currently a private road previously owned by the Department of Defence (DOD). In its previous submissions to DPIE, Council has stressed that Moorebank Avenue needs to be maintained to provide its current public road function.

Moorebank Avenue, south of the M5 Motorway provides a regional road link between the M5 Motorway and Cambridge Avenue. The EIS outlines that the realigned road would result in a detour of approximately 1km and travel time increase of up to 60% for through traffic including bus services, at the existing 60 km/hr sign posted speed limit.

The project would only replicate existing traffic conditions and would have a predicted level of service (LoS) E or F during peak traffic periods. This indicates that the road section would experience traffic delays. Council is aware that, TfNSW has a proposal to widen Cambridge Avenue south of Moorebank Avenue to Campbelltown Road.

The Moorebank Avenue realignment project should integrate with and have an efficient connection to the Cambridge Avenue project. Similarly, the northern portion of Moorebank Avenue is being widened, close to its intersection with the M5 Motorway and the project needs to connect and provide a four-lane road up to the M5 Motorway.

Council considers that the proposed reclassification and dedicating Moorebank Avenue to TfNSW is appropriate. The re-classification is to include the remaining sections of Moorebank Avenue north and south of the project, between the M5 Motorway and Cambridge Avenue.

Recommendations

- To formalise TfNSW approval process for design and construction of the project, a Work Authorisation Deed is to be entered into with TfNSW.

- The project needs to demonstrate that it has taken into consideration and integrates with the TfNSW Cambridge Avenue upgrade.

- The forecast traffic impact needs to take this into consideration and further consider options that would improve traffic conditions and travel time such as upgrading the existing road.

- Reclassification of Moorebank Avenue, to a classified state road, for the road to be under the care and control of TfNSW, is to include the remaining sections of the road, from Cambridge Avenue to the M5 Motorway.

- The project is to ensure that heavy vehicles movements are not diverted onto Anzac Road.

**Construction Traffic Impact**

The Project would require importation of approximately 80,000 tonnes of fill material. In addition to the M5 Motorway as a haulage route, an alternative route south along Moorebank Avenue from the Moorebank Avenue/Newbridge Road intersection, over the M5 Motorway, is proposed.

The Newbridge Road/Heathcote Road and Heathcote Road/Moorebank Avenue intersections are operating at capacity, particularly during the morning and afternoon peak periods, and would be affected if Newbridge Road and Moorebank Avenue (north) are used as haulage routes during such times.

Haulage routes should be restricted to the M5 Motorway and Moorebank Avenue south of the Motorway, particularly during the peak traffic periods.

Recommendations

- A detailed construction traffic management plan is to be prepared in consultation with the Transport Management Centre, TfNSW, Campbelltown and Liverpool City Councils.

- The haulage route is to restrict heavy vehicle movements to the M5 Motorway and Moorebank Avenue.

- Newbridge Road/Heathcote Road and Heathcote Road/Moorebank Avenue intersections are only to be used as haulage routes outside the peak traffic periods.

**Noise and Vibration**

The project would relocate/realign a section of Moorebank Avenue from approximately 1km, to between 600m and 400m, from the western boundary of residential properties in Wattle Grove.

The EIS outlines that:

- Construction noise levels would satisfy the required Interim Construction Noise Guideline noise management levels at nearby commercial and industrial assessment locations, however, could be exceeded at residential assessment locations to the east of the works.

- There is little opportunity to provide significant noise mitigation due to the extent of works, the use of road construction plant and equipment, proximity of residential properties and local topography.

While construction noise levels could be exceeded at residential assessment locations, no mitigation measures to address or minimise the noise levels is outlined.

Recommendations

- To minimise construction vibration impacts, a Construction Noise and Vibration Management Plan and complaints' handling procedure is to be prepared by a suitably qualified acoustic consultant and implemented.

- The Construction Noise and Vibration Management Plan is to identify and implement strategies to minimise noise from the proposed construction activities and incorporate:

    - Approaches for promoting noise awareness by contractors; training procedures;

    - A complaint lodgement procedure to ensure that members of the public and local residents are able to report noise issues; and

    - An ongoing review process and a plan for responding to noise complaints.

- Council and affected residents are to be notified of the possible impacts and implementation of the mitigation measures during construction and operation.

- Consideration should be given to the following site-specific noise controls that may be implemented to minimise noise levels below the relevant Noise Management Levels:

    - Minimise the need for vehicle reversing by arranging for one-way site traffic routes;

    - Using broadband audible reverse alarms, as opposed to beepers, on relevant plant and equipment to be used on-site; and

    - Where practicable, minimise the number of high noises generating plant items operating concurrently.

**Road Traffic Noise**

As indicated above, the realigned road would be between 400m and 600m from residential properties in Wattle Grove.

The EIS outlines that while the project is predicted to increase road traffic noise levels at residential areas (to the east), it would be less than the recommended Road Noise Policy (RNP) criteria by 2024 and 2034.

Residents in the western part of Wattle Grove would be exposed to increased road traffic noise. The Project is proposing to construct a 200m noise wall in the vicinity of the Defence Joint Logistics Unit (DJLU) site (chainage 600-800). However, noise walls are not proposed along other sections of the Project.

The EIS does not indicate whether the road traffic noise assessment takes into consideration the expected additional traffic volumes from the TfNSW proposed Cambridge Avenue upgrade project.

Council notes that the Local Member for Holsworthy has raised concern about the expected increased noise levels on the adjoining residential properties and has requested installation of a noise wall.

<u>Recommendations</u>

- The EIS is to outline whether the forecast noise levels on the properties on the western part of Wattle Grove, has taken into consideration the expected additional traffic volumes from the TfNSW proposed Cambridge Avenue upgrade project.

- To minimise construction vibration impacts, management and mitigation measures would need to be implemented.

- Council and affected residents are to be notified of the predicted road noise traffic increase, if required, after further assessment which takes taken into consideration the expected additional traffic volumes from the TfNSW proposed Cambridge Avenue upgrade project.

- The Project is to consider and implement mitigation measures such as earth mound, quieter road surface or a noise walls along the eastern side of the road, to ensure that noise levels are reduced to the existing levels, or within acceptable levels in accordance with the RNP criteria.

- The road noise assessment should consider the cumulative noise impacts of the operation of Moorebank Intermodal Terminal (MIT) and associated developments, as well as the project.

- The forecast traffic volumes used for the noise assessment of the Project, is to consider the scenario with the proposed Cambridge Avenue upgrade and the ultimate developments of MPL. The assessment criteria is to be based on a sub-arterial road criteria.

**Remediation of Land**

The EIS indicates that the proposed road corridor and surrounding area has been occupied by the DOD, since at least 1915. Previous land uses have included warehousing, refuelling and chemical storage areas.

A review of site history has identified potential sources of contamination, including stockpiling of fill material, with potential asbestos containing material, and a former grenade range in the southern portion of the site.

As a result, the EIS outlines that additional intrusive investigations are required, and a Contamination Management Plan would be developed to provide details of contamination management and mitigation measures during construction.

Furthermore, it is believed that the applicant has not satisfactorily addressed the SEARs which require the proponent to assess whether the land is likely to be contaminated and identify if remediation of the land is required, having regard to the ecological and human health risks posed by the contamination in the context of past, existing and future land uses.

Where assessment and/or remediation is required, the proponent is required to document how the assessment and/or remediation would be undertaken in accordance with current guidelines.

<u>Recommendations</u>

- A site audit is to be carried out to confirm that sufficient information is available to address the statutory requirements of SEPP No. 55- Remediation of Land. In this regard, a Section B Site Audit Statement and Site Audit Report prepared by an accredited site auditor is to be submitted to the Department for review and approval confirming that:

    - The nature and extent of contamination has been appropriately determined within the project road corridor;

    - The investigation, remediation or management plan is appropriate for the road construction; and

  - The site can be made suitable for the road construction in accordance with the submitted Remediation Action Plan (if required).

- If additional intrusive investigations indicates that the site poses unacceptable risks to human health or the environment, a Remedial Action Plan (RAP) is to be prepared by a suitably qualified environmental consultant.

**Water Quality Impacts**

The proposed development has the potential to increase stormwater flows due to the increased impervious surface area. Construction activities may also result in erosion and sedimentation issues.

Recommendations

- A comprehensive assessment of water quality impacts is required for pre-construction monitoring, detailed design, construction, and operational stages of the project.

- A water quality monitoring program is to be prepared to identify and manage any potential pollution issues. The water quality treatment scheme is to be designed to meet Council's DCP requirement.

**European and Aboriginal Heritage**

The EIS states that the proposed road corridor is not considered to contain European archaeological material.

In addition, the project would likely impact very low densities of aboriginal cultural material, which would generally be considered of low significance.

Recommendation

- An Aboriginal Heritage Management Plan is to be prepared to manage Aboriginal heritage, and mitigation measures during construction.

**Air Quality**

The EIS indicates that during construction, dust is unlikely to represent a serious ongoing problem to the surrounding environment, given the distance between the project and sensitive receptors.

During operation, air quality has been assessed to be below impact assessment criteria, and changes to the project design are not recommended.

Recommendation

- An Air Quality Management Plan including mitigation measures is to be developed, prior to construction, to minimise air quality impacts.

**Flooding**

The EIS indicates that for the 1 in 100-year flood event, there would be an increase in flood levels downstream of the proposed Moorebank Avenue realignment. In addition, there would be an increase in flood levels by up to 230mm adjacent to the proposed Moorebank Avenue realignment

Recommendations

- The flood afflux map (flood level difference map) for the 1% AEP event is to be reproduced to present any change in flood level downstream of the project.

- If there is an increase in flood level at the vicinity of the downstream model boundary, then the model extent is to be extended further downstream to assess the impact of flooding to the downstream settlement area.

- Commonwealth of Australia is to be notified regarding predicated increase in flood level.

**Construction Environmental Management Plan**

To minimise construction impacts, a detailed Construction Environmental Management Plan (CEMP) is required.

Recommendations

- A detailed CEMP is to be prepared for the Project.

- The CEMP is to address all environmental aspects of the development's construction phases, including Asbestos Management Plan; Project Contact Information; Site Security Details; Timing and Sequencing Information; Site Soil and Water Management Plan; Noise, Vibration, Dust Control, Health and Safety, Waste Management Plan; as well as Incident Management Contingency and Unexpected Finds Protocol.

**Community Consultation**

The EIS indicates that SIMTA has consulted with key stakeholders and the community prior to and during its preparation. The company has also given a commitment that it will continue to consult with key stakeholders and the community during detailed design and the delivery of the Project.

Late last year, in response to a request from DPIE, Council staff advised the Department that appropriate consultation with the Wattle Grove community is required. It appears, the requested community consultation has not been carried out.

Recommendations

- Additional community consultation is to be carried out prior to determination of the Project.

- Council and affected residents (withing the Wattle Grove community) are to be notified/informed about the key impacts and proposed mitigation measures to minimise these impacts, before determination, and if approved, during detailed design, construction and operation.

- Liverpool and Campbelltown City Councils are to be consulted about the project's tie-ins to existing road sections, north and south of the Project.