

Chapter 5

Response to government agency submissions



5. Response to government agency submissions

Chapter 5 provides a summary of the key issues raised in the submissions from government agencies and local councils. Due to the complexity of the issues, this section provides a high level overview of the key themes and a summary of the key issues raised by government agencies and local councils including Liverpool City Council (LCC), Hurstville City Council (HCC), Campbelltown City Council (CCC), Fairfield City Council (FCC) and Bankstown City Council (BCC), with Moorebank Intermodal Company's (MIC) response provided in a separate table in Appendix B of this report.

The LCC submission in particular was very detailed (including a letter and a report prepared by consultants Cardno), with the submission requesting comment from MIC on a number of items. Due to this level of detail, LCC's submission has been dealt with slightly differently, with a separate response provided in section 5.1 and a detailed breakdown of each of the key issues raised including MIC's response to the issues also provided in Appendix B.

5.1 Liverpool City Council submission

LCC engaged Cardno to undertake a peer review of the Environmental Impact Statement (EIS) and to provide assistance in preparing its detailed response submission.

LCC raised a number of issues as part of its submission and these issues and the technical responses are provided in Appendix B (Table 1). The discussion below focuses on the key points raised by LCC as part of its submission.

5.1.1 Alternative uses for the site

LCC believes that Badgerys Creek is the optimum location for the Moorebank Intermodal Terminal (IMT) near the new airport site. It argues the best use for the Moorebank site is premium residential land, where there is the potential for high quality land to be developed adjacent to the Georges River. LCC further adds that a mixed use development that capitalises on the high quality public amenity, recreational opportunities and connection to the passenger rail system should be considered.

LCC notes the Urban Development Industry of Australia (UDIA) has issued an Affordable Housing report identifying key actions to securing affordable housing. UDIA regularly audits Commonwealth-owned land with a view to making unused land available for housing developments. As such, LCC argues there are opportunities for the site to be developed for alternative and profitable uses, which will more effectively deliver on state and national objectives in the long-term. Its analysis suggests that 1,200 dwellings together with commercial and retail uses could generate sustainable employment activity. LCC indicate they are currently undertaking master concept planning for premium investment redevelopment opportunities which could be jeopardised by the Project.

MIC response

MIC notes that Badgerys Creek has been suggested by LCC and many community members as a suitable alternative site for the IMT. However, this site would be located too far west of current Sydney freight markets to be commercially viable as an intermodal facility and does not currently have adequate road or rail supporting infrastructure. Predicted demand in containerised goods suggests that a number of intermodal facilities will be required and that Eastern Creek and Badgerys Creek may be suitable future intermodal sites. Given that the demand for an IMT in western Sydney exists now, the Moorebank IMT site is considered the most appropriate site as described in Chapter 6 – *Project development and alternatives* of the EIS and in Chapter 2 – *Assessment of the issues raised by the NSW Planning Commission* of this report.

MIC is not aware of any existing Commonwealth land in the vicinity of Badgerys Creek that is currently suitable for an intermodal facility as the new airport site is unlikely to have spare space for this purpose. A new freight rail line would also need to be constructed in addition to the planned passenger line. It would not be practical for freight trains to share the planned passenger line to the new airport since passenger trains receive priority on the passenger network, which would undermine the efficiency and reliability of a rail freight service via Badgerys Creek. Even if land was available at Badgerys Creek, the planning and environmental approval process to assess the sites' suitability from an environment, social and economic perspective can take years. Given the demand for intermodal facilities in western Sydney the Moorebank IMT site is considered the most appropriate to service the current demand.

MIC acknowledges the suggestions for alternative uses of the Project site; however these alternatives have not been assessed in any level of detail for the following reasons:

- As detailed in Chapter 15 – *Contamination and soil* of the EIS, the site is contaminated and is not suitable for sensitive land development (such as residential development). With the current levels of contamination, the site is only suitable for industrial or commercial land uses. While former Defence land has in the past been remediated for residential development (e.g. at Wattle Grove), the cost of doing so is substantial and would affect the value of the land, were it sold for residential development.
- Development for residential purposes could house more than 40,000 people in 16,500 dwellings, which could generate around 3,154 passenger vehicle trips (inbound and outbound) in the morning peak hour (based on Roads and Maritime Services (RMS) methodology as discussed in section 4.4 of Technical Paper 1 – *Traffic, Transport and Accessibility Impact Assessment* of the EIS). This compares to the Project which, at full capacity, would generate around 422 vehicle trips (inbound and outbound) in the morning peak hour. Traffic generated by the terminal during peak hours would be a fraction of the traffic that would be generated by a residential development. This proportion would be higher at other times of the day (as the intermodal terminal spreads heavy vehicle traffic across the day, while residential traffic is focused on the peak hours).

A detailed assessment of alternative land uses is outside of the scope of this Project (i.e. the uses do not address the objective of the need to meet Sydney's freight demands). MIC has been established to oversee the delivery of an IMT in south-west Sydney and has been tasked with delivering a value for money solution to the Australian Government and acting in an environmentally and socially responsible manner. MIC is therefore unable to provide comment on alternative land uses.

MIC acknowledges the comments made by LCC with respect to current council master planning to achieve its potential as a regional city; however, MIC is not aware of any strategic policies/plans that document this vision. LCCs submission does not refer to or reference any policies or plans where this vision is defined. In any case, with the mitigation and management measures proposed, the development of the Moorebank IMT would not conflict with any broader strategy outside the Moorebank precinct.

In terms of local strategies, the *Liverpool Industrial Land Strategy* (Liverpool City Council 2007) identifies Moorebank as a suitable location for future industrial development, owing to its advantageous location, proximity to labour markets and access to key infrastructure including the central business district (CBD) and Sydney Airport. The Moorebank, Warwick Farm and Prestons areas are identified in the *Liverpool Industrial Land Strategy* as LCC's preferred location for a business park that restricts unsightly or unpleasant operations; however, the strategy also acknowledges the strategic need for a future key freight sector strategy to increase handling of freight by rail.

Chapter 3 – *Strategic context and need for the Project* of the EIS and Chapter 2 – *Assessment of the issues raised by the NSW Planning Commission* in this report outlines the objectives for the Project and provides an assessment of the Project against the key Australian and NSW Government policies and publications. The Project is consistent with, and assists in meeting the key objectives of a number key policies including the *National Land Freight Network Strategy*, *National Ports Strategy*, *National Infrastructure Priorities – Infrastructure for an economically, socially and environmentally sustainable future*, *NSW 2021*, *State Infrastructure Strategy*, *NSW Long Term Transport Master Plan*, *Draft Sydney Metropolitan Strategy for Sydney to 2031*, *Railing Port Botany's Containers*, *South West Subregion: Draft Subregional Strategy* and *NSW Ports and Freight Strategy*. It is noted that some of these reports identified Moorebank as a location for a future IMT. Refer to section 3.6 of Chapter 3 – *Strategic context and need for the Project* of the EIS for a detailed discussion.

5.1.2 Cumulative impacts

LCC states its disappointment in the lack of coordination in assessing the Project and the SIMTA Project and claims that separately considering the two proposals leaves gaps and inconsistencies in the information available. This results in lack of transparency in government decision making. LCC's view is that a master plan is required to facilitate the two intermodal projects so that a comprehensive approach to infrastructure requirements can be assessed and not duplicated.

LCC requests that clear operational standards are required to ensure appropriate monitoring and mitigation measures are conditioned and that the application should be deferred until the precinct master plan has been developed.

MIC response

Prior to the EIS exhibition, the Moorebank IMT project was being developed as a stand-alone project and was therefore necessary to assess the environmental impacts independently of the SIMTA project within the EIS. This assessment approach was a requirement of the NSW Secretary's Environmental Assessment Requirements (SEARs) and the Department of Environment's (DoE) EIS guidelines.

Chapter 27 – *Cumulative impacts* of the EIS assessed the cumulative impacts of both the Moorebank IMT in conjunction with the SIMTA IMT and other planned or proposed developments in the local area. In recognition of community and approval agencies concerns regarding the prospect of both projects being developed; three scenarios (as detailed in section 27.1 of Chapter 27 – *Cumulative impacts*), were assessed in the EIS (assuming a combined IMT precinct across both sites). The cumulative scenarios assessed in the EIS were developed in consultation with NSW Department of Planning and Environment (NSW DP&E), and in consideration of the capacity of the Southern Sydney Freight Line (SSFL) and freight demands (which were developed in consultation with Transport for NSW (TfNSW)).

Prior to the EIS exhibition, MIC developed the Moorebank IMT proposal as a stand-alone project. The SIMTA proposal for an IMT on the site immediately east of the Project site was also being pursued separately, with its own planning and environmental approvals being sought. However, since the exhibition of the EIS, an agreement has been reached between MIC and SIMTA for an integrated

precinct-wide intermodal facility and associated warehousing across both the MIC and SIMTA sites. This Response to Submission Report incorporates proposed amendments to the development, including details on the proposed layout and associated impacts of a precinct-wide intermodal facility (including the selection of the southern rail access option for the combined precinct) (refer to Chapters 7 to 9 of this Response to Submissions Report (this report)). The indicative layout would be further developed during detailed design and details would be provided as part of the Stage 2 State significant development (SSD) applications.

This report will be exhibited for the public to review and make further submissions before NSW DP&E grants approval of the Stage 1 SSD application for the Project. LCC and the community will also have the opportunity to provide further comment during the Stage 2 SSD application process. This Stage 1 SSD only relates to development on the Moorebank site, and if approved, the Stage 1 SSD approval would only approve the Project's 'concept' on the Moorebank site. Approval to construct and operate an IMT across either the SIMTA or the Moorebank site would be considered and assessed during the Stage 2 SSD application process.

Updated management and mitigation measures (as a result of the changed site layout and selection of the southern rail access option) are provided in Chapter 9 – *Revised environmental management measures* of this report. Subsequent Stage 2 SSD applications will provide further assessment of the required management and mitigation measures once the detailed design for the precinct has been developed and the environmental impacts associated with this design can be assessed.

5.1.3 Recent announcement of MIC/SIMTA Agreement

LCC states that it welcomes the announcements made on 5 December 2014 regarding the agreement between MIC and SIMTA to develop the Moorebank precinct but notes the lack of certainty in the current applications and commitment to the delivery of infrastructure for the site. LCC notes that if approved by SIMTA's board and the Australian Government, the precinct would provide an initial import export (IMEX) terminal with capacity for 1.05 million containers a year and an interstate capacity of 500,000 containers per year. This is well beyond the potential 500,000 TEU approved under the Concept Approval for SIMTA. The announcement indicates that further planning approvals will be sought for the combined precinct if the agreement receives the required Commonwealth and Board approvals.

MIC response

As noted above, the Moorebank and SIMTA concept proposals are being developed as stand-alone proposals and the planning and environmental impacts are being independently assessed. The SIMTA project received its concept approval in September 2014 with the approval placing a 250,000 TEU initial capacity cap and a 500,000 TEU total capacity cap on the project. The Moorebank IMT project is seeking concept approval for 1.55 million TEU (1.05 million IMEX and 500,000 TEU interstate). Chapter 2 – *Assessment of the issues raised by the NSW Planning and Assessment Commission* of this report provides a further discussion on the recent PAC determination of the SIMTA site, with a specific focus on the implications for the Moorebank site. In particular, section 2.2 provides a discussion on the precinct approach to the two sites and section 2.3 discusses why the demand at Moorebank well exceeds the capacity cap placed on the SIMTA project by the PAC.

MIC will continue with its existing application for Stage 1 SSD concept approval (incorporating early works) for the Moorebank IMT site and SIMTA will be responsible for obtaining all other approvals required under the EP&A Act, to build all stages of the Project.

SIMTA has received approval under the EPBC Act for the construction and operation of an IMT comprising a one million TEU IMEX facility and 300,000 sq. m of warehousing. SIMTA has also received concept approval from the Planning Assessment Commission (PAC) under the (then) Part 3A of the NSW EP&A Act for the development of an IMT. In approving the development however, the PAC granted concept approval only for a 250,000 TEU IMEX facility until the local road infrastructure is upgraded to support increased capacity. The PAC stipulated that 'subject to more detailed traffic assessment, an ultimate 500,000 TEU capacity could be provided and that this should be adequate to 'meet the Government's objectives for rail freight from Port Botany well into the future'. This is less than the one million TEU that was sought by SIMTA. The PAC approved the 300,000 sq. m of warehousing proposed.

SIMTA is now in the process of obtaining development approval (DA) to construct and operate Stage 1 of its development being:

- a 250,000 TEU IMEX facility; and
- a rail connection to the SSFL at the southern end of the Moorebank site.

The agreement between MIC and SIMTA is subject to certain contractual conditions between the two parties. These conditions include that:

- project approval be obtained by SIMTA for the IMEX terminal on the SIMTA site; and
- a staged DA be obtained by MIC for terminal development on the Moorebank site.

The agreement between MIC and SIMTA considers the planning pathway if the conditions of the agreement are met. The planning pathway would incorporate the current approval that has already been obtained by SIMTA, and would include the following milestones:

- SIMTA obtains Stage 1 DA development approval for its site (current);
- MIC obtains staged DA - including Stage 1 Early Works for its site (current);
- SIMTA obtains all subsequent DAs for each stage of the precinct development including any necessary modifications to approval conditions granted to both sites to secure an integrated 1.55 million TEU single IMT.

5.1.4 Infrastructure contributions and commitments

LCC states that rezoning and development of this scale typically requires a Voluntary Planning Agreement to ensure the delivery of appropriate infrastructure and that Council has not been given an opportunity to negotiate the delivery of infrastructure during this process. LCC also states that it is apparent from the exhibited documentation that existing public infrastructure is inadequate to support the proposal.

LCC further states that the concept application fails to address the wide traffic network implications of the development. Any approval for the rezoning and concept plan would result in an immediate burden on local government to deliver the necessary infrastructure to support the proposal.

LCC recommends that if concept approval is given, that MIC should enter into a Voluntary Planning Agreement regarding the delivery of infrastructure to support the proposal.

MIC response

MIC acknowledges the traffic network implications of the Project and the concerns raised by LCC and members of the local community. The traffic modelling prepared for the EIS shows road network upgrades would be required to maintain all intersections in the vicinity of the Project site to an acceptable level of service. The traffic impacts of the Project have been assessed as detailed in Chapter 11 – *Traffic, transport and access* of the EIS and *Technical Paper 1– Traffic, Transport and Accessibility Impact Assessment* (EIS Volume 3). Traffic impacts on the wider network, including local roads have been assessed using intersection performance modelling software (Signalised and unsignalised Intersection Design and Research Aid (SIDRA)) for a number of intersections within and surrounding the Project site.

An additional traffic impact assessment has been conducted to further identify the measures required to mitigate the traffic impact of the Project on intersections in the surrounding area and to assess the traffic impacts as a result of the changed concept layout. This assessment has determined whether the intersections will operate better or worse than without Project traffic. MIC is in the process of discussing the results of the traffic impact assessment with TfNSW and RMS and if agreed will contribute to the cost of intersection upgrades in proportion to the extent that the Project contributes to the traffic through that intersection. The results of these assessments are reported in Chapter 7 – *Proposed amendments to the development* of this report and the revised Traffic Impact Assessment (revised TIA) provided in Appendix E of this report.

As indicated in Chapter 2 – *Assessment of the issues raised by the NSW Planning and Assessment Commission* of this report, the consent authority (DP&E) has the ability to impose conditions of consent that can limit impacts on the road network and require measures to mitigate impacts such as road intersection improvements before expansion can occur. MIC has indicated a willingness to accept this position and has suggested conditions of consent for consideration by the consent authority.

TfNSW (through RMS) has also been actively involved in the traffic management issues relating to the site including undertaking its own modelling and assessment. Any traffic impact on local roads caused by the Project would be mitigated to acceptable levels in consultation with RMS. An agreement with TfNSW will detail the agreed road/transport infrastructure upgrades required to mitigate impacts of the development of the state transport network and the timing of their delivery.

As noted in the planning proposal, it is proposed to insert a clause into the *Liverpool Local Environment Plan 2008* (LLEP) which requires satisfactory arrangements to be made for the provision of regional transport infrastructure required as required by the IMT, prior to consent being granted for approval of the Planning Proposal to rezone the land for the IMT. The proposed wording to be inserted into the LLEP includes:

7.36 Arrangements for regional transport infrastructure for certain land at Moorebank

- (1) *The objective of this clause is to require satisfactory arrangements to be made for the provision of regional transport infrastructure required as a result of the Moorebank Intermodal Terminal (IMT).*
- (2) *This clause applies to land shown on the Key Sites Map.*
- (3) *Despite any other provision of this Plan, the consent authority must not consent to development for the purposes of the IMT on land to which this clause applies unless the Secretary for NSW DP&E has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of improvements to regional transport infrastructure and services reasonably required as a result of the development and operation of the IMT.*

MIC does not believe that a Voluntary Planning Agreement is required with Council in addition to the Voluntary Planning Agreement that would be negotiated with NSW DP&E (to the satisfaction of RMS and TfNSW).

5.1.5 Peer review of EIS

LCC engaged consultants Cardno to undertake a peer review of the EIS. The review focused on statutory compliance, impact assessment and key issues (which they presented as reoccurring themes). It also established five key issues associated with traffic congestion, noise and vibration impacts, air quality impacts, hazards and human health impacts. The review also presented a number of reoccurring themes in relation to the strategic context, appropriateness of assumptions, cumulative impacts, project definition and commitments, consultation and consideration of alternatives.

MIC response

The EIS peer review raised a number of issues which have been addressed in Appendix B of this report. MIC's response to the five key issues is presented in the sections below.

MIC acknowledges the key issues (recurring themes) presented in the review and that these themes have been consistently raised by members of the community and government agencies. Our detailed response to these themes is presented in Appendix B and Chapter 6 – *Response to community submissions* of this Report. MIC presents the following comments in relation to each of the themes:

Existing and strategic context

Chapter 3 – *Strategic context and need for the Project* of the EIS and Chapter 2 – *Assessment of the issues raised by the NSW Planning Commission* in this report outlines the objectives for the Project and provides an assessment of the Project against the key Australian and NSW Government policies and publications. The Project is consistent with, and assists in meeting the key objectives of a number of key policies including the *National Land Freight Network Strategy*, *National Ports Strategy*, *National Infrastructure Priorities – Infrastructure for an economically, socially and environmentally sustainable future*, *NSW 2021*, *State Infrastructure Strategy*, *NSW Long Term Transport Master Plan*, *Draft Sydney Metropolitan Strategy for Sydney to 2031*, *Railing Port Botany's Containers*, *South West Subregion: Draft Subregional Strategy* and *NSW Ports and Freight Strategy*.

Chapter 27 – *Cumulative impacts* of the EIS assesses the cumulative impact of both the Moorebank IMT in conjunction with the SIMTA IMT and other planned or proposed developments in the local area. Chapter 7 – *Proposed amendments to the development* of this report, re-assess the cumulative impacts given the proposed changes to the concept layout. In recognition of community and approval agencies concerns regarding the prospect of both projects being developed in some way; three scenarios (as detailed in section 27.1 of Chapter 27 – *Cumulative impacts*), were assessed in the EIS (assuming a combined IMT precinct across both sites). The cumulative scenarios assessed in the EIS were developed through discussions with NSW DP&E with consideration of the capacity of the SSFL and freight demands. For the concept layout changes, four scenarios (as detailed in section 7.10 of this report) were assessed.

As mentioned above, MIC acknowledges the traffic network implications of the Project and the concerns raised by Council. Additional traffic impact assessment is currently being undertaken to identify the measures required to mitigate the traffic impact of the Project on intersections in the surrounding area, the results of which are discussed in section 7.9.3 of this report. These investigations aim to ensure the intersections would operate no worse than they would without the Project.

In terms of local strategies, the Liverpool Industrial Land Strategy (Liverpool City Council 2007) identifies Moorebank as a suitable location for future industrial development. The Moorebank, Warwick Farm and Prestons areas are identified in the *Liverpool Industrial Land Strategy* as LCC's preferred locations for a business park that restricts unsightly or unpleasant operations; however, the strategy also acknowledges the strategic need for a future key freight sector strategy to increase handling of freight by rail.

In terms of the comment regarding LCC's vision for expansion of the Liverpool CBD across the Georges River, MIC is not aware of any strategic policies/plans that document this vision and LCC's submission does not refer to or reference any policies or plans where this vision is defined.

Appropriateness of assumptions

The Project is seeking staged development consent and as such a number of assumptions are required for the assessment as detailed design has not yet been completed. The Project will be progressively developed over a 15 year period. The EP&A Act recognises that for significant projects that are to be developed over a protracted time period, a staged approach to environmental assessment and approval may be appropriate. This would involve an initial approval of a high level concept for the overall proposal (termed stage development consent), followed with assessment and approval of detailed components over time. The community will have an opportunity to review and comment on future development applications, which will be produced once the detailed design work is completed for each phase of development.

The SIMTA Project has received concept approval, so the cumulative assessment scenarios are based on indicative construction and operating schedules that take account of SIMTA's SSD application for its first stage.

Cumulative impact

It is acknowledged the SIMTA Project has a capacity cap of 500,000 TEU as part of its conditions of approval. As described in Chapter 2 – *Assessment of the issues raised by the NSW Planning and Assessment Commission* of this report, MIC is seeking approval for 1.55 million TEU to meet the Australian Government's objectives, with a commitment that only one IMEX terminal will be built (either on the MIC site or on the SIMTA site, but not on both). In other words, despite the two concept proposals only one IMEX terminal will be built (throughput will not exceed 1.05 million TEU), together with one interstate terminal (capacity for 500,000 TEU) resulting in total precinct capacity of 1.55 million TEU.

Therefore, for the purpose of assessing the cumulative impacts of the revised site layout, the following approach to the cumulative assessment has been adopted:

- Continue to recognise there is a maximum of 1.55 million TEU (IMEX plus interstate freight) for the entire Moorebank precinct.
- Continue to consider alternate scenarios whereby all IMEX capacity is built on the SIMTA site or the Moorebank site but not both.
- Introduce a new cumulative scenario (C1) reflecting a potential Stage 1 development that matches the current SIMTA Stage 1 DA (250,000 TEU) in conjunction with a likely first stage of development of the Moorebank site (500,000 TEU).

- Introduce a new cumulative scenario (C2) reflecting a Full Build (2030) with 500,000 TEU on the SIMTA site (reflecting the cap placed on SIMTA's concept approval) and with the remaining 1.05 million TEU capacity (consisting of 550,000 TEU IMEX and 500,000 TEU interstate) on MIC's site.

Further discussions regarding the demand for freight in the Moorebank catchment and a discussion on the capacity cap placed on SIMTA by the Planning Assessment Commission (PAC) is provided in Chapter 2 – *Assessment of the issues raised by the NSW Planning and Assessment Commission* of this report. In summary, MIC believes the demand at Moorebank is consistent with the Australian Governments objectives for the Project that is to seek approval for 1.55 million TEU at Moorebank.

Project definition, uncertainty and commitments

MIC acknowledges that the provision of three rail access options in the EIS created uncertainty and that each of the rail access options had distinct environmental impacts. Since exhibition of the EIS, the southern rail access has been selected as the preferred option for the Project. The environmental impacts associated with the southern rail access option are documented in the EIS (at a concept level) and will be assessed in detail during Stage 2 SSD applications.

It is noted that LCC has raised comments in relation to the 'Statement of Commitments'. A Statement of Commitments is a requirement under the then Part 3A of the EP&A Act. As outlined in Chapter 4 – *Planning and Statutory Requirements* of the EIS, the Project is being assessed under Part 4, Division 4.1 of the EP&A Act as a SSD application. A formal Statement of Commitments is not required under the Part 4 SSD requirements. MIC is currently in discussion with the consent authorities regarding appropriate conditions of approval for the Stage 1 concept.

Chapter 28 – *Environmental management framework* of the EIS provides a list of environmental management and mitigation measures for the Project. This has been updated as a result of the proposed amendments to the development and is provided in Chapter 9 – *Revised environmental management measures* of this report. This list includes mandatory measures which are firm mitigation commitments as well as those that will be subject to review during the Stage 2 SSD approvals and/or detailed design. The detailed design of the Project will consider innovative solutions to increase efficiency and reduce environmental impacts. Subsequently, the management and mitigation associated with these innovations will be explored during Stage 2 SSD applications. At the concept stage, practical and feasible management and mitigation has been considered. This staged approach to developing management and mitigation measures has been discussed and agreed as appropriate with the relevant regularly authorities (NSW DP&E and DoE).

It will be a requirement of the IMT operator to undertake construction and operation of the IMT in accordance with the Project approvals (Stage 1 and 2 SSD approvals) (stated mitigations) and any conditions of approvals.

Consultation

Community consultation for the Project began in 2010. MIC (and before MIC was established, the Commonwealth Department of Finance) has provided community members with information about the Project via its website, community newsletters and in community information sessions held in 2012, 2013 and 2014.

MIC has met regularly with relevant stakeholders, including LCC and has presented to the Council's No Intermodal Committee, along with other community and special interest groups. MIC has also met one-on-one with some highly engaged community members. Community awareness of the Project is high

and public discourse has been wide over a significant period of time. MIC's community consultation on the EIS has exceeded the requirements set out in NSW DP&E's *Guidelines for Major Project Community Consultation*, October 2007).

MIC's community consultation for the EIS has included:

- a community brochure (delivered to over 12,000 homes in Wattle Grove, Moorebank and Casula);
- the MIC website (which recorded 2,733 views and 1,780 new users during the exhibition period);
- a 24-page EIS booklet (available at libraries and other community spaces with the EIS, and community information sessions); and
- three community information sessions (attended by 74 community members).

As well as conventional engagement methods, MIC adopted innovative approaches to engage members of the local community, including through a Citizens' Jury. The Citizens' Jury was formed to develop a public benefits package to increase the benefits of the terminal for people living nearby. Use of the Citizens' Jury also represented an innovative approach to raising awareness of the Project and its benefits, as well as promoting understanding of the Project's impacts among a representative sample of community members.

In addition to developing the scope and approach for the health impact assessment (HIA) report undertaken for the EIS, the Department of Finance (and subsequently MIC) convened a stakeholder working group that included both LCC and CCC, as well as key state agencies, to ensure transparency and stakeholder input to health impact assessment for the Project.

Interpreting services are available to community members and these services were specifically advertised during the EIS exhibition via the MIC website and the community brochure. The MIC website also has a 'Google Translate' function. That said, information from the bureau of statistics indicates that, although a significant proportion of the local community is from linguistically and culturally diverse backgrounds, English literacy levels are strong. This is supported by the fact that the 'Translate' function on the MIC website was not used during the EIS exhibition period and the interpreting service was used once in 2014.

In addition to the consultation undertaken with the local community, MIC also undertook communication with the broader community regarding the EIS. Advertisements were published in the *Daily Telegraph*, the *Liverpool Leader* and the *Liverpool Champion*, on the NSW DP&E website and via the Project website. A media release was issued at the start of the exhibition period, which generated news articles in the local papers notifying readers about the EIS exhibition, the information session times and details on how to make a submission.

Consideration of alternatives

A large number of community submissions raised concerns about the proposed location for the Project site. The need for an IMT in south-western Sydney was described in detail in Chapter 3 – *Strategic context and need for the Project* of the EIS, with section 3.3 detailing why the Moorebank site was selected.

The Moorebank site was selected for its strategic positioning, with access to existing major freight and rail corridors (SSFL, the M5 Motorway and near to the M7 Motorway and Hume Highway), and its central location relative to major freight markets in the west and south-west of Sydney. The size of the site was also a significant factor in site selection, with the requirement to accommodate interstate trains that can

be up to 1,800 m long and the need for the site to be large enough to handle the number of containers expected.

MIC acknowledges that Badgerys Creek has been suggested by many community members as a suitable alternative site for the IMT, however this site would be located too far west of existing Sydney freight markets to be commercially viable as an intermodal facility, and it does not currently have adequate road or rail supporting infrastructure. Predicted demand in containerised goods suggests that a number of intermodal facilities will be required and that Eastern Creek and Badgerys Creek may be suitable future intermodal sites. Given that the demand for a western Sydney intermodal exists now, the Moorebank IMT site is considered the most appropriate site for an intermodal facility.

Other alternative sites suggested include Chullora, Eastern Creek and Enfield. As noted in section 3.1.1 of Chapter 3 – *Strategic context and need for the Project* of the EIS and Chapter 2 – *Assessment of the issues raised by the NSW Planning Commission* in this report there is an estimated shortage of IMEX and interstate capacity at existing and other planned IMTs in Sydney, even with these other facilities operating.

Table 2.3 in this report illustrates there would be a shortfall in IMEX capacity taking into account existing and planned capacity at Yennora, Minto, Villawood and Enfield under the Low Port Growth Scenario, the IMEX shortfall in 2020 would be around 186,000 TEU p.a. The proposed Stage 1 of the precinct (i.e. 250,000 TEU p.a.) would partly satisfy this shortfall under the Low Port Growth Scenario, the full precinct capacity (1.05 million TEU p.a.) would enable the target to continue to be achieved in 2030 and 2040 with some precinct capacity to spare. Under the High Port Growth Scenario, additional capacity will be needed to meet the target (in addition to that planned to be provided at Moorebank) from 2020 and beyond.

5.2 Campbelltown City Council submission

5.2.1 Precinct master plan

CCC has stated it is concerned about the lack of an overall master plan for the development of the Moorebank precinct as well as the lack of coordination between SIMTA and MIC. In particular, CCC is concerned by the uncertainty about the location of the proposed rail access, the road and traffic impacts and the commitments to address site infrastructure needs. CCC notes the recommendation by the NSW Freight Infrastructure Advisory Board that a master plan be developed for the Moorebank precinct to guide the development of future freight facilities at Moorebank. CCC quoted and agreed with the PAC conclusions (in relation to the SIMTA concept approval) on the issue.

CCC also expressed its concern that the rail access to the site would be fundamental to the successful operation of the terminal and in realising the traffic and environmental impacts of the Project. CCC do not consider it acceptable to issue approval for an IMT with three potential rail access routes and leave the selection of a route to later discussions. CCC also referred to the recent PAC comments that the southern rail access option was preferable in order to promote coordinated development of an IMT at Moorebank.

Despite the identification of a single rail access option, CCC remains concerned about the commitment to and timing of, construction of the rail link. CCC's view is that the rail link should be operational before the start of terminal operations.

MIC response

MIC acknowledges CCC's comments and the issues raised by the PAC with respect to a precinct master plan. As discussed above, prior to the EIS exhibition, MIC developed the Moorebank IMT proposal as a stand-alone project and the SIMTA proposal for an IMT was also being pursued separately, with its own planning and environmental approvals being sought. Since the exhibition of the EIS, an agreement has been reached between MIC and SIMTA for an integrated precinct-wide intermodal facility and associated warehousing across both the MIC and SIMTA sites.

Despite the coordinated approach, the SIMTA and Moorebank IMT proposals are still being independently assessed. The SIMTA project received its concept approval in September 2014, subject to a number of conditions discussed further in Section 2.2 in Chapter 2 – *Assessment of the issues raised by the NSW Planning and Assessment Commission*.

MIC acknowledges the statements made by CCC and PAC regarding the three rail access options presented in the EIS, and the preference for the southern rail access option. Since exhibition of the EIS, a preferred site layout and the southern rail access option have been selected for the combined precinct as described in section 7.4 of this report. The indicative layout would be further developed during detailed design and details would be provided as part of the Stage 2 SSD applications. The Response to Submission Report will be exhibited for the public to review and make further submissions prior to NSW DP&E approval of the Stage 1 SSD application approval for the Project. CCC and the community will also have the opportunity to provide further comment during the Stage 2 SSD application process.

MIC acknowledges the concern from CCC regarding the construction timing of the rail link. The EIS presented that the rail link needed to be constructed consecutively with the terminal construction. It was determined there was no economic or environmental benefit in building the rail access link in advance of construction for the terminal site. The Moorebank EIS presented a construction schedule that provided for one direction of the rail link to be operational prior to commencement of terminal operations, with the second link to be constructed 10 to 12 years later. The construction timing for the rail link has been further considered in conjunction with the new concept master plan for the precinct, as presented in section 7.5 of this Response to Submission Report, will be constructed in both directions before the start of terminal operations on the Moorebank site.

5.2.2 Traffic impacts

CCC noted that it remains concerned about the potential road impacts of the Project, specifically on Cambridge Avenue. CCC further quotes PAC's recent comments in relation to the SIMTA Project concept approval and agrees that a more detailed assessment of Cambridge Avenue is required, not just for monitoring vehicle numbers but to provide measures to prevent heavy vehicles accessing residential streets.

MIC response

MIC acknowledges the traffic network implications of the Project and the concerns raised by CCC and members of the local community, particularly in relation to Cambridge Avenue. The traffic modelling prepared for the EIS shows road network upgrades would be required to maintain all intersections in the vicinity of the Project site to an acceptable level of service. The traffic impacts of the Project have been assessed as detailed in Chapter 11 – *Traffic, transport and access* of the EIS and Technical Paper 1 – *Traffic, Transport and Accessibility Impact Assessment* (EIS Volume 3). Traffic impacts on the wider network, including local roads have been assessed using SIDRA for a number of intersections within and surrounding the Project site.

As noted, an additional traffic impact assessment has been completed to further identify the measures required to mitigate the traffic impact of the Project on intersections in the surrounding area and to assess the traffic impacts as a result of the changed concept layout. This assessment has determined whether the intersections will operate better or worse than without Project traffic. MIC is in the process of discussing the results of the traffic impact assessment with TfNSW and RMS and if agreed will contribute to the cost of intersection upgrades in proportion to the extent that the Project contributes to the traffic through that intersection. The results of these assessments are reported in Chapter 7 – *Proposed amendments to the development* of this report and the revised Traffic Impact Assessment (revised TIA) provided in Appendix E of this report.

The upgrade of Cambridge Avenue is not being considered as part of the Project as the traffic modelling concluded that only low volumes of light vehicles associated with staff movement would use Cambridge Avenue to access the Project site. Access into and out of the Moorebank terminal site will be via the intersection of Moorebank Avenue and Anzac Road. The intersection will be signalised with physical barriers to prevent heavy vehicles from turning right onto Moorebank Avenue. This will force all vehicles particularly heavy vehicles to turn left onto Moorebank Avenue to access the M5 Motorway/ Hume Highway. Similar measures will prevent trucks from entering the site from the south along Moorebank Avenue. As such, trucks associated with the terminal will be unable to access the southern end of Moorebank Avenue and Cambridge Avenue. In the event of an accident on the M5 Motorway/ Moorebank Avenue north of the terminal, the terminal will need to shut down until the traffic is cleared.

5.2.3 Infrastructure needs

CCC has sought assurance that all on and off-site infrastructure needs will be identified and met, at no cost to CCC, before concept approval, and that clear responsibilities will be established for individual components of the infrastructure task. CCC has requested that a Planning Agreement be entered into to upgrade Cambridge Avenue and construct a new road link between the Glenfield Road overbridge and Campbelltown Road linking to the F5 Freeway, to ensure that traffic relating to the development does not pass through residential areas.

MIC Response

Conditions of approval for the Project will include measures to mitigate the traffic impacts on the surrounding road network. As noted in section 5.1.4, MIC acknowledges CCC's request for a Planning Agreement regarding the upgrade for Cambridge Avenue; however, as discussed in section 5.1.4 of this report, MIC does not consider that a Voluntary Planning Agreement with Council is necessary given that a Voluntary Planning Agreement will be negotiated with NSW DP&E (to the satisfaction of RMS and TfNSW).

Other mechanisms are in place to secure future road upgrades such as conditions of approval. Furthermore, as discussed above, there are no plans to upgrade Cambridge Avenue, as the Project does not impact on Cambridge Avenue. Mitigation measures will force all vehicles exiting the terminal site to turn left onto Moorebank Avenue. Physical barriers and signalised intersections will prevent vehicles from turning right and accessing the southern section of Moorebank Avenue and Cambridge Avenue.

5.3 Hurstville City Council submission

HCC reviewed the EIS with respect to the Project's impact on the Hurstville Local Government area. While the Project is not expected to have any immediate environmental impacts, HCC is concerned that it will have an adverse impact on water quality of Georges River during early works, construction and operation. HCC is also concerned that the clearing of the riparian vegetation and the loss of the riparian corridor will expose topsoil and have immediate impacts on work quality adjacent to and downstream of the site.

The HCC submission argues that the IMT site would have a large impervious surface which is likely to increase the stormwater load (up to 300% increase in peak flows to sub-catchments) to Georges River. This will also increase the potential erosion and reduce the water quality downstream of the site. Due to the industrial natural nature of the site, the quality of the stormwater is also of concern. In particular, elevated levels of nitrogen and phosphorous can lead to degraded water quality and algal blooms which will negatively impact aquatic ecosystems. HCC also expressed concern that the existing water quality sampling program will only last for two years and recommended that the program be extended to enable monitoring to take place during the construction of the project.

MIC response

MIC acknowledges HCC's concern regarding the water quality in the Georges River and its associated riparian zone. The Georges River has been modified as a result of habitat degradation and changes in abiotic condition such as water flow volumes, velocities, increased nutrients, chemical pollution and invasive species. Annual monitoring reported in the Georges River Health Report Card 2013–14 states the overall river health is of 'fair' condition.

Chapter 16 – *Hydrology, groundwater and water quality* of the EIS, confirms that water quality of the Georges River has been identified as an important issue for the management of the Project. The Project will be subject to stringent mitigation measures at all stages of development that will include riparian vegetation management and revegetation, bridge design based on NSW Fisheries fish passage requirements for waterway crossings, and appropriately designed stormwater management measures based on further ongoing water quality monitoring. Further investigations would be undertaken as part of the Stage 2 SSD application and would include detailed modelling and subsequent management of stormwater quality of the Georges River and Anzac Creek waterways.

An area of high flood risk is identified along the lower terraces of the Georges River where there is significant riparian vegetation. This area exceeds the 1% annual exceedance probability (AEP) for a significant flood event. As such, no development is proposed in this area and the area will be retained as a 'conservation area'. No vegetation clearing in this area is proposed.

In response to the concern raised regarding the impact on aquatic ecosystems, Chapter 13 – *Biodiversity* of the EIS provides a summary of the potential impacts of the Project on the existing biodiversity within and surrounding the Project, which is based on the findings of the *Ecological Impact Assessment* contained in Volume 4 of the EIS. The Project would result in vegetation clearing and habitation disturbance, the impacts of which are irreversible. Table 29.6 in Chapter 29 – *Environmental risk analysis* of the EIS identifies that, without mitigation, the consequence of the impacts are major. However, the impacts are expected to reduce to 'moderate' if the mitigation measures as detailed in the EIS are put in place. This includes retention of the conservation area along the Georges River, measures to minimise the likelihood of flora and fauna injury or mortality and development and implementation of a biodiversity offset strategy. A revised biodiversity offset strategy developed in accordance with the NSW *Biodiversity Offset Policy for Major Projects 2014*, is provided in Chapter 8 of this report.

5.4 Fairfield City Council

FCC provided a written submission stating that it has concerns regarding the amenity impacts on Liverpool residents due to increased truck movements as a result of the Project.

FCC states that it supports LCC's position regarding the Project.

MIC response

The impact of the Project on the amenity of the surrounding areas has been discussed in detail throughout the EIS (noise, traffic, air, human health etc.). Overall, the EIS concluded that provided the mitigation measures specified in the EIS are applied and effectively implemented during the design, construction and operational phases, the identified environmental impacts would not be significant and were found to be acceptable.

MIC's response to LCC's submission is provided in section 5.1 of this report.

5.5 Bankstown City Council

BCC provided a written submission stating their concerns relating to traffic and transport, water quality, biodiversity and flooding. The issues raised and MIC's response is provided in the sections below.

Furthermore, BCC submission requested that clear communication channels are established and maintained between MIC and BCC throughout construction and operation of the Project. Council also requests that air and noise in the surrounding areas of the Project site are closely monitored throughout the construction and operation. BCC requests that this information be placed on the website and certified by an independent consultant.

MIC response

Community consultation for the Project began in 2010 and has been ongoing since that time. MIC offered EIS briefing sessions to a number of local councils and local members for parliament, including the BCC Mayor. MIC will continue to consult with BCC as the Project develops and as part of future Stage 2 SSD applications.

MIC has been monitoring ambient noise and air quality at the site and surrounding areas since March 2014 and the results of this monitoring are available on the MIC website (<http://www.micl.com.au/environment/monitoring-results.aspx>). This monitoring program is expected to continue throughout the construction and operation of the project. MIC would be prepared to receive a condition of approval that requires the noise and air quality monitoring results be placed on its website and certified by an independent consultant.

5.5.1 Traffic and transport

BCC submission argues that heavy vehicle movements generated by the Project are likely to have an impact on major arterial roads in the Bankstown Local Government Area (LGA) such as Henry Lawson Drive and Stacey Street.

The BCC submission argues that these roads are already operating at capacity and will require significant infrastructure upgrades to accommodate additional traffic. Council requests that along with other proposed traffic mitigation measures that funding to upgrade Henry Lawson Drive (intersection with Milperra Road) and Stacey Street to accommodate increased traffic flow associated the IMT.

MIC response

The impacts of traffic generation by the Moorebank IMT development have limited impact on the Bankstown LGA. Only traffic associated with warehousing operations are likely to represent a difference in overall traffic impact. This is because containers are already travelling from Port Botany to destinations in the Bankstown local government area on trucks via the Bankstown road network. These containers will continue to be transported to Bankstown LGA, however, with the Moorebank IMT; trucks will travel from Moorebank to their destination in Bankstown instead of from Port Botany to Bankstown.

Truck movements along Henry Lawson Drive will decrease between the M5 Motorway and Milperra Road as some container trucks now approach from the west along Newbridge Road/Milperra Road. In the 2030 AM peak hour the project traffic from Moorebank is represented by 37 truck movements approaching this intersection from the west. Of these approximately half is new traffic. Less than 20 trucks per hour are not expected to have an appreciable impact on the operation of the intersection.

Stacey Street is a significant distance from Moorebank IMT site, most of the Project traffic is heading to the North West so the impact on Stacey Street would be negligible.

5.5.2 Water quality

The BCC submission raises concern relating to the management and treatment of stormwater runoff and the impact on water quality in the Georges River. Council recognises the need for measures to mitigate the risk of rubbish and litter entering Georges River.

MIC response

As discussed on section 16.2 of Chapter 16 – hydrology, groundwater and water quality of the EIS, water quality has been identified as an important issue for the management of the Project. Further investigations would be undertaken as part of the Stage 2 SSD applications and this would include detailed modelling and subsequent management of stormwater quality to ensure there is no impact to Georges River.

Chapter 26 – *Waste and resource management* of the EIS provides an assessment of the waste likely to be generated from the IMT during construction and operation of the Project. This assessment includes litter, paper and food waste generated from a range of sources. Section 26.3 of Chapter 26 – *Waste and resource management* outlines the mitigation measures and the key principles of waste management which includes reduction, re-use, recycling and recovery. Dedicated recycling storage areas and recycling bins would be located throughout the Project site to reduce the amount of rubbish being produced and subsequently entering Georges River.

The condition and health of Georges River has been monitored since July 2013, and the water quality monitoring results have been published on the MIC website (<http://www.micl.com.au/environment/monitoring-results/water-quality.aspx>). This monitoring program is expected to continue throughout the construction and operation of the project.

5.5.3 Biodiversity

BCC is concerned with the loss of high value intact vegetation and biodiversity corridors as a result of the Project. In addition, BCC states that no aquatic habitat assessment and aquatic habitat surveys have been undertaken.

MIC response

Chapter 13 – *Biodiversity* of the EIS provides a summary of the potential impacts of the Project on the existing biodiversity within and surrounding the Project, which is based on the findings of the *Ecological Impact Assessment* contained in Volume 4 of the EIS. The Project would result in vegetation clearing and habitation disturbance, the impacts of which are irreversible. Table 29.6 in Chapter 29 – *Environmental risk analysis* of the EIS identifies that, without mitigation, the consequence of the impacts are major. However, the impacts are expected to reduce to ‘moderate’ if the mitigation measures as detailed in the EIS are put in place. This includes retention of the conservation area along the Georges River, measures to minimise the likelihood of flora and fauna injury or mortality and development and implementation of a biodiversity offset strategy.

In response to the comment regarding the ecological surveys, the *Ecological Impact Assessment* contained in Volume 4 of the EIS was prepared in accordance with NSW Office of Environment and Heritage (OEH) guidelines and the surveys were based on desktop analysis. This approach was endorsed by DP&E and is compliant with the Project SEARs. Detailed surveys of aquatic habitat would be undertaken in preparation of the Stage 2 SSD application(s).

Impacts associated with vegetation clearing have been assessed in accordance with state and federal legislation. The Project will be subject to stringent mitigation measures at all stages of development that will include riparian vegetation management and revegetation, bridge design based on NSW Fisheries fish passage requirements for waterway crossings, and appropriately designed stormwater management measures based on further ongoing water quality monitoring. Further extensive biodiversity offsetting in accordance with state and federal guidelines will ensure the Project adequately achieves appropriate biodiversity outcomes.

5.5.4 Flooding

BCC is concerned that the Project is proposed in a high risk flood zone.

MIC response

As shown on Figure 16.2 in Chapter 16 – *Hydrology, groundwater and water quality* of the EIS, the Project’s operations on the site will be located out of the high and medium flood risk zones of the Georges River catchment. An area of high flood risk is identified along the lower terraces of the Georges River. This area exceeds the 1% AEP for a significant flood event. As such, no development is proposed in this area and a conservation zone will be developed. Detailed investigation to address any pre-existing flooding issues beyond the site boundary was not required as part of the SEARs for the Stage 1 SSD application. If required these studies would be considered in further detail as part of the Stage 2 SSD application process, once the site layout has been confirmed. Further modelling may also be completed to confirm issues such as flood vulnerability of roads adjacent to the site (including Cambridge Avenue).

In addition, the internal site drainage system has been designed to convey the 10% AEP flood, in accordance with the LCC Drainage Design Specification Section D5.04. For events above the 10% AEP,

the site will be designed to safely convey overland flow to the detention ponds which will be designed to attenuate the runoff from the site to pre-development levels up to the 1% AEP.

5.6 Other government agency submissions

Table 5.1 below identifies the key issues raised by government agencies and key stakeholders. Issues have been organised into themes, reflecting the headings of the EIS chapters (e.g. biodiversity and traffic, transport and access). These issues, along with MIC's response, are discussed in more detail in Appendix B (Table 2).

The NSW Office of Environment and Heritage (OEH) in their submission raised a number of issues in relation to biodiversity and specifically the application of NSW Biodiversity Offset Policy for Major Projects 2014 (Offset Policy 2014). MIC met with OEH to discuss the issues raised in their submission and following this discussion, it was agreed to update the biodiversity offset strategy (BOS) to outline the steps involved with offsetting vegetation loss through a combination of on-site and off-site strategies.

An updated BOS has been prepared in accordance with the Offset Policy 2014 and the NSW Framework for Biodiversity Assessment 2014 (FBA) and has been included in Chapter 8 – *Additional technical investigations since the EIS* of this report.

Table 5.1 Summary of key issues raised by government agencies and key stakeholders

Theme	Key issues raised (refer to Appendix B (Table 2) for MIC's response to issues raised)
Office of Environment and Heritage	
Biodiversity	<p>Concerned with:</p> <ul style="list-style-type: none"> the loss of threatened ecological communities and threatened species habitats within the Project site; the reliability of the biodiversity assessment of losses and gains; and the level of flexibility proposed in the EIS in regards to proposed offsets and suggests there is a shortfall in offsets for certain vegetation species. <p>States the boundary of the conservation area does not align with the biodiversity values present within the Project site.</p> <p>States all attempts need to be made to avoid and minimise impacts on biodiversity.</p> <p>States the Ecological Impact Assessment does not meet the Offsets Policy 2014 (with the policy requiring reasonable steps to locate like-for like offsets).</p> <p>Does not agree to use of a Conservation Agreement under the <i>National Parks and Wildlife Act 1974</i> as a mechanism to secure the protection of the offset areas.</p> <p>Identifies inconsistencies in the extent of the conservation area shown in the EIS and the area shown in the Ecological Impact Assessment.</p> <p>Recommends:</p> <ul style="list-style-type: none"> the use of the E2 Environmental Conservation Zone for land within the defined 'conservation area' as opposed to the proposed E3 Environmental Management; addressing further matters in the Ecological Impact Assessment in regards to two threatened flora species (<i>Grevillea parviflora</i> ssp. <i>Parviflora</i> and <i>Persoonia nutans</i>); that the EIS should address matters related to the impacts on William Howe Regional Park and the Guidelines for developments adjoining land and water managed by Office of Environment and Heritage (OEH); and that the 'area available for potential development' should not form part of the proposed 'offset area'.

Theme	Key issues raised (refer to Appendix B (Table 2) for MIC's response to issues raised)
Aboriginal and European heritage	<p>Refers to previous comments provided by OEH as part of their review of the EIS during adequacy. Key issues noted at that stage included:</p> <ul style="list-style-type: none"> concern regarding the subsurface test excavation program; recommends that options to avoid harm to areas assessed to have high levels of significance should be considered; recommends that areas of the 'Georges River Corridor and Terrace' which have been assessed and recommended for conservation should be appropriately nominated for inclusion on the Commonwealth Heritage Listing; recommends that further information be provided on how the perpetual and ongoing protection of any Aboriginal cultural heritage sites cited within the 'conservation zone' will be managed; and recommends that any interpretation strategy should integrate the archaeological significance with Aboriginal cultural significance of the lands as well as the geomorphological and non-Indigenous history of the land.
Hydrology, water quality and groundwater	<p>Refers to previous comments provided by OEH as part of the review of the EIS during adequacy. Key issues noted at that stage included:</p> <ul style="list-style-type: none"> recommends that further investigation be undertaken into potential afflux caused by the bridge structure over Georges River; and argues that there is a need for an emergency management plan.
Environment Protection Authority	
General	<p>Does not support a rail link through the Glenfield Landfill unless it can be clearly demonstrated that the rail access would not compromise the effectiveness of the landfill pollution control and monitoring systems. This applies to both the southern and central rail access options.</p> <p>No objections to the northern rail access option as long as wastes are managed in accordance with the NSW <i>Protection of the Environment Operations Act 1997</i> and Waste Regulation.</p> <p>Recommends:</p> <ul style="list-style-type: none"> that targeted intrusive investigations be undertaken to determine contamination pathways for the central and southern rail access options; and additional information is provided if the central or the southern rail access options are selected.
Local and regional air quality	<p>Identifies inconsistencies in the emission estimates between the regional and local air quality assessments (in relation to emission loads).</p> <p>States it is unclear if a 'worst case' scenario has been considered for the cumulative impacts of the Project with the SIMTA Project.</p> <p>Seeks clarification on the exceedance of PM₁₀ (24-hour average) for the cumulative scenarios (including SIMTA).</p> <p>States the Local Air Quality Impact Assessment contains air quality criteria that differs from the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (DEC 2005).</p> <p>Recommends:</p> <ul style="list-style-type: none"> that a detailed ozone assessment be provided as part of the EIS; further details be provided on the air quality impacts of Early Works; and that a more refined statement of commitments be developed for the Project.
Cumulative impacts	Recommends a revised cumulative assessment considering the SIMTA site (approved capacity) and the Moorebank IMT at full capacity.

Theme	Key issues raised (refer to Appendix B (Table 2) for MIC's response to issues raised)
Noise and vibration impacts	Argues that the frequency of occurrence of light winds should have included analysis of day, evening and night-time periods not just seasonal wind conditions.
	Questions the use of the F stability category in the Noise and Vibration Assessment.
	<p>Concerned with:</p> <ul style="list-style-type: none"> the feasibility and viability of the mitigation measures; and level of control of the IMT operation over the rail rolling stock and the use of locomotives that comply with the EPA Railway Systems Activities Licences.
	<p>Recommends:</p> <ul style="list-style-type: none"> that additional commitments be provided including: <ul style="list-style-type: none"> > the use of alternatives to tonal movement alarms (e.g. reversing cameras, in-cab proximity alarms); > the use of best practice latest technology plant and equipment for container handling impact noise; > the use of alternatives to signalling by vehicle horns; and > the installation of track lubrication devices if curve squeal becomes an issue; the site layout maximise forward movements of trucks to minimise beeper noise; limiting construction hours to standard hours, with an exception for activities that need to be completed during a rail or road possession, or works resulting in noise levels not more than 5 dBA above Rating Background Levels; and the use of bored or vibratory piling instead of impact piling where practicable.
Contamination and soils	Argues the contamination assessment has not adequately addressed the issue of polychlorinated biphenyls in soils, associated with the site at 1 Bapaume Road, Moorebank (ABB site).
	Recommends that a site auditor be engaged to issue a Section A Site Audit Statement for the subject site.
Transport for NSW	
Traffic, transport and access	Concerned that traffic movements to and from the site may not be consistent with those predicted within the EIS (with much of the traffic occurring outside of peak periods).
	<p>Recommends:</p> <ul style="list-style-type: none"> that additional modelling be undertaken to examine the local and area wide traffic impacts on the greater operation of the strategic road network; that a Statement of Commitments be included that identifies the scope and timing of future road infrastructure upgrades; that any conditions of approval include the requirement to: <ul style="list-style-type: none"> > implement a driveway monitoring regime (monitors all vehicle movements into and out of the site) and requirements to adopt shift changeover times outside of AM and PM peak periods; > develop a workplace travel plan for the future operational stages; and > provide bus turnaround facilities with direct pedestrian access paths and pedestrian facilities on Moorebank Avenue. that any conditions of approval state that future road works will not be at the cost of RMS; and that an overall strategic framework be established with a Construction Traffic Management Plan for each stage of the work.
	Supports the proposed 'satisfactory arrangements' clause in the Planning Proposal for contributions to be made towards regional transport infrastructure. Recommends that MIC enter into a Planning Agreement with State government for road upgrades.

Theme	Key issues raised (refer to Appendix B (Table 2) for MIC's response to issues raised)
	<p>Identifies a typographical error in Chapter 11 in regards to passenger car unit (PCU) factors.</p> <p>Seeks clarification on:</p> <ul style="list-style-type: none"> some of the assumptions and model validation checks for the traffic assessment; the distribution plots in Technical Paper 1 (Appendix J); and the assumption of 100% utilisation for the pallets to vehicle conversion for semi-trailers and rigid trucks not listed in the EIS.
Noise and vibration impact	<p>Recommends:</p> <ul style="list-style-type: none"> that conditions of approval include requirements: <ul style="list-style-type: none"> > to allow only use of modern rolling stock; > to adopt curve noise countermeasures and effective lubrication techniques; and > to provide a report into the use of hybrid trains for port shuttle operations. <p>Argues that:</p> <ul style="list-style-type: none"> locomotives approved under EPA's licence regime have variable noise performance and alone would not be sufficient to achieve best practice performance in terms of noise; and appropriate noise control would need to be examined to ensure the SSFL meets its project approval conditions.
Land use and property	<p>Seeks confirmation on the potential impact on the East Hills Railway Line. Notes that landowners consent would be required by Sydney trains if this occurs.</p> <p>Recommends:</p> <ul style="list-style-type: none"> That any conditions of approval: <ul style="list-style-type: none"> > include a requirement to identify the property requirements to accommodate road infrastructure upgrades; and > prohibit access across the northern boundary of Lot 100 DP 1049508 onto the South Western Motorway. <p>Notes that Interlink Roads Pty Ltd will require maintenance access to the proposed GPT pit in the sliver of land adjacent to Moorebank Avenue (dedicated as public road but not used for road purposes).</p>
Local and regional air quality	<p>Recommends a number of conditions of approval in relation to measures to improve air quality (related to locomotives, vehicle idling, trucks and vehicles).</p>
Fire and Rescue NSW	
Hazards and risks	<p>Argues the EIS does not identify and discuss some types of unplanned incidents which may potentially pose risks (i.e. fire incidents and hazmat incidents).</p> <p>Identifies additional potential fire hazards including:</p> <ol style="list-style-type: none"> vehicle or train refuelling fire; vehicle or train refuelling spill; plant and equipment fire; stored container fire; stored container hazardous materials spill; vehicle collision causing a fire or hazardous materials spill; and train collision or derailment causing a fire or hazardous materials spill. <p>Recommends a number of conditions of approval in relation to hazards and risks.</p>

Theme	Key issues raised (refer to Appendix B (Table 2) for MIC's response to issues raised)
NSW Rural Fire Service	
Hazards and risks	Argues the appropriate bushfire protection issues have been considered in the EIS.
	Notes that appropriate asset protection zones would need to be considered in more detail at later stages.
Sydney Catchment Authority	
N/A	States the Project is located outside of the Sydney Catchment Authority operational areas and the authority has no comments on the proposal.
NSW Department of Primary Industries (including comments from NSW Office of Water and Fisheries NSW)	
Biodiversity	Notes: <ul style="list-style-type: none"> that it is important that fish habitat is maintained during construction; and the importance of the implementation measures described in Chapter 28 – <i>Environmental management framework</i> of the EIS, particularly those in regards to erosion and sediment control and clearing of vegetation.
	Requests detailed plans of the three rail access options be provided.
	States the northern rail access option is preferred on the basis that this is argued to result in minimal loss of riparian vegetation, both in area and length along the river
	Argues the ecological value of the function of the vegetated riparian zone has been overlooked.
	Identifies inconsistencies in regards to the width for the proposed conservation area/riparian area throughout the EIS.
	States that adequate mitigation is required to ensure that Anzac Creek downstream of the site is not degraded.
	Recommends: <ul style="list-style-type: none"> amending the EIS and Management Plan for Restoration of the Riparian Zone of the Georges River to include clarify riparian widths (minimum 40 m); retaining the Amiens wetland; and that if the southern rail access option is selected, consideration should be given at detailed design to locate the rail access further west, avoiding disturbing remnant vegetation.
Hydrology, water quality and groundwater	Seeks clarification on whether bridge piers would be located within the river channel. Preference for these to be located outside.
	Recommends a zoning of E2 – <i>Environmental Conservation</i> for the conservation area, rather than the proposed E3 – <i>Environmental Management</i> zoning.
General	Recommends that only one bridge structure be provided for the SIMTA project and the Moorebank IMT.
	States that a condition of approval should be to include an assessment of the potential impacts on groundwater and groundwater dependent ecosystems during detailed design.
NSW Health	
Human health risks and impacts	Notes the proximity of the IMT to residential housing and states that health effects are plausible.
	States that a further health impact assessment could include consideration of creation of employment opportunities and local employment.

Theme	Key issues raised (refer to Appendix B (Table 2) for MIC's response to issues raised)
Local and regional air quality	Agrees with the basic framework for the assessment of additional air impacts appears to be sound.
	Argues the Local Air Quality Assessment only includes vehicle movements on-site and has not taken into account vehicle movements off-site that will be using the terminal. States that truck and vehicle movements along Moorebank and the M5 Motorway should be included.
	Notes it is difficult to find the air modelling data and estimated impacts for individual receiver sites.
	States that transport refrigeration units (TRUs) need to operate 24 hours a day and if power to these units is from a diesel generator, then the potential impacts could be greater than anticipated in the EIS.
	Generally supports the mitigation options proposed in the EIS.
Noise and vibration impacts	Argues that the different limits in the guideline documents (<i>Industrial Noise Policy</i> , <i>Rail Infrastructure Noise Guideline</i> and the <i>Road Noise Policy</i>) create confusion inadequate accounting of cumulative noise impacts.
	Notes the NSW <i>Industrial Noise Policy</i> provides a guide of a 15 dB(A) exceedance of background noise as a screening tool to trigger a more detailed assessment for possible sleep disturbance. States the noise at receivers is just on the threshold (13 dB(A)) and argues that a more detailed assessment should be made given that there would be noise impacts from other sources (i.e. the rail access).
	Notes that specific mitigation measures may need to be negotiated and made a requirement of consent.
NSW Ports	
General	Supports the development of an IMT at Moorebank as part of a greater network of intermodal terminals.
	Highlights the importance of planning for road and rail connections to and from the Ports well ahead of the demand to that there is sufficient time to gain approvals, secure finance, undertake procurement processes and construct the infrastructure.
	Emphasises the importance of an intermodal terminal in catering for growth at Port Botany.
	States that Port Botany's total container volumes have doubled over a 10 year period, growing from approximately 1 million TEUs in 2002 to approximately 2 million in 2011. This is an average growth rate of 7.3%. Container volumes are expected to grow and expected to reach nearly 2.9 million TEUs in 2018. Forecasts expect that by 2030, 7 million TUEs could be handled by the Port of Botany.
	Notes that it is NSW Ports' objective to ensure that all rail infrastructure is capable of handling 3 million TEUs over the next 30 years.
	States that the Moorebank IMT is critical to achieve the objective of increasing rail's share of freight distribution and will be required to handle at least 1 million TEUs. Notes that additional terminals are also required at other locations in Sydney, including Eastern Creek.
	States that the project would also assist in reducing the growth of truck transport movements to and from Port Botany.

