

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 16-7628
Proposal Name	<p>SIMTA Intermodal Terminal Facility – Stage 2 (warehouse and distribution facilities) State Significant Development</p> <p>Construction and operation of warehousing and distribution facilities comprising the following components:</p> <ul style="list-style-type: none"> • 300,000m² of warehousing; • Freight village; • Construction of internal roads; and • Supporting infrastructure (stormwater and drainage, utilities relocation and installation, vegetation clearing, remediation, earthworks and signage).
Location	Moorebank Avenue, Moorebank
Applicant	Sydney Intermodal Terminal Alliance (SIMTA)
Date of Issue	27 May 2016
General Requirements	<p>The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 the <i>Environmental Planning and Assessment Regulation 2000</i> including but not limited to:</p> <ul style="list-style-type: none"> ○ a summary of the EIS; ○ a statement of the objectives of the development, including consideration of the development's consistency with the aims and objectives of relevant State policies and plans; ○ an analysis of the development, including an assessment, with a particular focus on the requirements of the listed key issues, in accordance with clause 7(1)(d) of Schedule 2 of the Regulation (where relevant), including for normal and worst case scenarios (as relevant); ○ an identification of how relevant planning, land use and development matters (including relevant strategic and statutory matters) have been considered in the impact assessment (direct, indirect and cumulative impacts) and/or in developing management, mitigation, and monitoring measures, including 79C of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act), applicable State Environmental Planning Policies (SEPPs) and the nature and extent of any prohibitions that apply to the development and demonstration that the site is suitable for the proposed use in accordance with SEPP 55; ○ a compilation of the measures proposed to avoid, minimise, manage, mitigate, offset and/or monitor any adverse effects of the development on the environment and any residual impacts; ○ likely sub-staging; ○ a justification of the development taking into consideration the objects of the EP&A Act; and ○ detail how ESD principles (as defined in clause 7(4) of the Regulation) will be incorporated in each stage of the development. <p>Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional environmental impacts are identified through this risk analysis, an appropriately detailed impact</p>

	<p>assessment of the additional environmental impacts shall be included as part of the Development Application.</p> <p>Where relevant, the assessment of the key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> • adequate baseline data; • consideration of potential cumulative impacts due to other development in the vicinity; • measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment; and • a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues. The assessment should be undertaken with reference to the <i>Centre for Health Equity Training, Research, and Evaluations' practical guide to impact assessment</i> (August 2007) and shall include: <ul style="list-style-type: none"> ○ a discussion of the known potential developments in the local region; ○ an assessment of the impact on the environmental values of public health; and ○ an assessment of local and regional impacts including health risks. <p>The EIS must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The Report shall be prepared on company letterhead and indicate the applicable GST component of the CIV; • an estimate of the jobs that will be created by the future development during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation.
<p>Key issues</p>	<p>The EIS must address the following specific matters:</p> <p>1. Statutory and Strategic Context – including but not limited to: Addressing the relevant planning provisions, goals and strategic planning objectives in the following:</p> <ul style="list-style-type: none"> • NSW 2021; • A Plan for Growing Sydney 2014 • State Infrastructure Strategy 2012-2032; • Railing Port Botany's Containers; • NSW Freight and Ports Strategy 2013; • NSW Long Term Transport Masterplan; and • National Land Freight Strategy. <p>2. Compliance with the Approved Concept Plan The EIS shall demonstrate that the proposal is consistent with the Concept Plan approval MP 10_0193 dated 29 September 2014 (as modified).</p> <p>3. Air Quality – including but not limited to: A comprehensive air quality impact assessment including:</p> <ol style="list-style-type: none"> a) An assessment in accordance with the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (2005)</i> (or its later version and updates); b) An assessment of construction related impacts including dust and wind erosion from exposed surfaces and proposed mitigation measures and safeguards to control dust generation and other airborne pollutants and to minimise impacts on nearby receptors; and c) A review of direct and indirect greenhouse gas emissions arising from this

development and associated impact mitigation requirements, in reference to the Concept Plan greenhouse gas assessment.

4. Traffic and Transport – including but not limited to:

A Traffic Impact Assessment that assesses intersection and road network impacts, including impacts on Cambridge Avenue. The traffic assessment shall:

- a) take into account the *RMS Guide to Traffic Generating Developments*;
- b) undertake a realistic and justified range of peak hour generation scenarios (to be determined in consultation with TfNSW, RMS and Liverpool City Council) including assumptions about heavy vehicle movements and the percentage of deliveries by railway and road;
- c) undertake detailed model analysis to confirm network operation and identify intersection upgrade requirements;
- d) consider the constructability constraints of proposed upgrade(s) at key intersections, such as vehicle sweep paths, geometry and sight lines;
- e) include a draft Construction Traffic Management Plan;
- f) assess construction traffic impacts, which may include a draft Construction Traffic Management Plan including:
 - i. the identification of haulage routes and the nature of existing traffic on these routes;
 - ii. an assessment of construction traffic volumes (including spoil haulage/delivery of materials and equipment to the road corridor and ancillary facilities); and
 - iii. potential impacts to the regional and local road network (including safety and level of service) and potential disruption to existing public transport services and access to properties and businesses.
- g) assess operational traffic and transport impacts to the local and regional road network, including:
 - i. changes to local road connectivity and impacts on local traffic arrangements, road capacity/safety; and
 - ii. traffic capacity of the road network and its ability to cater for predicted future growth.
- h) provide details of site accesses, internal roads and vehicular parking required as a result of the development; and
- i) provide an updated Traffic Management and Accessibility Plan including:
 - i. measures to prevent heavy vehicles accessing residential streets to maintain the residential amenity of the local community
 - ii. public transport;
 - iii. cyclist facilities; and
 - iv. driver code of conduct.

5. Noise and Vibration – including but not limited to:

An updated assessment of noise and vibration impacts. The assessment shall:

- a) assess construction noise and vibration impacts associated with construction of the proposal, including impacts from construction traffic and ancillary facilities. The assessment shall identify sensitive receivers and assess construction noise/vibration generated by representative construction scenarios focusing on high noise generating works. Where work hours outside of standard construction hours are proposed, clear justification and detailed assessment of these work hours must be provided, including alternatives considered, mitigation measures proposed and details of construction practices, work methods, compound design, etc;
- b) assess operational noise and vibration impacts and identify feasible and reasonable measures proposed to be implemented to minimise operational noise impacts of the intermodal facility and rail link, including the preparation of an Operational Noise Management and Monitoring Plan; and
- c) be prepared in accordance with: NSW Industrial Noise Policy (EPA 2000), Interim Construction Noise Guideline (DECC 2009), Assessing Vibration: a technical guide (DEC 2006), the Rail Infrastructure Noise Guideline (EPA 2013), Development Near Rail Corridors and Busy Roads Interim Guideline

(DoP 2008), and the NSW Road Noise Policy 2011.

6. Infrastructure Upgrades/Contributions – including but not limited to the following:

- a) an assessment of the impacts of the project on local infrastructure, demonstrating that satisfactory arrangements are in place to support and mitigate any impacts of Stage 2 of the Concept Plan including applicable costs, timing, TEU thresholds and approval pathways for such measures;
- b) Consideration of any relevant Council's Developer Contributions Plan (or equivalent document requiring developer contributions), including the contributions plan for Prestons Industrial Area; and
- c) Consideration of the need to extend the Route 901 bus service.

7. Soil and Water – including but not limited to:

An assessment of soil and water impacts for the site. The assessment shall:

- a) assess impacts on surface and groundwater flows, quality and quantity, with particular reference to any likely impacts on Georges River and Anzac Creek;
- b) assess flooding impacts and characteristics, to and from the project, with an assessment of the potential changes to flooding behaviour (levels, velocities and direction) and impacts on bed and bank stability, through flood modelling, including:
 - i. hydraulic modelling for a range of flood events;
 - ii. description, justification and assessment of design objectives (including bridge, culvert and embankment design);
 - iii. an assessment of afflux and flood duration (inundation period) on property;
 - iv. consideration of the effects of climate change, including changes to rainfall frequency and/or intensity, including an assessment of the capacity of stormwater drainage structures; and
 - v. relevant provisions of the *NSW Floodplain Development Manual 2005*.
- c) assess effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas, water dependent fauna and flora (including Ground Dependent Ecosystems);
- d) describe any changes to environmental availability;
- e) describe any mitigating effects of the proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options;
- f) identification of proposed monitoring of hydrological attributes;
- g) include a detailed and consolidated site water balance;
- h) address drainage issues associated with the development / site, including the incorporation of Water Sensitive Urban Design measures, stormwater and drainage infrastructure such as on-site detention systems to ensure peak discharges and flow velocities post development shall not exceed existing peak flows and velocities;
- i) undertake an assessment of surface water quality during construction (including reference to water quality objectives for the relevant catchment where objectives have been determined), including an identification of works that may impact water quality, and a summary of proposed monitoring and mitigation measures in accordance with *Managing Urban Stormwater – Soils & Construction Volume 1 2004 (Landcom)* and *Volume 2 (DECC 2008)*;
- j) consideration of stormwater quality and management (including monitoring) during operation of the site with the objective of maintaining or improving existing water quality taking into account the Water Quality Objectives;
- k) consider whether the existing sewerage system can cater for the proposal and whether environmental performance of the existing system will be impacted;
- l) identify and assess the soil characteristics and properties that may impact or be impacted by the project, including acid sulfate soils, salinity,

- erdodibility, unstable or unsuitable ground and unrippable rock;
- m) include a bulk earthworks strategy detailing the volume of spoil to be extracted from the site, planned reuse and amount of material to be imported;
- n) include a contamination assessment in accordance with the guidelines made under the Contaminated Land Management Act 1997; and
- o) include an assessment of potentially contaminated areas in accordance with the National Environmental Protection Measure 2013 in addition to an assessment of potential areas of Perfluorinated Compounds.

8. Aboriginal Heritage including but not limited to:

An assessment of the heritage impacts of the proposal. The assessment shall:

- a) consider impacts to Aboriginal heritage (including cultural and archaeological significance), in particular impacts to Aboriginal heritage sites identified within or near the project should be assessed. The identification of cultural heritage values should be guided by the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (DECCW 2000). Where impacts are identified, the assessment shall demonstrate effective consultation with Aboriginal communities in determining and assessing impacts and developing and selecting options and mitigation measures (including the final proposed measures) in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW); and
- b) describe attempts to avoid impacts to cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.

9. Historic Heritage including but not limited to:

An assessment of the heritage impacts of the proposal. The assessment shall:

- a) consider impacts to historic heritage. For any identified impacts, the assessment shall:
 - i. include a statement of heritage impact;
 - ii. be undertaken by a suitably qualified heritage consultant(s); and
 - iii. outline the proposed mitigation and management measures (including measures to avoid significant impacts and an evaluation of the effectiveness of the measures). Mitigation measures should include (but not be limited to) photographic archival recording and adaptive re-use of buildings or building elements on site).

Note: Where historical excavation is proposed, the heritage consultant undertaking the assessment must meet the NSW Heritage Council's Excavation Director criteria

10. Visual Amenity, Urban Design and Landscaping – including but not limited to:

An assessment of visual impacts. The assessment shall:

- a) include a description of the visual significance of the affected landscape including an analysis of views from key vantage points;
- b) include artist's impressions of the development from key vantage points;
- c) assess the visual impact of the project on the landscape character of the area, including built form (materials and finishes) and the urban design (height, bulk and scale) of the proposal including views to and from the site;
- d) consider lighting impacts in the local area, analyse and describe the contribution and impacts of the proposed facility on light spill at the local scale and to sensitive receivers;
- e) include details of hard and soft landscaping treatment and design (including details of suitable landscaping incorporating endemic species);
- f) ensure the layout and design of the development has regard to the surrounding vehicular, pedestrian and cycling networks; and
- g) propose management/mitigation measures to address the visual impact of

	<p>the proposal.</p> <p>11. Biodiversity – including but not limited to: A Flora and Fauna assessment. The assessment shall:</p> <ol style="list-style-type: none"> a) assess impacts on the biodiversity values of the site and adjoining areas, including Endangered Ecological Communities and threatened flora and fauna species and their habitat, groundwater dependent ecosystems, impacts on wildlife and habitat corridors, riparian land, and habitat fragmentation and details of mitigation measures. The assessment shall be undertaken in accordance with the Framework for Biodiversity Assessment, unless otherwise agreed by OEH, by a person accredited in accordance with s142B(1)(c) of the <i>Threatened Species Conservation Act 1995</i>; b) consider the OEH's <i>Threatened Species Survey and Assessment Guidelines</i> (www.environment.nsw.gov.au/threatenedspecies/surveyassessmentgdlns.htm), any relevant draft or final recovery plans, and Commonwealth <i>Significant Impact Guidelines</i>; c) assess and document impacts related to the proposed project in accordance with the <i>Framework for Biodiversity Assessment</i> (OEH 2014), unless otherwise agreed by OEH, by a person accredited in accordance with s142B(1)(c) of the <i>Threatened Species Conservation Act 1995</i>; and d) include a comprehensive offset strategy, or provide an updated strategy, in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> including the <i>Framework for Biodiversity Assessment</i> (OEH 2014), consistent with the 'avoid, minimise or offset' principle. <p>12. Contamination – including but not limited to: A contamination assessment in accordance with the guidelines under the <i>Contaminated Land Management Act 1997</i>. The assessment shall include the potential environmental and human health risks of site contamination on the project site, a Remedial Action Plan (if required), and consideration of implications of proposed remediation actions on the project design and timing (if relevant).</p> <p>13. Hazards and Risks – including but not limited to: A preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33</i> (DoP 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the proposal. Should preliminary screening indicate that the proposal is 'potentially hazardous,' a Preliminary Hazard Analysis (PHA) must be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</i> (DoP 2011) and <i>Multi-Level Risk Assessment</i> (DoP 2011). The PHA should:</p> <ol style="list-style-type: none"> a) Estimate the risks from the facility; b) Be set in the context of the existing risk profiles for the intermodal facility and demonstrate that the proposal does not increase the overall risk of the area to unacceptable levels; and c) Demonstrate that the proposal complies with the criteria set out in the <i>Hazardous Industry Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning</i>.
Other Issues	<p>14. Waste – including but not limited to: An assessment of liquid and/or non-liquid waste generated on the site, how it will be identified, quantified, classified, documented and disposed of. The assessment shall also include a description of measures to be implemented to manage waste in accordance with the waste hierarchy. This assessment shall include waste management measures to ensure that the proposal considers the aims, objectives and guidelines in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>.</p>

	<p>15. Bushfire Management – including but not limited to: An assessment against the <i>Planning for Bushfire 2006</i> (NSW Rural Fire Service).</p> <p>16. Property and Infrastructure – including but not limited to:</p> <ol style="list-style-type: none"> a) Assessing the impacts on affected properties and land uses, including impacts relating to access, land use, business activities, future development potential, and property acquisition; and b) Assessing the service demand, capacity and augmentation of existing and proposed utilities and infrastructure, including any relocation as a result of the development. <p>17. Staging The EIS is to include details regarding the staging of the proposed development, including likely timing for construction and operation of the warehousing and distribution facilities.</p> <p>18. Ecologically Sustainable Development (ESD) The EIS shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development.</p>
<p>Plans and Documents</p>	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> • site layout plan, including carparking and container storage areas; • architectural drawings (floor plans, elevations, sections); • site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings; • swept path analysis; • site analysis plan; • landscape plan, including any public domain works; • mapping of: flood prone land, flood planning area and hydraulic categorisation; acid sulfate soils (classes); rivers, streams, wetlands and estuaries; groundwater; groundwater dependent ecosystems; and proposed intake and discharge locations; • preliminary construction management plan, inclusive of a construction traffic management plan; • geotechnical and structural report; • signage details; and • schedule of materials and finishes.
<p>Consultation</p>	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • local, State or Commonwealth government authorities, including the: <ul style="list-style-type: none"> - Commonwealth Department of the Environment; - Environment Protection Authority; - Office of Environment and Heritage; - Transport for NSW; - Department of Primary Industries (Fisheries & Water); - NSW Rural Fire Service; - NSW Health; - Sydney Ports Corporation; - Liverpool City Council; and - Campbelltown City Council. • service and infrastructure providers:

	<ul style="list-style-type: none"> - Roads and Maritime Services; - Sydney Water Corporation; - Endeavour Energy; - Jemena; - Telstra; and - AGL Upstream Investments Pty Ltd. <ul style="list-style-type: none"> • specialist interest groups, including Local Aboriginal Land Councils; and • the public, including community groups and adjoining and affected landowners. <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	<p>If you do not lodge a development application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.</p>

ATTACHMENT 1
Government Authority Responses to Request for Key Issues
For Information Only