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Your ref: MP10_0193
Our Ref: A797782
File: 10/24700

Swati Sharma
Senior Planner – Rail & Ports
Infrastructure Projects
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Ms Sharma

RE: Request for Heritage Council comments on the *revised* Environmental Assessment for SIMTA Moorebank Intermodal Terminal Facility (MP10_0193).

Reference is made to your letter of 2 September 2013 requesting any comments that the Heritage Council may have regarding the revised Environmental Assessment (EA) currently on Public Exhibition for SIMTA Moorebank Intermodal Terminal Facility. This letter was accompanied by a 4 volume hard copy report and one copy on CD which included a Non-Indigenous Heritage Assessment by Artefact Heritage Services (Appendix T). It is noted that the Heritage Council has previously commented on this project in December 2010, November 2011 and on the original EA in April 2012.

It is understood that this EA was revised and submitted for a second round of public consultation as the Director-General of the Department of Planning has recently designated the proposal as a project on land which has multiple owners.

As Delegate of the Heritage Council I have considered the revised EA and consider that the previously provided comments of April 2012 are still appropriate. These comments are reiterated below for your convenience:

- Based on the information contained within the EA and Appendix T the proposed mitigation measures and subsequent Draft Statement of Commitments relating to Non-Indigenous Heritage within the Concept Plan are considered appropriate at this stage in the project's lifetime.

  However, once the projects design and scope of works is further refined, these DSoC must be revised to take into consideration any additional impacts resulting from this ongoing refinement of works.

- The Statement of Heritage Impact to identify any impacts to Glenfield Farm must be submitted to the Heritage Council for comment and endorsement prior to any works being approved or taking place which could impact on the State Heritage Listed property.

- Prior to any historical archaeological investigations taking place, the proposed Excavation Director must submit a statement to the Heritage council detailing their suitability to undertake the works against the Heritage Council Excavation Directors Criteria.

Inquiries on this matter may be directed to Katrina Stankowski on 98738569 or via email at Katrina.Stankowski@heritage.nsw.gov.au.

Yours sincerely

25/09/2013

Vincent Sicari
Manager
Conservation Team
Heritage Division
Office of Environment & Heritage

AS DELEGATE OF THE NSW HERITAGE COUNCIL

MOOREBANK INTERMODAL COMPANY

Australian Government

Department of Finance and Deregulation

Reference: Moorebank IMT
Contact: [redacted]
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SUBMISSION – SYDNEY INTERMODAL TERMINAL ALLIANCE – DRAFT ENVIRONMENTAL ASSESSMENT

The following joint submission incorporates the Department of Finance (Finance) and the Moorebank Intermodal Company Limited (MIC) commentary on the draft Sydney Intermodal Terminal Alliance (SIMTA) Environmental Assessment (EA) under the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act).

1. Impacts on Commonwealth owned land (Lot 3001 DP1125930) to the south of the SIMTA site

- *Loss of biodiversity value on Commonwealth land*

Any development such as the SIMTA rail link proposed on the Commonwealth Government owned land (Lot 3001 DP1125930) south of the SIMTA site would result in a loss of biodiversity value to the Commonwealth. The Commonwealth is considering using the Commonwealth land south of the SIMTA site (Lot 3001 DP1125930) as a biodiversity offset site to compensate for potential clearing associated with the proposed Commonwealth Moorebank Intermodal Project. It is likely that the clearing associated with the SIMTA proposed rail link would reduce the biodiversity offsetting potential of this land.

Finance and MIC request that SIMTA be required (through a condition of the concept plan approval) to consult with the Commonwealth as part of the Project Approval process in relation to its plans regarding the development of the Commonwealth land south of the SIMTA site (Lot 3001 DP1125930).

- *Anzac Creek water quality*

The potential water quality and sedimentation impacts to Anzac Creek and surrounding habitat are of concern to the Commonwealth. As a result of altered flow regimes (both increased and decreased) from proposed hardstand and stormwater detention systems on the SIMTA site:

- increased sediment loads would be experienced at Anzac Creek during construction; and
- altered water flows, including contaminated water, would occur during operation.

It is unclear how these impacts will be effectively managed to ensure that no environmental impacts occur to Commonwealth land and Anzac Creek in particular.

Finance and MIC request that any conditions of approval include a requirement for water quality controls to be implemented for both the construction and operation of the proposed SIMTA project so that water quality in Anzac Creek is maintained or improved above existing conditions. In addition, an ongoing sampling and water quality monitoring program should be established through the construction and operation of the proposed SIMTA project.

- *Hydrology and flooding*

The predicted maximum flood (PMF) one hour event (as stated in the SIMTA EA), results in flood level increases of 0.25 metres on Commonwealth Government land (Lot 3001 DP1125930) immediately south of the proposed SIMTA site. It is unclear how any potential impact would be adequately mitigated and effectively controlled so that no flood level increases are experienced on Commonwealth land.

Construction works on the SIMTA site are discussed within the SIMTA EA as likely to result in changes to the quality and quantity of water exiting the SIMTA site. This could result in a number of detrimental impacts to the Commonwealth owned land around Anzac Creek such as flooding, erosion, sedimentation, and to potential fish habitat.

Finance and MIC propose that the following condition (or similar) be applied to any future SIMTA approval:

SIMTA is required to ensure that no increase in predicted flood levels is experienced on adjacent Commonwealth land as a result of the proposed SIMTA development.

- *SIMTA Rail Link*

The proposed rail corridor through Commonwealth land (Lot 3001 DP1125930) south of the proposed SIMTA site has not been accurately defined and appears open to future change. As suggested in the SIMTA EA, the area to be impacted by the development of the rail link could increase "depending on engineering requirements". The determination of a final rail alignment could alter any proposed plans the Commonwealth has for this land.

Finance and MIC propose that relevant engineering studies should be undertaken and finalised by SIMTA to allow the Commonwealth to accurately understand the proposed project and any subsequent impacts to Commonwealth land, should it agree to SIMTA's rail connection crossing Commonwealth land, which to date it has not.

2. Impacts on the School of Military Engineering (SME) (prior to its relocation in mid-2015)

- *Traffic and access*

It is unclear how traffic and access arrangements to the SIMTA site will impact users of the adjacent SME site, particularly during Stage 1 construction works during which the SME will continue to run as military barracks with both residential and educational functions.

Finance and MIC propose that the current SIMTA EA should consider the operation of the residential and educational functions on the SME site.

- *Noise*

Finance and MIC note that the current noise assessment of the impacts on the SME site is inadequate as it fails to acknowledge the residential and educational functions of the site. Therefore it is necessary that the noise assessment be updated to assess the SME site as a

residential and educational facility for both an operational and construction noise assessment until the site is vacated by the Department of Defence (Defence) in mid-2015.

An assessment of the staged construction and operation of the SIMTA project has not been undertaken. Therefore it is unclear what noise impacts will be experienced at the SME site under these scenarios. A conservative approach should be taken to adopting the recommended criteria from the *Interim Construction Noise Guideline, Industrial Noise Policy* and Australian/New Zealand Standard 2107:2000: *Acoustics – Recommended design sound levels and reverberation times for building interiors.*

It is also noted in Appendix I (Noise Impact Assessment) of the SIMTA EA that "*the majority of the construction is expected to occur during standard construction hours*". Finance and MIC propose that the following condition (or similar) be applied to any future SIMTA approval:

All construction works would be limited to standard daytime construction hours

If no such commitment can be made, then an assessment of evening and night construction noise impacts is required.

- *Air quality*

It is unclear how the air quality assessment has comprehensively assessed construction impacts on Commonwealth owned land. In particular, air quality impacts from the construction of Stage 1 of the SIMTA development have not been assessed, despite the ongoing operation of SME (residential and educational premises) west of Moorebank Avenue.

Finance and MIC note that the air quality assessment of the impacts on the SME site is inadequate. It is unclear what air quality impacts will be experienced under various combined construction and operations scenarios and therefore it is necessary that the air quality assessment be updated.

- *Light spill*

The SIMTA EA does not clearly specify hours of construction. In this regard, Finance and MIC are concerned about potential light spill impacts that may affect the residential dwellings located on the SME site, west of Moorebank Avenue, during the construction of Stage 1.

Finance and MIC propose that the following condition (or similar) be applied to any future SIMTA approval:

All construction works would be limited to standard daytime construction hours

If no such commitment can be made, the light spill assessment should be expanded to consider construction light spill on the residential receivers within the SME site.

3. Impacts on future Commonwealth use of the SME site

- *Hydrology and flooding*

It is noted in Appendix P (Flood Study and Water Management) of the SIMTA EA that flood levels would increase by 0.1 m – 0.2 m upstream of the proposed rail link culvert crossing and across Moorebank Avenue. This increase in flood levels could impact on any future developments on the SME land and it is unclear how these impacts will be mitigated.

Finance and MIC propose that the following condition (or similar) be applied to any future SIMTA approval:

SIMTA is required to ensure that no increases in predicted flood levels are experienced on adjacent Commonwealth land, including Moorebank Avenue and the SME site - as a result of the proposed SIMTA development.

It is noted that the published flood impact maps are illegible and need substantial improvement. This is considered of high importance to the Commonwealth as a potentially affected landowner.

4. Impacts on the Defence Logistics Transformation Project (DLTP) (West Wattle Grove) operations – 2014 onward

- *Traffic and access*

The construction stages of the proposed SIMTA project would take place during the operation of DLTP in West Wattle Grove, noting the West Wattle Grove site is not due for construction completion until the end of 2014.

It is unclear what impact SIMTA construction traffic will have on the daily traffic and access requirements of the operational DLTP. Whilst a new intersection providing access to the DLTP site is discussed within the SIMTA EA, the assessment has not considered how this intersection will perform during the SIMTA construction stages.

Finance and MIC note that Defence's DNSDC operation is currently operating under a lease that permits ongoing occupation of the SIMTA site potentially until 2018 and beyond. It is understood that no agreement has been reached between the Commonwealth and SIMTA for the site to be vacated. In the event that the DNSDC remains on site, the proposed SIMTA program may not be able to be achieved or could significantly impact on ongoing DNSDC operations and activities on site.

As part of an updated traffic assessment, an assessment of the proposed new DLTP intersection should be undertaken considering, impacts from the construction stages of the proposed SIMTA project, and how traffic and access to the DLTP site would be managed.

- *Noise and vibration*

The SIMTA EA has acknowledged that potential construction vibration may impact on some buildings within the operational DLTP site. It is unclear what mitigation has been identified by SIMTA to address this issue.

As a result Finance and MIC propose that the following condition, or similar be applied to any future SIMTA approval:

SIMTA is required to ensure that potential vibration impacts at adjacent properties are controlled using best practice vibration management techniques. Any residual vibration impacts should not adversely impact upon adjacent land users as far as practicable.

- *Air quality*

Construction air quality impacts on the DLTP site located at West Wattle Grove have not been considered.

Finance and MIC note that the air quality assessment of the impacts on the DLTP site is inadequate. It is unclear what air quality impacts will be experienced under the construction scenario and therefore it is necessary that the air quality assessment be updated.

5. Impacts on other Commonwealth land

- *Moorebank Avenue impacts and upgrades*

The SIMTA Transport and Accessibility Impact Assessment (Appendix F) discusses the main elements of the SIMTA proposal, however there is no commitment to road upgrades as part of the proposal. The SIMTA EA should clearly state what road improvements would be undertaken as part of this proposal.

Construction works required to upgrade Moorebank Avenue, a Commonwealth owned road, have not been included within the scope of the SIMTA EA. The SIMTA EA has not addressed how these works will be undertaken with the proposed SIMTA intermodal project in operation. Based on the assumption that any upgrades to Moorebank Avenue would be undertaken after Stage 1 of the proposed SIMTA project has been developed and is operational, the construction impacts from Moorebank Avenue upgrades could be significant. It is anticipated that during this time the existing Commonwealth owned road would be degraded by construction works but would still be required to cater for construction traffic, operational SIMTA traffic and non SIMTA traffic. These works would result in potential traffic and access, noise, air quality, and other amenity impacts to neighbouring land users which have not been assessed. The SIMTA EA should provide analysis to demonstrate what traffic conditions will be experienced before and during the identified upgrades to Moorebank Avenue. In addition, an assessment of potential noise and air quality impacts should be undertaken for these stages.

The responsibilities for ongoing maintenance of Moorebank Avenue under a proposed SIMTA project have not been discussed and are unclear. Given that Moorebank Avenue is a Defence owned road, the Commonwealth has an interest in the types of use of their road and the potential impacts and ongoing maintenance costs for Moorebank Avenue. As a result Finance and MIC propose that the following condition, or similar be applied to any future SIMTA approval:
A framework for an ongoing road maintenance contributions agreement for Moorebank Avenue should be established between Defence and SIMTA, prior to the commencement of Stage 1 works.

The SIMTA EA has not assessed the impact of future SIMTA traffic on the Moorebank Avenue and Bapaume Road intersection. It is noted that no road improvements have been suggested for this intersection as part of the SIMTA EA. This could have future road capacity and safety impacts due to the relatively short distance between Bapaume Road and the M5 Motorway interchange. The SIMTA EA should provide analysis of the Moorebank Avenue and Bapaume Road intersection to demonstrate that this intersection does not require any upgrades. Further, it should also demonstrate how its other proposed site access points on Moorebank Avenue would operate if a shared DLTP northern access is not practicable.

- *Road safety concerns regarding SIMTA trucks potentially parking on Moorebank Avenue*

As an adjacent land user, maintaining road safety throughout all stages of development and operation of the proposed SIMTA project is of key importance to the Commonwealth. It is unclear how SIMTA plans to process the number of heavy vehicles entering and exiting the SIMTA site to ensure that heavy vehicles do not need to park along Moorebank Avenue. Given that Moorebank Avenue is used by a number of local businesses and stakeholders, the proposed operational concept of the SIMTA project should be clearly presented to allow adjacent landowners to understand how this issue has been considered and will be managed. In addition, more information is required regarding the movement of heavy vehicles during periods of concurrent construction and operation of the SIMTA proposal, for example during the years 2017 and 2020.

It is recommended that the SIMTA EA be updated to demonstrate how truck parking has been allowed for and how parking and access will be managed and controlled.

As a result Finance and MIC propose that the following condition, or similar be applied to any future SIMTA approval:
All SIMTA related traffic is required to enter and exit the site without delay. At no time would Heavy Vehicles be permitted to park or wait on Moorebank Avenue unless in an emergency situation.

6. Cumulative impacts

It is noted that the SIMTA EA has made a number of assumptions regarding the assessment of cumulative impacts relative to the proposed Commonwealth Moorebank Intermodal Terminal Project. The approach adopted by SIMTA whereby the cumulative impact of both projects is assumed to be the same as a SIMTA-only scenario (based on the premise that there is a maximum one million TEU catchment demand for IMEX freight) is not considered to be an appropriate way to assess cumulative impacts, given that:

- No assessment has been undertaken that considers the site specific environmental impacts of the combined operation of both the Commonwealth Moorebank Intermodal Terminal Project and the SIMTA project with one million IMEX TEU shared between two terminals. Although this proposed scenario is significantly different to the construction and operation of the SIMTA project alone, it has been assumed to be effectively the same.
- It appears that no consideration has been given to the spatial layout and infrastructure proposed as part of the Moorebank Intermodal Project, including the various environmental impacts from construction and operation of these components.
- It is unclear how environmental impacts from this proposed scenario incorporating the dual site intermodal operation would replicate those of a single site operation. This is particularly unclear given that issues such as noise, air quality, traffic, hydrology and flooding, waste and energy differ significantly according to the location of the activity or source of environmental impact.
- It is unclear how the staged operation and construction of the SIMTA project has been considered in the cumulative assessment of other developments such as the Moorebank Intermodal Project.
- The cumulative assessment only incorporates the IMEX component and fails to incorporate the impacts of the development of the Interstate and warehousing functions of the Moorebank Intermodal Project.

Finance and MIC request that the cumulative scenario proposed by SIMTA, where IMEX TEUs are evenly split across both the SIMTA and the Commonwealth Moorebank Intermodal Terminal Project sites, be assessed. The assessment should clearly define the size and extent of infrastructure to be developed across each site, and should consider:

- The cumulative impact of the IMEX facility (either on SIMTA site, the Commonwealth Moorebank Intermodal Terminal Project site or distributed across both sites) plus the interstate and warehousing components of the Commonwealth Moorebank Intermodal Terminal Project.
- Impacts associated with the construction of both Project sites, including the construction of other components of the Moorebank Intermodal under this scenario.
- Impacts associated with the combined operations of the two sites under this scenario, including potential noise, air quality, traffic and access as well as hydrology and flooding.

- Impacts associated with the staged construction and operation of the cumulative scenario as defined by SIMTA;
- Any relevant assumptions required to make this scenario plausible.

7. Implementation of the SIMTA proposal

- *Purchase of Commonwealth land*

Finance and MIC note that details regarding SIMTA's intended acquisition of Commonwealth Government Land has not been addressed in the EA. It is noted that the EIS does not address the provisions of the Commonwealth *Land Acquisition Act 1989*, which establishes the provisions for acquisition of Commonwealth land by another party. Given that the project would be partially constructed on Commonwealth land (Lot 3001 DP1125930), it would be beneficial to understand how SIMTA intends to obtain an interest in the Commonwealth land, as it relates to the project.

Project staging

It is unclear how the assessment of impacts in the SIMTA EA has accounted for the partial construction and operation scenarios that would arise, for example:

- during operation of Stage 1 and construction of Stage 2, or
- during operation of Stages 1 and 2 and construction of Stage 3.

Given the scale and duration of the proposed development, it is expected that a range of assessment scenarios would have been assessed which are representative of the entire project lifecycle.

Finance and MIC recommend that the SIMTA EA be updated to include an assessment of the staged construction and operation of the proposed SIMTA project, e.g. during years 2017 and 2020.

- *Noise and vibration*

It is noted that the SIMTA Noise Assessment (Appendix I) has assumed the separate timing and scheduling of a number of construction activities. It is unclear if the noise assessment has accounted for any potential overlap in the scheduling of these activities and any potential noise impacts that would result.

Finance and MIC recommend a subsequent noise impact assessment is undertaken as part of the Project Approval based on the proposed construction and operational details available at that time.

A copy of this response has also been sent to Mr Chris Wilson, Executive Director, Major Projects Assessment at the NSW Department of Planning and Infrastructure.

Yours Sincerely

[redacted]

AUSTRALIAN RAIL TRACK CORPORATION LTD

Swati Sharma
Senior Planner – Rail and Ports
Infrastructure Projects
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

21 October 2013

Dear Ms Sharma,

Environmental Assessment for SIMTA Intermodal Terminal Facility (MP 10_0193)

Thank you for the opportunity to comment on the revised EA for the above project.

At the outset, I would like to reiterate ARTC's in principle support for proposals of this nature which seek to facilitate a mode shift from road to rail, and ARTC's preparedness to continue to work with the proponent to progress the proposal.

ARTC requirements for the rail connection to the Southern Sydney Freight Line

The proposal for the SSFL connection is being progressed by ARTC in accordance with the provisions of the ARTC Interstate Access Undertaking, which has been accepted by the ACCC.

The Undertaking provides that ARTC's consent to network connections is conditional upon a number of matters, including:

- the impact of the configuration of the connection on the capacity of the ARTC network;
- interface and safety impacts;
- compliance with ARTC train control directions for entry to and exit from the ARTC network;
- ARTC's engineering and operational standards; and
- the owners of the connection meeting the initial and continued costs associated with constructing and maintaining the connection.

I can confirm that the proponent has had an ongoing dialogue with ARTC in relation to the definition design for the rail connection. ARTC expects to continue to work with the proponent as the rail link proceeds to subsequent design stages.

In addition, the requirements for any required capacity enhancement to the ARTC network will be addressed in accordance with the relevant provisions of the ARTC Interstate Access Undertaking.

Prior to the construction of the rail link, the proponent will need to enter a Works Deed with ARTC in relation to the construction of the connections to the SSFL. Prior to the commissioning of the connection, ARTC will also require that a Connection Agreement be entered into with ARTC concerning the ongoing commercial arrangements for the connection. Interface Agreements will be required for both the construction and ongoing operational phases to meet the requirements of the Rail Safety National Law.

Recommended conditions of approval

ARTC recommends that the following be included in the conditions of approval for the Concept Plan:

- the proponent to obtain the consent of ARTC with respect to the connection to the Southern Sydney Freight Line (SSFL), noting that the granting of consent by ARTC is subject to the provisions of ARTC's Interstate Access Undertaking.

- the proponent to work with ARTC to identify the timing, scope and staging of any required capacity enhancement to the ARTC Network

Additional recommended approval requirements may be identified at the Project Approval stage (including the entering into of necessary Works Deed, Connection and Interface Agreements with ARTC).

Please do not hesitate to contact me (02 8259 0706) or Derek Rogers (02 8259 0708) should you require further information or wish to clarify any matters raised in this letter.

Yours sincerely,

Terry Bones
Project Director
Metropolitan Freight

NSW GOVERNMENT | Department of Primary Industries

OUT13/31633

22 OCT 2013

Ms Swati Sharma
Infrastructure Projects - Rail and Ports
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Swati.Sharma@planning.nsw.gov.au

Dear Ms Sharma,

SIMTA Intermodal Terminal, Moorebank (MP 10_0193)
Response to exhibition of revised Environmental Assessment

I refer to your letter dated 2 September 2013 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

Comment by NSW Office of Water
The NSW Office of Water provides the comments detailed at Attachment A to this letter.

For further information please contact Janne Grose, Planning and Assessment Coordinator (Penrith office) on (02) 4729 8262 or at: Janne.Grose@water.nsw.gov.au.

Comment by Agriculture NSW
Agriculture NSW advise no issues.

For further information please contact Andrew Docking, Resource Management Officer (Richmond office) on 4588 2128, or at: andrew.docking@dpi.nsw.gov.au.

Comment by NSW Fisheries
Fisheries NSW has considered the environmental assessment and proposed mitigation measures and raises no objection to the proposal provided that the following aspects of the 'Aquatic Flora and Fauna' and 'Riparian' subsections and stormwater treatment measures of the Statement of Commitments are implemented.

Fisheries NSW notes that there is no detail in respect to the design and construction of the proposed water crossing of the Georges River at this (concept) stage. The proponent should be required to consult with Fisheries NSW during the finalisation of the design of this crossing and when developing the CEMP relating to the

construction of the waterway crossing and other works within the riparian zone. It is critical that the passage of fish in the Georges River is not completely obstructed during bridge construction.

It is noted that the construction of another bridge, to a proposed neighbouring intermodal facility, is proposed across the Georges River in the Moorebank area. The preference of this Department is that one bridge only be constructed over the river. Further, the possibility of two bridges so close to each other emphasises the necessity to ensure that the bridge designs are wholly consistent with fish-friendly design principles.

The proponent should note that Fisheries NSW also has a policy regarding the width of riparian buffer zones. Reference to the Department's 'Policy and Guidelines for Fish habitat Conservation and Management (2013) (available from: http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation) should be made in further detailed design of any works within the riparian zone of the Georges River.

For further information please contact Carla Ganassin, Conservation Manager (Wollongong office) on (02) 4254 5527, or at: carla.ganassin@dpi.nsw.gov.au

Comment by Crown Lands

As advised by this Department in previous correspondence relating to this matter, any component of the proposed development occurring on Crown land (being the bed of the Georges River and a Crown Road) will require an approval under the Crown Lands Act 1989 for occupation of the Crown land.

For further information please contact David McPherson, Director East (Newcastle office) on 02 66403417, or at: David.McPherson@lands.nsw.gov.au.

Yours sincerely

Tony Heffernan
A/Executive Director Business Services

Attachment A

SIMTA Intermodal Terminal, Moorebank (MP 10_0193)
Response to exhibition of EIS
Additional comments by the NSW Office of Water

Georges River and Anzac Creek

Riparian corridors

The draft Statement of Commitments in the EA includes a Commitment that the riparian setback along the Georges River is likely to be between 30 and 50 m (20-40 m CRZ and 10 m VB) and a 30 metre wide riparian setback is to be established for Anzac Creek (page 176). This Commitment for Anzac Creek is consistent with advice previously provided by the Office of Water for this project and the nearby SSD-5066. The Office of Water recommended a 30 m wide setback (measured from top of bank) is established either side of Anzac Creek.

In relation to the Georges River, the Office of Water previously provided riparian corridor advice in it's submission for the SSD-5066 (letter dated 16/12/2011).The PEA for SSD-5066 indicated a 50 metre riparian corridor is to be established along the river and the Office of Water recommended wider widths are provided in addition to the riparian requirements along the river to function as a regional corridor network.

Since providing the above riparian advice, the Office of Water has issued a new series of controlled activities guidelines (July 2012). The guidelines provide information relating to controlled activities on waterfront land. These can be found online at: http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx.

Please note, other regulatory agencies may have differing or stricter requirements in relation to aspects of riparian corridor management and it is recommended the DP&I consider the riparian advice of these agencies.

Prior to any project approval, it is recommended the riparian corridor widths to be established are clarified so as to inform the riparian areas that are proposed to be revegetated and restored with local providence species. The corridors should be measured from top of bank. It is recommended a Condition of Approval specifies the riparian corridor widths to be established along the watercourses.

Management controls and mitigation measures in the EA include an operation control that revegetation in the riparian zone will be checked and maintained regularly (see Section 7.3.2.3, page 88). The EA indicates that a Vegetation Management Plan (VMP) should be prepared prior to the construction of the rail corridor detailing restoration, regeneration and rehabilitation of areas of native vegetation in the vicinity of the proposed rail corridor (page 253). The revegetation and maintenance of the riparian corridors should be in accordance with a VMP which provides specific details on the riparian corridor areas to be restored. It is recommended a condition of approval is included that the riparian corridors to be restored are in accordance with the VMP.

Watercourse Crossings

The Urban Design and Landscape Report notes the proposed rail link to the SIMTA site will need to cross both Anzac Creek and the Georges River (see page 14). The Office of Water in its previous submission on the EA (dated 24 May 2012) recommended that the design and construction of watercourse crossings and outlet structures is in accordance with the NSW Office of Water Guidelines for Controlled Activities.

The EA indicates rail infrastructure will include a culvert crossing of Anzac Creek and bridging of the Georges River (see Section 2.5.1.1, pages 30 and 31). The Aquatic Ecology report (July 2011) indicates a rail bridge is proposed to traverse both the Georges River and Anzac Creek (see pages 3, 19). The Stormwater and Flooding report indicates the preferred type of watercourse crossing for Anzac Creek is a culvert because it is a Class 3 fish habitat (page 29). However, it is unclear why a bridge crossing of Anzac Creek is not an option.
In accordance with the Office of Water Guidelines for Watercourse Crossings on Waterfront land, the design and construction of crossings should consider the full width of the riparian corridor and its functions. Bridges which span the watercourse channel provide the best opportunities for maintaining the channel functions. Ideally bridge crossings should be elevated and span the riparian corridor.

Section 10.3.1 of the EA recommends consideration is given to a multi cell culvert crossing design for Anzac Creek with a combination of elevated "dry" cells to encourage terrestrial movement and recessed wet cells to facilitate fish passage (page 106). If a culvert crossing of Anzac Creek is to be used, it is recommended the Statements of Commitments are amended to include a commitment that a multi cell culvert crossing design is to be used to facilitate aquatic and terrestrial fauna movement with elevated "dry" culvert cells and recessed "wet" cells. It is suggested the cell size of the culverts facilitates the movement of woody debris and the culverts have naturalised bases rather then concrete flooring.

Section 10.3.1 of the EA recommends the design of the Georges River bridge crossing should incorporate light penetration under the bridge to encourage fish passage (page 106). It is suggested the bridge design spans the full width of the riparian corridor and allows sufficient natural light and moisture to penetrate beneath the structure to allow for plant growth on the banks. This will assist to improve riparian connectivity and naturalised stabilisation. The bridge design should also minimise the number of piers located within the bed and banks of the watercourse to assist mitigate future stability and maintenance costs. It is recommended the Statements of Commitments are amended to incorporate these design features and those listed in Section 10.3.1.

Groundwater

Section 9.3.1.1 of the EA notes the areas of environmental concern should be addressed through the implementation of a Site Management Plan (SMP), including a groundwater monitoring program to confirm and monitor groundwater quality over time. It indicates that elevated concentrations of chemicals of concern identified in groundwater and fill materials are to be addressed as part of the SMP (page 97). The Statement of Commitments includes a commitment that a Phase 2 intrusive investigation would be undertaken for the staged redevelopment of the rail corridor land and this investigation would include a program of soil and groundwater sampling (page 178). Given that the EPA would regulate any clean up of the site, the Office of Water does not have a specific role but requests copies of any groundwater management plans, groundwater monitoring reports and the outcomes of the investigations etc to gain an understanding of any groundwater impacts over time to assist in managing groundwater access.

As previously advised the proponent needs to ensure that the taking of water such as dewatering during construction is appropriately authorised, and should liaise with the Office of Water in relation to this.

End Attachment A

Australian Government

Department of Defence
Defence Support and Reform Group

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To Whom it May Concern

SUBMISSION – SYDNEY INTERMODAL TERMINAL ALLIANCE – REVISED DRAFT ENVIRONMENTAL ASSESSMENT

The following submission represents the views of the Department of Defence (Defence) on the revised draft Sydney Intermodal Terminal Alliance (SIMTA) Environmental Assessment (EA).

1. Impacts on Commonwealth owned land (Lot 3001 DP1125930) to the south of the SIMTA site

- ***Loss of biodiversity offset value on Commonwealth land***

Any development such as the SIMTA rail link proposed on the Commonwealth Government owned land (Lot 3001 DP1125930) south of the SIMTA site would result in a loss of biodiversity value to the Commonwealth. The Commonwealth is considering using the Commonwealth land south of the SIMTA site (Lot 3001 DP1125930) as a biodiversity offset site to compensate for potential clearing associated with the proposed Commonwealth Moorebank Intermodal Project. It is likely that the clearing associated with the SIMTA proposed rail link would reduce the biodiversity offsetting potential of this land.

Defence requests that SIMTA be required (through a condition of the concept plan approval) to consult with the Commonwealth as part of the Project Approval process in relation to its plans regarding the development of the Commonwealth land south of the SIMTA site (Lot 3001 DP1125930).

- ***Anzac Creek water quality***

The potential water quality and sedimentation impacts to Anzac Creek and surrounding habitat are of concern to the Commonwealth. The impact of altered flow regimes (both increased and decreased) from proposed hardstand and storm water detention systems on the SIMTA site will result in:

- increased sediment loads in Anzac Creek during construction; and
- altered water flows, including contaminated water, during operation.

It is unclear how these impacts will be managed effectively to ensure that no environmental impacts occur to Commonwealth land and Anzac Creek in particular.

Defence requests that any conditions of approval include a requirement for water quality controls to be implemented for both the construction and operation of the proposed SIMTA project so that water quality in Anzac Creek is maintained or improved above existing conditions. In addition, an ongoing sampling and water quality monitoring program should be established through the construction and operation of the proposed SIMTA project.

- ***Hydrology and flooding***

The predicted maximum flood (PMF) one hour event (as stated in the SIMTA EA), results in flood level increases of 0.25 metres on Commonwealth Government land (Lot 3001 DP1125930) immediately south of the proposed SIMTA site. It is unclear how any potential impact would be adequately mitigated and effectively controlled so that no flood level increases are experienced on Commonwealth land.

Construction works on the SIMTA site are discussed within the SIMTA EA as likely to result in changes to the quality and quantity of water exiting the SIMTA site. This could result in a number of detrimental impacts to the Commonwealth owned land around Anzac Creek such as flooding, erosion, sedimentation, and to potential fish habitat.

Defence proposes that the following condition (or similar) be applied to any future SIMTA approval:

> SIMTA is required to ensure that no increase in predicted flood levels is experienced on adjacent Commonwealth land as a result of the proposed SIMTA development.

- ***SIMTA Rail Link***

The proposed rail corridor through Commonwealth land (Lot 3001 DP1125930) south of the proposed SIMTA site has not been accurately defined and appears open to future change. As suggested in the SIMTA EA, the area to be impacted by the development of the rail link could increase "depending on engineering requirements". The determination of a final rail alignment could alter any proposed plans the Commonwealth has for this land.

Defence proposes that relevant engineering studies should be undertaken and finalised by SIMTA to allow the Commonwealth to accurately understand the proposed project and any subsequent impacts to Commonwealth land, should it agree to SIMTA's rail connection crossing Commonwealth land, which to date it has not.

2. Impacts on the School of Military Engineering (SME) (prior to its relocation in mid-2015)

- ***Traffic and access***

It is unclear how traffic and access arrangements to the SIMTA site will impact users of the adjacent SME site, particularly during Stage 1 construction works during which the SME will continue to run as military barracks with both residential and educational functions.

Defence proposes that the current SIMTA EA should consider the operation of the residential and educational functions on the SME site.

- ***Noise***

Defence notes that the current noise assessment of the impacts on the SME site is inadequate as it fails to acknowledge the residential and educational functions of the site. Therefore it is necessary that the noise assessment be updated to assess the SME site as a residential and educational facility for both an operational and construction noise assessment until the SME site is vacated by Defence, which is anticipated to be in mid-2015.

An assessment of the staged construction and operation of the SIMTA project has not been undertaken. Therefore it is unclear what noise impacts will be experienced at the SME site under these scenarios. A conservative approach should be taken to adopting the recommended criteria from the *Interim Construction Noise Guideline, Industrial Noise Policy* and Australian/New Zealand Standard 2107:2000: *Acoustics – Recommended design sound levels and reverberation times for building interiors*.

It is also noted in Appendix I (Noise Impact Assessment) of the SIMTA EA that "*the majority of the construction is expected to occur during standard construction hours*". Defence proposes that the following condition (or similar) be applied to any future SIMTA approval:

> All construction works would be limited to standard daytime construction hours

If no such commitment can be made, then an assessment of evening and night construction noise impacts is required.

- ***Air quality***

It is unclear how the air quality assessment has comprehensively assessed construction impacts on Commonwealth owned land. In particular, air quality impacts from the construction of Stage 1 of the SIMTA development have not been assessed, despite the ongoing operation of SME (residential and educational premises) west of Moorebank Avenue.

Defence notes that the air quality assessment of the impacts on the SME site is inadequate. It is unclear what air quality impacts will be experienced under various combined construction and operations scenarios and therefore it is necessary that the air quality assessment be updated.

- ***Light spill***

The SIMTA EA does not clearly specify hours of construction. In this regard, Defence is concerned about potential light spill impacts that may affect the residential dwellings located on the SME site, west of Moorebank Avenue, during the construction of Stage 1.

Defence proposes that the following condition (or similar) be applied to any future SIMTA approval:

> All construction works would be limited to standard daytime construction hours

If no such commitment can be made, the light spill assessment should be expanded to consider construction light spill on the residential receivers within the SME site.

- ***Height of SIMTA structures overlooking SME***

Defence acknowledges that the SIMTA EA refers to the current Liverpool City Council Local Environment Plan (LEP) 2008 "Height of Buildings Map", which limits the height of buildings on the Defence National Storage and Distribution Centre (DNSDC) site to a maximum of 15 metres, which is consistent with the maximum building height of 15 metres for the ABB Australia site off Bapaume Road.

The proposed building heights in the SIMTA EA (rail mounted gantries 32m; lighting towers 40m; and warehouse buildings 21m) would significantly exceed the height restrictions imposed in the LEP, and the current height of buildings at DNSDC and sites adjacent to the SME.

Defence holds a concern over the excessive height of SIMTA's proposed infrastructure whilst the SME remains in operation.

Defence requests that the following condition (or similar) be applied to any future SIMTA approval:

> All structures and infrastructure on the SIMTA site are not to exceed the maximum building height of 15 metres contained within the Liverpool City Council Local Environment Plan (LEP) 2008 "Height of Buildings Map", until the SME site is vacated and approval obtained from Liverpool City Council.

3. Impacts on future Commonwealth use of the SME site

- ***Hydrology and flooding***

It is noted in Appendix P (Flood Study and Water Management) of the SIMTA EA that flood levels would increase by 0.1 m – 0.2 m upstream of the proposed rail link culvert crossing and across Moorebank Avenue. This increase in flood levels could impact on any future developments on the SME land and it is unclear how these impacts will be mitigated.

Defence proposes that the following condition (or similar) be applied to any future SIMTA approval:

SIMTA is required to ensure that no increases in predicted flood levels are experienced on adjacent Commonwealth land, including Moorebank Avenue and the SME site - as a result of the proposed SIMTA development.

It is noted that the published flood impact maps are illegible and need substantial improvement. This is considered of high importance to the Commonwealth as a potentially affected landowner.

4. Impacts on the Defence Logistics Transformation Program (DLTP) construction and relocated DNSDC operations on Lot 3002 in DP1125930 known as 'West Wattle Grove' – 2014 onward

- ***Traffic and access***

Defence notes that the DNSDC is currently operating under a lease that permits ongoing occupation of the SIMTA site until 2018 and beyond. SIMTA has not approached Defence regarding an early termination of the current lease arrangement for the DNSDC. In the event that the DNSDC remains on site, the proposed SIMTA program may not be able to be achieved or could significantly impact on ongoing DNSDC operations and activities on site.

New facilities for the DNSDC are being constructed on the adjacent property under the DLTP project which is not due for completion until late 2014; after which Defence will further require a period of time to vacate the SIMTA site. The initial construction stages of the proposed SIMTA project would take place during the completion of the DLTP and the migration of DNSDC.

It is unclear what impact SIMTA construction traffic will have on the daily traffic and access requirements of the DLTP site and relocated DNSDC operations. Whilst a new intersection providing access to the DLTP site is discussed within the SIMTA EA, the assessment has not considered how this intersection will perform during the SIMTA construction stages.

As part of an updated traffic assessment, an assessment of the proposed new DLTP intersection should be undertaken considering impacts from the construction stages of the proposed SIMTA project, and how traffic and access to the DLTP site would be managed.

- ***Noise and vibration***

The SIMTA EA has acknowledged that potential construction vibration may impact on some buildings within the relocated DNSDC site. It is unclear what mitigation has been identified by SIMTA to address this issue.

As a result Defence proposes that the following condition, or similar be applied to any future SIMTA approval:

SIMTA is required to ensure that potential vibration impacts at adjacent properties are controlled using best practice vibration management techniques. Any residual vibration impacts should not adversely impact upon adjacent land users as far as practicable.

- ***Air quality***

Construction air quality impacts on the relocated DNSDC site located at West Wattle Grove have not been considered.

Defence notes that the air quality assessment of the impacts on the DLTP site is inadequate. It is unclear what air quality impacts will be experienced under the construction scenario and therefore it is necessary that the air quality assessment be updated.

5. Impacts on other Commonwealth land

- ***Moorebank Avenue impacts and upgrades***

The SIMTA Transport and Accessibility Impact Assessment (Appendix F) discusses the main elements of the SIMTA proposal, however there is no commitment to road upgrades as part of the proposal. The SIMTA EA should clearly state what road improvements would be undertaken as part of this proposal.

Construction works required to upgrade Moorebank Avenue, Cambridge Avenue and ANZAC Road, currently Commonwealth owned roads (the Roads), has not been included within the scope of the SIMTA EA. The SIMTA EA has not addressed how these works will be undertaken with the proposed SIMTA intermodal project in operation.

Based on the assumption that any upgrades to the Roads would be undertaken after Stage 1 of the proposed SIMTA project has been developed and is operational, the construction impacts from Moorebank Avenue upgrades could be significant.

It is anticipated that during this time the existing Commonwealth owned road would be degraded by construction works but would still be required to cater for construction traffic, operational SIMTA traffic and non SIMTA traffic. These works would result in potential traffic and access, noise, air quality, and other amenity impacts to neighbouring land users which have not been assessed.

The SIMTA EA should provide analysis to demonstrate what traffic conditions will be experienced before and during the identified upgrades to Moorebank Avenue. In addition, an assessment of potential noise and air quality impacts should be undertaken for these stages.

The responsibilities for ongoing maintenance of Moorebank Avenue under a proposed SIMTA project have not been discussed and are unclear. Given that Moorebank Avenue is a Defence owned road, the Commonwealth has an interest in the types of use of its road and the potential impacts and ongoing maintenance costs for Moorebank Avenue. As a result Defence proposes that the following condition, or similar be applied to any future SIMTA approval:

> A framework for an ongoing road maintenance contributions agreement for Moorebank Avenue should be established between Defence and SIMTA, prior to the commencement of Stage 1 works.

The SIMTA EA has not assessed the impact of future SIMTA traffic on the Moorebank Avenue and Bapaume Road intersection. It is noted that no road improvements have been suggested for this intersection as part of the SIMTA EA. This could have future road capacity and safety impacts due to the relatively short distance between Bapaume Road and the M5 Motorway interchange.

The SIMTA EA should provide analysis of the Moorebank Avenue and Bapaume Road intersection to demonstrate that this intersection does not require any upgrades. Further, it should also demonstrate how its other proposed site access points on Moorebank Avenue would operate if a shared DLTP northern access is not practicable.

- ***Road safety concerns regarding SIMTA trucks potentially parking on Moorebank Avenue***

As an adjacent land user, maintaining road safety throughout all stages of development and operation of the proposed SIMTA project is of key importance to the Commonwealth. It is unclear how SIMTA plans to process the number of heavy vehicles entering and exiting the SIMTA site to ensure that heavy vehicles do not need to park along Moorebank Avenue.

Given that Moorebank Avenue is used by a number of local businesses and stakeholders, the proposed operational concept of the SIMTA project should be clearly presented to allow adjacent landowners to understand how this issue has been considered and will be managed. In addition, more information is required regarding the movement of heavy vehicles during periods of concurrent construction and operation of the SIMTA proposal, for example during the years 2017 and 2020.

It is recommended that the SIMTA EA be updated to demonstrate how truck parking has been allowed for and how parking and access will be managed and controlled.

As a result Defence proposes that the following condition, or similar be applied to any future SIMTA approval:

> All SIMTA related traffic is required to enter and exit the site without delay. At no time would Heavy Vehicles be permitted to park or wait on Moorebank Avenue unless in an emergency situation.

- ***Utilities and Services proposed for "Greenhills Road"***

Defence notes that SIMTA proposes to use the unofficially named "Greenhills Road" easement corridor to connect water supply, sewage and electricity services to the proposed SIMTA project.

SIMTA has not approached Defence on this matter.

The "Greenhills Road" easement corridor is already heavily utilised for Defence purposes, and Defence will not agree to providing public access to the easement corridor for non-Defence purposes.

6. Cumulative impacts

It is noted that the SIMTA EA has made a number of assumptions regarding the assessment of cumulative impacts relative to the proposed Commonwealth Moorebank Intermodal Terminal Project. The approach adopted by SIMTA whereby the cumulative impact of both projects is assumed to be the same as a SIMTA-only scenario (based on the premise that there is a maximum catchment demand of one million Twenty-foot Equivalent Units [TEU] for the import/export movements of container terminal (IMEX) freight) is not considered to be an appropriate way to assess cumulative impacts, given that:

- no assessment has been undertaken that considers the site specific environmental impacts of the combined operation of the Commonwealth Moorebank Intermodal Terminal Project and the SIMTA project with one million IMEX TEU shared between the two intermodal terminals. Although this proposed scenario is significantly different to the construction and operation of the SIMTA project alone, it has been assumed to be effectively the same;

- it appears that no consideration has been given to the spatial layout and infrastructure proposed as part of the Moorebank Intermodal Project, including the various environmental impacts from construction and operation of these components;

- it is unclear how environmental impacts from this proposed scenario incorporating the dual site intermodal operation would replicate those of a single site operation. This is particularly unclear given that issues such as noise, air quality, traffic, hydrology and flooding, waste and energy differ significantly according to the location of the activity or source of environmental impact;

- it is unclear how the staged operation and construction of the SIMTA project has been considered in the cumulative assessment of other developments such as the Moorebank Intermodal Project; and

- the cumulative assessment only incorporates the IMEX component and fails to incorporate the impacts of the development of the Interstate and warehousing functions of the Moorebank Intermodal Project.

Defence requests that the cumulative scenario proposed by SIMTA, where IMEX TEUs are evenly split across both the SIMTA and the Commonwealth Moorebank Intermodal Terminal Project sites, be re-assessed. The assessment should clearly define the size and extent of infrastructure to be developed across each site, and should consider:

  - the cumulative impact of the IMEX facility (either on the SIMTA site, the Commonwealth Moorebank Intermodal Terminal Project site or distributed across both sites) plus the interstate and warehousing components of the Commonwealth Moorebank Intermodal Terminal Project;

  - impacts associated with the construction of both Project sites, including the construction of other components of the Moorebank Intermodal under this scenario;

  - impacts associated with the combined operations of the two sites under this scenario, including potential noise, air quality, traffic and access as well as hydrology and flooding;

- impacts associated with the staged construction and operation of the cumulative scenario as defined by SIMTA; and

- any relevant assumptions required to make this scenario plausible.

7. Implementation of the SIMTA proposal

- ***Purchase of Commonwealth land***

Defence notes that details regarding SIMTA's intended acquisition of Commonwealth Government Land have not been addressed in the EA. It is noted that the EIS does not address the provisions of the Commonwealth *Land Acquisition Act 1989*, which establishes the provisions for acquisition of Commonwealth land by another party. Given that the project would be partially constructed on Commonwealth land (Lot 3001 DP1125930), it would be beneficial to understand how SIMTA intends to obtain an interest in the Commonwealth land, as it relates to the project.

- ***Project staging***

It is unclear how the assessment of impacts in the SIMTA EA has accounted for the partial construction and operation scenarios that would arise, for example:

- during operation of Stage 1 and construction of Stage 2; or

- during operation of Stages 1 and 2 and construction of Stage 3.

Given the scale and duration of the proposed development, it is expected that a range of assessment scenarios would have been assessed which are representative of the entire project lifecycle.

Defence recommends that the SIMTA EA be updated to include an assessment of the staged construction and operation of the proposed SIMTA project, e.g. during years 2017 and 2020.

- ***Noise and vibration***

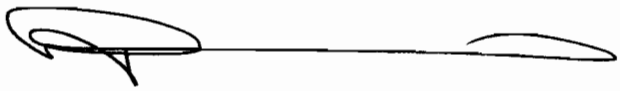
It is noted that the SIMTA Noise Assessment (Appendix I) has assumed the separate timing and scheduling of a number of construction activities. It is unclear if the noise assessment has accounted for any potential overlap in the scheduling of these activities and any potential noise impacts that would result.

Defence recommends a subsequent noise impact assessment is undertaken as part of the Project Approval based on the proposed construction and operational details available at that time.

A copy of this response has been sent to Mr James Tregurtha, Assistant Secretary, South-Eastern Australia Environmental Assessment from the Department of the Environment; Mr Phil Smith, Assistant Secretary NBN and Moorebank Shareholder for the Department of Finance; Mr Richard Wood, General Manager Rail and Intermodal from the Department of

Infrastructure and Regional Development; and Mr Chris Wilson, Executive Director, Major Projects Assessment at the NSW Department of Planning and Infrastructure.

Yours sincerely,



Darren Naumann
Brigadier
Acting Head Infrastructure

21 October 2013

BANKSTOWN CITY COUNCIL
PO Box 8, Bankstown NSW 1885 **PH** 02 9707 9400 **FAX** 02 9707 9495

BANKSTOWN
City of Progress

21 October 2013

Ms S Sharma
Senior Planner – Rail and Ports
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Ms Sharma,

SIMTA intermodal terminal proposal – Revised Environmental Assessment (MP10_0193)

Thank you for the opportunity to comment on the revised environmental assessment for the proposed SIMTA intermodal terminal at Moorebank.

Council has previously made submissions to the Department of Planning & Infrastructure relating to the Concept Plan and Preferred Concept Plan for the SIMTA Intermodal Terminal. Unfortunately, the revised environmental assessment does not address the issues raised by Council, especially, the following key issues:

- The proposal does not consider the cumulative capacity of the future Moorebank Intermodal Terminal that is currently being proposed by the Commonwealth Government. The combined capacity of both the intermodal terminals is estimated to be 2.2 million TEU per year and this capacity should underpin the assessment of environmental impacts.

- The proposal does not address traffic impacts on the arterial roads, especially Newbridge Road. The revised environmental assessment confirms the poor performance of certain intersections, however, the proposed mitigation measures do not extend to areas beyond the "core area". The Department should not support a traffic generating development that will exacerbate the existing traffic congestion.

- The proposal may impact the future expansion of the East Hills passenger line. The proposal includes the utilisation of the passenger railway corridor and the Department should not support a development that may diminish future expansion options for the passenger line, especially those servicing the south-west growth area.

- The proposal should assure the prohibition of heavy trucks travelling through designated residential precincts. The Department should

designate roads to be utilised for freight movement to minimise traffic and noise impacts on residential areas.

Council resubmits the attached submissions dated 5 June and 18 October 2012 for further consideration as part of this exhibition.

If you wish to discuss this submission, please contact me on 9707 9606 or Council's Strategic Planner, Mr Kyou Won Rhee on 9707 9489.

Yours sincerely,

James Carey
Manager Sustainable Development

General Manager

5 June 2012

Mr Chris Wilson
Executive Director Major Projects Assessment
NSW Department of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Attention: Ms Kylie Seretis Manager Ports and Rail Infrastructure Projects

Dear Mr Wilson

Submission on Environmental Assessment – Concept Plan for SIMTA Intermodal Terminal proposal at Moorebank

Council acknowledges the opportunity to make a submission on the SIMTA Intermodal proposal at Moorebank.

Council is supportive of the establishment of a network of appropriately located intermodal terminals in Sydney to be connected to Port Botany by way of dedicated freight rail lines, to cater to the continuing rapid growth in container freight through Port Botany.

However, Council is of the view that, as a precondition to the approval for such facilities, the environmental impacts need to be adequately assessed and mitigated and also ensuring that the short, medium and long-term rail and road infrastructure capacity issues have been effectively addressed.

As it is now certain that the Commonwealth is going ahead with its proposal for a larger intermodal facility of 1.2 million TEU capacity at the same location on the SME site and that it would like to see the development of a freight intermodal hub at Moorebank, the cumulative impacts of these two clustered and significantly large intermodals must be assessed.

This is only possible if the two projects of a combined capacity of 2.2 million TEU are assessed together and the pros and cons of clustering two significantly large facilities at the same location are objectively assessed by an independent expert panel.

The City of Bankstown, being an adjacent local government area in close proximity to the proposed site, is likely to be impacted by the two proposals, particularly due to the increased heavy freight traffic through its road network, the increased noise vibration along the rail corridor, the significant potential for air quality impacts on the regional airshed, resulting in adverse impact on the health of its community.

The flow-on effects on Bankstown's arterial road networks are likely to be considerable, as some of the roads and intersections are already at or near capacity and experiencing low level of service and congestion.

In a number of areas, the assessment by the proponent has not responded to the requirements in the DGR. These are outlined in some detail in the attached comprehensive submission by Council.

Based on the review of the SIMTA proposal by Council, the submission includes a number of important recommendations.

Council's key recommendations, among others, include:

- A decision be made by the Minister to assess the two intermodal proposals (the SIMTA and the Commonwealth) together by an independent expert panel, to ensure an effective assessment of their cumulative impacts and to ensure effective and complementary mitigation measures are in place to address these.
- The proponent be required to resubmit their Concept Plan Application, with necessary further investigation and assessment to address the deficiencies identified by Council in a number of areas in the assessment of impacts from the SIMTA proposal (e.g. traffic, road and rail access capacity, air quality, noise, obtrusive lighting and risk analysis etc) as well as the proponent's failure to consider the cumulative impacts from the Commonwealth proposal, as otherwise in its current form the application has not fully responded to the DGR and therefore is not supportable.
- State and Federal Government commitment to funding a wider strategy of arterial road upgrading works be secured to support the two IMTA proposals, prior to and as part of assessing either of the IMT proposals further.
- That the relevant recommendations from the 2005 Freight Industry Advisory Board report (*Railing Port Botany's Containers*), which has been included in the DGR as an adopted Government policy, be complied with in the assessment of the proposal. These include the requirements that:
  - Future expansion of the East Hill passenger line is not compromised by the IMTs and must be ruled out at the beginning.
  - A 'zero tolerance' policy involving heavy penalties in respect of container road traffic travelling through designated residential precincts is adopted and residential road networks in the wider catchment of the intermodal terminals be identified and designated prior to approval, in order to give effect to this policy.
  - An appropriate financial disincentive to carrying containers from Port by road be legislated and applied.

Council would appreciate if the concerns raised in its submission relating to the deficiencies in the SIMTA proposal and the recommendations resulting from these receive the due consideration they merit.

Should you require further information on this or would like to discuss, please feel free to contact me on 02 9707 9524 or matthew.stewart@bankstown.nsw.gov.au

Yours sincerely

Matthew Stewart
General Manager

Attached: Submission

Bankstown City Council's Submission on Concept Plan - Application for the SIMTA Intermodal Terminal at Moorebank

1.0 Introduction

This submission is the outcome of a review by Bankstown City Council of the Concept Plan for the proposed SIMTA Moorebank Intermodal Terminal facility with an ultimate annual handling capacity of 1,000,000 TEU containers.

Council is supportive of the establishment of a network of appropriately located intermodal terminals in Sydney to be connected to Port Botany by way of dedicated freight rail lines, to cater to the continuing rapid growth in container freight through Sydney Port.

However, Council is of the view that, as a precondition to the approval for such facilities, the environmental impacts need to be adequately assessed and mitigated as necessary as well as ensuring that short, medium and long-term rail and road infrastructure capacity issues have been effectively addressed.

As it is now certain that the Commonwealth is going ahead with its proposal for another intermodal facility of even a higher capacity of 1.2 million TEU at the same location on the SME site and that it would like to see the development of a freight intermodal hub at Moorebank, the cumulative impacts of these two clustered and significantly large intermodals must be assessed. This is only possible if the two projects of a combined capacity of 2.2 million TEU are assessed together and the pros and cons of clustering two significantly large facilities are objectively assessed by an independent expert panel.

Both the projects are significantly large and of similar ultimate capacities of 1.2 million TEUs (Commonwealth) and 1 million TEUs respectively. On implementation these IMTs are likely to be Australia's largest for decades to come.

Recommendation

1. That the SIMTA and the Commonwealth IMT proposals be assessed together by an independent expert panel to ensure the cummulative impacts are effectively taken into consideration and addressed.

2.1 The 2005 Freight Infrastructure Advisory Board (FIAB) Report

In October 2005, the then Minister for Planning released the report entitled *Railing Port Botany's Containers – A Plan to Ease Pressure on Sydney's Roads*, which was prepared by the Freight Infrastructure Advisory Board (FIAB) established and commissioned by the Government to assist in the formulation of the Government's Port Freight Plan for Sydney.

This report has been included in the Director-General's Requirements (DGRs) for the SIMTA proposal as an adopted policy/plan for the NSW Government, thus providing the relevance and applicability in the assessment of the SIMTA proposal.

The report includes a number of recommendations which are relevant to the proposed SIMTA development and issues raised in this submission. These recommendations, among others, include:

- Ensure that access to the Moorebank site is delivered in a way that does not compromise the future expansion of the East Hills passenger line.
- Ensure planning for Moorebank includes design buffers to reinforce the site's separation from residential development and provide public recreation facilities along both sides of the Georges River.
- The Government adopt a 'zero tolerance' policy involving heavy penalties in respect of container road traffic travelling through designated residential Precincts
- Before projects are approved, residential areas surrounding intermodal terminals be designated in order to give effect to this policy.
- The Australian Rail Track Corporation assess the infrastructure requirements of the Sydney Metropolitan Freight Network including additional staging and passing loops.
- The timing of construction works to amplify the M5 and new road connections between the Port and the M4 take into account the Government's success in moving containers off road and onto rail.
- In the interim, planning proceed for the provision of additional truck capacity in both these corridors.
- The NSW Government pursue the implementation of a national truck tracking scheme in consultation with the industry.
- The issue of tracking intermodal trucks be revisited as soon as these new nationally consistent arrangements are in place.
- The Government legislate for a Freight Movements Management Act to give effect to the Freight Infrastructure Charge.
- The Government consider a Charge set at $30 per TEU, collected on all import and export containers
- The Charge be fully rebated for Containers carried to or from the Port by rail and Containers carried to or from the Port by road during designated night-time off peak hours.

Although some of these recommendations may require NSW Government's strategic programs for implementation, nonetheless, these recommendations are pertinent to the issues raised in the following sections.

2.2 Rapid growth in container freight through Port Botany

Container freight through Port Botany has been increasing at an average rate of 7% per annum i.e. doubling in ten years and has already exceeded 2 million TEUs, earlier than previously predicted.

According to the forecast data included in the November 2011 NSW Government submission to Infrastructure Australia entitled, *Port Botany and Sydney Airport Improvement Program* (p v), "Port Botany containerised freight volumes are expected to increase over 3.5 times or by 5.5 million TEU from 2010/11 to 2030/31. Heavy vehicles trips forecast to increase by 2.2% per annum between 2006 and 2036 and light commercial vehicle trips by 1.1% per annum.

This indicates that even if both the SIMTA and Commonwealth IMTs are fully operational by 2031, more than 5 million TEUs will still need to be carried by road freight.

3.0 The Development of an Intermodal Hub at Moorebank: Cumulative impacts of both SIMTA and Commonwealth proposals must be effectively assessed

The Federal Government has already expressed that it would like to see the development of a freight intermodal hub at Moorebank and accordingly progressing its proposal for the Commonwealth's Moorebank Intermodal facility at the SME site on Moorebank Avenue, which is in close proximity to and opposite the SIMTA site on the same road.

Both the projects are significantly large and of similar ultimate capacities of 1.2 million TEUs (Commonwealth) and 1 million TEUs respectively. On implementation these IMTs are likely to be Australia's largest for decades to come.

While the SIMTA project is currently at concept plan exhibition stage, the EIS for the Commonwealth's project is likely to be on exhibition within months, sometime later this year.

As both projects are at the same location, are of significantly high and similar capacity of 1million TEUs or more each (even individually Australia's largest and combined total capacity of 2.2 million TEUs) and both have identical 24/7/365 days operations - there is no scope for assessing the two proposals in isolation and independent of each other. This is particularly because in reality their combined and cumulative impact will be no different from a single facility of the combined total capacity.

Therefore, if any meaningful assessment of environmental impacts and infrastructure capacity to support the two operations is the objective, the cumulative impacts of the two projects need to be assessed and taken into consideration.

However, the SIMTA proposal documents on exhibition admittedly do not include any information about the cumulative impacts of the two proposals.

The various volumes/parts of the SIMTA Concept Plan and environmental assessment documents on exhibition include self-contradictory statements about assessment of cumulative impacts of SIMTA and the Commonwealth proposals, which contrary to the explicit requirement included in the DGR (Director-General's Requirements).

By way of examples:

On one hand, SIMTA's *Environmental Assessment, Part 3A Concept Application* document (p 4) states:

"The cumulative impact of the SIMTA proposal and a future Moorebank Project Office proposal will be substantially the same and accordingly, the cumulative impacts have been fully assessed within this proposal."

On the other hand, SIMTA's Transport and Accessibility Impact Assessment Vol 1(p 105) states -

"At the time of undertaking this traffic impact assessment, actual information on the size and potential traffic generation from the SME site was not available."

This is contrary to the following specific requirements included in the DGR (p2) that *transport and access* assessment must, among others, include:

"Cumulative impacts, particularly with regard to existing and proposed freight distribution facilities in the locality and potential cumulative mitigation measures..."

Regarding assessment of potential cumulative ecological impacts of the two proposals, SIMTA's *Environmental Assessment, Part 3A Concept Application* document (p 79) states:

"The cumulative impact of the development of intermodal terminals on both sites can only be quantified once environmental investigations of the SME site are undertaken as part of an application for an intermodal terminal on that site."

In regards to noise and vibration, the DGR (p 2) requires that assessment carried out should include but not limited to *"noise and vibration from all activities and sources (on and offsite) and impacts to adjoining receivers..."*

In response, SIMTA's *Environmental Assessment, Part 3A Concept Application* document (p 71) states:

"Rail Noise – noise modelling was undertaken based on 42 rail movements per 24 hours spread equally across the day, resulting in 26 movements per day period (7am to 10pm) and 16 movements per night period (10pm to 7pm) along the indicative rail link." –

This clearly indicates that noise assessment was done for the SIMTA proposal only and not for cumulative impact from the two proposals.

Similar statements have been made (in p 71) regarding road traffic noise and industrial noise resulting from typical plant/equipment and operations inside the SIMTA site only and not based on noise levels that would be already existing from other sources, including the adjoining Commonwealth intermodal's operation.

The same document from SIMTA (in p 72 under section 6.3.2 *Potential Cumulative Impacts*) then goes on to add:

"Noise modelling undertaken for the SIMTA proposal assessed the full one million TEU capacity of the freight catchment demand. The effect of development of the School of Military Engineering site would be to distribute this total freight volume between the two sites and would result in a diffusion of noise generation sources over a greater area and the reduction of freight movements along a proportion of the SSFL and nominated rail corridors for both developments."

Although SIMTA's "revised" document is dated March 2012, when the Commonwealth's Moorebank Project Office (MPO) had already progressed its proposal including finalisation of the planned capacity of 1.2 million TEU capacity, the above statement from SIMTA seems to have conveniently overlooked the facts and made an assumption that the two facilities (SIMTA and MPO) will have a combined total capacity of 1 million TEUs only.

Also, there is no evidence or technical basis to support that *"the development of the School of Military Engineering site would be to distribute this total freight volume between the two sites and would result in a diffusion of noise generation sources over a greater area and the reduction of freight movements along a proportion of the SSFL and nominated rail corridors for both developments"*, when the two planned facilities are:

- Of similar capacities (SIMTA 1m TEUs and MPO 1.2 million TEUs),
- Located next to each other
- Would be serviced by the same freight rail line/corridor and rail spurs next to each other
- Road traffic generated by both would be impacting the same stretches of surrounding road network and same sound receivers off-site

The points noted above suffice to demonstrate that the information in the documents on exhibition have not been based on any assessment of the cumulative impacts of the two proposed facilities.

A further review of the SIMTA Concept Plan and environmental assessment documents on exhibition appears to suggest that these documents are inadequate and deficient and have not responded the requirements included in the Director-General's Requirements under Section 75 of the Environmental Planning and Assessment Act 1979. This will be dealt with more specifically in the following sections in this submission.

Recommendations

Council recommends that for the reasons stated above:

2. The proponents be required to resubmit their Concept Plan Application, with necessary further investigation and assessment to consider the cumulative impact of both the SIMTA and Commonwealth proposals, as in its current form the application has not fully responded to the DGR and therefore not supportable.
3. A decision be made by the Minister to assess the two intermodal proposals (the SIMTA and the Commonwealth) in conjunction with each other, to ensure an effective assessment of their cumulative impacts and ensuring effective and complementary mitigation measures are in place.

4.0 Transport and Accessibility Impact Assessment

4.1 Road transport accessibility: cumulative impacts of proposals

A review of the information presented by the proponent demonstrates the following deficiencies in assessment:

- The DGR required the proponent's assessment to include, but not limited to: *"Cumulative impacts, particularly with regard to existing and proposed freight distribution facilities in the locality and potential cumulative mitigation measures..."*

SIMTA's Transport and Accessibility Impact Assessment Vol 1(p 105) states: *"At the time of undertaking this traffic impact assessment, actual information on the size and potential traffic generation from the SME site was not available."*

In addition to this, SIMTA's Environmental Assessment Part 3A Concept Application (p 39) states to the contrary: *As the SIMTA proposal has already been assessed on the total catchment demand, it is considered the potential cumulative impacts of the DFD* [Commonwealth] *proposal are relatively minor."*

Nothing can be further from fact than this, as the Commonwealth has already committed more than $0.5 billion to the 1.2 million TEU project and have well progressed it through the development of a detail business case, have already received the DGR and expected to exhibit the EIS later this year.

- Although SIMTA's Environmental Assessment Part 3A Concept Application (p 39) document identified two major surrounding projects (Goodman Fielder Bakery facility at 90 Moorebank Avenue and a 500,000MT construction waste recycling facility at Newbridge Road) both of which have already received DGRs – these were also conveniently excluded in the assessment.

There is therefore no evidence in the documents exhibited that the cumulative impacts of the proposal and the Commonwealth's Intermodal proposal as well as other major surrounding projects were taken into consideration at all.

4.2 Road infrastructure capacity issues

The proponent's argument in relation to relieving road congestion simply by transferring a certain volume of freight by rail, which will simply re-introduce and redistribute even greater number of heavy vehicles in the project's catchment to distribute the containers or unpacked goods, is unsubstantiated and therefore not tenable. Further analysis of cumulative traffic impacts of these heavy vehicles are essential, prior to considering the proposal.

The large areas of South West and West Sydney, which is the catchment area for the SIMTA's proposal, is forecast to experience continued significant increase in future traffic volumes to accommodate higher growth in population, employment and economy. By 2031, population in the major high growth areas to the west M5 corridor is forecast to grow by 108%. This growth would increase background traffic growth higher than all historical growth.

The assumptions used by the proponents for the future traffic projections do not appear to reflect the future background traffic growth appropriately, particularly thousands of heavy freight vehicles from the Port to South Western Sydney which will still carry containers not carried by rail. More specifically, its modelling did not use the freight traffic to be generated by the relatively larger Commonwealth Moorebank Intermodal, to be built next to the SIMTA facility. According to the proponent, the SIMTA development alone is forecast to increase average traffic growth on Moorebank Avenue up to 3.1% p.a. Given that the Commonwealth intermodal is of a higher capacity, the combined impact is expected to be more than double. This renders the proponents findings to be deficient and without any sound basis.

However, in spite of the above, the model forecasts critically low level of service (F) at the key intersections in the projects core area during both AM or PM peak, simply because of background traffic growth to 2031 and regardless of SIMTA development and will require upgrading.:

- M5 Motorway/Hume Highway
- Moorebank Avenue/Heathcote Road
- Moorebank Avenue/Newbridge Road

The M5 Motorway/Moorebank Avenue interchange is forecast to be operating with LoS D in the PM peak. A number of regional road upgrades will be required regardless of the SIMTA proposal, which means these upgrades will need to be brought forward as priorities within short to medium term.

The proponent's traffic assessment identified the following road network capacity improvements required by 2031, when the SIMTA site is fully developed, to cater for the additional traffic demands in the core area:

- Widen Moorebank Avenue to four lanes between the M5 Motorway/Moorebank Avenue grade separated interchange and the Northern SIMTA site access. Some localised improvements will be required around central access and southern access points;
- Concurrent with any four lane widening on Moorebank Avenue, the current Moorebank Avenue/Anzac Road traffic signals will require some form of widening at approach roads;
- A new signalised intersection at the Northern SIMTA entry and egress with the Moorebank Avenue; and
- Potential upgrade works at the M5 Motorway/Moorebank Avenue grade separated interchange to cater for both background and additional SIMTA traffic growth.

However, even in the absence of any firm commitment for funding or delivery timeframe, the proponents modelling used these as "committed schemes", causing concern about the validity of the results of the modelling.

Although the site is hardly serviced by public transport (only one bus service and kilometres away from rail stations), the employee traffic generation rather have been underestimated, based on the flawed assumption of "scope to encourage greater public transport share.

4.3 Potential traffic impact on Bankstown

The proponent has not assessed the potential traffic impact of the proposal outside the immediate "core area", particularly the wider catchment including adjacent road network in Bankstown likely to have both direct and flow-on impact.

- Bankstown's industrial areas include Chullora – Potts Hill, Padstow – Bankstown, Milperra – Airport and Villawood – Sefton. Although in future, once Enfield IMT is operational, bulk of the containers to Bankstown's industrial precincts should travel by road (on mainly state roads) from Enfield IMT, however the western areas of Milperra and Villawood will have better road access from Moorebank.
- Bankstown's industrial and employment centres are accessed predominantly from state roads (e.g. Canterbury Road/Milperra Road, M5, Hume Highway, Rookwood Road, Woodville Road/Henry Lawson Drive), which are already operating at or near capacity in peak hours. Therefore, any further flow-on impact will result in deteriorated service.
- The traffic impact of the two proposed intermodal terminals (IMT) in Moorebank on the adjacent road network in Bankstown LGA is expected to result in an increase in heavy freight traffic, which is likely to continue to grow, as the two IMTs are developed to their full capacities. Although a proportion of the existing direct trucking traffic from Port Botany is expected to be replaced by traffic from both Enfield and Moorebank IMTs, there will still be net growth in heavy traffic on Bankstown roads due to the IMTs and the because of rapid growth in containers through Port Botany.
- It is likely that the two IMTs will induce establishment of bulky/heavy goods warehouses and distribution centres in Bankstown, resulting in increased heavy freight traffic.
- Also, because container numbers are increasing at the rate of 7% annually, even if they are able to transport by rail 2m containers to the two IMTs at Moorebank by 2031, by then they will still have to carry another 4.6 million containers by road to various parts of Sydney, bulk of these will be destined for West and South Western Sydney. This is where the already congested, at capacity or near capacity freight and commuter routes through Bankstown will become challenging.

- The identified traffic impact of the SIMTA Moorebank IMT on Newbridge Road will flow on, beyond the "inner" area, to Milperra and Canterbury Roads and Henry Lawson Drive. These roads are already seen as an alternative to the M5 motorway during peak hours.
- Southbound peak hour traffic in Henry Lawson Drive already extends for kilometres because of the low level of service at the Milperra Road intersection.
- The level of service at the "meccano set" intersection (the Hume Highway and Henry Lawson Drive) results in congestion in all four directions.
- The only solution to further deterioration in service at both of these intersections is considered to be grade separation.
- Henry Lawson Drive particularly north of Milperra Road and the intersection with Milperra Road are already experiencing low levels of service. Because of normal growth and flow-on impact, it will deteriorate further however the RMS has only recent resurfaced this section of Henry Lawson Drive so that there does not appear to be any plans for upgrading in the near future.
- The RMS will need to bring forward the upgrading of Henry Lawson Drive and the intersection with Milperra Road.
- The M5 is already in its peak hour capacity and congested. The widening of the M5 west will be of some assistance, however the M5 East, if not duplicated, will remain the real bottleneck.
- For large trucks the steep westbound rise out of the tunnel slows traffic flow considerably. The proposed M5 east duplication will have a flatter, and hence faster exit for westbound traffic.

Recommendations

4. To comply with the DGR, the proponent be required to further investigate the traffic and transport impacts of the proposal to include cumulative impacts from:

   (a) Commonwealth's Moorebank IMT development.
   (b) Increased freight vehicles on road due to rapid growth of containers through Port Botany and South-west and Western Sydney's share of the extra 5.5 million TEU containers that will still be carried by road in 2031, as explained above and in Section 2.2 of this submission.
   (c) Traffic impact on a wider regional catchment, including Bankstown LGA, of the SIMTA proposal

5. State and Federal Government commitment to funding a wider strategy of arterial road upgrading works be ensured to support the two IMT proposals, prior to assessing either of the proposals further.

6. Heavy vehicle movements associated with the project should be restricted to the major road network and not travel through residential areas, as recommended in the 2005 FIAB report and includedin the DGR:

   - *"The Government adopt a 'zero tolerance' policy involving heavy penalties in respect of container road traffic travelling through designated residential precincts."*
   - *"Before projects are approved, residential areas surrounding intermodal terminals be designated in order to give effect to this policy."*

- *"The issue of tracking intermodal trucks be revisited as soon as these new nationally consistent arrangements are in place."*

7. To address the challenges of achieving the 40% target of freight by rail, Government implement the following recommendations from the 2005 FIAB report, as part of considering the two major IMT proposals:

   - *"The Government legislate for a Freight Movements Management Act to give effect to the Freight Infrastructure Charge."*
   - *"The Government consider a Charge set at $30 per TEU, collected on all import and export containers."*
   - *"The Charge be fully rebated for Containers carried to or from the Port by rail and Containers carried to or from the Port by road during designated night-time off peak hours."*

4. 4 Rail Access Issues

Information and analysis presented by the proponent in the SIMTA proposal documents are deficient, including some uncertainties, and inadequate for any objective assessment of the proposal. This is because:

- There is some confusion regarding the rail services required for the SIMTA proposal, when fully developed. In various parts of the proponent's documents 21 services or 21 movements or 42 movements have been used. Also, no information has been presented on the actual or forecast demand versus capacity to be available on rail route from Port Botany to the SIMTA site via SSFL, which is still under construction. This route is part of the Sydney-Melbourne rail freight route and demand is growing.
- The DGR for the SIMTA proposal includes the 2005 FIAB report as an adopted policy document of the NSW Government, making it mandatory for the proposal to comply with the report's relevant recommendations, which states:

  "Ensure that access to the Moorebank site is delivered in a way that does not compromise the future expansion of the East Hills passenger line."

- Any likely requirement for encroaching into future expansion capacity of the East Hills passenger line need to be ruled out from the beginning, to comply with the FIAB recommendations, included in the DGR.

- The proposal indicated that *"The rail link will be subject to a separate Project Approval application"*, rendering the proposal premature for assessment in its present form, in the absence of confirmation from SSFL/ARTC about the scope, route, additional expansionary infrastructure (may require two 750m loops between Leightonfield and Moorebank and the extension of the existing Moorebank loop and full duplication of the Botany line (based on initial review) funding and delivery timeframe.

- SIMTA proposal may need up to 10ha of land acquisition in different terrains and ownerships, where no flooding, geotech, ecological, contamination assessment have been carried out.

- Because the railway spur and the SSFL expansionary infrastructure are crucial parts of the proposal, the location, concept designs, land owners commitment and financial arrangement of these works must be addressed in the application to allow the proper assessment of the proposal. Without this information, the determination of this application is premature.

Recommendations

8. That the proponent be required to address the deficiencies in rail access issues of the proposal explained above and re-submit the proposal for assessment.
9. That a clarification and confirmation about the available capacity along SSFL be obtained from the ARTC, to objectively assess the proposal.
10. Any likely requirement for encroaching into future expansion capacity of the East Hills passenger line need to be ruled out from the beginning, to comply with the FIAB recommendations, included in the DGR.

5.0 Air Quality Issues

The air quality assessment for the proposal, as presented in the documents exhibited, have been inadequately scoped, methodologically flawed and therefore the 'findings' remain technically unsubstantiated. The Executive Summary (p 5) of the proponent's EA: *Part 3A Concept Application* summarises the air quality assessment as follows:

"Air Quality – the assessment concludes that the SIMTA proposal will not exceed air quality criteria during the construction or operational phases, subject to the implementation of a range of mitigation measures. Further, it has been demonstrated that the proposal will result in a net positive impact on air quality at the regional level, taking into account the increased use of rail based freight transport."

This claim does not seem to have any sound technical basis, as it is overly based on the premise of limited air quality benefits from the use of rail based freight (e.g. taking off the roads 2,700 heavy vehicles). In fact, the assessment has conveniently overlooked facts, including:

- A greater number of heavy diesel vehicles will be reintroduced and redistributed in the Intermodal's catchment area for carrying containers or goods unpacked at the IMT.
- The assessment has not included background air pollutants to be emitted along the rail corridor from diesel locomotive rail freight services by others in the future at full corridor capacity utilisation, including the Commonwealth's Moorebank IMT or several other major surrounding projects which received DGRs (see Section 4.1 above).
- Even when both the IMTs are fully developed at Moorebank by 2031, an extra 5.5 million TEUs will be carried by road freight in Sydney, significantly impacting the background air pollutant level.
- No assessment has been carried out for emissions of fine particulate matter $PM_{2.5}$ and ultra-fine PM_1, which are particularly significant for diesel emissions and are known carcinogenic compounds having significant adverse impacts on human health and respiratory systems.
- Some air pollutants have not been adequately assessed (ozone, hydrocarbons and other airborne toxics)

- The proposal completely lacks in operational and other details (e.g. type of locomotives, maximum train and truck idling time etc), without which any air quality assessment is incomplete.
- Some emission estimates have been based on assumptions used for the under construction Enfield Intermodal, which cannot be verified or validated, rather than on data from any existing and operational IMT in NSW, inter-state or overseas.
- Meteorological conditions such as annual frequent dust storms and dispersion capacity of the airshed has been misinterpreted or over estimated and exceedance data have been trivialised or arbitrarily excluded. This has resulted in uncertainty about how regional airshed (such as Bankstown) will be impacted.
- Council is concerned that the growth in heavy vehicle movements from the intermodal through Newbridge Road, M5, Henry Lawson Drive and Milperra Road will have an adverse impact on local air quality and health of residents in the Bankstown LGA.

Recommendations

11. That the proponent be required to address the deficiencies in the air quality impact assessment of the proposal, as explained above and re-submit the proposal.
12. That the proponent's assumptions and modelling for air quality impact assessment be peer reviewed by an independent expert, prior to any approval being given to the proposal.

6.0 Noise Impact Assessment

In regards to noise and vibration, the DGR (p 2) requires that assessment carried out should include but not limited to *"noise and vibration from all activities and sources (on and offsite) and impacts to adjoining receivers..."*

However, SIMTA (in p 72 under section 6.3.2 *Potential Cumulative Impacts*)'s EA document states:

"Noise modelling undertaken for the SIMTA proposal assessed the full one million TEU capacity of the freight catchment demand. The effect of development of the School of Military Engineering site would be to distribute this total freight volume between the two sites and would result in a diffusion of noise generation sources over a greater area and the reduction of freight movements along a proportion of the SSFL and nominated rail corridors for both developments."

This statement itself demonstrates the lack of any sound technical basis in the proponent's noise assessment assumptions.

The SIMTA proposal's EA: Part 3A Concept Application (Executive Summary, p 4) concludes:

*"**Noise and Vibration** – it has been demonstrated that the SIMTA proposal will be able to meet the relevant noise and vibration criteria for surrounding land uses through the implementation of a number of mitigation measures during construction phase to minimise its potential impacts."*

In response, SIMTA's *Environmental Assessment, Part 3A Concept Application* document (p 71) states:

"Rail Noise – noise modelling was undertaken based on 42 rail movements per 24 hours spread equally across the day, resulting in 26 movements per day period (7am to 10pm) and 16 movements per night period (10pm to 7pm) along the indicative rail link." –

This clearly shows a lack of consideration of the noise impact from rail movements servicing the adjoining Commonwealth IMT and also background noise levels existing in the rail corridor.

That noise impact mitigation along the SSFL corridor can be a significant challenge is evident from the following observations included in the Noise & Vibration Assessment Report for the under construction Southern Sydney Freight Line (Report No. 05032, Wilkinson Murray, April 2006, Executive Summary, p 2).

"Noise monitoring and calculations undertaken for the assessment of indicated that these "planning criteria" are already exceeded at a large number of noise-sensitive locations along the route, due to a combination of passenger and freight movements."

"some residual exceedances of 3dBA or more are predicted, even with the proposed noise barriers in place."

"In particular, treatment of individual buildings is not generally considered reasonable due to:

- *The large number of receivers at which predicted noise levels after barrier treatment still exceed the "planning" noise criteria; and ....."*

Therefore, the actual SSFL residual noise impact levels depicted above, even with mitigation measures (such as 4m high noise barriers) proposed demonstrates the lack of any rigour in the SIMTA proposal's noise assessment.

There is no evidence that an assessment of the noise impact of heavy vehicle traffic generated by the proposal has been carried out. Some mitigation measures have been talked about the industrial noise resulting from typical plant/equipment and operations inside the SIMTA site only and not based on noise levels that would already be existing from other sources, including the adjoining Commonwealth intermodal's operation.

The noise assessment has been prepared as an inadequate preliminary assessment and not a detailed assessment as there is considerable detail that is not included in the report (including impact on sleep disturbance).

For both intermodals a more detailed study for night time rail movements is required in particular

6.1 Noise impacts in Bankstown

Assuming that the freight trains will travel 40km/h and approximately 900-1000m long, the high frequency of freight trains will cause continual noise impacts on the communities in Chester Hill and Sefton. SIMTA proposal seems to project freight train movements beyond the scope of SSFL. Whether the noise mitigation works completed for SSFL is adequate in mitigating impacts from the SIMTA freight movement projections, especially around Chester Hill and Sefton rail corridor.

Recommendations

13. That the proponent be required to address the deficiencies in the assessment of noise impact of the proposal explained above and re-submit the proposal.
14. The noise impact assessment by the proponent be peer reviewed by an independent expert, prior to any approval being given to the proposal.
15. Council be provided with clarification on whether the noise mitigation works completed for SSFL is adequate to mitigate the freight movement projections, especially around Chester Hill and Sefton Rail corridor, from SIMTA and Commonwealth IMTs at Moorebank.

7.0 Impact of Obtrusive Outdoor Lighting

The proponent's Environmental Assessment does not mention compliance with the relevant Australian Standards for obtrusive lighting, light spill and sky glow. The EA should provide modelling outcome and further advice on how the proposal complies with the *AS4282-1997 Control of Obtrusive Effects of Outdoor Lighting*, rather than making a mere statement about using suitable light fittings.

8.0 Environmental Risk Analysis

Although the EA has identified significantly high risk in some areas, the risk analysis by the proponent then downgraded and recategorised these arbitrarily and without providing any credible mitigation measure. This is particularly true for air quality, noise, traffic, greenhouse gas, stormwater/flooding and onsite storage of hazardous materials.

Given the significant deficiencies and flaws in the proponent's EA as outlined above throughout this submission, the Environmental Risk Analysis of the proposal lacks any sound basis and needs to be objectively prepared afresh and peer reviewed by independent experts.

Recommendations

16. That the propent be required to provide further assessment of impact from obtrusive outdoor floodlighting from a 24/7/365 operation and credible evidence about how the proposal will comply with the *AS4282-1997 Control of Obtrusive Effects of Outdoor Lighting*
17. That the the Envirobnmental Risk Analysis of the proposal be objectively prepared afresh and peer reviewed by independent experts.

BANKSTOWN CITY COUNCIL
PO Box 8, Bankstown NSW 1885 PH 02 9707 9999 FAX 02 9707 9495

BANKSTOWN
City of Progress

18 October 2012

Mr Chris Wilson
Executive Director Major Projects Assessment
NSW Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Kylie Seretis, Manager Ports and Rail Infrastructure Projects

Dear Mr Wilson,

Submission on the Preferred Project Report – Concept Plan for SIMTA Intermodal Terminal proposal at Moorebank

Thank you for the opportunity for Council to make a submission on the Preferred Project report for the SIMTA Intermodal proposal at Moorebank.

I refer to Council's submission dated 5 June 2012, where the following key recommendations were outlined for the concept plan (refer to the enclosed copy):

1. *A decision be made by the Minister to assess the two intermodal proposals (the SIMTA and the Commonwealth) in conjunction with each other, to ensure an effective assessment of their cumulative impacts and ensuring effective and complementary mitigation measures are in place.*

2. *The proponents be required to resubmit their Concept Plan Application, with necessary further investigation and assessment to consider the cumulative impact of both the SIMTA and Commonwealth proposals, as in its current form the application has not fully responded to the DGR and therefore not supportable.*

3. *State and Federal Government commitment to funding a wider strategy of arterial road upgrading works be secured to support the two IMTA proposals, prior to and as part of assessing either of the IMT proposals further.*

4. *That the relevant recommendations from the 2005 Freight Infrastructure Advisory Board report (Railing Port Botany's Containers), which as been included in the DGR as an adopted Government policy, be complied with in the assessment of the proposal. These include the requirements that:*

- *Future expansion of the East Hill passenger line is not compromised by the IMTs and must be ruled out at the beginning.*
- *A 'zero tolerance' policy involving heavy penalties in respect of container road traffic travelling through designated residential precincts is adopted and residential road networks in the wider catchment of the intermodal terminals be identified and designated prior to approval, in order to give effect to this policy.*
- *An appropriate financial disincentive to carrying containers from Port by road be legislated and applied.*

Council is concerned that the Preferred Project Report does not satisfactorily respond to Council's key recommendations in the following manner:

1. Since the Concept Plan, the SIMTA proposal includes a revised railway line within the East Hills Passenger Railway Corridor. This is inconsistent with the recommendations of the *2005 Freight Infrastructure Advisory Board report (Railing Port Botany's Containers)*. The Department of Planning & Infrastructure and Transport for NSW should not consider a proposal that will restrict the future expansion of the East Hills Passenger Railway Line.

2. All the environmental studies are based on the combined operation capacity of 1 million TEU capacity, which includes the SIMTA and the Commonwealth Inter Modal Terminal (IMT) proposals. However, the Commonwealth IMT proposal alone is earmarked to operate at 1.2 million TEU capacity. Therefore, the combined capacity is in fact 2.2 million TEU.

   The Department of Planning & Infrastructure should set a maximum TEU cap for the SIMTA proposal, in the context of the operational capacity of the Commonwealth IMT proposal. Any variation to the maximum TEU capacity should be subject of a separate application and further environmental investigations.

3. There is no consideration of the cumulative traffic impacts of the SIMTA and the Commonwealth IMT proposals on the regional road network, especially east of Moorebank. The report responds to this concern by a broad statement that the number of trucks from Port Botany will reduce as a result of the proposal and that most trucks will serve a catchment west of Moorebank. However, the number of trucks movement will be displaced around the SIMTA site and it is plausible that trucks will travel east of Moorebank to avoid toll roads to the west. The displaced trucks may have a greater impact on Newbridge Road, Henry Lawson Drive and the Hume Highway than anticipated in the current studies.

   The Department of Planning & Infrastructure should consider the traffic impacts east of Moorebank, especially roads that permit heavy vehicles

such as Newbridge Road, Henry Lawson Drive and the Hume Highway. Further, the Department should outline disincentive for the logistic companies to minimise truck freight movements from Port Botany to Western Sydney.

Should you require further information on this or would like to discuss, please feel free to contact me on 02 9707 9606 or james.carey@bankstown.nsw.gov.au

Yours sincerely,

James Carey
Manager Sustainable Development

Enc: Council's submission dated 5 June 2012

glenfieldwaste SERVICES

21 October 2013

To Whom it may Concern:

RE: SIMTA MOOREBANK INTERMODAL TERMINAL FACILITY

We are pleased to write this letter in support of the concept plan application for the redevelopment of the Sydney Intermodal Terminal Alliance (SIMTA) which seeks concept approval for the SIMTA Moorebank Intermodal Terminal Facility.

The proposal is wholly consistent with strategic planning and transport policies as it will provide significant contribution to the key freight objective of the NSW Government which aims to increase the proportion of container freight being moved by rail from Port Botany to 28%.

Objectives

The SIMTA development has the potential to support NSW freight policy objectives, whilst providing the capacity required to achieve the 28% rail freight target share.

The proposed rail link to the SIMTA site is considered suitable to support a 'whole-of-precinct approach', with both the SIMTA site and the Moorebank Intermodal Company Limited (MICL) site capable of using the same connection point to the Southern Sydney Freight Line (SSFL). The benefits of providing a single connection point to the SSFL servicing both sites, whilst following the proposed SIMTA rail link alignment, are considered to be of great economic and social benefit as there will be a reduced impact on the surrounding communities, as well as a reduction in overall capital costs of work.

The Moorebank Industrial Area comprises approximately 200 hectares of industrial development and the SIMTA proposal will not restrict the siting and layout options for the Moorebank Intermodal Company Limited (MICL) proposal.

Benefits

The benefit arising from the proposal with regard to its strategic contribution to the development of the intermodal network and the increased share of container freight being moved by rail can be divided into two groups including the economic/social and environmental benefits.

Economic/Social Benefits

- Creation of 850 direct and indirect jobs per annum over the six year construction period, 2,840 jobs during the operational stage when the terminal reaches a throughput capacity of one million TEU (twenty-foot equivalent units) per annum, with a further 4,260 jobs generated indirectly once the facility is fully operational;
- A reduction in net travel time and labour cost savings;
- Creating a facility that will attract industrial and business development to Moorebank;
- Catalyst for land use development that will complement, and not compete with, the employment role of the Liverpool CBD; and
- Provide a concentrated freight and logistics employment hub, thus providing key employment opportunities for the surrounding residential community, and accordingly promote close to home work opportunities.

Environmental Benefits

Through the environmental assessment process a number of regionally ecologically sustainable development benefits have been identified arising from the shift towards rail based freight transport.

It is considered that this redevelopment will provide significant environmental benefits by way of:

- reducing congestion and heavy vehicle movement along the M5 Motorway between Port Botany and Moorebank by 2,375 vehicles per day;
- Rehabilitation and regeneration of degraded areas of vegetation to improve the overall biodiversity quality of the land comprising the rail corridor;
- A positive impact on regional air quality from an overall net reduction in emissions for NOx and PM; and
- The *Greenhouse Gas Assessment* has demonstrated that the SIMTA proposal can achieve an annual GHG saving of 43,206 tCO_2e per annum through improved transport and operational efficiency.

Adjoining Land and Locational Benefits

The land immediately adjacent to the SIMTA site, including the Glenfield Waste Site has been considered in detail, having regard to the potential impacts arising from the construction and operation of the SIMTA Intermodal Terminal Facility. The use of the existing Rail corridor and East Hills railway line bridge crossing is considered to be the most appropriate location for the proposed use having regard to the opportunities to reduce the potential cumulative impacts.

The proposed location of the bridge associated with the SIMTA proposal is consistent with the location previously proposed by the State Government, is consistent with an immediately proximate use of the land (i.e. East Hills Railway Corridor) and would prevent the requirement for either a level crossing or overhead crossing at Moorebank Avenue, thus making it an ideal opportunity to use existing infrastructure and minimise on costs.

CONCLUSION

GWS has reviewed the Environmental Assessment as part of the concept application in detail and overall, considers that the Environmental Assessment has provided a comprehensive report that gives consideration to all required aspects of the proposal, as well as the adjoining development, including the MICL proposal for the redevelopment of the School of Military Engineering (SME) site. GWS considers this an excellent opportunity to advance the assessment of the SIMTA proposal and facilitate the planned provision of intermodal terminal facilities at Moorebank.

Overall, the assessment provides evidence that the development proposed in the concept Plan application is in the public interest, both from an economic and environmental perspective.

I trust that this submission clearly outlines GWS support for the SIMTA proposal and would welcome any queries.

Sincerely,

Georgie Kennett
General Manager

NSW GOVERNMENT | Office of Environment & Heritage

Your reference: MP10_0193
Our reference: DOC13/54401
Contact: Marnie Stewart, 9995 6868

Ms Swarti Sharma
Senior Planner – Rail and Ports
Infrastructure Projects
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Ms Sharma

I refer to your letter received by the Office of Environment and Heritage (OEH) of 12 September 2013 inviting comments from the Office of Environmental and Heritage (OEH) on the exhibited revised Environmental Assessment (EA) for the SIMTA Intermodal Terminal Facility MP 10_0193.

OEH has reviewed the revised EA and provides the attached comments in relation to Aboriginal Cultural Heritage and biodiversity matters. Any comments in relation to European heritage may be provided separately by OEH's Heritage Branch.

It should also be noted that OEH must not be prescribed an approval or sign off role in any condition of approval without prior agreement. At this stage, OEH does not agree to any approval or consultation role for this project.

If you wish to discuss any of the issues raised in this attached comments, please contact Marnie Stewart, Senior Regional Operations Officer, on 9995 6868.

Yours sincerely

S. Harrison 24/10/13

Susan Harrison
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Greater Sydney Region
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Attachment 1: OEH comments on the exhibited revised Environmental Assessment for the SIMTA Intermodal Terminal Facility

1. Aboriginal Cultural Heritage

While it is noted that the proposal has not yet been finalised and the impacts to Aboriginal Cultural Heritage are not yet precisely known, OEH supports the mitigation measures recommended by the assessment report, in particular that:

- Impacts to potential archaeological deposit (PADs) be entirely avoided (i.e. no modifications to ground surface in any way, including but not limited to excavation, grading and the use of heavy or metal tracked vehicles); **or if impact to an area of PAD cannot be avoided**
- Test excavations be undertaken in accordance with current archaeological practice and any relevant guidelines to determine the nature, extent and significance of any Aboriginal archaeological deposit.

OEH notes the assessment report (Appendix S) identifies three areas of PAD as well as an area of cultural interest (Area 1) and eight surface isolated lithic artefacts. The report does not make clear in its assessment of potential impacts that PAD 1, part of PAD 2, Area 1, and artefacts 2, 3, 4, 5 and 6 are located outside of the study area (which includes the SIMTA site and the proposed rail corridor) as identified in Figure 2 of the assessment report.

OEH also notes that aerial photographs from 1986 and 1994 suggest the area of PAD 3 is smaller than indicated in Figure 33 of the assessment report.

Table 8 in the Statement of Commitments document recommends "Monitoring of works *or* archaeological test excavations..." as possible mitigation strategies. Monitoring of works is not an appropriate substitute for sub-surface test excavations. If any area of PAD is to impacted by the proposed works sub-surface test excavations should be conducted by a qualified archaeologist.

2. Biodiversity

As previously advised, OEH notes that the significant biodiversity values of the site are confined to the proposed rail corridor which will connect the Intermodel Terminal with the Main Southern Railway. These values include two plants species (one endangered and one threatened) and five endangered ecological communities (EECs) listed under the *Threatened Species Conservation Act 1995* (TSC Act).

OEH is particularly concerned with the impacts from the proposed alignment of the rail spur to the south. OEH is of the view that further consideration should be given to avoiding impacts upon the *Personia nutans* and *Grevillea parviflora* populations by adapting and utilising the existing rail spur.

Biodiversity Offsets Strategy

Offsetting decisions should be based on a reliable and transparent assessment of the loss in biodiversity due to the project and the likely gain in biodiversity through the offset. For terrestrial biodiversity, established assessment tools, such as the BioBanking Assessment Methodology (BBAM), are considered best practice.

The Biodiversity Offsets Strategy only details the impacts of the proposal and generally describes how those impacts might be offset. OEH notes that the Strategy does not determine the size of the offset required. Furthermore, no offset sites have been identified and no security measures for those sites have been agreed to.

To assist the Department, OEH provides the following rough estimates of the size of the offset requirements. In considering this advice, it is important to note that it is assumed that the offset

site(s) are currently unsecured and that the offset will be biobanked. Other conservation measures will require additional areas of offset due to their relative insecurity and lack of funding for management:

- Area(s) of vegetation approximately five times the size of the impacted area (1.19 ha) consisting (to the extent that is practicable) of the vegetation communities listed in Table 39 of the F&F report.
- An area of *Persoonia nutans* habitat containing at least 130 individuals of the species.
- An area of *Grevillea parviflora ssp parviflora* habitat containing at least 682 individuals.

OEH strongly recommends that the proponent be required to identify offsets, and demonstrate that they can be secured, to the satisfaction of the Director General Department of Planning and Infrastructure prior to the determination of the project.

OEH estate – Leacock Regional Park

OEH notes that the EA, including the Rail Access Report, indicate that part of the proposed new rail line works will be adjacent to Leacock Regional Park. OEH's main concern is to ensure that the proposed development has no adverse effect on the natural and cultural values of the adjoining Regional Park.

The proponent should consider and address the OEH *Guidelines for Developments adjoining Department of Environment and Climate Change Land* (http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm) in the EA, including the following matters:

- noise impacts and amenity,
- boundary encroachments,
- management implications, pests, weeds, edge effects,
- threats to ecological connectivity,
- erosion and sediment control, and
- stormwater runoff.

The Department should ensure that the proposed development does not encroach upon or impair the significant natural and cultural heritage values of the Regional Park.

NSW EPA

Our reference: EF13/5246, SF
Contact: J Goodwin 9995 6838

Ms Swati Sharma
Senior Planner – Rail and Ports
Department of Planning and Infrastrcuture
GPO BOX 39
SYDNEY NSW 2001

Dear Ms Sharma

CONCEPT PLAN - REVISED ENVIRONMENTAL ASSESSMENT FOR SIMTA INTERMODAL TERMINAL FACILITY – MP10_0193

I am writing to you in response to your letter of 2 September 2013 inviting the EPA to provide comments on the above mentioned environmental assessment. And, draw your attention to the EPA's previous comments dated 24 May 2012.

The EPA understands that the current application is for approval of a concept plan (including a 3.5 kilometre rail link) and that further comprehensive environmental assessments will be undertaken in conjunction with any application for detailed project approvals.

The EPA emphasises that Liverpool City Council rather than the EPA is the appropriate regulatory authority for the purposes of the Protection of the Environment Operations Act 1997 and Regulations for the majority of the project except as outlined below. Nevertheless the EPA has responded to a request from Council for assistance with comments on key environmental issues of air quality and noise impacts. And in that regard, the EPA reviewed the revised EA and provides those comments in Attachment A.

The project Environmental Assessment (EA) Appendix H (Reference Design Layout Plans) shows the proposed rail link route as traversing the premises described in EA section 2.3.2 as the Glenfield Waste Disposal Centre; essentially a landfill. The Glenfield premises are the subject of environment protection licence 4614 and immediately abuts Glenfield Flyover section of the Southern Sydney Freight Line (SSFL). The EPA reminds the Department of the drawn out negotiations and major design changes necessitated to minimise any impacts of the Flyover and its northern approaches on the landfill and its associated pollution control and monitoring systems. The EPA notes that the rail link as proposed would extensively encroach on the landfill including closed waste cells and pollution control and monitoring systems.

Importantly, the EPA is unable to support routing of the proposed rail link to the SSFL via the Glenfield Waste Facility licence premises until such time as the proponent is able to clearly demonstrate to the EPA that the construction and operation of the rail link will not compromise the effectiveness of the landfill pollution control (leachate, landfill gas and surface drainage) and monitoring systems, including future post-closure care measures. The EPA has provided detailed comments about the proposed rail link in section 2 to Attachment A hereto.

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The EPA also administers licences for the 'rail systems activities' carried on by both Sydney Trains (nee Railcorp) and the Australian Rail Track Corporation)ARTC) which the EA indicates will be affected by rail interface works associated with the project. Accordingly, the EPA advises that constraints applicable to the Sydney Trains and ARTC licence premises would also apply to the aforementioned interface works.

Should you require clarification of any of the above please contact John Goodwin on 9995 6838.

Yours sincerely

25/10/13

FRANK GAROFALOW
Manager Metropolitan Infrastructure
NSW Environment Protection Authority

Encl. Attachment A

ATTACHMENT A

ENVIRONMENT PROTECTION AUTHORITY COMMENTS

REVISED ENVIRONMENTAL ASSESSMENT

FOR

SIMTA INTERMODAL TERMINAL FACILITY (MP 10_0193)

1. General

Sydney Intermodal Terminal Alliance (SIMTA) is seeking Concept Approval for an intermodal terminal facility at Moorebank Avenue, Moorebank. The proposed facility will provide capacity for up to one million containers (twenty-foot equivalent units) throughput per annum.

The EPA understands that the project is proposed to be completed in 3 stages with each stage of the development subject to a separate detailed project assessment process. And further that, stage 1 includes construction of a 3.5 kilometre dedicated rail link through to the Southern Sydney Freight Line via the Glenfield Waste Facility.

The EPA considers that the proposed rail link is likely to adversely impact on environmental management at the Glenfield Waste Facility.

The EPA also considers that the project, including the rail link, will have significant air quality and noise impacts particular to the site preparation and construction, and operational phases of the project and has formatted its advice accordingly.

2. Proposed Rail Link

As advised in the cover letter, the EPA is unable to support routing of the proposed rail link to the SSFL via the Glenfield Waste Facility licence premises until such time as the proponent is able to clearly demonstrate to the EPA that the construction and operation of the rail link will not compromise the effectiveness of the landfill pollution control (leachate, landfill gas and surface drainage) and monitoring systems, including future post-closure care measures.

The EPA is particularly concerned about potentially significant adverse impacts of the rail link on the Glenfield Waste Facility and notes that in regard to that link –

1. Golder explicitly identifies the Glenfield Waste Facility site as being an area of potential contamination. They list a range of potential contaminants and potential contamination management strategies that begin with intrusive investigations prior to commencement of construction works; identification of contamination issues; remediation planning; regulatory approval and site auditor review; implementation of remediation and validation;

2. Golder (on page 19) notes that *"In the event that construction of the railway requires disturbance of a landfilled cell, it is assumed that the disturbed material would be handled in the same manner as the currently landfilled manner. As the waste material is encapsulated within the landfill and the gas and leachate are collected within managed systems, it is considered that the landfill contamination would be isolated from the railway construction works. It is noted that a segment of the East Hills Line was constructed over part of the landfill site, providing experience in managing construction of a railway line in close proximity to a landfill operation."*

There are a number of assumptions in the foregoing statement which need to be tested against

(a) the relevant environment protection legislation, and

(b) relevant prior experiences such as that arising from the East Hills Line construction.

3. Golder goes on to recommend that the proponent undertake "Phase 2" of the environmental assessment of the proposed rail corridor. The EPA would need to view any such plan for intrusive investigation if the investigation proposes to interfere with the Glenfield Waste Facility licensed premises in order to ensure landfilling, monitoring operations and the environment are not compromised.

4. Golder recommend that (after intrusive investigation is completed) a Contamination Management Plan is developed and implemented to manage expected and unexpected contaminated materials including landfill gas and other anthropogenic materials.

Accordingly, the EPA considers that there is unacceptable uncertainty about the viability of routing the rail link through Glenfield Waste Facility.

Recommendation 2.1

Should approval of the rail link component of the concept plan be issued in conjunction with approval of the terminal, consideration be given to imposing conditions to require the proponent to provide the following additional information and commitments for further assessment of the proposed rail link route:

(1) Details of the quantity of landfilled waste to be removed, the location from where it will be removed, the methodology to be utilised and the estimated timeframe for the removal and reburial;

(2) Proposed measures to mitigate odour impacts on sensitive receivers, including an undertaking to apply daily cover to any exposed waste in accordance with benchmark technique 33 of the document *Environmental Guidelines: Solid Waste Landfills*, NSW EPA 1996;

(3) Any proposed impacts on pollution control and monitoring systems including existing groundwater and landfill gas bores and their subsequent repair/replacement;

(4) The proposed methodology to ensure that the landfill barrier system disturbed in the removal process is replaced/repaired to ensure its ongoing performance. The proponent should detail matters such as sub grade preparation/specifications, liner installation/reinstallation procedures and construction quality assurance procedures;

(5) The proponent committing to providing the EPA with a construction quality assurance report within 60 days of the completion of the works referred to in paragraph (4) hereto; and.

(6) An overview of any access and/or materials/equipment storage arrangements with Glenfield Waste Facility in relation to the construction of the project.

3. Site Preparation (including demolition) and Construction Phase

Appendix Q *Air Quality Impact Assessment* (AQIA) to the Environmental Assessment (EA) states at section 5.1:

"Due to the staged nature of SIMTA proposal, construction impacts for the overall Concept Plan are not assessed quantitatively".

EA section 5.1 goes on to state:.

"The air quality impacts from each stage of construction would be assessed and managed separately under the Construction Environmental Management Plan (CEMP) developed at each Stage..."

3.1 Air quality (site preparation and construction)

The EA and Appendices indicate –

(a) probable rail link related disturbance of emplaced waste at Glenfield Waste Facility,

(b) underground petroleum storage tanks requiring removal from the terminal site,

(c) bonded asbestos is visible at various sites and is likely to be uncovered during site preparation, and

(d) dust from site clearing and demolition work (including on-site concrete crushing), bulk earthworks and general construction;.

3.1.1 Rail link

The EPA is concerned that construction of the rail link through Glenfield Waste Facility may disturb emplaced waste and release odours and uncontrolled landfill gas emissions. And, confirms that it requires issues and recommendations associated with such air quality impacts to be fully addressed as outlined in recommendation 2.1..

3.1.2 underground fuel storage

The EA also reveals the presence of a number of underground fuel storage tanks on the terminal site. The EPA anticipates that there is likely to have been fuel spills and leaks of unknown quantity and duration over the years and as such subsequent investigation should address the prospect of Volatile Organic Compounds (VOCs) venting during removal of the storage tanks and subsequent soil remediation. And, is concerned that EA Appendix Q section 3.5 may not adequately address fugitive emissions of VOCs during site remediation.

Recommendation 3.1

That the project stage assessments fully address the air quality impact issue of fugitive Volatile Organic Compounds (VOCs) emissions associated with site remediation work, including removal of surface and underground fuel storages.

3.1.3 Hexachlorobenzene (HCB), bonded asbestos and other site contamination

The EPA understands from EA Appendix M *Preliminary Environmental Site Assessment* ... that a number of preliminary investigations of the terminal site have been conducted since 1993, including a Summary Site Audit Report and Site Audit Statement in 2002.

The EPA is concerned that the scope of the site investigations conducted to date are insufficient to adequately characterise the general contamination status of the site, noting at the same time that additional investigation is recommended in section 3.0 Appendix M -

- due to the presence of "... elevated concentrations of chemicals of concern in groundwater and fill materials ..." (p.4);
- of the rail link route..

However, the EPA is unclear whether –

(a) a site auditor is engaged for the project at this point in time, and

(b) Appendix M section 3.0 (4th dot point) is confirming the presence of Hexachlorobenzene in groundwater or what concentration it has been detected.

Chemical control order

The EPA highlights that Hexachlorobenzene (at certain concentrations) is prescribed as a 'scheduled chemical waste' under *Scheduled Chemical Wastes Chemical Control Order 2004* made under the Environmentally Hazardous Chemicals Act 1985.

The EPA further highlights that the act of manufacturing, processing, keeping, conveying, using, selling or disposing of scheduled chemical wastes, or any act related to any such act is prohibited unless it is otherwise permitted by, and carried out in accordance with the conditions of *Scheduled Chemical Wastes Chemical Control Order 2004.*

Recommendation 3.2

Consideration be given to requiring the proponent to commit to –

(a) engaging a site auditor accredited under the Contaminated Land Management Act 1997 and who has experience in similar projects involving remediation of scheduled chemical waste, and

(b) providing sufficient information on the contamination status of soils and groundwater to enable meaningful comments, including providing detailed information about –

- the nature and scope of Hexachlorobenzene contamination, including concentrations and mass,
- groundwater (example: depth and likely impact to groundwater),
- fill material,
- potential impacts from demolished buildings and infrastructure, and
- de-commissioning underground storage tanks located on the site.

Bonded asbestos

The EPA is aware that bonded asbestos was identified in the existing rail corridor during construction of the Southern Sydney Freight Line. Thus the EPA anticipates that bonded asbestos may be disturbed during proposed work within the existing rail corridors.

Similarly, bonded asbestos will almost certainly be disturbed during the course of site preparation of the former Australian Defence Force base.

The proponent should apprise itself of the requirements of clause 42 of the Protection of the Environment Operations ('Waste Regulation) 2005 concerning asbestos wastes. The EPA provides additional guidance material at its web-site http://www.environment.nsw.gov.au/waste/asbestos/index.htm.

Recommendation 3.3

Consideration be given to requiring the proponent to consult with Workcover NSW concerning the proper management handling of asbestos on the project sites, including the rail link corridor and rail link-rail networks interface sites .

3.1.4 general site preparation and construction

The EPA considers dust control and management to be an important air quality issue during site preparation and construction phases with site clearing, demolition and bulk earthworks inevitably generating dust as a result of –

(a) the excavation, processing and handling of excavation spoil and concrete waste,

(b) wind action on spoil and crushed concrete stock piles, and

(c) wind action on and plant movement across areas bare of vegetation or other cover.

The EPA is aware of a high level of community concern about dust emissions associated with recent Australian Defence Force distribution centre projects on sites near the project site.

The EPA is also aware that the local soil landscape, topography and aspect increase the vulnerability of the project sites to generating dust emissions, particularly during unfavourable weather conditions.

Recommendation 3.4

Consideration be given to requiring the proponent to monitor dust emissions (visual) and meteorological forecasts and observations reported from the nearest Bureau of Meteorology automated weather station at all times during site preparation, demolition and construction phases to ensure dust management and suppression measures are sufficient to:

(a) minimise dust emissions on the site, and

(b) prevent dust emissions from leaving the site.

Recommendation 3.5

That consideration be given to requiring all site contamination investigations and remediation for the entire project site to be completed as far as practicable during stage 1 to ensure more effective control of site remediation-related air quality impacts.

3.2 site preparation and construction noise

Appendix I *Noise Impact Assessment* to the EA provides a brief assessment of construction noise and vibration impacts. The EPA notes that that assessment does not expressly address :

(a) the proposed standard hours of construction as recommended in Table 1 of the Interim Construction Noise Guideline;

(b) predicted sleep disturbance impacts in relation to any night-time construction or construction-related activity (example: delivery of outsize plant) that may be warranted for reasons of –

  (i) safety, and

  (ii) maintaining the integrity of road, rail or utilities networks;

  Note: The EPA would generally consider a 15 dB exceedance - using the L_{A1} (1 minute) noise descriptor - of the night-time rating background level to be 'offensive noise'

(c) whether the recommended 5 dB adjustment factor for construction involving activities/noise sources identified at page 16 of the Interim Construction Noise Guideline has been applied to predicted noise impacts reported in the EA;

(d) the type of reversing and plant movement alarm that will be fitted to construction vehicles, plant and equipment noting that other large infrastructure projects have adopted 'quacker' type broadband reversing alarms without compromising safety;

(e) intra-day curfews on high noise impact activities such as concrete crushing, impact piling, jack hammering, rockhammering and rockbreaking; and

(f) the proximity of residents and other noise sensitive receivers to work on the proposed rail link which is likely to be closer than the 500 metres referred to in section 6.5.2 (p.35, Appendix I);

Recommendation 3.6

Consideration be given to requiring the proponent to prepare a detailed noise and vibration impact statement in conjunction with applications for approval of each stage of the project.

4.0 Operational phase

The EPA anticipates that there will be significant air quality and noise impacts during the operational phase of the project and provides the following comments concerning –

(a) the adequacy of the Environmental Assessment; and

(b) some feasible and reasonable options for practicable avoidance, minimisation and mitigation of those impacts.

4.1 operational air quality

The EPA refers the Department to *'Attachment 2: the EPA's comments on the Environmental Assessment for the SIMTA Intermodal Terminal Facility – Air quality'* to its letter dated 24 May 2012.

4.1.1 air quality impact assessment

The concept plan Air Quality Impact Assessment (AQIA) is outlined in EA Appendix Q.

The EPA considers that the AQIA was conducted in general accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (Approved Methods). The AQIA primarily focused on the assessment of emissions from proposed project operations.

Operational emissions were assessed based maximum proposed terminal throughput of 1 million TEUs and assumed vehicle (road and rail) composition/movements. The EPA considers the assessment approach acceptable for Concept Approval. However, a more detailed comprehensive assessment will be required in conjunction with each staged approval application; as such ATASU considers.

The EPA notes that operational phase emissions were assessed on the basis of maximum proposed terminal throughput of up to one million TEUs and an assumed vehicle (road and rail) composition/movements. The EPA considers that assessment approach acceptable at the Concept Plan stage of the approvals process.

4.1.2 Staged project approval process

The proponents Statement of Commitments includes the following in relation to air quality.

- *The Proponent will undertake an air quality monitoring programme during the initial phases of both construction and operation of the SIMTA site in accordance with the Air Quality Impact Assessment and including:*

  - *Nuisance Dust*

  - *Air Emissions – PM10 and Nitrogen Dioxide*

- *The Proponent shall consider the need to develop a vehicle efficiency and emissions reduction program for the facility to encourage good maintenance and efficient vehicle selection, taking into account the results of the air quality monitoring programme.*

- *The Proponent commits to the preparation of a Construction Environmental Management Plan prior to the construction of each stage to provide air quality and dust management/ mitigation procedures to be adopted during each of the construction phases of the development.*

However, the EPA considers that –

(a) commitments to implement air quality impact mitigation and management measures should be measurable and enforceable; and

(b) any assumptions of emission control efficiency/performance should be linked to specific mitigation measures with measurable and auditable performance indicators.

Accordingly the proponent should also undertake the following in conjunction with any application for each project stage:

(a) benchmarking against best practice process design and emission controls adopted at comparable intermodal terminal facilities in Australia, North America, and EU countries;

(b) updating stage specific and cumulative air quality impact assessments; and

(c) updating the Statement of Commitments

Recommendation 4.1

Consideration be given to requiring the proponent to undertake a comprehensive air quality impact assessment for each stage of the proposal, including:

- undertaking the assessment in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (2005)* (or its later version and updates);

- taking into account the final project design with consideration to worst-case meteorological and operating conditions;

- quantitatively assessing the predicted emission of:

  - solid particles;
  - sulfur oxides;
  - nitrogen oxides; and
  - hydrocarbons;

- assessing cumulative air impacts at a local and regional level (including but not limited to contemporaneous operations such as those of the proposed Federal Government Moorebank Intermodal Terminal); and

- a comprehensive air quality management plan of the proposal that includes at least the following information -

  (a) explicit linkage of proposed emission controls to the site specific best practice determination assessment and assessed emissions,

  (b) the timeframe for implementation of all identified emission controls,

  (c) proposed key performance indicator(s) for emission controls,

  (d) proposed means of air quality monitoring including location, frequency and duration,

  (e) poor air quality response mechanisms,

  (f) responsibilities for demonstrating and reporting achievement of key performance indicator(s),

  (g) record keeping and complaints response register, and

  (h) compliance reporting.

4.1.3 long-duration idling

The EPA further notes that so-called 'long-duration' idling of locomotives, heavy road freight vehicles, yard trucks/hostlers, transport refrigerated units and mobile cargo handling equipment is identified (by US EPA and other north american jurisdictions) as a significant source of air pollutant emissions associated with intermodal terminal operations.

The EPA considers that there are significant opportunities for reducing operational air quality impacts through the adoption of feasible and reasonable mitigation measures and management practices. And, in that regard encourages the Department to consider requiring the proponent to provide a thorough assessment of measures, including –

(a) scheduled sampling and analysis of air pollutants emitted by locomotives and heavy road transport vehicles on the terminal premises and rail link for comparison against adopted project benchmark concentrations of –

  (i) fine particulates (PM10 and PM 2.5),

  (ii) sulfur oxides,

  (iii) nitrogen oxides,

  (iv) hydrocarbons, and

  (v) other toxic air pollutants;

(b) for idling reduction including

  (i) driver/operator training about how to reduce air quality impacts associated with 'long-duration' idling,

(ii) automatic engine shut down/start up system controls the engine by stopping or starting it without operator action,

(iii) 'shore power' being electricity grid plug-in points for enabling locomotives and trucks to switch over to mains power and shut down main engines otherwise used to power –

- transport refrigerated units/containers,
- cabin climate control, and
- other accessories and equipment.

Recommendation 4.2

Consideration should be given to requiring the proponent to prepare a comprehensive review of intermodal terminal operational best practice process design, emission control and management measures that might feasibly and reasonably be applied to each stage of the project. And, to benchmarking those measures against international best practice. The review should:

(1) clearly demonstrate that the proponent will at each project stage adopt and implement best practice facility and process design and management measures to minimise operational air pollutant emissions at the terminal and on the rail link;

(2) include a detailed evaluation of feasible and reasonable mitigation and management measures such as reduction of 'long-duration' idling of diesel locomotives, prime movers and cargo handling equipment through -

(i) driver/operator training about how to reduce air quality impacts associated with 'long-duration' idling,

(ii) automatic engine shut down/start up system controls whereby the engine stopping or starting is implemented without operator action,

(iii) 'shore power connection' being electricity mains plug-in points for enabling locomotives and trucks to switch over to mains power and shut down main engines otherwise used to generate power required for –

- transport refrigerated units/containers,
- cabin climate control, and
- other accessories and equipment., and

(iv) the application of queuing theory to minimising truck loading/unloading wait times and resultant queuing and idling in the terminal facility and on access roads..

(3) include predicted annual cumulative, daily and one minute amounts of air pollutants emitted and non-renewable fossil fuel consumed (by typical diesel locomotives, prime movers, fixed body trucks, yard trucks/hostlers and cargo handling equipment expected to regularly operate at the terminal) as the basis for defining the term 'long-duration' idling as it would apply to the terminal facility.

4.2 Operational Noise

The EPA is concerned that the operational noise impact assessment may not be fully representative of the worst case noise impact scenario for operations at the terminal and along rail link, for instance:

(a) the terminal and 3.5 kilometre rail link are assessed using different criteria – the EPA remains to be convinced that the 'rail link' as a dedicated siding serving the terminal represents anything other than a linear extension of the terminal and thus not a 'transportation corridor' that should be differentiated from the terminal for the purposes of noise impact assessment;

(b) details of operational train management at the terminal and on and around the rail link are not supplied to justify the adequacy of the list of train noise sources (Table 6-1 to *Appendix I Noise Assessment*) as being limited to only four locomotives simultaneously at the terminal, given –

(i) the final terminal configuration includes 4 permanent and one temporary siding (Appendix I, section 2.3) and each train is proposed to be powered by two 81 Class (3,000 horsepower) locomotives,

(ii) uncertainty about whether a train (s) may be held simultaneously on the 'rail link' or on the SSFL awaiting access to the rail link and thus whether any related contribution should be applied,

(iii) uncertainty about whether a shunting engine (s) is likely to operate at the terminal and thus whether any related contribution should be applied, and

(iv) uncertainty about restrictions on shunting (coupled and loose) operations at the terminal;

(c1) the noise impact assessment of train noise appears to be limited to 81 class locomotives operating at the idle notch setting and does not appear to take account of –

(i) movement of locomotives under load within the terminal,

(ii) movement of locomotives for reasons such as the breaking and re-making of trains at the terminal, or

(iii) shunting impact noise;

(c2) the noise impact assessment of train noise appears to be limited to 81 class locomotives and omits assessment of any other class of locomotives, including those older classes that have not been tested against rail networks licence noise limits but may be noisier than the 81 class.

(d) the noise impact assessment does not clarify whether the proposed increase in train lengths from 650 metres (Appendix I, section 6.4.1) to 1200 metres during stage 3 would involve additional noise contributions from -

(i) any additional locomotive or locomotives required to power the longer trains, or

(ii) if no additional locomotives, any additional noise contribution from increased load demand of a longer train on two 81 class locomotives;

(e) noise impact omits consideration of noise sources related to inadequate track alignment and maintenance (example: wheel squeal) and inadequate rolling stock maintenance (example: wheel defects);

(f) the noise impact assessment is unclear about the operating conditions considered for the purposes of the IGANRIP assessment, given the assessment is modelled using inputs from the 'Railcorp' rail noise database (vide section 6.4.2, Appendix I) as for example train by-pass noise at say 60 kph on the network may differ to that of a train operating at a different speed, building momentum from a standing start or moving at grade at the rail link interfaces with the SSFL;

(g) although the 81 class locomotive (reportedly built between 1982 and 1986) was tested against environment protection licence noise limits for operation on the NSW rail network in 1987, the EPA is unclear whether the Sydney Trains rail noise database is representative of the current performance levels of those 30 year old locomotives.;

(h) the noise impact assessment does not appear to explicitly address the comparative noise levels predicted in conjunction with train crossings of the various bridge designs outlined in the *Bridge Options Report* to Appendix H.

(i) the noise impact assessment does not appear to explicitly address empty container handling and transport and associated noise mitigation and management measures including curfews

(j) the noise impact assessment does not appear to explicitly address the range of maintenance activities to be undertaken at the terminal, where and when such maintenance activities would be undertaken or the resultant character or level of noise arising form those activities;

(k) the noise impact assessment incorrectly designates receiver area R2 as an 'Urban' rather than 'Suburban' indicative noise amenity area.

(l) the cumulative operational noise assessment (vide section 7, Appendix I) adopts assumptions that may not adequately reflect the worst case noise impact scenario, including assumptions reducing the contribution of the SIMTA proposal in consideration of an adjoining intermodal terminal proposal that may or may not proceed;

Recommendation 4.3

Consideration be given to requiring the proponent to revise the noise impact assessment to more fully represent the worst case noise impact scenario for operations at the terminal and along rail link. And, to faciltiate community understanding by inclusion in the revised noise impact assessment of maps clearly showing noise contours for day, evening and night-time periods overlaid on an orthophotomap of the locality where such maps identify –

- the extent of predicted impacts on surrounding noise sensitive receivers using the LAeq (15 minute) noise descriptor;
- the extent of the predicted night-time impacts on surrounding noise sensitive receivers using the LA1 (1 minute);
- highlighting the contour representing the relevant assessment criteria; and
- explicitly stating what, if any, Industrial Noise Policy adjustment factors may have been applied.

Recommendation 4.4

Consideration be given to requiring the proponent to commit to undertaking a track commissioning process to ensure track alignment/geometery does not generate wheel squeal or other unitntended noise impacts.

Recommendation 4.5

Consideration be given to requiring the proponent to commit to an ongoing noise complaince monitoring and response system, including -

(a) ensuring that only locomotives and locomotive combos fitted with automatic idle reduction technology are permitted to access the terminal and rail link,

(b) undertaking ongoing compliance noise monitoring of locomotives and locomotive combos operating at the terminal and on the rail link to ensure that they do not emit noise at levels that would cause an exceedance of the project-specific noise level measured at the most affected residence or school,

(c) undertaking ongoing compliance noise monitoring of locomotives and locomotive combos operating at the terminal and on the rail link to ensure that they do not emit noise with annoying tonal or low-frequency characterisitics that would cause an exceedance of the project-specific noise level measured at the most affected residence or school,

(d) ensuring that locomotives and locomotive combos are not permitted to access the terminal and rail link if they are found to emit noise –

(i) at levels that would cause an exceedance of the project-specific noise level measured at the most affected residence or school, or

(ii) with annoying tonal or low-frequency characterisitics that would cause an exceedance of the project-specific noise level measured at the most affected residence or school,

, where the terms -

'compliance', 'project-specific noise level', 'tonal' and 'low-frequency' have the same meaning as in the Industruial Noise Policy, January 2000, and

'locomotive combo' refers to two or more locomotives operating in tandem.

Recommendation 4.6

Consideration be given to requiring the proponent to commit to maintaining rail tracks on the rail link and at the terminal sufficient to prevent occurences of wheel squeal.

Recommendation 4.7

Consideration be given to requiring the proponent to commit to a system of automated rolling stock wheel defect detection and a response system to temporarily exclude rolling stock with detected defective wheels from the rail link and terminal until the defective wheels are repaired or replaced.

Recommendation 4.8

Consideration be given to requiring the proponent to implement a range of intermodal terminal operational best practice noise mitigation and management measures, including:

Locomotives and trains

- computer logging of all locomotives and rolling stock accessing the terminal (to facilitate noise complaint investigation and the identification of unacceptably noisy locomotives and rolling stock);
- restrictions on the location, times and duration of locomotive queuing and idling;
- special noise limits and ongoing noise testing for locomotives dedicated to Port Botany – Moorebank freight shuttle services;
- curfews on shunting activities;
- prohibition at all times of 'loose shunting'; and

- comparative assessment of rail bridge structure designs (e.g. orientation, materials, mass and noise barriers) as a means to minimising the contribution of bridge crossing movements to rail traffic noise.

Other

- Site layout to ensure all trucks operate in a forward direction only - no 'reverse-in' loading docks or parking/layby areas other than within appropriately designed and operated acoustic enclosures;
- All dedicated on-site vehicles, plant and equipment (incl. container handling plant and equipment and shunting engines) to be fitted with 'broadband' reversing and movement alarms;
- Curfews on handling empty containers;
- Computer logging and tracking of all empty container handling operations to facilitate noise complaint investigation;
- Assessment of options to reduce impact noise from handling, loading and unloading containers, including the comparative noise impact of automated container handling versus operator-controlled handling;
- Assessment of options to reduce noise impacts by undertaking container handling, loading and unloading inside appropriately designed and operated acoustic enclosures;
- operation at all times of a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises;
- recording of details of complaints received on the telephone complaints line about noise and dust; and
- publishing on a publicly accessible web site at least the following information –

  (a) times that trains entered or left the terminal,

  (b) times that trains queued on the rail link, and

  (c) details of the make-up of trains referred to in (a) and (b) including the unique identification numbers of the locomotives and rolling stock making up those trains as well as the path number issued for each train.

Monitoring and passive mitigation

- Noise monitoring at strategic site boundary locations supplemented by automated exceptions/non-compliance reporting to Liverpool City Council;
- Passive noise mitigation through the strategic location of permanent structures/barriers/embankments;
- validation of noise predictions 1 year, 5 years and 10 years after commencement of operations

Recommendation 4.9

Consideration be given to requiring the proponent to undertake validation assessment and reporting against predicted noise levels.

4.2.2 reversing/movement alarms

The EPA anticipates the likelihood of very high numbers of daily vehicle and plant movements across the site during round the clock operations at the terminal. And, that reversing of vehicle and plant, and other movements of certain plant will activate reversing/movement alarms.

The EPA has identified noise from reversing/movement alarms fitted to plant and vehicles as being particularly intrusive over long distances causing sleep disturbance at night. And, is aware of a demonstrated range of safe alternative measures available.

Recommendation 4.10

Consideration be given to requiring the proponent to plan the site layout and operations at the terminal –

(i) to eliminate the need to reverse vehicles and plant (not dedicated to on site operations), and

(ii) where reversing vehicles and plant (not dedicated to on site operations) is unavoidable only reversing such vehicles and plant in noise attenuated enclosures so as not to cause intrusive noise impacts at any residence or other noise sensitive receiver.

Recommendation 4.11

Consideration be given to requiring the proponent to undertake safety risk assessments to determine what feasible and reasonable alternative measures, that would not compromise safety, can be adopted instead of traditional 'beeper' type reversing/movement alarms, including (singly or in combination) –

(i) fitting lower noise impact alarms (example: 'quacker' type broadband alarms) to all –

- gantry cranes and other container handling equipment,
- forklifts (other than those mentioned in the first dot point, and
- yard trucks/hostlers and other vehicles dedicated for use at the terminal,

(ii) separation zoning of plant/vehicle operations from pedestrian paths and spaces,

(iii) flashing warning lights,

(iv) reversing cameras, and

(v) in-cab proximity alarms.

4.2.3 project-related off-site train operations

The EPA regulates rail systems activities undertaken by Sydney Trains (nee Railcorp) and ARTC and had direct involvement in the environmental planning assessment phase and regulation of the construction phase of the Southern Sydney Freight Line (SSFL) project.

The EPA is aware of ongoing community concern about noise impacts arising from operation of the SSFL. However, the revised EA for the SIMTA project is effectively silent on noise and vibration impacts that might be expected in conjunction with satisfying increased rail traffic demand on SSFL identified in the EA's technical *Appendix H Rail Access Report*.

The EPA is concerned that the EA's Rail Access Report includes significant fundamental uncertainties that have yet to be subjected to any noise impact (including related health and social impacts) assessment.

1. The ultimate annual throughput of 1,000, 000 TEUs is dependent on ARTC (a Commonwealth government corporation) heavily investing in major capacity upgrades to the recently completed Southern Sydney Freight Line (SSFL) .

   The EPA is aware that the SSFL shares the Sydney Trains (nee Railcorp) passenger network corridor which is required to accommodate future network expansion associated with south west growth areas (and potentially the second Sydney airport at Badgerys Creek).

   The EPA notes that ARTC's October 2011 advice (Appendix H section 3.1) to the proponent is conceptual only and that ARTC has –

   - only undertaken preliminary modelling,
   - not undertaken any "...engineering or environmental feasibility ..." of the proposed rail loop sites; and
   - made no commitment to the required capital investment.

3. Section 3.1 (10 th para, p. 8) Appendix H vaguely suggests that any additional capacity enhancements that may be needed over and above those conceptual solutions referred to in 1 above "...are almost certainly possible, but are likely to require major civil works and property acquisition." through inner west and south west Sydney.

4. SIMTA is not sure that 21 train paths will be adequate and is relying on its rail operator "... to validate that the anticipated 21 services required will be sufficient to support a one million TEU terminal.

5. Section 4.2 Appendix H indicates that SIMTA are currently in consultation with Transport for NSW and Sydney Trains concerning the proposed alignment of the rail link (see also the EPA's comments concerning Glenfield Waste Facility.

Recommendation 4.12

Consideration be given to requiring the proponent to more fully address operational and associated environmental restrictions on the capacity of the existing freight network (between Port Botany and the terminal) to accommodate projected train movements for each of the 3 stages of the project, including relevant development consent and environment protection licence conditions applicable to the Southern Sydney Freight Line.
