ARCADIS Design & Consultancy for natural and built assets

Moorebank Precinct East - Concept Plan Modification 2

Response to Submissions SSD 16_7628 MOD2

SIMTA

SYDNEY INTERMODAL TERMINAL ALLIANCE

Part 4, Division 4.1, State Significant Development

August 2017

SIMTA
MOOREBANK PRECINCT EAST

Response to Submissions Report

MP 10_0193

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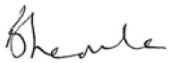
Approver	Brad Searle	

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REVISIONS

Revision	Date	Description	Prepared by	Approved by
01	03 August	Moorebank Precinct East Concept Plan Modification No. 2 – Response to Submissions for review	Sean Fishwick Stuart Hill Claire Vahtra Ben Fethers	Westley Owers Brad Searle
02	28 August	Moorebank Precinct East Concept Plan Modification No. 2 – Final for issue to NSW DP&E	Sean Fishwick Stuart Hill Claire Vahtra Ben Fethers	Westley Owers Brad Searle

CONTENTS

APPENDICES

GLOSSARY OF KEY TERMS

The table below provides a summary of the key acronyms and terms which are included within this report.

Acronym / term	Meaning
Acronyms	
AADT	average annual daily traffic
AAQ NEPM	National Environment Protection (Ambient Air Quality) Measure
ABPP	Australian Bushfire Protection Planners Pty Ltd
ACM	Asbestos containing material
ADG	Australian Code for Transportation of Dangerous Goods by Road and Rail
ADT	average daily traffic
AEP	Annual Exceedance Probability
AIP	Australian Infrastructure Plan (Infrastructure Australia, 2016)
ARTC	Australian Rail Track Corporation
AUD	Australian Dollar
BAR	Biodiversity Assessment Report
BOS	Biodiversity Offset Strategy
BPR	Best Practice Review
CAQMP	Construction Air Quality Management sub-plan
CBD	Central Business District
CBNTCAC	Cubbitch Barta Native Title Claimants Aboriginal Corporation
CCC	Campbelltown City Council
CEMP	Construction Environmental Management Plan
CEP	Community Engagement Plan
CFFMP	Construction Flora and Fauna Management sub-plan
CHMP	Construction Heritage Management sub-plan
CLM Act	*Contaminated Land Management Act* 1997
CLMP	Contaminated Land Management sub-plan
CNVMP	Construction Noise and Vibration Management Plan
CO	Carbon Monoxide
COPC	Chemicals of Potential Concern
CORTN	Calculation of Road Traffic Noise
CTIA	Construction Traffic Impact Assessment
CTMP	Construction Traffic Management Plan
CZMP	Coastal Zone Management Plan

Acronym / term	Meaning
DAs	Development Applications
DACHA	Darug Aboriginal Cultural Heritage Assessments
DALI	Darug Aboriginal Landcare Incorporated
dBA	decibel
DCAC	Darug Custodian Aboriginal Corporation
DCP	Development Control Plan
DECCW	Department of Environment, Climate Change and Water
DJLU	Defence Joint Logistics Unit
DLO	Darug Land Observations
DoEE	Commonwealth Department of Environment and Energy
ECP	empty container park
EEC	Endangered Ecological Community
EDD	Explosive Detection Dog
EMS	Environmental Management System
ESCP	Erosion and Sediment Control Plan
ESD	Ecologically Sustainable Development
ENM	Excavated Natural Material
EOW	Explosive Ordnance Waste
EPA	Environmental Protection Authority
EP&A Act	*Environmental Planning and Assessment Act* 1979
EP&A Regs	*Environmental Planning and Assessment Regulation* 2000
EPBC Act	*Environment Protection and Biodiversity Conservation Act* 1999
EPIs	Environmental Planning Instruments
EPL	Environmental Protection Licence
ERA	Environmental Risk Analysis
ERP	Emergency Response Plan
FBA	Framework for Biodiversity Assessment
FERP	Flood Emergency Response Plan
FFMP	Flora and Fauna Management Plan
FIAB	Freight Infrastructure Advisory Board
GFA	Gross Floor Area
GHG	Greenhouse gas
GHS	Globally Harmonised System
GLALC	Gandangara Local Aboriginal Land Council
GMA	Greater Metropolitan Area

Acronym / term	Meaning
GP	Gross Pollutants
GWP	Global warming potential
GSC	Greater Sydney Commission
HECRAS	Hydrologic Engineering Center River Analysis System
HQ	Hazard Quotient
HRA	Health Risk Assessment
ICNG	Interim Construction Noise Guidelines
INP	Industrial Noise Policy
IPCC	Intergovernmental Panel on Climate Change
KPI	key performance indicator
ISEPP	State Environmental Planning Policy (Infrastructure)
LALC	Local Aboriginal Land Council
LCC	Liverpool City Council
LEPs	Local Environmental Management Plan
LGA	Local Government Area
LLEP	*Liverpool Local Environment Plan* 2008
LMARI	Liverpool Moorebank Arterial Road Investigations
LNG	Liquefied Natural Gas
LoS	Level of Service
LPT	Liquefied Petroleum Gas
LTEMP	Long-Term Environmental Management Plan
MNES	Matters of National Environmental Significance
Mt	mega-tonnes
MUR	Moorebank Units Relocation
NGA	National Greenhouse Accounts
NML	Noise Management Levels
NO_2	Nitrogen Dioxide
NOA	Naturally occurring asbestos
NOHC	Navin Officer Heritage Consultants
NW Act	*Noxious Weed Act* 1993
OEH	Office of Environment and Heritage
OEMP	Operational Environment Management Plan
OOH	Out of Hours
OSD	On-site detention
OTMP	Operational Traffic Management Plan

Acronym / term	Meaning
OTTIA	Operational Traffic and Transport Impact Assessment
PAC	Planning Assessment Commission
PAD	Potential Archaeological Deposits
PCEMP	Preliminary Construction Environmental Management Plan
PCT	Plant Community Type
PCTMP	Preliminary Construction Traffic Management Plan
PFAS	Perfluoroalkyl and Polyfluroalkyl substances
PHA	Preliminary Hazard Assessment
PIRMP	Pollution Incident Response Management Plan
PM	Particulate matter
POEO Act	*Protection of the Environment Operations Act* 1997
POTMP	Preliminary Operational Traffic Management Plan
PPE	Personal Protective Equipment
PRA	Preliminary Risk Assessment
RAE	Royal Australian Engineers
RAP	Remediation Action Plan
RAPs	Registered Aboriginal Parties
RBLs	Rating Background Levels
REP	Regional Environmental Plan
RFS	Rural Fire Service
RING	Rail Infrastructure Noise Guideline
RNP	Road Noise Policy
SEPP	*State Environmental Planning Policy*
SEPP 33	*State Environmental Planning Policy No 33 – Hazardous and Offensive Development*
SEPP 55	*State Environmental Planning Policy No 55 – Remediation of Land*
PP 64	*State Environmental Planning Policy No 64 – Advertising and Signage*
SF6	Sulfur hexafluoride
SME	School of Military Engineering
SO_2	Sulfur Dioxide
SSFL	Southern Sydney Freight Line
SSI	State Significant Infrastructure
SWL	Sound Power Level
SWMP	Soil and Water Management Plan

Acronym / term	Meaning
SWSLHD	South Western Sydney Local Health District
TCE	Trichloroethylene
TEC	Threatened Ecological Communities
tCO2-e	tonnes of carbon dioxide equivalents
TCS Act	*Threatened Species Conservation Act* 1995
TLALC	Tharawal Local Aboriginal Land Council
TN	Total Nitrogen
TP	Total Phosphorus
TSP	Total Suspended Particulate matter
TSS	Total Suspended Solids
USTs	Underground storage tanks
UXO	Unexploded ordnance
VENM	Virgin Excavated Natural Material
VMS	Variable Message Signs
VPA	Voluntary Planning Agreement
WHO	World Health Organisation
WM Act	*Water Management Act* 2000
WSUD	Water Sensitive Urban Design
WWI	World War 1
WWII	World War 2
Key terms	
Conservation area	Vegetated area to the west of the Georges River, to be retired as a biobanking site for use as a biodiversity offset, as part of the MPW Project.
Construction area / Construction footprint	Extent of construction works, namely areas to be disturbed during the construction of the Modification Proposal.
IMT facility	The Intermodal terminal facility on the MPE site, including truck processing, holding and loading areas, rail loading and container storage areas, nine rail sidings, loco shifter and an administration facility and workshop.
Modification Proposal (MPE Concept Plan Modification No 2)	Various amendments that are required to facilitate the second stage of development as described in the Modification Report.
Moorebank Avenue site	The area of land which includes part of Moorebank Avenue, on which the Moorebank Avenue upgrade is to be developed, and the MPW site, on which the associated OSD is to be developed. These works are to be delivered the MPE Stage 2 Proposal (SSD 16-7268).

Acronym / term	Meaning
Modification Report	Report prepared by Arcadis 2016 to support a Concept Plan modification application, under Section 75W of the EP&A Act which seeks approval for MPE Concept Plan Modification No 2 .
Moorebank Precinct	Refers to the whole Moorebank intermodal precinct, i.e. the MPE site and the MPW site.
MPE Concept Approval (MPE Concept Plan Approval)	MPE Concept Approval (MP 10_0193), granted by DP&E on 29 September 2014 for the development of an intermodal terminal facility including; a rail link connecting the site to the Southern Sydney Freight Line, an intermodal terminal, warehousing and distribution facilities and a freight village.
MPE Concept Plan EAMPE Concept Plan EA	The Environmental Assessment (EA) prepared to support the application for approval of the MPE Concept Plan under Part 3A (Transitional) of the *Environmental Planning and Assessment Act 1979*.
MPE Concept Plan Modification No 1	Concept Plan modification 1, approved in December 2016, comprised two modifications to the MPE Concept Plan. The modifications comprised: • the inclusion of Lot 1 Deposited Plan (DP) 1130937 in the MPE Concept Plan Approval (MP10_0193) for the MPE Project, • revision of Condition 1.9 of the MPE Concept Plan Approval (No. 10_0193) to include an exclusion of terms relating to road infrastructure upgrades and when they will be carried out, and the term relating to investigating possible changes to the 901 bus route.
MPE Concept Plan Modification No 2 RtS	This report prepared in response to the submissions received regarding the MPE Concept Plan Modification No 2.
MPE EPBC Approval	Commonwealth Approval (No. 2011/6229) granted in March 2014 under the *Environment Protection and Biodiversity Conservation Act 1999*, for the impact of the MPE Project on listed threatened species and communities (sections 18 and 18A of the EPBC Act) and Commonwealth land (sections 26 and 27A of the EPBC Act).
MPE Project	The MPE Intermodal Terminal Facility as approved under the MPE Concept Approval (MP 10_0193) and the MPE EPBC Approval (2011/6229).
MPE site	Including the former DSNDC site and the land owned by SIMTA which is subject to the MPE Concept Plan Approval (Lot 1 DP1048263). The MPE site does not include the rail corridor, which relates to the land on which the rail link is to be constructed.
MPE Stage 1 Proposal	MPE Stage 1 Proposal (14-6766) for the development of the Intermodal terminal facility at Moorebank. This reference also includes associated conditions of approval and environmental management measures which form part of the documentation for the approval.
MPE Stage 2 Proposal	The subject of this EIS, Stage 2 of the MPE Concept Plan Approval, including the construction and operation of 300,000m^2 of warehousing and distribution facilities on the MPE site within the Moorebank Precinct.

Acronym / term	Meaning
MPE Stage 2 Proposal site	The area within the MPE site which includes all areas to be disturbed by the MPE Stage 2 Proposal (including the operational area and construction area). The Proposal site includes both the MPE Stage 2 site and the Moorebank Avenue site.
MPE Stage 2 RtS	Report prepared for Stage 2 of the MPE Concept Approval (MP 10_0193) in response to the submissions received regarding the MPE Stage 2 Proposal.
MPE Stage 2 site	The area of land which primarily relates to the part of the SIMTA site, on which warehousing and a freight village is to be developed, and some surrounding areas, on which ancillary drainage development is to be developed.
MPW Project	The MPW Intermodal Terminal Facility and warehousing on the MPW site as approved under the MPW Concept Approval (SSD 5066).
MPW site	The site which is the subject of the MPW Concept Approval (SSD 5066). The MPW site does not include the rail link as referenced in the MPW Concept Approval or MPE Concept Plan Approval.
Native vegetation	For the purposes of this assessment, native vegetation is defined as areas of plant community types mapped by Arcadis and WSP Parsons Brinckerhoff in the Moorebank Precinct (including Moorebank Precinct East and Moorebank Precinct West), being a consolidation of all assessments for the Moorebank Precinct conducted since 2011.
Operational area / Operational footprint	Extent of operational activities for the operation of the Modification Proposal.
Rail Corridor	Area defined as the 'Rail Corridor' within the MPE Concept Plan Approval (refer to Figure 1-1)
Rail link	Part of the MPE Stage 1 Proposal (14-6766), connecting the MPE site to the SSFL. The Rail link (as discussed above) is to be utilised for the operation of the MPE Project.
Rail link connection	Rail connection located within the MPE site, which connects to the Rail link included in the MPE Stage 1 Proposal (SSD 14-6766).

EXECUTIVE SUMMARY

Overview

Sydney Intermodal Terminal Alliance (SIMTA) is seeking to modify the Concept Approval (MP10_0193) for an intermodal terminal (IMT) facility, warehousing and a freight village at Moorebank, NSW (the Moorebank Precinct East Project (MPE Project) (formerly the SIMTA Project).

Since the MPE Concept Approval (and approval of Modification 1), a number of design refinements have been made to the MPE Project. The following amendments to the MPE Project are now proposed (Modification Proposal):

- Extension of the land to which the MPE Concept Approval applies to recognise works on Moorebank Avenue and drainage works to the south and east of the MPE site
- Moorebank Avenue upgrade from the northern to the southern extent of the MPE site, including alterations to the existing lane configuration, increasing the vertical alignment, some widening and ancillary services and infrastructure such as stormwater drainage on the western side of Moorebank Avenue
- Provision of an interim MPE site access to warehousing
- Reconfiguration of the internal road network within the MPE Stage 2 site and use of all internal roads by both light and heavy vehicles, rather than separating heavy and light vehicles within the MPE site
- Importation of clean general fill (approximately 600,000m^3) material for bulk earthworks to adjust the building formation to support the functionality of the site stormwater and drainage system
- Change to the location of, and land uses within the freight village and provision of warehousing along the Moorebank Avenue frontage (previously identified as IMT)
- Changes to the staging of development including construction of all warehouses as part of the MPE Stage 2 Proposal
- Subdivision of the MPE site.

An application to modify the Concept Approval was lodged with the Department of Planning and Environment (DP&E) in December 2016 (Modification Report). The Modification Report was then publicly exhibited between 14 December 2016 and 24 February 2017.

This Response to Submissions report (RtS) has been prepared to respond to submissions raised by both community and government stakeholders during the exhibition of the Modification Report.

Need for the Modification Proposal

The Modification Proposal responds to opportunities to optimise the operation of the IMT, accommodate drainage infrastructure that was contemplated by the Concept Approval, improve environmental outcomes and enhance safety. Further detail on the need for the Modification Proposal is provided in Section 3 and 4 of the Modification Report. The Modification Proposal also addresses matters such as subdivision, which were not contemplated at the time the Concept Approval was granted.

Consultation on the Modification Proposal

The Modification Report was placed on public exhibition between 14 December 2016 and 24 February 2017 and submissions were received by DP&E during the exhibition period.

Consultation with key stakeholders and agencies relevant to the Modification Proposal also occurred during the preparation of the EIS for MPE Stage 2. This included discussions and correspondence with Government agencies as well as infrastructure and service providers, including:

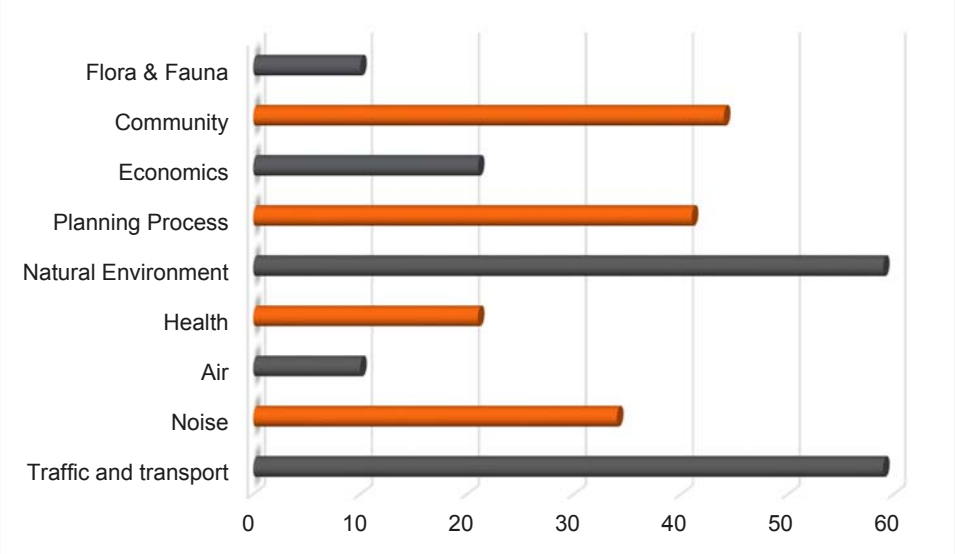
- Local, State and Commonwealth government authorities
- Service and infrastructure providers
- Specialist interest groups, including Local Aboriginal Land Councils
- The public, including community groups and adjoining and affected landowners.

This consultation was undertaken through a range of media including emails, phone conversations, face-to-face meetings and letter submissions.

Overview of submissions

During the public exhibition period submissions were invited from all stakeholders, including members of the community and Government stakeholders. Of the 170 submissions received, 162 were from the community, including landowners, special interest groups (3 submissions) and occupants and other members of the public, all of which were in opposition to the Modification Proposal. A total of 8 submissions were received from Government agencies, including local councils.

Government agencies raised similar concerns to those raised by the community. The figure below shows distribution of issues raised in submissions.



Breakdown of aspect by number of submissions

Key issues

The key issues which have been raised for the Modification Proposal, by the government and community stakeholders, include:

- Traffic and transport (57 submissions)
  - Congestion – general concerns about congestion associated with the traffic movements generated by the Modification Proposal
  - Road infrastructure – several intersections and sections of road are already at capacity and won't be able to accommodate the increases in vehicle movements.
- Natural environment (47 submissions)
  - Impact on local river systems – concerns that the MPE Project will negatively impact Sydney's South-West river systems in particular major damage to the Georges river
  - Flooding – submissions expressed concerns with the drainage design and the potential impacts of the Modification proposal on flooding in the local area.
- Community (44 submissions)
  - Impacts to community and lifestyle – general concerns about negative impacts on community such as effecting young families with children and a change of character due to the presence of industry in a historically residential region
  - Consultation – issues were raised expressing concern with the consultation process. These concerns were mainly regarding insufficient consultation, responses to community submissions being inadequate and a general feeling that SIMTA has not been listening to the community.

Other issues

Other issues which have been raised for the Modification Proposal, by the government and community stakeholders, include:

- Planning process (31 submissions)
- Human health (22 submissions)
- Noise impacts (21 submissions)
- Economics (19 submissions)
- Air quality (13 submissions)
- Flora and fauna (9 submissions).

Consultation on the Submissions report

Consultation with Government agencies and key stakeholders has continued subsequent to the exhibition of the Modification Report and during the preparation of this RtS. The purpose of this consultation has been to discuss the Modification Proposal and submissions received, and gain a greater understanding of any perceived key issues, with a view to resolving these where possible.

Ongoing consultation about various elements of the Modification Proposal has occurred since early 2016. DP&E have been consulted in the form of meetings, telephone conversations, correspondence (emails and letters) and also the submission of Modification Proposal related documentation.

Feedback can be provided to SIMTA at any time via:

- The SIMTA Project website (www.simta.com.au)
- The email feedback system (consulting@elton.com.au)
- The free-call information line (1800 986 465) which is available between 8:30am and 5:00pm weekdays.

SIMTA is committed to continuing to consult with stakeholders, including the community throughout the planning of the Modification Proposal and future stages of development.

Further assessment

Following the public exhibition of the MPE Stage 2 EIS, several amendments to the MPE Stage 2 Proposal have been proposed. These are:

- Realignment of the on-site detention basin (OSD) in the north-eastern corner of the MPE Stage 2 Proposal site
- Changes to the horizontal extent of the Moorebank Avenue Upgrade
- Changes to warehouse layout in three separate locations
- Alterations to drainage design to the south of the MPE site
- Inclusion of sortation equipment within the warehousing
- Amendments to the Construction Area and Operational Area as a result of the above amendments

These changes are detailed further and assessed in the MPE Stage 2 Response to Submissions (MPE Stage 2 RtS). The amendments to the MPE Stage 2 Proposal are considered consistent with the MPE Concept Approval (as proposed to be modified by MPE Concept Plan Modification No 2). Therefore, amendments to the Modification Proposal and further environmental assessment at the concept level is not considered necessary.

Revised Statement of Commitments

As part of the Modification Proposal, a Revised Statement of Commitments (November 2016) was proposed by SIMTA, as the proponent, and was presented in the Modification Report.

The only further change proposed following the public display of the Modification Proposal is the amendment of SoC 66 to recognise the need for further consultation with Campbelltown City Council during the design development process. This change responds to a request in the Campbelltown City Council submission.

Next steps

The DP&E will, on behalf of the NSW Minister for Planning, review the Modification Report and this RtS. Once the DP&E has completed its assessment, a draft assessment report will be prepared for the Secretary of the DP&E, which may include recommended conditions of approval.

The assessment report will then be provided to the Planning Assessment Commission (PAC) for consideration. The PAC would determine the Modification Proposal, with any conditions considered appropriate.

The PAC's determination, including any conditions of approval and the Secretary's report, will be published on the DP&E's website immediately after determination, together with a copy of this RtS.

1 INTRODUCTION

Sydney Intermodal Terminal Alliance (SIMTA) is seeking to modify the Concept Plan Approval (MP 10_0193) for an intermodal terminal (IMT) facility, warehousing and a freight village at Moorebank, NSW (the Moorebank Precinct East Project (MPE Project) (formerly the SIMTA Project)).

The Concept Plan Approval for the MPE Project (MPE Concept Plan Approval) was issued on 29 September 2014, in accordance with section 75O (now repealed) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The MPE Project is a Transitional Part 3A Project, and therefore the modification provisions in section 75W (now repealed) of the EP&A Act continue to apply pursuant to clause 3C of Schedule 6A of the EP&A Act.

An Application to Modify Concept Plan Approval (MP10_0193) was lodged with the Department of Planning and Environment (DP&E) in December 2016 (Modification Report). The Modification Report was then publicly exhibited between 14 December 2016 and 24 February 2017. During this exhibition period submissions were invited from all stakeholders including members of the community and government stakeholders. A total of 170 submissions were received of which 162 were from the community, including landowners and occupants, interest groups (3 submissions) and other members of the public. A total of 8 submissions were received from government stakeholders.

The submissions received from the Modification Report public exhibition form the subject of this report, known as a Response to Submissions (RtS), and are discussed and addressed within.

1.1 Purpose of this Report

The purpose of this RtS is to respond to submissions raised by both community and government stakeholders during the exhibition of the Modification Report. Each of the submissions received has been collated, analysed and addressed (as relevant).

1.2 Site Context

The MPE site encompasses the entire site for which the MPE Concept Plan Approval was granted, with the exception of the Rail link.

The MPE site is located approximately 27 km south-west of the Sydney Central Business District (CBD) and approximately 26 km west of Port Botany. The site is situated within the Liverpool Local Government Area (LGA) in Sydney's South West Sub-Region, approximately 2.5 km from the Liverpool City Centre.

A number of residential suburbs are located near the area affected by the Modification Proposal[1], including:

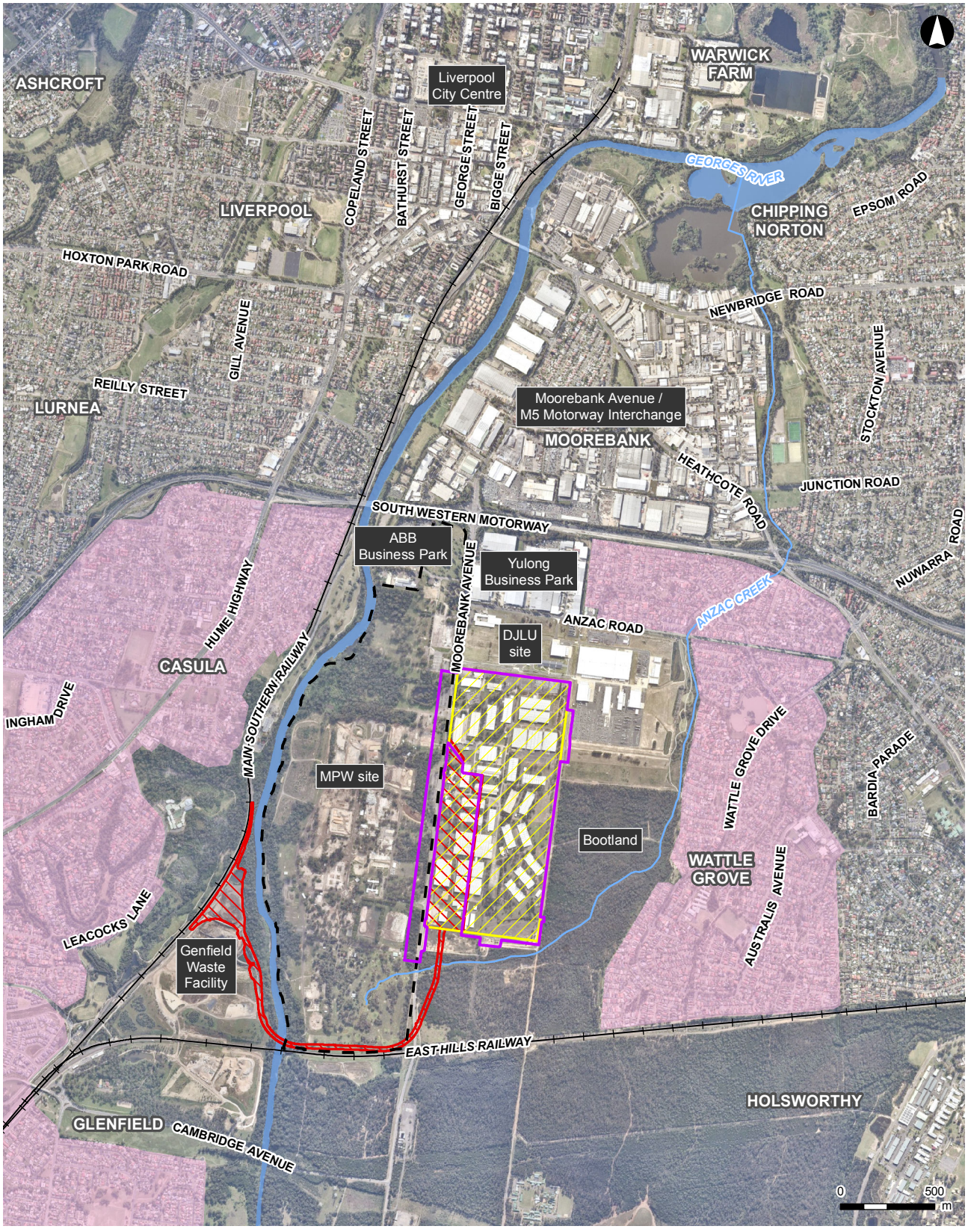
- Wattle Grove, located approximately 360 m to the north-east of the Modification Proposal site
- Moorebank, located approximately 1300 m to the north of the Modification Proposal site
- Casula, located approximately 760 m to the west of the Modification Proposal site
- Glenfield, located approximately 1830 m to the south-west of the Modification Proposal site.

[1] The distance of these residential suburbs has been calculated from the closest point on the proposed construction boundary to the closest residential receiver within the suburb.

The MPE site is located near a number of significant industrial areas, including:

- Yulong and ABB sites adjacent to Moorebank Avenue, to the south of the M5 Motorway
- Goodman MFive Industry Park and other industrial and commercial development to the north of the M5 Motorway
- Warwick Farm to the north
- Chipping Norton to the north-east
- Prestons to the west
- Glenfield and Ingleburn to the south-west.

The industrial area at Moorebank is the largest industrial precinct near the MPE Site, comprising around 200 hectares of industrial development, the majority of which is located to the north of the M5 Motorway between Newbridge Road, the Georges River and Anzac Creek. The Moorebank Industrial Area supports a range of industrial and commercial uses, including freight and logistics, heavy and light manufacturing, offices and business park developments.



LEGEND

- Amended construction area
- MPE site
- MPW site
- MPE Stage 1 operational area
- Residential area
- Watercourse
- Existing railway

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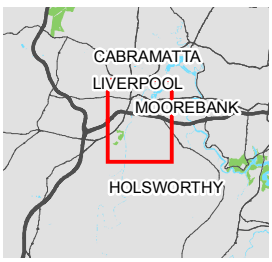


Figure 1-1: Site Location

1.3 Proposed Modification Overview

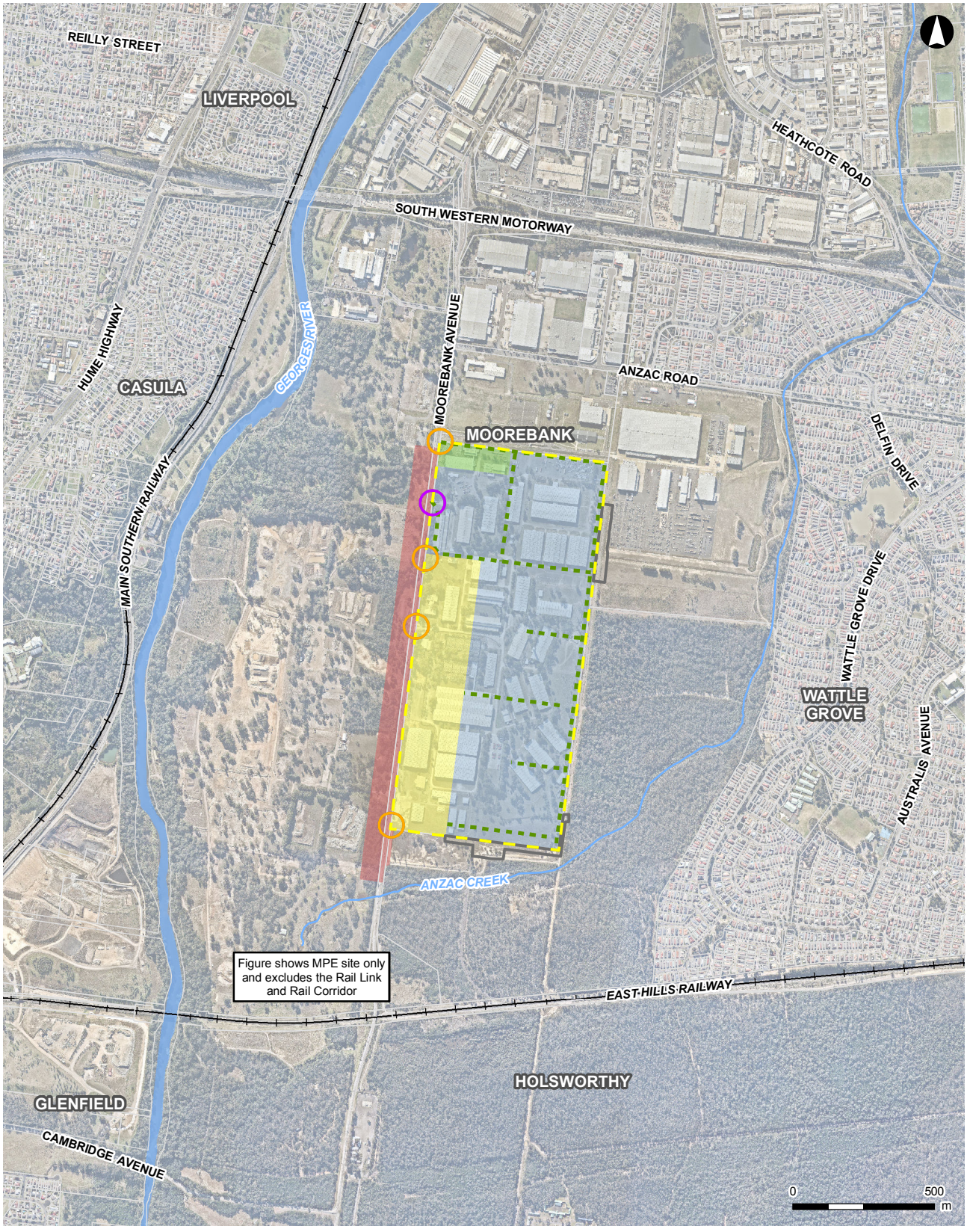
Since the MPE Concept Plan Approval (and approval of Modification 1), a number of design refinements have been made to the MPE Project. The following amendments to the MPE Project are now proposed (Modification Proposal):

- Extend the land to which the MPE Concept Plan Approval applies to recognise works on Moorebank Avenue and drainage works to the south and east of the MPE site
- Moorebank Avenue upgrade from the northern to the southern extent of the MPE site, including alterations to the existing lane configuration, increasing the vertical alignment, some widening and ancillary services and infrastructure such as stormwater drainage on the western side of Moorebank Avenue
- Provision of an interim MPE site access to warehousing
- Reconfiguration of the internal road network within the MPE Stage 2 site and use of all internal roads by both light and heavy vehicles, rather than separating heavy and light vehicles within the MPE site
- Importation of clean general fill (approximately 600,000m^3) material for bulk earthworks to adjust the building formation to support the functionality of the site stormwater and drainage system
- Change to the location of, and land uses within the freight village and provision of warehousing along the Moorebank Avenue frontage (previously identified as IMT)
- Changes to the staging of development including construction of all warehouses as part of the MPE Stage 2 Proposal
- Subdivision of the MPE site.

Following the public exhibition of the MPE Stage 2 EIS, several amendments to the MPE Stage 2 Proposal have been proposed. These are:

- Realignment of the on-site detention basin (OSD) in the north-eastern corner of the MPE Stage 2 Proposal site
- Changes to the horizontal extent of the Moorebank Avenue Upgrade
- Changes to warehouse layout in three separate locations
- Alterations to drainage design to the south of the MPE site
- Inclusion of sortation equipment within the warehousing
- Amendments to the Construction Area and Operational Area as a result of the above amendments

These changes are detailed further and assessed in the MPE Stage 2 Response to Submissions (MPE Stage 2 RtS). The amendments to the MPE Stage 2 Proposal are considered consistent with the MPE Concept Approval (as proposed to be modified by MPE Concept Plan Modification No 2). Therefore, amendments to the Modification Proposal and further environmental assessment at the concept level is not considered necessary. The changes to the construction area and Operation Area are reflected in Figure 1-2.



LEGEND

- MPE site
- Site access
- Interim site access
- Cadastre (LPI, 2017)
- Indicative internal access route
- Freight Village
- Warehousing area
- Moorebank Avenue upgrades
- IMT Facility
- External stormwater infrastructure
- Watercourse
- Existing railway

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Date issued: August 3, 2017
Aerial imagery supplied by nearmap (July, 2017)

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Figure 1-2: Modification Proposal overview

1.4 Statutory Approval Process

The MPE Project was granted Concept Approval on 29 September 2014 under the former Part 3A of the EP&A Act. Part 3A of the EP&A Act continues to have effect in relation to the MPE Project by operation of Schedule 6A of the EP&A Act given its status as a Transitional Part 3A Project.

The Modification Report was submitted under section 75W of the EP&A Act, which continues to apply to this approved Concept Plan in accordance with Schedule 6A, clause 3C of the EP&A Act. Under section 75W(4) of the EP&A Act, the Minister may modify the approval (with or without conditions) or disapprove of the modification.

1.5 Structure of this Report

The structure of this RtS is as follows:

- Executive summary: provides a brief overview of the RtS including the identification of key issues
- Section 1 – Introduction: provides an introduction to the Modification Proposal, the site context, the statutory approval process and the structure of the RtS
- Section 2 – Exhibition and consultation: provides a description of the consultation which has been undertaken as part of the MPE Project and the Modification Proposal to date
- Section 3 – Overview of Submissions: provides an analysis of the submissions received during the exhibition of the EIS and identifies the key issues raised
- Section 4 – Response to Government Agency Submissions: provides a catalogue of responses received from Government Agencies and responses prepared by technical specialists
- Section 5 – Response to Community Submissions: provides a summary of the community responses received and responses to each of these prepared by technical specialists
- Section 6 – Revised Statement of Commitments: provides an update to the Statement of Commitments to include any changes as a result of submissions received
- Section 7 – Conclusion: provides a summary and conclusion to the RtS.

The following Appendices are included in this RtS:

- Appendix A Community Response Reference Table

2 EXHIBITION AND CONSULTATION

The Modification Proposal was placed on exhibition between 14 December 2016 and 24 February 2017. Hard copies of the Modification Report were available for public review and comment at the following locations for the duration of the exhibition period:

- Department of Planning and Environment: Information Centre, Level 22, 320 Pitt Street, Sydney
- Nature Conservation Council of NSW: Level 14, 338 Pitt Street, Sydney
- Liverpool City Council: Customer Service Centre, Ground Floor, 33 Moore Street, Liverpool
- Campbelltown City Council: Council Chamber, corner Queen and Broughton Streets, Campbelltown
- Glenquarie Branch Library: Brooks Street, Macquarie Fields.

The Modification Report was available to the public in electronic format on the DP&E website during this time.

2.1 Modification Report Consultation

Discussions regarding the Modification Proposal have occurred periodically with DP&E. These discussions commenced in October 2016 and included meetings, emails and the provision of documentation identifying the need for and proposed approach to the modification.

Consultation with key stakeholders and agencies relevant to the Modification Proposal also occurred during the preparation of the EIS for MPE Stage 2. This consultation included discussions and correspondence with government agencies as well as infrastructure and service providers, including:

- Local, State or Commonwealth government authorities, including the:
  - Commonwealth Department of the Environment
  - Department of Planning and Environment
  - Environment Protection Authority
  - Office of Environment and Heritage
  - Transport for NSW
  - Department of Primary Industries (Fisheries and Office of Water)
  - NSW Rural Fire Service
  - NSW Health
  - NSW Ports
  - Liverpool City Council
  - Campbelltown City Council
- Service and infrastructure providers:
  - Roads and Maritime Services
  - Australian Rail Track Corporation
  - Sydney Trains
  - Sydney Water Corporation
  - Jemena

  - Endeavour Energy
  - Telstra
  - AGL Upstream Investments Pty Ltd
- Specialist interest groups, including Local Aboriginal Land Councils
- The public, including community groups and adjoining and affected landowners.

This consultation was undertaken through a range of media including emails, phone conversations, face-to-face meetings and letter submissions.

2.2 Post Public Exhibition Consultation

Consultation with government agencies and key stakeholders has continued subsequent to the exhibition of the Modification Proposal. The purpose of this consultation has been to discuss the Modification Proposal and submissions received, and gain a greater understanding of any key issues raised, with a view to resolving these where possible. A summary of this consultation is provided in Table 2-1.

Table 2-1: Post public exhibition consultation

Stakeholder	Consultation undertaken
TfNSW and Roads and Maritime	A meeting was undertaken with representatives of TfNSW, Roads and Maritime and DP&E on 9 March 2017 to discuss TfNSW's and Roads and Maritime's respective submissions for the MPE Stage 2 Proposal. Key items discussed at the meeting included: • Clarification of conditions and requirements with respect to current and future traffic assessments. • Clarification of the models used for various stages of the MPW Project, noting comparable results with the "full build vision' traffic model being developed by Parson Brinkerhoff (PB). It was also noted that cumulative impacts of both Concept Approvals for the Moorebank Precinct (SSD 5066 and SSD MP10-0193) would be included in current and future models • The use of the "full build vision" traffic model as a validation tool for traffic impacts (both within the vicinity of the MPE Stage 2 Proposal and regional network) with respect to each staged application was discussed. It was also discussed that upgrades, relative contributions and a mitigation package could be formulated once the "full build vision" impacts are identified. It was agreed that negotiations and discussions of issues outstanding would be the subject of future meetings and ongoing discussions.
Community	SIMTA distributed a newsletter to approximately 10,000 households in the suburbs surrounding the MPE site in November 2016. The purpose of this letter was to provide an update on the Modification Proposal and the approval process. A further letter was distributed in March 2017. This letter mentioned that the MPE Stage 2 EIS has been placed on public exhibition and that SIMTA was in the process of analysing the key issues and working with stakeholders to clarify and resolve concerns raised through the public exhibition process. The March 2017 newsletter also noted that forthcoming newsletters will provide an update on the progress of these response to submissions for the Modification Proposal.

2.3 Consultation: Next Steps

As provided in Planning Circular (PS 11-022) (30 September 2011) the criteria for concept plan and project applications, and modification requests, for transitional Part 3A projects to be determined by the Planning Assessment Commission (PAC) is based on the following:

- More than 25 members of the public having made a submission on the application
- The Council for the area objects in writing to the application
- A political donation disclosure statement has been lodged with the application (i.e. a political donation has been made by the applicant).

During the exhibition of the Modification Report a total of 169 submissions were received, including an objection from Liverpool City Council. As a result, the Modification Proposal is to be assessed by the PAC. Further information on the PAC assessment process, and consultation included as part of this process, is provided at their website (http://www.pac.nsw.gov.au/).

In addition to the above, feedback can also be provided to SIMTA at any time via:

- The SIMTA Project website (www.simta.com.au)
- The email feedback system (consulting@elton.com.au)
- The free-call information line (1800 986 465) which is available between 8:30am and 5:00pm weekdays.

SIMTA is committed to continuing to consult with stakeholders, including the community throughout the planning of the Modification Proposal and future stages of development.

3 OVERVIEW OF SUBMISSIONS

A number of submissions were received during the exhibition period of the Proposed Modification. The submissions received were from both government agencies and the community.

An overview of the submissions and a summary of the process taken to ensure that the submissions have been accurately responded to is provided below.

3.1 Submissions received

Submissions were received from a total of nine government agencies, comprising the following:

- Campbelltown City Council
- Department of Primary Industries
- Department of Industry
- Environment Protection Authority
- NSW Health
- NSW Heritage Council
- Liverpool City Council
- NSW Office of Environment and Heritage

In addition to these agency submissions, DP&E received a total of 162 submissions from community members, landowners (159 submissions) and special interest groups and adjacent landowners (3 submissions), all of which were in opposition to the Modification Proposal. A large number of the submissions used the phrase “I object to this application and the entire project at this location.” before outlining their specific concerns and the consistent wording indicates that these are a type of form letter.

Of the 159 community submissions 75% were from residents in the Liverpool Local Government Area (LGA) with 13% of submissions having not provided a location. The remaining 12% of submissions were from suburbs in the Campbelltown, Bankstown, North Shore and Parramatta LGA’s.

Figure 3-1 below highlights the distribution of submissions across suburbs within the Liverpool LGA, with the majority (48%) received from residents located within Wattle Grove, the suburb located directly east of the Modification Proposal site. Moorebank (the location of the Modification Proposal site) received the second highest number of submissions (25%). Other suburbs that represented a significant proportion of the submissions received included Chipping Norton to the north (7%), Casula to the west (7%), Holsworthy to the south-east (7%) and Hammondville to the south-east (4%). Submissions received from other suburbs (Prestons and Sadlier) made up the final submissions (2%) received from within the Liverpool LGA.

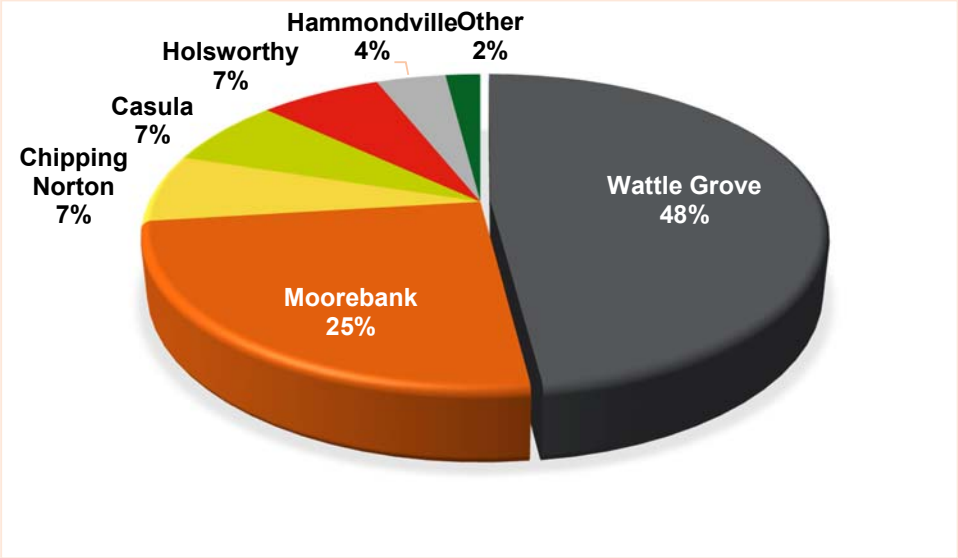

Figure 3-1 Location of community submissions from Liverpool LGA

3.2 Submission response methodology

3.2.1 Government Agencies

As outlined in Section 3.1 a total of eight government agencies provided submissions. Each submission varied in terms of the number and type of items for consideration raised, with some agencies, depending on their function/responsibility, raising more issues than others. Each agency submission was summarised into key aspects, issues and sub-issues using the reference.

The submissions were then provided to the relevant SIMTA technical specialist's team for consideration and preparation of a response. The information relevant to these responses has been referenced and addressed in the response tables in Section 4 of this RtS. Where additional reporting was required to be prepared it has been provided as an appendix to this RtS.

3.2.2 Community

The community submissions were summarised into key aspects, issues and sub-issues using the reference number assigned to each submission by DP&E. Key aspects, issues and sub-issues were identified, allowing analysis of submissions at an issue and aspect level.

3.3 Summary of Community Comments

Section 5 of this RtS presents a summary of, and response to, the submissions received from the community. A complete table showing all of the aspects, issues and sub-issues raised by the community, by their reference number (assigned by the DP&E) is provided within Appendix A of this RtS.

3.3.1 Key Aspects

There were a number of submissions that expressed concern with aspects that were deemed outside the scope of the MPE Mod 2. Section 0 of this RtS addresses these submissions and explains in greater detail the reasons why certain submissions were considered out of scope.

The aspects identified in the submission analysis are outlined in Table 3-1 and Figure 3-2, noting that some submissions identified more than one aspect in their submission. The most prominent aspects that submissions raised concern were traffic and transport (29%), natural environment (24%) and community (23%). Section 3.3.1 of this report outlines in greater detail the key issues that the community expressed within these aspects.

Table 3-1 Summary of aspects identified in community submissions

Aspect	No. of submissions raising aspect	% of submissions raising aspect
Traffic and transport	57	29%
Noise	21	11%
Air	13	7%
Health	22	11%
Natural environment	47	24%
Planning process	31	16%
Economics	19	10%
Community	44	23%
Flora & fauna	9	5%

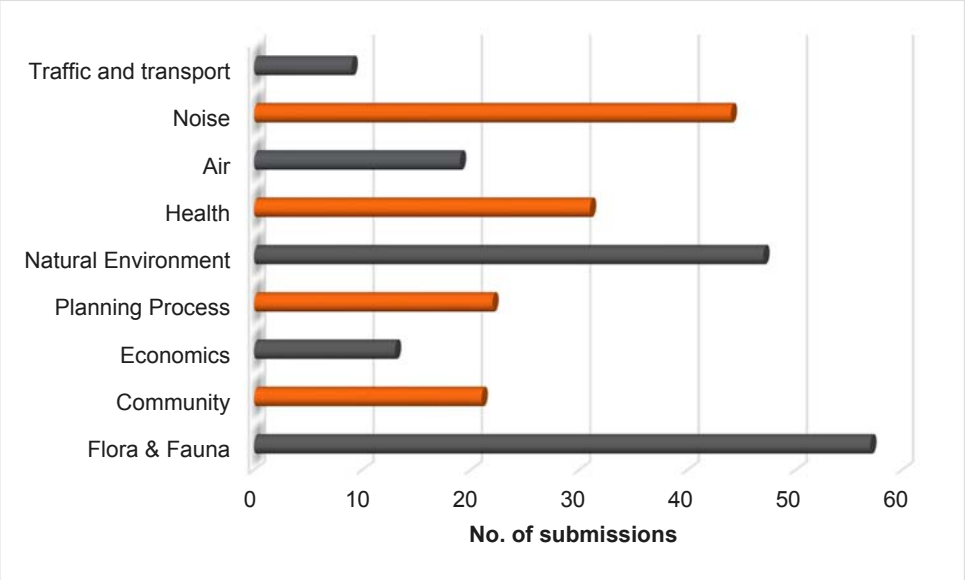

Figure 3-2 Breakdown of aspect by number of submissions

3.3.2 Key issues

Table 3-2 shows a summary of all the issues that were raised by the community during the public exhibition of the report.

Table 3-2 Summary of issues raised by the community

Aspect	Issue	No. of submissions raising issue
Traffic	Congestion/capacity	48
	Assessment	6
	Safety	3
	Road Infrastructure	10
	Use of local roads	3
Noise	Operational noise	7
	General	19
	Assessment	1
	Mitigation	1
Air	Air quality/pollution	13
	Particulate Matter	1
Health	Pollution/air quality	16
	Sleep disturbance	1
	General	8
Natural Environment	General environment	12
	Impacts on local river systems	15
	Aboriginal/European Heritage	1
	Bushfire	1
	Pollution	3
	Flooding	15
	Fill	13
	Visual	3
Planning Process	Approvals/applications	15
	Combined project/modifications	8

Aspect	Issue	No. of submissions raising issue
	Environmental Management Documents	6
	Tech Studies	4
	General	7
	MPE Stage 2 Application	3
	MPW Mod 1	1
Economics	General	10
	Reduction in property prices and compensation	7
	Employment	1
	Cost of the project	6
Community	Consultation	8
	Impacts to community and lifestyle	32
	Social	1
	Safety	6
Flora & Fauna	General	8
	Vegetation management	2
	Impacts to Native species	1

A summary and analysis of the top three key aspects has been provided below.

Traffic and transport

As shown above, traffic and transport has been identified by the community as being the key impact of concern (tied with Natural Environment) for the Modification Proposal. The submissions raised were generally related to the additional traffic movements posed by the Modification Proposal and the potential impacts this would have on the surrounding road network.

The top two issues identified within the traffic and transport aspect are:

- Congestion – general concerns about congestion associated with the traffic movements generated by the Modification Proposal.
- Road infrastructure – several intersections and sections of road are already at capacity and won't be able to accommodate the increases in vehicle movements.

Figure 3-3 highlights the breakdown of all key issues raised by the community in relation to traffic and transport.

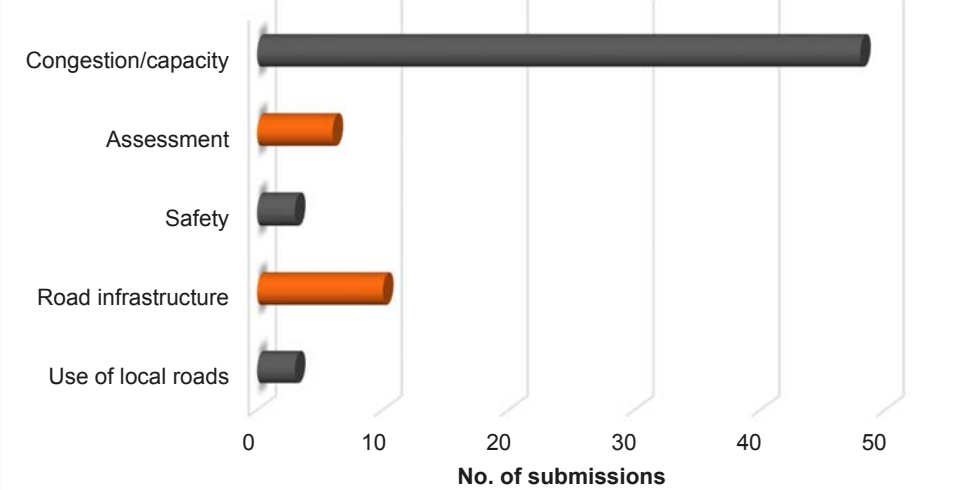

Figure 3-3 Traffic and transport key issue breakdown by no. of submissions

Natural Environment

The next most prominent issue expressed in the submissions was related to the Natural Environment. The submissions raised concerns regarding potential negative impacts to the surrounding natural environment as a result of the activities associated with the Modification Proposal. The most common response was related to the impact of local river systems around the Moorebank precinct.

The top two key issues identified within the natural environment aspect are:

- Impact on local river systems – concerns that the project will negatively impact Sydney's South-West river systems in particular major damage to the Georges river
- Flooding – submissions expressed concerns with the drainage design and the potential impacts of the Modification Proposal on flooding in the local area.

Figure 3-4 illustrated the breakdown of all the key issues raised by the community regarding natural environment.

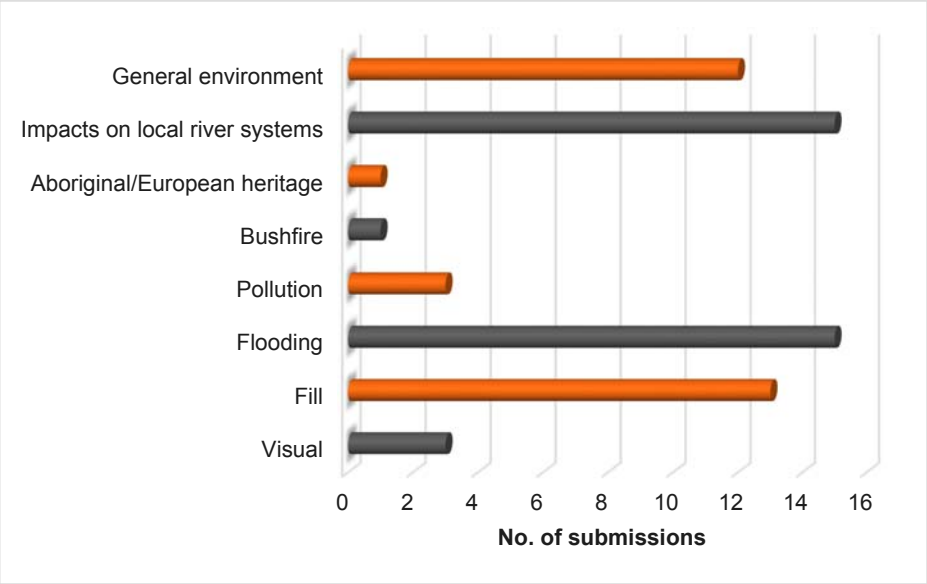

Figure 3-4 Natural environment key issue breakdown by no. of submissions

Community

Impacts to the community at large in the surrounding areas of Moorebank were identified by the community as the third key aspect. The submissions raised were generally concerned with the impacts the Modification Proposal would have on the community at large, families and lifestyle as well as general health in the area in the short and long term future.

The top two key issues identified within the community aspect are:

- Impacts to community and lifestyle – general concerns about negative impacts on community such as affecting young families with children and a change of character due to the presence of industry in a historically residential region
- Consultation – issues were raised expressing concern with the consultation process. These concerns were mainly regarding insufficient consultation, responses to community submissions being inadequate and a general feeling that SIMTA has not been listening to the community.

Figure 3-5 highlights the breakdown of all key issues raised by the submissions in relation to community.

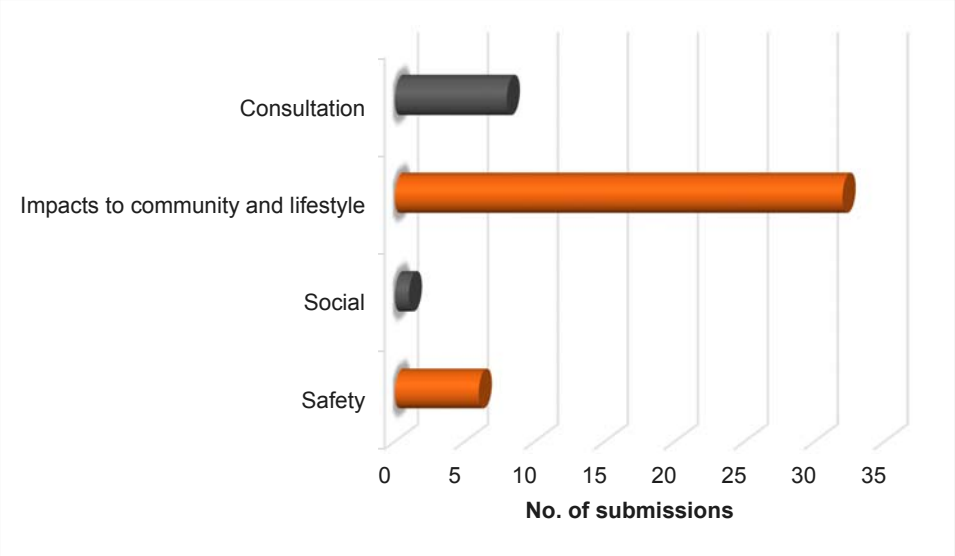

Figure 3-5 Community key issue breakdown by no. of submissions

3.3.3 Out of scope issues

This section has been included in the report due to the large proportion of submissions that raised issues that were deemed to fall outside of the scope of the Modification Proposal. Of the 159 submissions that DP&E received, 148 submissions (93%) mentioned issues that do not fall within the scope of, or arise from, this Modification Proposal. These issues were primarily related to the location of the project itself, which has already been determined. The Modification Proposal does not relate to the project location, which has already been determined, but considers the proposed modifications to the MPE Concept Plan Approval.

Issues raised in submission that were considered to be out of scope include:

- Object to the project at this location
- The location of the intermodal is unsuitable and should be located elsewhere such as near the new Airport in Badgerys Creek, Chullora, Eastern Creek, off the M7 or to the north or south of Sydney.
- Project should be relocated where it can achieve more sustainable growth for the city and not bottleneck the community
- Most politicians live in the Northern suburbs and thus they won't let such a facility be built there
- The intermodal should be built elsewhere and the site should be developed for alternative uses.

There has been strong and consistent support at State and Commonwealth Government levels for the development of an IMT in Moorebank. The MPE site has been earmarked as a highly suitable location for an IMT in various freight and distribution strategies and there is demonstrable demand for an IMT within the area (refer to Section 3 of the MPE Concept Plan EA). Development of the land for the purposes of an IMT is therefore considered the most suitable and best use for the land.

The Commonwealth and State governments have further endorsed the development of an IMT on the MPE site through granting approvals including the MPE EPBC Approval (No. 2011/6229) and the MPE Concept Approval (MP 10_0193).

The out of scope issues raised have therefore been considered to have been sufficiently addressed through earlier approvals and as such are not considered in further detail in this report.

4 RESPONSE TO GOVERNMENT AGENCY SUBMISSIONS

The following Local and State Government authorities provided responses as part of the public exhibition of the Modification:

- Environment Protection Authority
- NSW Health
- Office of Environment and Heritage
- Heritage Council
- Department of Primary Industries
- Department of Industry (Resources and Energy)
- Liverpool City Council
- Campbelltown City Council

These submissions have been collated and analysed with responses provided below.

4.1 Environment Protection Authority

Aspect	Comment	Response	Reference
Regulation			
	The EPA has advised that that Liverpool City Council is the Appropriate Regulatory Authority for the project under *the Protection of the Environment Operations Act 1997*, but that the EPA has agreed to assist Council by providing comments and recommendations in relation to the key environmental issues of noise and vibration, and air quality.	Noted.	N/A
Land Contamination			
Suitability of imported fill	The EPA recommends the proponent engage an EPA accredited site auditor to approve the suitability of fill material imported to the site. Imported fill material is required to meet the EPA's Resource Recovery Guideline.	SIMTA supports this recommendation. The MPE Stage 2 EIS indicates that imported general fill material would be "clean general fill". This general fill would meet the definition of Virgin Excavated Natural Material (VENM) under the POEO Act or the NSW EPA's resource recovery orders and exemptions, including but not limited definition of Excavated Natural Material (ENM). Imported material would meet all chemical and other material requirements as specified in the relevant resource recovery order. An EPA accredited site auditor would assist this process as required.	N/A

Aspect	Comment	Response	Reference
Noise and Vibration			
Construction noise	Out of hours construction works Before approving the project, DP&E should require the proponent to justify why out of hours construction works are necessary (for reasons other than convenience). The assessment proposed, without justification, out of hours works including material delivery and direct placement or stockpiling: • between 6am and 7am on weekdays • between 6pm and 10pm on weekdays • between 7am and 8am Saturdays • between 1pm and 6pm Saturdays. The proposed out of hours works are inconsistent with the proposed commitment number 20 outlined in Appendix A (Revised Statement of Commitments) of the Environmental Assessment for the Modification. The Interim Construction Noise Guideline suggests that out of hours work should only occur with strong justification. The concept approval for the site also requires "Where work hours outside of standard construction hours are proposed, clear justification and detailed assessment of these work hours must be provided, including alternatives considered, mitigation measures proposed and details of construction practices, work methods, compound design, etc". Out of hours works should only be allowed if further justification is provided and for reasons other than convenience, for example if it is unsafe to do certain work during standard hours.	The Modification Report proposes a change to the Statement of Commitments (SoC) relating to permitted construction hours (which has now been assigned No.20 for ease of reference). The proposed commitment No.20 is in a similar form to the MPW Concept Approval condition D7 and specifies the circumstances in which out of hours (OOH) works can occur (subject to future development applications and associated noise assessments). These circumstances are: • Where construction works that generate noise that is: – no more than 5 dB(A) above rating background level at any residence in accordance with the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009); and – no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) at other sensitive receivers; or • For the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or – where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; – works approved through an EPL, or – works as approved through the out-of hours work protocol outlined in the CEMP.	Section 3.3 and Section 5.2 of the MPE Concept Plan Modification Report

Aspect	Comment	Response	Reference
		If approved, the proposed commitment No.20 would apply to the MPE Modification Proposal. It is noted that Section 5.2 of the MPE Concept Plan Modification Report includes predicted $L_{Aeq,15min}$ construction noise levels for nearby residential noise catchments. The predicted noise levels for OOH works would comply with noise management levels (NML) in nearby residential noise catchments during all OOH periods, except in Wattle Grove during weekday evenings (6:00pm – 10:00pm) where a minor 1dB exceedance is predicted. It is also noted that due to the conservative nature of the construction noise assessment (with all plant items assumed to be operating simultaneously, a scenario that is unlikely to eventuate), and the fact that the works would be managed under a Construction Noise and Vibration Management Plan (CNVMP), the predicted exceedance for Wattle Grove is not likely to occur. The OOH construction NML are established by adding 5 dBA to the rating background level (RBL) during the respective period, and are therefore equivalent to operational intrusiveness noise criteria established under the NSW Industrial Noise Policy (INP). Therefore, if $LA_{eq,15min}$ noise levels due to OOH construction works comply with the established NML, the works are considered unlikely to result in intrusive noise impacts.	

Aspect	Comment	Response	Reference
Operational noise	The proponent should explain, to DP&E's satisfaction, why it was appropriate to scale modelled operational noise levels down by 6 decibels (dB), rather than modelling the site at the approved 250,000 twenty-foot container equivalents (TEU) a year. It is unlikely that the site would use one quarter of the plant and equipment at 250,000 TEU/year than it would at 1,000,000 TEU/year. The amount of plant and equipment needed on site is more likely to be determined by usage during peak times, which could be similar to a 1,000,000 TEU/year terminal. For example, the noise and vibration assessment for the Moorebank Precinct West concept indicated most plant and equipment would be the same regardless of terminal capacity: • the same number of rail mounted gantries, side picks and ITVs between 500,000 TEU/year and 1,000,000 TEU/year • 50% more switch engines, 117% more trucks and 122% more rail movements for about double the capacity. For this project, the total sound power level of the sources which would change (trucks and trains) is about 112 A- weighted decibels (dBA). The total sound power level of sources which would not change is about 114 dBA. Therefore, it is expected that the total sound power level for the 1,000,000 TEU/year scenario is about 116 dBA (114 log + 112), and for 250,000 TEU/year about 115 dBA (114 log + 109). This means that operational noise may have been under-predicted by about 5 dBA. The EPA requires further information about how noise from the modified concept was modelled.	The operation of the MPE site was originally modelled at 1,000,000 twenty-foot container equivalents (TEU) a year, rather than the approved 250,000 TEU/year. After considering the nature and likely extent of potential noise impacts associated with each of the Modification Proposal components, it was not considered necessary to remodel the MPE Concept Plan Proposal at 250,000 TEU/year. As explained in Section 2.4.1 of the Noise and Vibration Assessment (Appendix C of the MPE Concept Plan Modification Report), previously modelled operational noise levels were scaled down by 6 decibels based on the assumption that noise from the site would approximately scale with TEU throughput. The resulting levels (as presented in Table 2-7 of the Noise and Vibration Assessment) were then compared to predicted $L_{Aeq,15min}$ noise levels for the combined operation of MPE Stage 1 Proposal and the MPE Stage 2 Proposal, which together are considered representative of the MPE Concept Plan Proposal, inclusive of the modification. It is relevant to note that the predicted noise levels for the Modification Proposal were generated using a more recent model than that used for the MPE Concept Plan Approval, with updated and more specific information included for topography and shielding. Use of the results from the more recent model is preferred because it has progressed with the design development process and is therefore more representative of the proposed operation of the site. The results presented in Table 5-7 of the MPE Concept Plan Modification Report show that predicted operational noise levels associated with Modification Proposal operating at 250,000 TEU would comply with the established criteria in all receiver catchments.	Section 6.2 and Appendix C of the MPE Concept Plan Modification Report

Aspect	Comment	Response	Reference
		The alternative assumptions about the relationship between operational noise levels and TEU throughput identified by the EPA are noted. However, with the adopted assessment approach, if the scaled noise levels for the MPE Concept Plan were to be increased by 5 dBA, this would serve to increase (and likely overstate) the difference (i.e. reductions) between the noise levels for the MPE Concept Plan Proposal and the MPE Modification Proposal.	
	Condition 1.6 of the approval limits the site to 250,000 TEUs by road, but it does not define the period over which those TEU should be measured. The EPA requires a clarification on this point.	With reference to discussion in the Planning Assessment Commission's Determination Report (dated 29 September 2014), it is understood that Condition 1.6 is referring to 250,000 TEU per annum.	N/A
Air Quality			
Construction air quality	The EPA recommends that the Air Quality Impact Assessment required for subsequent project approval includes a detailed assessment with consideration of the maximum daily operational intensity of the activities for the purposes of assessing against 24 hour impact assessment criteria. The Air Quality Impact Assessment predicts marginal exceedance of the annual average $PM_{2.5}$ National Environment Protection (Ambient Air Quality) Measure standard of 8 $\mu g/m^3$ on a cumulative basis, but also notes the background air quality adopted is above 8 $\mu g/m^3$ and the maximum predicted incremental impact at sensitive receptors is < 1$\mu g/m^3$. It is not clear whether maximum daily operational intensity of the construction activities has been considered for the purposes of assessing against 24 hour impact assessment criteria. For example, the assessment advises that emissions from hauling are based on an assumed capacity of each truck of 50 tonnes corresponding to	The NSW EPA are correct to assume that the modelling results presented in the Air Quality Impact Assessment for the MPE Concept Plan modification are based on annual average activity rates (1,320,000 tonnes averaged evenly across each day of the year). To address EPA's concern that the modelling did not consider a peak daily scenario, revised analysis is presented based on a peak daily importation rate of 22,000 tonnes, for all material handling activities. This importation rate corresponds to the maximum daily fill importation rate for the whole precinct (i.e. across both MPW and MPE proposals) and conservatively assumes that on any given day there is a possibility, although unlikely, that 22,000 tonnes could be directed to MPE only. Other construction phase emission sources, such as dozers, have also been adjusted for the peak daily scenario, for	N/A

Aspect	Comment	Response	Reference
	approximately 26,400 trucks per annum. Based on this information and the proposed quantity of fill (1,320,000 tonnes) to be imported, the averaging period for estimating emissions is likely to be based on annual average activity rates. Where peak daily activities rates have not been used to estimate emissions, modelled impacts may have been under predicted.	example by removing the 70% utilisation assumption and assuming continuous operation for all construction hours. The revised analysis shows: • The maximum incremental 24-hour PM_{10} increases from 4.2 µg/m³ for the average daily activity rate to 8.0 µg/m³ for the peak daily activity rate. • The maximum incremental 24-hour $PM_{2.5}$ increases from 1.3 µg/m³ for the average daily activity rate to 1.9 µg/m³ for the peak daily activity rate. • The maximum cumulative 24-hour PM_{10} increases from 48.9 µg/m³ for the average daily activity rate to 50.9 µg/m³ for the peak daily activity rate. As a result, there is one additional exceedance of the impact assessment criteria at 5 locations, but this occurs on a day when the background is already elevated (48 µg/m³). It should be noted that the approach to the assessment assumes that the worst case daily activity scenario occurs every day of the year and it is unlikely that this scenario would correspond with an elevated background day and give rise to an additional exceedance. In fact, the proposed real-time boundary monitoring for each phase of construction is designed to eliminate the risk of this occurring. • The maximum cumulative 24-hour $PM_{2.5}$ increases from 23.6 µg/m³ for the average daily activity rate to 24.0 µg/m³ for the peak daily activity rate (i.e. no additional exceedances of the impact assessment criteria). The revised assessment demonstrates that with consideration of the peak daily scenario, modelled impacts would not result in result in additional exceedances of the 24 hour impact assessment criteria with the exception of maximum cumulative 24-hour PM_{10}. However, it is unlikely that this scenario would	

Aspect	Comment	Response	Reference
		occur and the proposed real-time boundary monitoring for each phase of construction has been designed to eliminate the risk of this occurring.	
Operational air quality	The EPA considers the assessment in relation to the operational changes is adequate and the conclusions of the impact assessment presented in the Concept Plan would not change, noting that: • The proposed modification differs from what was assessed in the impact assessment prepared for Concept Plan approval in relation to traffic movements on internal roadways • The proposed modification does not change the underlining assumptions (the number of traffic movements and total travel distance assumed per trip) for the purposes of emission estimation, as per the original concept plan As per current conditions of approval, detailed air quality impact assessments would be required for each stage of project approval.	Noted.	N/A

4.2 NSW Health

NSW Health did not make a detailed submission on the MPE Concept Plan Modification Proposal, and advised that the issues raised in their submission dated 4 July 2015 on the MPW Concept Proposal and Stage 1 Early Works RtS, should be considered in relation to each stage of the entire Moorebank Intermodal Precinct.

Aspect	Comment	Response	Relevant section of the Modification Report
Air quality			
	The quantitative risk assessment [for MPW Concept Approval] uses approaches that NSW Health supports - i.e. to quantitatively estimate the incremental additional impact of various pollutants on health outcomes.	Noted	Section 5 of the Modification Report
	In relation to the assessment of cumulative impacts from the operation of both the Moorebank and SIMTA sites, the predicted health impacts are generally considered to be low (not significant); however there is the potential for risks in adjacent commercial/industrial areas to be at a level that are considered unacceptable. The assessment suggests further mitigation measures need to be implemented to minimise exposure to particulates in the adjacent workplaces. This should be detailed further.	A cumulative operational HRA for the MPE Stage 2 Proposal (including the key elements of the Modification Proposal) was prepared by Ramboll Environ (2016) (Appendix N of MPE Stage 2 EIS) to assess potential changes in health outcomes due to the concurrent operation of the of the MPE Stage 1, MPE Stage 2 and MPW Stage 2 proposals. For commercial/industrial workers, the HRA assumed that exposure may occur eight hours per day, 240 days per year for 30 years. The HRA found that the increases in mortality and morbidity due to the MPE Stage 2 Proposal and the cumulative Proposal (i.e. including MPE Stage 1 and MPW Stage 2) were low and in most cases, were negligible. The excess lifetime cancer risks were also below or within the acceptable risk range. The HRA concludes that in relation to air quality there are no significant adverse health effects expected surrounding	Section 5 of the Modification Report Appendix N of the MPE Stage 2 EIS.

Aspect	Comment	Response	Relevant section of the Modification Report
		receivers in relation to short-term and long-term exposure to key air pollutants associated with the operation of the cumulative Proposal. Given the low / negligible risk to adjacent commercial/industrial areas further mitigation measures are not considered necessary. The mitigation measures identified in Section 9 (Air Quality) and Section 10 (Human Health) of the MPE Stage 2 EIS were found to be sufficient to address potential cumulative human health impacts, including those potentially affecting the adjacent workplaces.	
Noise			
	There is potential for sleep disturbance from rail pass-by events. As detailed in the Revised Project Report for Noise and Vibration maximum levels at Casula and Glenfield would exceed the sleep disturbance objective for industrial premises. We note there is no separate allowance for wheel squeal. The report correctly indicates that sleep disturbance will depend on the frequency of events and the time of day/night. Appropriate mitigation measures should be considered. Advice should be sought from the Environment Protection Authority about appropriate mitigation but may include, track lubrication, effective maintenance regimes for locomotives and carriages, electrification, and low noise barriers. Consideration should be given to requiring noise monitoring and a Noise Management Plan as a condition of consent.	The Rail link is to be constructed under the MPE Stage 1 Project (SSD 14-6766). The comment relating to the assessment of rail noise impacts does not apply to the Modification Proposal.	Section 8, Section 10, Appendix N and Appendix P of the EIS. Appendix K of this RtS.

Aspect	Comment	Response	Relevant section of the Modification Report
Traffic			
Traffic congestion	The predicted health outcomes relating to traffic congestion should be positive as long as all the proposed mitigation measures are implemented.	Noted.	N/A
Visual			
Light spill	There is potential for light spill during the construction and operation phases. This may be increased by trains running at night, which have the potential to impact on Casula residents. The EIS considers this risk to be low.	The potential for light spill associated with the construction and operation of the Modification Proposal is considered in Section 5 of the Modification Report. It is noted that an assessment of the potential light spill from the operation of locomotives between the MPW Stage 2 rail connection and the SSFL was included in the Rail Access Report for the MPW Stage 2 Proposal (included in Appendix F of the MPW Stage 2 EIS).	Section 5 of the Modification Report Appendix F of the MPW Stage 2 EIS
Contamination			
Hazardous material	On site hazardous materials are to be limited to fuel for refuelling purposes and CO_2 for fire fighting. The EIS considers there to be negligible risk of offsite impacts on the local community.	Hazardous materials are addressed at the concept level by SoC 32 of the MPE Concept Plan Approval. Further detail is provided in Section 14 (Hazards and risks) of the MPE Stage 2 EIS.	SoC 32 of the MPE Concept Plan Approval Section 14 of the MPE Stage 2 EIS.

Aspect	Comment	Response	Relevant section of the Modification Report
Human health			
Human health risks and impacts	Support Mitigation Measure 17A - As part of wider ongoing monitoring and evaluation processes, monitoring data for air quality, noise and traffic would be regularly reviewed against the guidelines developed in the specialist studies supporting this EIS, as they are based on protecting the health of the community. Should exceedances be identified in these key indicators as a result of the Project, then a further and more targeted monitoring and management program would be developed as required.	Noted. REMM 17A applies to MPW, including the MPW Stage 2 Proposal. It is noted that the MPE Stage 2 EIS includes measures requiring monitoring in relation to noise and traffic. Refer to mitigation measures 1D, 2A, 2E in Section 18 (Compilation of mitigation measures) of the MPE Stage 2 EIS.	Section 18 (Compilation of mitigation measures) of the MPE Stage 2 EIS.
Grey water and black water recycling	If the use of grey water and black water recycling is considered, it will need to comply with the relevant guidelines and agency approval. Recycling water would most likely be used for toilet flushing and/or landscape irrigation	Noted. Onsite wastewater treatment is not currently proposed.	N/A
Revised Environmental Management measures	The revised environmental management measures outlined in chapter 9 and the mitigating measures are extensive. Many of these impact directly or indirectly on human health and are supported.	Noted. These REMMs apply to MPW, including the MPW Stage 2 Proposal. The revised SoCs included in Appendix A of the Modification Report address environmental impacts of the MPE Project at the concept level, including those those aspects most relevant to human health (air quality, noise, hazardous materials).	Appendix A of the Modification Report.

4.3 Office of Environment and Heritage

Aspect	Comment	Response	Reference
Biodiversity			
Direct impacts	OEH notes the proposed modification will not result in any direct biodiversity impacts additional to those already assessed by other development applications for Moorebank Precinct East and Moorebank Precinct West in the case of the Moorebank Avenue upgrade area.	Noted.	N/A
Indirect impacts	Fill and cut depths of up to 2.5 m and 1.5 m respectively are proposed along the eastern and southern site boundary. OEH is concerned about the potential impacts this may have on the high biodiversity values of the adjoining Boot land as a result of sedimentation, weed invasion and changed hydrology. OEH notes this issue does not appear to be considered in the Modification Report and recommends the potential for indirect impacts be assessed. OEH also recommends flora surveys be undertaken along the eastern and southern boundary at least 30 m into the Boot land given the threatened species found during recent flora surveys of the Boot land south of Anzac Creek (e.g. *Hibbertia puberula* and *Hibbertia fumana*).	The Modification Report concludes that, at the concept level, the MPE Concept Plan Approval and associated SoCs are adequate to address the potential biodiversity impacts of the proposed modification. The SoCs include measures that address both the management of weeds (SoC 25) and water quality (SoC 28, 29 and 30). Consideration of indirect impacts associated with placement of fill near the eastern and southern boundaries of the MPE site was considered in the Biodiversity Assessment Report (BAR) for the MPE Stage 2 Proposal. The BAR acknowledges and addresses the potential impacts of increased sedimentation, risk of weed invasion and changes to hydrology on threatened flora populations in the adjacent Boot land. Additional targeted threatened flora surveys have been undertaken at least 30 m of the eastern boundary of the MPE Site where it adjoins the Boot land, and at least 30 m of the portion of the Boot land south of the MPE Site that adjoins the fenceline south of the MPE Stage 2 amended construction area. These targeted surveys were conducted on 11 and 18 May 2017 and were undertaken using parallel walking transects spaced approximately 5 m apart. Where	Section 5.3 of the Modification Report Section 12 and Appendix O of the MPE Stage 2 EIS Section 7 of the MPE Stage 2 RtS

Aspect	Comment	Response	Reference
		detected, the number of individuals was recorded. Threatened flora species targeted as part of the additional surveys included: • *Acacia bynoeana* (Bynoe's Wattle) • *Acacia pubescens* (Downy Wattle) • *Grevillea parviflora subsp. Parviflora* (Small-flowered Grevillea) • *Hibbertia fumana* • *Hibbertia puberula subsp. Puberula* • *Persoonia nutans* (Nodding Geebung). Given that detailed surveys for *Persoonia nutans* have previously been undertaken in the area south of the MPE Site, this species was not targeted or counted within the mapped vegetation in this part of the survey area. Cleared areas along the fenceline to the south of the MPE site, where *Persoonia nutans* had not previously been identified, were searched for the species. Four threatened flora species were recorded in the survey area during the additional surveys: • *Acacia pubescens* – a stand of this species was recorded near the cleared edge of Broad-leaved Ironbark - Melaleuca decora shrubby open forest to the east of the MPE site. • *Grevillea parviflora subsp. parviflora* – scattered individuals were recorded in the Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland to the east of the MPE site. • *Hibbertia puberula subsp. puberula* – this species was recorded across all areas to the east and south of the MPE Site mapped as Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland, as well as in cleared areas in the western extent of	

<table>
<tr><th>Aspect</th><th>Comment</th><th>Response</th><th>Reference</th></tr>
<tr><td></td><td></td><td>
the surveyed area. The species was able to be positively identified as most individuals observed had flowering or fruiting material remaining on the plant. A few individuals were noted to be in flower or bud.
• Persoonia nutans – one isolated mature individual was recorded at the edge of Broad-leaved Ironbark - Grey Box - Melaleuca decora grassy open forest to the east of the MPE site, and scattered regenerating plants were recorded in cleared areas adjoining the fenceline to the south of the MPE site.
The number of plants or stems of each species recorded during the targeted surveys is listed below.
<table>
<tr><th>Species</th><th>Number of plants/stems recorded</th></tr>
<tr><td>Acacia pubescens</td><td>43</td></tr>
<tr><td>Grevillea parviflora subsp. parviflora</td><td>6</td></tr>
<tr><td>Hibbertia puberula subsp. puberula</td><td>58</td></tr>
<tr><td>Persoonia nutans</td><td>5</td></tr>
</table>
The extent of the survey area and locations of threatened species recorded within this area is included in Section 7.5 and shown in Figure 7-2 of the MPE Stage 2 RtS.
</td><td></td></tr>
</table>

Aspect	Comment	Response	Reference
		In addition to the SoC referred to above, potential impacts would be managed and mitigated in accordance with Section 12.4.1 and Appendix O of the MPE Stage 2 EIS. The Modification Report concludes that, at the concept level, the MPE Concept Plan Approval and associated SoCs are adequate to address the potential biodiversity impacts of the proposed modification. Further assessment including consideration of indirect impacts has been undertaken in the MPE Stage 2 Proposal.	

4.4 Heritage Council

Aspect	Comment	Response	Reference
Non-Aboriginal Heritage	The documentation has been reviewed and it is considered that the heritage impact is no greater than previously assessed for the Concept Plan for Moorebank Precinct East. It is considered that as long as the modification is in accordance with the recommendations made within *Moorebank Precinct East – Concept Plan Modification 2 Revised Statement of Commitments – SIMTA Sydney Intermodal Terminal Alliance*, prepared by ARCADIS Design & Consultancy for natural and built assets, dated November 2016, no objection is raised.	Noted. The revised statement of commitments included as part of the Modification Report would form part of any approval given in relation to the Modification Proposal.	N/A

4.5 Department of Primary Industries

Aspect	Comment	Response	Reference
Consultation	Comment has been sought from relevant divisions of DPI. Views were also sought from NSW Department of Industry - Lands that are now a division of the broader Department and no longer within NSW DPI	Noted. A submission was received from NSW Department of Industry – Lands. Refer to Section 4.5 of this RtS.	Section 4.5 of this RtS
Drainage and clearing of vegetation	DPI has reviewed the EA and advises that, given drainage works and clearing of vegetation have been separately addressed in the Environmental Impact Statement for Stage 2 works (SSD 7628), the Department has no further comment on the modification proposal at this time.	Noted. Responses to issues raised in relation to the MPE Stage 2 EIS are included in the MPE Stage 2 RtS.	N/A

4.6 Department of Industry (Resources and Energy)

Aspect	Comment	Response	Reference
Mineral resources	NSW Department of Industry – Geological Survey of New South Wales (GSNSW) has no mineral resource concerns regarding the Modification Proposal as there are no current mineral, coal or petroleum titles over the site. The Modification Proposal should have no impact upon mineral, coal or petroleum resources.	Noted.	N/A

4.7 Liverpool City Council

ID	Aspect	Comment	Response	Reference
Approval Pathway				
LCC - 1	Requirements of Section 75W as they relate to the Proposal	In *Barrick Australia Ltd v Williams [2009] NSWCA 275* ("*Barrick*") the Court of Appeal overturned an earlier Land and Environment Court decision finding that the assessment of whether request to modify an approval extends beyond the scope of Section 75W of the EP&A Act is to be made by the Minister, not by the courts. The Court of Appeal did however summarise 'general' requirements for approval of a modification under Section 75W: • The approval must be one to which Part 3A relates • The proposed modification must have 'limited environmental consequences beyond those which had been the subject of assessment' (the original project assessment) • The consent authority must be the Minister for Planning. The Modification Proposal would result in a quantitative change to both the final form and the construction phase, due to fill, that was previously not proposed to be imported, requiring import. The importation of 600,000m^3 of material would result in an order of magnitude change in truck movements required to facilitate this. The additional truck movements, along with the potential for on-site crushing would result in a quantitative change in the approved early works package, with impacts on amenity and human health.	The modification power under section 75W is broader than the power under section 96 of the EP&A Act. The Court of Appeal in *Barrick* was careful not to specify any test in relation to modifications under section 75W. *Barrick* is the authority for the proposition that the requirement for approval of a modification in Section 75W must be understood in the context of three factors. 1. Firstly, the subject matter of Part 3A, of the EP&A Act, is defined by reference to major infrastructure developments 2. Secondly, that the modification of an approval was something intended to have limited environmental consequences beyond those which had been the subject of assessment 3. Thirdly, the Minister was the consent authority and was to have regard to matters such as State and regional planning significance. Section 4.3 of the Modification Report discusses the approval pathway and Section 5 discusses the environmental impacts of Modification Proposal. As discussed in Section 5, the Modification Proposal is expected to have limited environmental consequences beyond those envisaged in the MPE Concept Plan EA, as assessed by DP&E and approved by the PAC. In summary, the extent of modifications sought are considered to be within the context of the entirety of the	Section 4.3 and Section 5 of the MPE Concept Plan Modification Report.

ID	Aspect	Comment	Response	Reference
		Consequently, it does not appear that the proposed modification would result in only 'limited environmental consequences beyond those which had been the subject of assessment'. It is not considered that the proposed modification satisfies second requirement for a Section 75W modification, as identified by the Court of Appeal in *Barrick*.	approved Concept Plan and therefore are within the scope of the power in Section 75W of the EP&A Act.	
Traffic and Transport				
LCC - 2	Clarification of Modification Proposal	Clarification of the purpose of the proposed interim access is required.	The interim site access has been proposed pending the finalisation of consultation with the Department of Defence and Roads and Maritime Services regarding provision of a shared access with DJLU at the location identified by the MPE Concept Plan EA. It is noted that the current DJLU intersection was constructed subsequent to the MPE Concept Plan Approval and the northern site access identified in the approval cannot now be implemented unless the intersection is integrated with the DJLU access.	Section 3.1 and Section 5 of the MPE Concept Plan Modification Report.
LCC - 3		Details are required regarding the location and the duration of the operation of the interim access (i.e. movements permitted, proposed traffic control, intersection performance, back of queue, distance with adjacent intersections, etc.)	The duration of operation of the interim site access is dependent upon consultation with the Department of Defence and Roads and Maritime Services regarding provision of a shared access with DJLU at the location identified by the MPE Concept Plan EAEIS. The interim site access is proposed to be a signalised intersection, configured as follows: • One entry lane, from Moorebank Avenue. Entry to the MPE Stage 2 access road would be provided from the southbound carriageway of Moorebank	Chapter 7 of the MPE Stage 2 EIS

ID	Aspect	Comment	Response	Reference
			Avenue via a slip-lane. The MPE Stage 2 site access would be provided from the northbound carriageway of Moorebank Avenue via a right-turn signal provision at the intersection. • One exit lane onto Moorebank Avenue. The exit lane would provide for access to both the northbound and southbound carriageways of Moorebank Avenue. The performance of the interim site access was modelled for the MPE Stage 2 EIS. The key results reported for the cumulative development scenario (including traffic generated by MPE Stage 1, MPE Stage 2 and MPW Stage 2) are as follows: • In 2019 the intersection would operate at LoS A in both the AM and PM peak hours with an intersection delay of 9 and 13 seconds respectively (taking into consideration intended mitigation measures and response to background population growth) • In 2019 the intersection would operate at LoS A in both the AM and PM peak hours with an intersection delay of 9 and 13 seconds respectively (assuming recommended upgrades) • In 2029 the intersection would operate at LoS D in the AM peak hour and LoS F in the PM peak hour, with an intersection delay of 51 and 307 seconds respectively (taking into consideration intended mitigation measures and response to background population growth)	

ID	Aspect	Comment	Response	Reference
			• In 2029 the intersection would operate at LoS B in the AM peak hour and LoS A in the PM peak hour, with an intersection delay of 20 and 12 seconds respectively (assuming recommended upgrades). As per the *Guide to Traffic Generating Developments* (Roads and Maritime, 2002) (Section 4.2.2), "*The best indicator of the level of service at an intersection is the average delay experienced by vehicles at that intersection. For traffic signals, the average delay over all movements should be taken*." As such only the intersection Level of Service from the AIMSUN and SIDRA model has been reported. However, upstream/downstream queuing impacts at intersections were examined in the AIMSUN and SIDRA model and considered in determining the appropriate mitigation measures.	
LCC – 4	Traffic modelling assumptions and results	SIDRA files used in the assessment for all different stages of each intersection and / or a complete summary of results are required.	Future traffic growth and modelling data for the operational and construction traffic assessments was sourced from RMS' wider Liverpool Moorebank Arterial Road Investigations (LMARI) model built in AIMSUN modelling software version 8.0.9 (R35843). AIMSUM was used to provide strategic, mesoscopic and microsimulation modelling. The AIMSUM model has been supplemented with additional operational traffic modelling using SIDRA Network version 7 for the modelling of intersection performance. The SIDRA modelling was used to determine intersection layouts, signal phasing and timing, which was then integrated	Appendix K of the MPE Stage 2 EIS
LCC – 5		A comprehensive summary of results from the SIDRA software modelling has not been provided. Specific issues are: • Modelling parameters used in SIDRA are not listed and cannot be reviewed unless the SIDRA files are provided. • Revision process cannot be completed to confirm if a manual manipulation of standard modelling parameters		

ID	Aspect	Comment	Response	Reference
		was applied or if the current Roads and Maritime modelling guidelines were followed. • Back of queue lengths at each intersection are not provided. It is not possible to assess with the information provided at this time if potential queues would spill back into the adjacent intersections.	into the AIMSUM model to determine impacts to the surrounding road network. Intersection performance was assessed in term of Level of Service (LoS). LoS criteria used for intersection assessments was taken from the "*Guide to Traffic Generating Developments*" published by the Roads and Traffic Authority (RTA) of New South Wales, Australia (draft version 2.2 of October 2002).	
LCC – 6		There is no evidence of using SIDRA Network for the intersection assessments. It is not clear if the SIDRA network was used for the Moorebank Avenue Corridor and what intersections were considered.	Detail of SIDRA results on which the Modification Report relies are included within Appendix A of the Construction Traffic Impact Assessment included at Appendix K of the MPE Stage 2 EIS. These include the SIDRA traffic flow diagrams used to undertake the assessment of construction traffic impacts. The Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Approval. Back of queue information has not been provided in the Modification Report. As per the *Guide to Traffic Generating Developments* (Roads and Maritime, 2002) (Section 4.2.2), "*The best indicator of the level of service at an intersection is the average delay experienced by vehicles at that intersection. For traffic signals, the average delay over all movements should be taken*." As such only the intersection LoS from the AIMSUN and SIDRA model has been reported. However, upstream/downstream queuing impacts at intersections were examined in the AIMSUN and SIDRA model and	

ID	Aspect	Comment	Response	Reference
			considered in determining the appropriate mitigation measures.	
LCC - 7	Assessment Approach Traffic Generation	The Traffic Memorandum indicates that the 'Guide to Traffic Generating Development' published by Roads and Maritime version 2.2 October 2002 was used in the assessment. Indicate the reasons the latest Roads and Maritime Guidelines and Technical Directions were not considered in the assessment. Refer to the Technical Direction TDT 2013/04a. Traffic generating rates from the latest Roads and Maritime documentation guidelines should be referenced considering that the documentation is available since year 2013.	The Traffic Memorandum included in Appendix B of the Modification Report references the *Guide to Traffic Generating Developments* (Roads and Traffic Authority 2002) only in relation to the LoS criteria used for intersection assessment. These criteria are not included in *Technical Direction TDT 2013/04a Guide to Traffic Generating Developments Updated traffic surveys* (Roads and Maritime Services, 2013). The trip generation assumptions for the assessment of operational traffic impacts were sourced from the following: • *Moorebank Intermodal Terminal Precinct – Traffic Generation and Underlying Assumptions*, Memorandum, Parsons Brinckerhoff, 1 September 2016 • *MPE Stage 2 Proposal / MPW Stage 2 Proposal – Container Handling Movements*, Neil Matthews Consulting Pty Ltd, 4 August 2016. These documents considered the *Technical Direction TDT 2013/04a Guide to Traffic Generating Developments Updated traffic surveys* (Roads and Maritime Services, 2013) in the creation of trip generation assumptions.	Chapter 7 of the MPE Stage 2 EIS

ID	Aspect	Comment	Response	Reference
LCC - 8	Construction Traffic Impacts	It is not possible to confirm if the construction traffic generation would not deteriorate the existing conditions.	The results of the Construction Traffic Impact Assessment (refer to Appendix B of the Concept Plan Modification Report and Appendix Ka of the MPE Stage 2 EIS) indicate that the construction traffic associated with the Modification Proposal would not have an adverse impact on the performance of key intersections near the MPE site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods.	Section 5.1 of the MPE Concept Plan Modification Report. Section 7.1 of the MPE Stage 2 EIS.
LCC - 9		Results provided are not completed. It is not possible to review if the M5 Motorway entry and exit ramps would have a direct impact from the construction activities or from the operational traffic generation	The assessment of construction and operational traffic impacts of the Modification Proposal relies on investigations, modelling and analysis undertaken for the detailed assessment of the MPE Stage 2 Proposal. The assessment includes Level of Service for the M5 Motorway/ Moorebank Avenue interchange from the AIMSUN model which is inclusive of the M5 ramps. The results of the Construction Traffic Impact Assessment indicate that the construction traffic associated with the Modification Proposal would not have an adverse impact on the performance of key intersection near the MPE site and would operate at an acceptable LoS during the AM and PM peak periods. The Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval.	Section 7 of the MPE Stage 2 EIS.

ID	Aspect	Comment	Response	Reference
LCC – 10		The summary of results listed in the different construction and operation traffic assessment documentation appears to be inconsistent. Refer to the Summary of Results for key intersections listed in the Arcadis Construction Traffic Impact Assessment (Appendix Ka). Table 3-3 of the Operational Traffic Report provides details of Level of Service (LoS) for the AM and PM peak periods in year 2015. It appears that the traffic results for year 2018 with the additional background traffic are performing better than in year 2015 and worse than in year 2019 as show in the Operational Traffic Report.	The AIMSUN modelling software package was used for the operational assessment in the OTTIA and the SIDRA modelling software was used for the construction assessment in the CTIA. Intersection Level of Service (LoS) results were extracted and reported using AIMSUN and SIDRA. Due to the different software utilised for the assessments, differences in intersection performance results have been reported with the AIMSUN model taking into consideration of dynamic traffic assignment and network wide impacts (i.e. redistribution of traffic as a results of driver behaviour, network congestion, etc.), whereas the SIDRA models were based on analytical traffic operation estimation (i.e. estimated static traffic volumes and confined network). The differences in delay for LoS between AIMSUN and SIDRA are generally considered small (within 5s to 15s). In addition, the traffic volumes were different between operational traffic in OTTIA and construction traffic in CTIA.	Section 7 of the MPE Stage 2 EIS.

ID	Aspect	Comment	Response	Reference
LCC - 11	Review of Concept Plan Approval	Table 5-8 Intersection Level of Service with and without Cumulative Development Scenario – 2019 from the Operation Traffic and Transport Impact Assessment report indicates that in year 2019 the PM conditions (with cumulative development) would operate at near capacity or at capacity.	The Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval. The Table 5-8 referred to by LCC is from the Operational Traffic and Transport Assessment for the MPE Stage 2 Proposal (Appendix Kb of the MPE Stage 2 EIS). It has been incorrectly referenced by LCC as Arcadis (2016d). *Moorebank Precinct East – Concept Plan Modification 2: Traffic Memorandum*. A review of Table 5-8 shows that most intersections would operate satisfactorily in the 2019 PM peak both with and without the cumulative development (do minimum scenario), which includes MPE Stage 1, MPE Stage 2 and MPW Stage 2. However, in the 2029 PM peak all the intersections considered would operate at capacity, this being attributable to the general growth in background traffic and the cumulative development (i.e. not specifically due to the Modification Proposal). As noted in Section 5.1 (Traffic and transport) of the Modification Report, an area wide network improvement strategy is needed to provide the desired functionality of the network of motorways, arterials, collector and local roads in the study area is achieved and provide safe and efficient traffic dispersal. These wider network improvements are required to provide an adequate LoS across the road network to meet the predicted growth in traffic demand through to the opening year 2019 and 10-year horizon of 2029.	Section 5.1 of the MPE Concept Plan Modification Report. Appendix Kb of the MPE Stage 2 EIS

ID	Aspect	Comment	Response	Reference
LCC - 12		The proposed indicative timing for the upgrades of the M5 Motorway and widenings of Moorebank Avenue may be required prior to the operating of 500,000 TEU throughput per annum. It is not clear if the traffic assessment can confirm if the proposed road network upgrades are to be completed at opening year. There is a risk that the adjacent road network, prior to reaching the operation of 300,000 and 500,000 TEU per annum, could perform at capacity.	As noted above, the Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval. As noted in Section 5.1 (Traffic and transport) of the Modification Report, an area wide network improvement strategy is needed to provide the desired functionality of the network of motorways, arterials, collector and local roads in the study area is achieved and provide safe and efficient traffic dispersal. These wider network improvements are required to provide an adequate LoS across the road network to meet the predicted growth in traffic demand in the opening year 2019 and 10-year horizon of 2029. The MPE Concept Plan Approval indicates that Moorebank Avenue would be required to be upgraded within 24 months of operating an IMT terminal with a throughput of 300,000 TEU per annum. SIMTA has considered the overall works program for the Moorebank Precinct and identified that positive impacts can be achieved through undertaking, in part, the Moorebank Avenue upgrade as part of the MPE Stage 2 Proposal (refer to Chapter 4 (Proposal description) of the MPE Stage 2 EIS).	Section 5.1 of the MPE Concept Plan Modification Report. Chapter 4 of the MPE Stage 2 EIS.

ID	Aspect	Comment	Response	Reference
Noise and Vibration				
LCC - 13	Construction Noise	An inconsistency was noted in the Review of Noise and Vibration Impacts. Table 2-4 of the report indicated that construction noise levels at Wattle Grove would exceed the noise management level during the out-of-hours (OOH) period 2 (6.00pm – 10.00pm weekdays) by 1 dB. The consultant stated that 'construction noise levels in Wattle Grove, Wattle Grove North and Casula were not predicted to exceed applicable NML at sensitive receivers during OOH Period 2, 3 or 4'. This assessment is incompatible with the consultant's following sentence which specified that 'predicted construction noise levels during OOH Periods 2, 3 or 4 are predicted to exceed the NML in Wattle Grove by up to 1 dB'.	The paragraph following Table 2-4 in the Noise and Vibration Assessment (Appendix C of the Modification Report) is incorrect. As presented in Table 2-4, the predicted $L_{Aeq,15min}$ construction noise levels in Wattle Grove North, Casula and Glenfield, during OOH periods 2,3 and 4, comply with the established NML. In Wattle Grove, the predicted $L_{Aeq,15min}$ construction noise levels comply with the established NML during OOH periods 3 and 4, but exceed the NML by 1 dB at the most affected receivers during OOH period 2. This error has been corrected through Section 6.6 (clarifications) of the MPE Stage 2 RtS (SSD 7628).	Appendix C of the MPE Concept Plan Modification Report
LCC - 14		In addition to this conflicting advice, the consultant does not refer to the predicted noise levels in Glenfield as stipulated in Table 2-4 of the report. Although Wilkinson Murray indicated that these exceedances are negligible, they are indicative that the Proposal is likely to breach the assessment criteria during the out-of-hours construction period. As the exceedances outlined in the noise impact assessment are predictions, higher noise levels may be experienced during construction and operation.	As per the above response, the predicted $L_{Aeq,15min}$ construction noise levels in Glenfield comply with the NML during all identified OOH periods. The aforementioned error has been corrected through Section 6.6 (clarifications) of the MPE Stage 2 RtS (SSD 7628). Additionally, as noted in Noise and Vibration Assessment (Appendix C of the Modification Report), due to the conservative nature of the construction noise assessment, and the fact that the works would be managed under a Construction Noise and Vibration Management Plan (CNVMP), actual construction noise levels during OOH periods are likely to be lower than the predicted levels.	Appendix C of the MPE Concept Plan Modification Report

ID	Aspect	Comment	Response	Reference
LCC - 15		The Environment and Health Section of Council is also seeking reassurance from the Department of Planning and Environment that the proposed environmental monitoring program will account for the changes proposed as part of the Modification Application. Penalties for annoying construction sources as indicated in the *Interim Construction Noise Guideline* (DECC 2009) is not discussed in the assessment.	SoC No.19 requires the preparation of a Construction Noise and Vibration Management Plan (CNVMP). The CNVMP will include specific measures to minimise impacts on nearby sensitive receivers as well as noise and vibration monitoring procedures.	Appendix A of the MPE Concept Plan Modification Report
LCC - 16	Construction Vibration	Construction vibration impacts are anticipated to be negligible due to the distance to sensitive receivers.	Noted	N/A
LCC - 17	Operational Noise	The level of detail in the original or additional assessment is not of sufficient detail for the reviewer to test the assessment results.	The noise and vibration assessments for the MPE Concept Plan and MPE Concept Plan Modification Proposal include an appropriate level of detail to allow potential impacts to be understood. They address relevant requirements to the Modification Proposal and were subject to suitable review processes.	Appendix C of the MPE Concept Plan Modification Report Appendix L of the MPE Stage 2 EIS

ID	Aspect	Comment	Response	Reference
LCC - 18		The assessment has not discussed modifying correction factors as defined in the *NSW Industrial Noise Policy* (NSW INP) (EPA 2000). The NSW INP provides modifying correction factors adjustments, or penalties where annoying characteristics are likely to be present such as tonal, low frequency, intermittent noise sources. It is not clear if these factors have been considered in the assessment, for example diesel engine powered plant such as locomotive and heavy vehicle engines typically include low frequency components.	No applicable modifying factors have been identified for the Modification Proposal. Low frequency noise from diesel locomotives, as identified by this submission, would be the most likely root-cause of annoying noise characteristics that warrant the application of a modifying factor. However, the locomotive noise limits in EPL 3142, applicable to all locomotives accessing the site, specifically limit low frequency noise from locomotives. Therefore, no modifying factors are considered necessary to assess low frequency noise, or any other annoying characteristic, in the operational noise levels from the site.	N/A
LCC - 19	Construction Traffic	Changes to road traffic noise as a result of the modification were found to be negligible compared to previous findings.	Noted	N/A
LCC – 20	Recommendations	The recommendations below have been identified to allow a comprehensive assessment of noise impacts from the project: • Assessment input data, including numbers and type of equipment referenced in each assessment scenario, duration adjustments and model assumptions applied should be clearly documented for clarity in the acoustic assessment.	As noted in the Noise and Vibration Assessment (Appendix C of the MPE Concept Plan Modification Report), modelling and assessment conducted for the MPE Stage 2 proposal was relied on in part for assessment of the Modification Proposal. Operational noise prediction methodology and assumptions are detailed in Section 7.3 of the Noise and Vibration Impact Assessment for the MPE Stage 2 Proposal (Appendix L of the EIS), while the type and number of operational noise sources are described in Section 7.3. The total sound power level of each construction scenario is presented in Table 6-6 of Appendix L of the MPE Stage 2 EIS. No adjustments have been made for	Appendix C of the MPE Concept Plan Modification Report Appendix L of the MPE Stage 2 EIS

ID	Aspect	Comment	Response	Reference
			particularly annoying sources, given the large distances to receivers and the conservative assumptions built into the assessment conducted, such as modelling all construction plant operating continuously and at the same time.	
LCC - 21	Recommendations	• Clarification on whether modifying correction factors as defined in the NSW INP (EPA 2000) have been considered in the prediction of operational noise impacts.	Refer to issue LCC-18 for a response to this comment	LCC - 18
Air Quality				
LCC – 22	Site Contamination	The Air Quality Assessment makes no reference to requirements for managing the mobilisation of contaminants during excavation and remediation of soils at the site. Within the site contamination summary (JBS&G, 2016) it is identified that asbestos, heavy metals, as well as Non-Aqueous Phase Liquid (NAPL) hydrocarbons present within soil and/or groundwater on the Site. Whilst not necessarily in need of quantitative analysis in the assessment, these issues should be	Specific emission control measures are most appropriately specified as part of individual project assessments, rather than at the concept plan level. A draft air quality management plan, which includes measures to minimise dust emissions during construction was included in Appendix 7 of the AQIA at Appendix M of the MPE Stage 2 EIS. It is anticipated that this plan will form the basis of the air quality	Appendix M of the MPE Stage 2 EIS

ID	Aspect	Comment	Response	Reference
		identified such that they can be appropriately addressed within subsequent assessment and/or management strategies.	management sub-plan, to be included in the CEMP for the MPE Stage 2 Proposal, which will include more detailed mitigation measures and procedures for the management of dust emissions, including handling of contaminated soils. Furthermore, as identified within Section 13.2.3 of the MPE Stage 2 EIS, each of these contaminants are recognised as contaminants of potential concern (COPC) from the history of the site. A non-statutory site audit and Site Audit Report was completed in 2002, for the former DNSDC site (i.e. the SIMTA site), with the Site Auditor certifying the SIMTA site as suitable for ongoing commercial/industrial use subject to implementation of a Site Management Plan (SMP), which was to include a range of actions relating to further investigation, remediation, groundwater monitoring and management controls. It is not known whether a SMP was prepared or implemented, or whether any recommended actions were undertaken. Subsequent to this, and at the request of the Department of Defence, another non-statutory site audit was completed for the site in 2016, excluding the former DNSDC Refuelling Area. The Site Auditor certified that the site is suitable for commercial / industrial use subject to compliance with the Environmental Management Plan (EMP) prepared for the site in July 2016. It is therefore concluded that the site is suitable for use without remediation and encountering these COPC during construction is not anticipated.	

ID	Aspect	Comment	Response	Reference
LCC – 23	Construction Assessment	It is also noted that the conclusions of the construction assessment are highly reliant on the level of emission controls adopted within the emission modelling. Despite this, these emission controls have not been reflected in the SOCs. Of particular importance are those controls relating to haul roads and dozer operations.	Specific emission control measures are most appropriately specified as part of individual project assessments, rather than at the concept plan level. In this context, it is noted that the air quality impacts from construction were not assessed quantitatively in the original Concept Plan Approval Air Quality Impact Assessment (AQIA). Specific emission control measures have been specified within the MPE Stage 2 Proposal. The AQIA for MPE Stage 2 (Appendix M of the MPE Stage 2 EIS) included an Air Quality Management Plan (AQMP) that specified monitoring and control measures to address potential dust impacts. Further, mitigation measure 3A in the MPE Stage 2 EIS commits to further progressing the measures in the AQMP and incorporating those measures into the CEMP for the MPE Stage 2 Proposal.	Appendix M of the MPE Stage 2 EIS
LCC - 24	Crushing and Screening	Furthermore, it is unclear if on site crushing and screening will take place on site, or prior to material being received. Crushing has the potential for significant impacts on air quality, with the processing arrangements requiring clarification and assessment.	The Air Quality Assessment included in Appendix E of the MPE Concept Plan Modification Report notes that for the purposes of assessment it was assumed that approximately 30% of the imported fill would be crushed / screened onsite. Fugitive dust emissions were estimated using United States Environmental Protection Authority (USEPA) AP-42 emission factors and predictive equations. This included those taken from Chapter 11.19.2 *Crushed Stone Processing and Pulverized Mineral Processing*. The modelling results indicate that the construction phase emissions for the Modification Proposal,	Appendix E of the MPE Concept Plan Modification Report

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			including crushing / screening, comply with all relevant impact assessment criteria.	
LCC - 25	Recommendations	On the basis of the review undertaken, the following recommendations are made: • The assumptions contained within the modelling assessment should be incorporated into the SOC's for the concept approval as relevant to the Construction Environmental Management Plan's (CEMP) for the Project. •	Refer to issue LCC-23 for a response to this comment	LCC - 23
LCC - 26	Recommendations	• Requirements for assessment of these contamination-related air quality issues be incorporated into the SOC's for the Concept Approval, such that subsequent planning processes can incorporate the appropriate consideration of environmental and human health risks, including quantitative assessment as required.	Refer to issue LCC-23 for a response to this comment	LCC – 23
LCC - 27	Recommendations	• On site crushing of fill material has not been identified and should not therefore take place. Should crushing be required, further assessment should be undertaken to identify the potential for impact.	Refer to issue LCC-24 for a response to this comment	LCC - 24

ID	Aspect	Comment	Response	Reference
Geotechnical				
LCC – 28	Fill	The Concept Plan Modification indicates that 600,000m^3 of fill importation is proposed to be imported to MPE. The volume of fill proposed to be imported is a substantial quantity and greatly differs from the earthworks model previously proposed.	The MPE Concept Plan Modification Report acknowledges that the MPE Concept Plan Environmental Assessment did not specifically consider the importation of clean general fill to the MPE Site and Moorebank Avenue. Adjustment to the final levels at the site via the importation of clean general fill is required to allow effective use of the site whilst achieving the minimum gradients necessary for the site drainage infrastructure upstream of the OSDs, ensuring the site can be effectively drained in a 100-year ARI flood event. Potential impacts associated with the proposed importation of clean general fill (and other aspects of the Modification Proposal) are assessed in Section 5 (Environmental Assessment) of the MPE Concept Plan Modification Report.	Section 4 and Section 5 of the MPE Concept Plan Modification Report
LCC – 29	Modification Report	The Concept Plan Modification report does not provide any consideration for geotechnical aspects associated with the proposed modification. The modification report should be updated in consideration of the recommendations listed below.	Detailed geotechnical information is most appropriately provided as part of individual project assessments, rather than at the concept plan level. In this context, it is noted that a Geotechnical Interpretive Report (Golder Associates, 2016) was included in Appendix Q of the MPE Stage 2 EIS.	Appendix Q of the MPE Stage 2 EIS
LCC - 30	Recommendations	The Concept Plan Modification report should be revised to include a section for geotechnical considerations associated with the modification. Specifically, the report should include a discussion of:	Detailed geotechnical information is most appropriately provided as part of individual project assessments, rather than at the concept plan level. In this context, it is noted that a Geotechnical Interpretive Report (Golder	Appendix Q of the MPE Stage 2 EIS

ID	Aspect	Comment	Response	Reference
		• Foundation conditions, particularly between the granular (i.e. sand), cohesive (i.e. clay) and anthropogenic (i.e. fill) materials. • Differential settlements of foundation conditions under load from imported fill • The magnitude of material excavation required to provide suitable foundation condition for imported fill including how contamination and groundwater interaction be managed • Erosion risk associated with imported fill • Confirmation on the suitability of the geotechnical design parameters based upon the revised earthworks model • Discussion of the design • The Earthworks Specification considerate of the proposal to import 600,000m^3. • The potential for significantly different performance of the existing subgrade should be addressed. This should take into consideration the response to groundwater, ground improvement of geotechnically unsuitable material, removal of contaminants (if removed), or otherwise the containment (capping) of contaminants with a suitable non-permeable material (e.g. clay or liner). • Contamination issues may provide the overarching constraint to the geotechnical earthworks solution. The proposed imported sandstone alone would not comprise a suitable containment (capping) material.	Associates, 2016) was included in Appendix Q of the MPE Stage 2 EIS. The Geotechnical Interpretive Report includes: • A description of regional geology, rock formations, structural features, hydrogeology and erodibility of soils • Site geotechnical model • Geotechnical design parameters • Discussion of proposed excavations (including excavation conditions, groundwater interaction, surface water management and excavation support requirements) • Discussion of proposed earthworks (including fill sources and compaction) • Discussion of structural footings • A settlement assessment Consistent with the recommendation in Chapter 11 of the Geotechnical Interpretive Report, an earthworks specification would be developed during detailed design, which defines appropriate project specific criteria for the use of existing fill material, imported fill, existing topsoil and other geotechnical materials to be used during construction. As noted in Section 5.5 of the Modification Report, construction of the Modification Proposal is not expected to introduce any new contamination issues / risks that were not previously considered by the	Section 5.5 of the MPE Concept Plan Modification Report

ID	Aspect	Comment	Response	Reference
		The compacted sandstone will have a high permeability that will allow high surface water / groundwater interaction, and potential to mobilise 'contained' contaminants • With the substantially different earthworks model indicating importation of 600,000m^3 of fill occurring over a period of six to nine months; far greater consideration of constructability is required.	Concept Plan Approval EA and the Preliminary ESA. Previous investigations have considered potential contamination risk at the at the MPE site with no evidence of widespread residual contamination having been reported. Further, there are no identified operation phase contamination issues / risks specific to the Modification Proposal and it is noted that the MPE site has been assessed as suitable for the desired commercial / industrial land use with no specific areas requiring direct remediation prior to operation.	
Contamination				
LCC - 31	Previous Investigation	The list of previous contamination investigations relevant to the proposed modification appears incomplete. Extensive environmental investigations relating to contamination have been historically undertaken at the site and should be included in the Concept Plan Modification.	Previous contamination investigations were cited in Section 5 (Contamination) of the Modification Report either because they were prepared as part of the Concept Plan Approval or because they are otherwise relevant to the Modification Proposal. It was not considered necessary for the Modification Report to provide an exhaustive list of all previous investigations which have occurred in relation to the MPE site. Further detail on the existing environment and historic assessments is included in Appendix Q of the MPE Stage 2 EIS.	Section 5.5 of the MPE Concept Plan Modification Report

ID	Aspect	Comment	Response	Reference
LCC - 32	Modification of Moorebank Avenue	The Concept Plan Modification appears to sufficiently identify the contamination risks associated with the construction activities along Moorebank Avenue but fails to specifically state the known site conditions that should be considered to determine the contamination risk profile. For example, the nature of groundwater contamination beneath the former refuelling facility is not specified and consequently the potential impact and most suitable management approach cannot be determined. The risk and management approach for significant impact such as the presence of NAPL hydrocarbons would differ substantially to low level detections of contaminants, as such further detail is required.	It was considered appropriate that the Modification Report identify contamination risks associated with the proposed works on Moorebank Avenue, with further detail in relation to management to be provided as part of detailed applications. Section 5.5 of the Modification Report acknowledges that southern portion of the Moorebank Avenue site is directly adjacent and downgradient of the former refuelling facility (part of the Stage 1 MPE Project) and that groundwater underneath this portion of the site is reportedly impacted by hydrocarbons that have migrated from the former refuelling facility. The Contamination Summary Report (JBS&G, 2016) included in Appendix Q of the MPE Stage 2 EIS notes that contamination reported near the former refuelling facility can be managed during construction works through mitigation measures included in the CEMP's Contamination Management Plan. It further notes that environmental data required to assist with the on-site reuse or off-site disposal of soils can be incorporated into the Contamination Management Plan and no additional investigations are required prior to the commencement of construction work at the site.	Section 5.5 of the MPE Concept Plan Modification Report Appendix Q of the MPE Stage 2 EIS

ID	Aspect	Comment	Response	Reference
LCC - 33		Similarly, to the lack of information regarding groundwater contamination, the Concept Plan Modification fails to provide sufficient information regarding the contamination status and risk associated with possible EOD and UXO located in the northern portion of Moorebank Avenue. The Concept Plan Modification makes reference to a Preliminary Site Investigation completed in 2000 (Egis, 2000) that identifies the possible presence of OED and UXO, however specific information regarding the findings of the investigation are not provided. The most suitable risk and management approach are therefore unable to be determined without additional information	Section 5.5 of the Modification Report notes that northern portion of the Moorebank Avenue site was reportedly used for Explosive Ordnance Demolition (EOD) and dog training area. It was considered that there was a low possibility of this portion of the Moorebank Avenue site being impacted by explosives, unexploded ordinance (UXO) and metals. The above detail is considered sufficient for the concept plan stage. It is noted that Section 13 (Geology, Soils and Contamination) of the MPE Stage 2 EIS commits to the preparation of a site-wide UXO, explosive ordinance (EO), and exploded ordinance waste (EOW) Management Plan (or equivalent). This plan would be included within the CEMP for MPE Stage 2 and address the unexpected discovery of UXO, EO or EOW during construction.	Section 5.5 of the MPE Concept Plan Modification Report Section 13 of the MPE Stage 2 EIS
LCC - 34	Importation of Fill	Importation of soil from offsite sources is considered a high-risk activity due to possible introduction of contamination including asbestos and acid sulfate soils. The expected volume of material requiring importation to site is 600,000m^3, which is a substantial quantity of soil. The Concept Plan Modification does not adequately address potential contamination risks and management measures associated with importation of soil. The modification should be amended considerate of the recommendations provided below.	The clean general fill proposed to be imported to the MPE site would meet the definition of Virgin Excavated Natural Material (VENM) under the POEO Act or the NSW EPA's resource recovery orders and exemptions, including but not limited to definition of Excavated Natural Material (ENM). Imported material would meet all chemical and other material requirements as specified in the relevant resource recovery order.	N/A

ID	Aspect	Comment	Response	Reference
LCC - 35	Recommendations	The Concept Plan Modification does not adequately discuss the potential contamination risk associated with groundwater contamination that has migrated to Moorebank Avenue from the former refuelling facility. The modification should be revised to include a discussion of the contaminant concentrations, extent of contamination (vertical and lateral), the impact to construction and operation and the most suitable management measures to ensure environmental and human health risk. The Concept Plan Modification does not adequately discuss the potential contamination and safety risks associated with possible EOD and UXO located in the northern portion of Moorebank Avenue. The modification should be revised to include a discussion of the previous assessment and specifically state the remedial actions required to manage environmental and human health risk.	Refer to issue LCC-33 for a response to this comment	N/A
LCC - 36	Recommendations	The list of previous contamination investigations relevant to the proposed modification appears incomplete and should be updated to include the complete list.	Refer to issue LCC-31 for a response to this comment	LCC - 31
LCC - 37	Recommendations	The Concept Plan Modification should specifically reference the desired fill type as per the definitions provided by the NSW EPA, e.g. VENM or ENM. The Concept Plan Modification should include a description of the process/procedure that will be implemented to ensure that imported soils are suitable for use at the site.	Refer to issue LCC-34 for a response to this comment	LCC -34

ID	Aspect	Comment	Response	Reference
Visual Amenity				
LCC - 38	Visual Impact	The Proposal focuses on three viewpoints all located along Moorebank Avenue. While this is appropriate for assessing the visual impacts of the proposed widening of Moorebank Avenue, it does not highlight other significant changes effectively. With the Freight Village relocating to front Moorebank Avenue and the footprint of the Warehousing Facility also now also proposed to front Moorebank Avenue, this will likely increase the visual impact of the Proposal from more viewpoints than those situated along Moorebank Avenue.	The three viewpoints considered in Section 5.9 (Visual amenity and urban design) of the Modification Report were drawn from a broader range of viewpoints assessed for the MPE Stage 2 Proposal. Section 15 (Visual amenity, urban design and landscape) of the MPE Stage 2 EIS considers additional viewpoints including several to the west, east and north of the MPE site. The visual impact from the MPE site was found to be low/moderate at all viewpoints with the exception of viewpoints west of the site adjacent to Casula Powerhouse where the impact was assessed as negligible. Measures to manage visual impacts during construction and operation have been included in Section 22 of the MPE Stage 2 EIS.	Section 5.9 of the MPE Concept Plan Modification Report Section 15 of the MPE Stage 2 EIS
LCC - 39		The Proposal's visual impact at the assessed locations have been upgraded from Low to Low/Moderate. The justification for this is that the proposed site is already utilised by industrial elements and as a result the Proposal would not greatly detract from the existing visual amenity. While this is true, the current industrial density of the MPE site is low-medium, including large established trees, open space and scattered buildings. The Proposal represents a shift towards higher density industrial development, which will likely increase the visual impact above Low/Moderate.	The component of the Modification Proposal with the greatest potential for visual impacts are the bulk earthworks which would result in some site features being slightly more prominent in the surrounding landscape. The Modification Proposal does not propose an increase the density of industrial development when compared to the Concept Plan Approval. In this context, it is noted the maximum gross floor area (GFA) for the warehousing and freight village uses are set by	N/A

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			condition 1.11 of the MPE Concept Plan Approval and no change to the approved GFAs has been proposed.	
LCC - 40		To maintain consistency with the remainder of the Proposal the construction impacts have been categorised as temporary. While this is true, the construction of the overall project is anticipated to take place over 24-36 months. Although the construction impacts will be removed, the construction duration is of significant length and the visual impacts should be given appropriate weight	Visual impact during construction would only be partly attributable to the components of the Modification Proposal, as most of the construction works at the site were contemplated by the MPE Concept Approval. As noted in Section 5.9 (Visual amenity and urban design) of the Modification Report, construction activities would be visible from areas such as Moorebank Avenue, but less prominent from the residential areas of Casula and Wattle Grove. In this context, it is considered that construction related visual impacts have been given appropriate weight.	Section 5.9 of the MPE Concept Plan Modification Report
LCC - 41		Figures 5-1, 5-2, 5-3 has been used to demonstrate the viewpoints along Moorebank Avenue. All three figures include artist impressions of heavily established landscaping that shields the MPE site. These viewpoints can be misleading as they likely represent the expected indicative viewpoint 20-30 years in the future and do not represent the indicative viewpoint during construction or during the short to mid-term operation. The viewpoints provided represent a best-case scenario rather than a more realistic outcome	Vegetation modelling which shows trees at maturity is common practice, and the inclusion of photomontages showing short and medium-term representation of vegetation is considered unreasonable. It is acknowledged that the maturation of vegetation takes time. In consideration of this, where possible, plantings have used fast-growing species. This would provide landscaping representative of that which is shown in the visual impact assessment.	N/A

ID	Aspect	Comment	Response	Reference
LCC - 42		Exact locations of the viewpoints have not been provided making it difficult to accurately assess the locations indicative viewpoints. A figure displaying each indicative location would assist in creating a better understanding of the expected visual impacts of the proposal.	Section 5.9 of the Modification Report explains that the assessment of visual impacts for the Modification Proposal draws on investigations undertaken for the MPE Stage 2 EIS. In this regard, the viewpoints referenced in the Modification report correspond to those identified in Section 15 (Figure 15-1) of the MPE Stage 2 EIS as follows: • South of site, Moorebank Avenue (view north) – view 19 • West of site, Moorebank Avenue – view 20 • Corner of Moorebank Avenue and Road marked as DS NNSW LMA – view 23.	Section 5.9 of the MPE Concept Plan Modification Report Section 15 of the MPE Stage 2 EIS
LCC - 43		A light spill analysis has been briefly mentioned as being conducted. The mention includes the statement that the Proposal "*could increase the prominence of lighting along the Moorebank Avenue upgrade*". The Modification Proposal does not detail how or how much the light spill will change as a result of the proposed modification.	The lighting along the proposed perimeter road and along Moorebank Avenue would consist of traditional road lighting fixtures with side throw to maximise the light distribution along the site and minimise backwards light spill. As noted in Section 5.9 (Visual amenity and urban design) of the Modification Report, the detailed light spill assessment for conducted for the MPE Stage 2 EIS found that the combination of the lighting design, luminaire selection, positioning and aiming would produce lighting results that comply with the requirements of AS4282-1997 *Control of Obtrusive Effect of Outdoor Lighting*.	Section 5.9 of the MPE Concept Plan Modification Report

ID	Aspect	Comment	Response	Reference
LCC - 44	Recommendations	The recommendations below are proposed to address identified impacts and allow a comprehensive assessment of the proposal: • A more extensive visual impact assessment should be undertaken to capture a greater number of sensitive viewpoints.	The viewpoints selected for consideration are considered appropriate to address the main visual impacts associated with the Modification Proposal. Discussion of other viewpoints is provided above.	Section 5.9 of the MPE Concept Plan Modification Report
LCC - 45	Recommendations	• The Modification Proposal should detail indicative viewpoints for the original Concept Approval compared with the indicative viewpoints of the Modification Proposal to directly demonstrate how the Proposal changes the visual impact of the area.	It is noted that Table 5-27 in Section 5.9 (Visual and urban design) of the Modification Report compares, with reference to similar viewpoints, the visual impact of the Modification Proposal compared to the assessment for the MPE Concept Plan Approval. The results suggest a minor increase in impact for all viewpoints from low to low/moderate.	Section 5.9 of the Modification Report
LCC - 46	Recommendations	• Cumulative impacts should be assessed with the added visual impact of adjacent developments (MPW) captured to reflect the change in the visual amenity of the total area. Indicative viewpoints should account for short-term tree heights and not assume what is expected over the long term (20-30 years).	In relation to cumulative impacts associated with the MPW Stage 2 Proposal and relocated DNSDC it is noted that these developments may create a 'visual shield' to the bulk of the MPE Project, potentially negating (or reducing) any direct visual impact arising from the MPE Project.	N/A
LCC - 47	Recommendations	• Provide details of the conducted light spill analysis to show the impacts that the proposed modification will have compared with the Concept Approval.	Refer to issue LCC-43 for a response to this comment	LCC - 43

ID	Aspect	Comment	Response	Reference
Biodiversity				
LCC – 48	Fauna	The Assessment does not discuss if there would be an increased risk to mobile fauna and potential edge effects resulting from the extended works area. This has not been assessed and subsequently is not reflected in additional/modified mitigation measures.	MPE Concept Plan EAThe modified footprint of the Modification Proposal would only result in minor additional native vegetation clearance above that identified within the Concept Approval. As such, there would be minimal increased risk to mobile fauna and edge effects from the Modification Proposal. Assessment of Biodiversity impacts from the Modification Proposal is included in Section 5.3 and Appendix D of the Modification Report. Further assessment of Biodiversity impacts including the Modification Proposal and provision of mitigation measures is included in Section 11 and Appendix O of the MPE Stage 2 EIS.	Section 5.3 and Appendix D of the Modification Report Section 11 and Appendix O of the MPE stage 2 EIS
LCC - 49	Flora	The statement that "*the additional drainage works to the south and east of the MPE site may result in minor impacts to the edges of larger patches of PCTs. Should these areas be impacted under subsequent development applications, they would be assessed in further detail.*" (Arcadis, 2016c) shows that this assessment has not fully considered the complete possible impacts of this development. Nor has it included any measures to try and reduce or avoid possible impacts which are not covered in this assessment. The modification should not be determined until the complete impacts of the development are assessed. It is recommended that the assessment of the concept plan assumes the worst case scenario for all associated impacts, rather than adopting a piecemeal	Consistent with the statement cited by LCC, the potential biodiversity impacts associated with drainage works to the south and east of the MPE site have been considered as part of the MPE Stage 2 EIS, which was publicly exhibited concurrently with the Modification Report. The Amended MPE Stage 2 Proposal includes modifications to the stormwater and drainage design, resulting in the removal of the southern drainage channel and outlet to Anzac Creek. Assessment of the biodiversity impacts from alterations to the drainage design are included in the MPE Stage 2 RtS.	Section 11 of the MPE Stage 2 EIS

ID	Aspect	Comment	Response	Reference
		assessment of impacts in separate development applications.		
LCC – 50	Suitable Amendment to the FBA	The appendix talks to the suitable amendment to the FBA, however this amended document has not been provided and cannot therefore be reviewed to provide comment.	The elements of the Modification Proposal are included in the scope of the MPE Stage 2 Proposal. The MPE Stage 2 EIS included a Biodiversity Assessment Report prepared in accordance with the Framework for Biodiversity Assessment (FBA).	Appendix O of the MPE Stage 2 EIS
LCC – 51	Recommendations	The recommendations below are proposed to address identified impacts and allow a comprehensive assessment of the proposal: • Mitigation measures should be developed to address the increased risk to mobile fauna such as the use of animal exclusion fencing, driver education during inductions and the use of signage.	Refer to issue LCC-48 for a response to this comment	LCC - 48
LCC – 52	Recommendations	• The assessment should be reviewed and modified to cover the complete extent of the impacts of the development and not rely on later stages to assess the impacts.	Refer to issue LCC-49 for a response to this comment	LCC - 49
LCC - 53	Recommendations	• A revised FBA should be provided to allow review to determine if the changes made are suitable.	Refer to issue LCC-50 for a response to this comment	LCC - 50

ID	Aspect	Comment	Response	Reference
Heritage				
LCC – 54	Indigenous Heritage	The MPE project modification area is defined by Arcadis (2016a) as including the Stage 1 IMT facility and rail link. Yet Section 5.8.2 of the EA states that "*there were no areas of PAD identified within the site and overall the site is considered to have low to nil potential to contain intact Aboriginal archaeological deposits"* (Arcadis, 2016a). This is not consisted with the original EIS for the SIMTA concept Approval which clearly identified 2 PADs occurring within the rail corridor area. This assessment should be revised to include an adequate assessment of the items or sites of archaeological significance in the correct context of the site	As noted in Section 2.1 and the Glossary of the Modification Report, the MPE site and the area of the Modification Proposal does not include the rail link. The Modification Report is correct in noting that there were no areas of PAD identified within the site and overall the site is considered to have low to nil potential to contain intact Aboriginal archaeological deposits.	Section 2 of the MPE Concept Plan Modification Report
LCC - 55		The Isolated Artefacts known to be impacted appear to be inconsistent between the MPE Mod EA, the SIMTA concept plan EIS and the MPE Stage 2 EIS currently on exhibition. This needs to be revised and reviewed to ensure the mitigation measures provided are adequate for the artefacts to be impacted.	It should be clarified that at the time of writing the MPE Concept Approval Aboriginal Heritage Impact Assessment (Archaeological and Heritage Management Solutions (AHMS), 2012), Isolated Artefact 4 was located outside of the MPE Concept Approval site. As part of the Modification Proposal, an extension of land to which the MPE Concept Approval applies (for the intermodal site) was included to account for the drainage works to the south of the MPE site. Isolated Artefact 4 is located within this portion of land, and is inside the Modification Proposal site and the MPE Stage 2 site. Impacts to this artefact were assessed within the MPE Stage 2 EIS. Section 16 of the MPE Stage 2 EIS acknowledged that '*construction of the Proposal has the potential to result in impacts to three isolated artefacts located within the*	Section 16 and Appendix S of the MPE Stage 2 EIS

ID	Aspect	Comment	Response	Reference
			construction footprint, being Isolated Artefact 1, Isolated Artefact 3 and Isolated Artefact 4', and '*Isolated Artefacts 3 and 4 (previously recorded by AHMS as part of the Aboriginal heritage impact assessment prepared to support the Concept Plan EA) would be located within the construction footprint of the Proposal (refer to Figure 16-2 for location relative to the Proposal site)*'. To mitigate the potential for impacts to Isolated Artefact 4, the following mitigation measure was included within Section 16.5.1 of the MPE Stage 2 EIS and Section 7.2 of the Aboriginal Heritage Impact Assessment at Appendix S of the MPE Stage 2 EIS: *'An exclusion zone would be provided around previously identified MPE Isolated Artefacts 2, 3 and 4 to avoid potential disturbance of these artefacts during construction of the Proposal*'. As shown in Figure 16-2 of the MPE Stage 2 EIS, Isolated Artefact 2 is located outside of the MPE Stage 2 Proposal area. Isolated Artefact 2 would continue to be located outside of the amended construction and operational area.	

ID	Aspect	Comment	Response	Reference
LCC – 56		A lack of justification has been provided as to why none of the artefacts within the revised boundary have been registered within the Aboriginal Heritage Information Management System (AHIMS). AHIMS is an important tool of site registration which ensured the registration and documentation of Aboriginal sites and object. Neither the EA nor the memorandum include discussion as to why the use of this best practice system has not been utilised suggesting that a key mitigation measure for the project would be the registration of these sites.	As identified in Appendix S of the MPE Stage 2 EIS there were three Aboriginal sites recorded in the MPE Stage 2 Proposal study area during the MPE Concept Plan Assessment and one adjacent to it. All four sites were classed as 'isolated artefacts', were assessed as having low archaeological significance and were not recorded in AHIMS.	Appendix S of the MPE Stage 2 EIS.
LCC - 57	Recommendations	The recommendations below are proposed to address identified impacts and allow a comprehensive assessment of the proposal: • The Assessment should be revised to include an assessment of the proposed impacts against the FBA or if not required justify why this has not been undertaken.	The FBA is not relevant to Aboriginal heritage.	N/A
LCC – 58	Recommendations	• Clarity should be sought regarding the isolated artefacts to be protected by the exclusion fence and their location within or outside the project boundary to ensure consistency between documentation.	Refer to issue LCC-55 for a response to this comment	LCC - 55
LCC - 59	Recommendations	• Justification should be provided as to why the isolated artefacts site have not been registered within the Aboriginal Heritage Information Management System.	Refer to issue LCC-56 for a response to this comment	LCC - 56

4.8 Campbelltown City Council

Aspect	Comment	Response	Reference
Documentation			
	The submitted document contains some formatting errors, making the location of referenced attachments difficult (Error! Reference source not found).	A review has identified cross referencing error at six locations in the document. The cross references should have been as follows: • Page 2 – reference should be to Figure 1-1 • Page 16 – reference should be to Figure 3-1 • Page 17 – both references should be to Figure 3-1 • Page 19 – both references should be to Figure 3-1.	Modification Report Sections 1 and 2
Traffic and Transport			
Traffic modelling	The impacts of amended queue lengths at intersections resulting from the modification to internal site layout and land use types should consider the interaction of queues on adjoining intersections. As a minimum, SIDRA modelling with this extended capacity should be used.	The approach to assessment relied on traffic surveys, modelling and analysis undertaken for the detailed assessment of the MPE Stage 2 Proposal, which includes the extent of works the subject of the Modification Proposal. SIDRA Intersection software (Version 7.0.5.6563) was used to undertake the assessment of construction traffic impacts for the Modification Proposal. SIDRA modelling as part of this assessment considered the impact of upstream and downstream queueing on adjacent intersections. The assessment of the operational traffic impacts of the Modification Proposal was undertaken using AIMSUN mesoscopic modelling software, which takes into account the impact of queueing.	Section 7 of the MPE Stage 2 EIS.

Aspect	Comment	Response	Reference
Source of fill	Council requests that the proponent identify the source(s) of the 600,000 cubic metres of fill if that is currently known, in order to assist assessment of any impacts this transportation task might have on roads within the Campbelltown local government area.	While the specific sources of fill have not yet been confirmed, clean general fill would likely be sourced from other Sydney infrastructure projects under construction. There is the potential to reduce traffic impacts associated with the importation of clean general fill by having it brought directly to the MPE site. The alternative scenario would see the fill continuing further west to be stockpiled at another clean fill site, with a possible second trip required to bring the material back to the MPE site from that clean general fill site. The Construction Traffic Impact Assessment included in Appendix B of the Modification Report identified that construction traffic associated with the Modification Proposal, including fill haulage trucks, would not have an adverse impact on the performance of key intersections near the MPE site. As the most likely source clean general fill is to come from is infrastructure projects in Sydney that occur to the east and north of the precinct, it is highly unlikely that fill would be imported to site via the Campbelltown City Council LGA.	Modification Report Appendix B
Introduction of light industry	Modification also proposes the introduction of light industrial uses. The impact on traffic of this change has been assessed by the proponent and Council acknowledges the impact of that new component on surrounding roads and industrial land viability is negligible in context of the intermodal terminal precinct as a whole.	Noted.	N/A

Aspect	Comment	Response	Reference
Use of Cambridge Avenue	The comments below, extracted from the submitted assessment are somewhat vague and should be supported with a numeric assessment. Of particular concern to Campbelltown Council is the increase in traffic on Cambridge Avenue associated with any part of this development. As previously identified, the causeway structure within Cambridge Avenue is quite narrow and has little capacity for additional heavy vehicle passing heavy vehicle movements. As more heavy vehicles use this route, the potential for accidents to occur increases significantly. Council would expect that no heavy vehicle traffic associated with the construction phase (as with the operational phase) are using Cambridge Avenue to access the site. This is consistent with recent discussions held with the proponent in relation to Stage 1 works at the site. *MPE Concept Plan Approval construction traffic impacts* *The traffic impact assessment for the MPE Concept Plan Approval did not directly address construction traffic impacts on the basis that construction traffic impacts would be temporary and a short-term consequence of works needed for upgrades to the local road network as well as the development of the MPE Project.* *Modification Proposal construction traffic impacts* *The results of the Construction Traffic Impact Assessment indicate that the construction traffic associated with the Modification Proposal would not have an adverse impact on the performance of key intersections near the MPE site and would operate at an acceptable LoS during the AM and PM peak periods.* *Temporary construction traffic impacts would be managed with the implementation of a Construction Traffic Management Plan, which*	The approach to assessment relied on traffic surveys, modelling and analysis undertaken for the detailed assessment of the MPE Stage 2 Proposal, which includes the extent of works the subject of the Modification Proposal. Full details of the construction and operational traffic assessments undertaken for the MPE Stage 2 Proposal are included in Appendix K of the MPE Stage 2 EIS. All heavy vehicles are expected to access and egress the MPE Stage 2 site and travel north along Moorebank Avenue to the M5 Motorway and surrounding road network. It is anticipated that heavy vehicles would use the gazetted heavy vehicle routes to access the MPE Stage 2 site. No heavy vehicles would use Anzac Road. There is expected to be a small number of truck movements via Cambridge Avenue for disposal of unsuitable material to the Glenfield Waste Facility, if required, during construction only. Vehicle movements during construction would be managed through a Construction Traffic Management Plan (CTMP) developed for the MPE Stage 2 Proposal. The CTMP would be developed in consultation with Campbelltown City Council and would include measures to restrict the use of Cambridge Avenue through Glenfield to access or egress the site (other than for access to the Glenfield Waste Facility). Intersection performance along Cambridge Avenue during construction was not modelled as the number of construction vehicles utilising this route would be small (heavy vehicles accessing Glenfield Waste Facility and some construction staff travelling to / from the site) and unlikely to have an adverse impact on level of service.	MPE Stage 2 EIS Appendix K

Aspect	Comment	Response	Reference
	would document management controls to be implemented during construction to avoid or minimise impacts to traffic, pedestrian and cyclist access, and the amenity of the surrounding environment. *The Construction Traffic Management Plan would be implemented so that through traffic would not be unduly delayed and that safe and efficient passage is provided throughout the construction period.*		
Types of heavy vehicles	The mix of vehicles cited in the study includes B-doubles, semi-trailers and rigid trucks. There is no mention of A-doubles, which are increasingly being used, particularly where containerised transport is being moved. Council recommends that these vehicles be considered as part of the development's traffic assessment.	The approach to assessment relied on traffic surveys, modelling and analysis undertaken for the detailed assessment of the MPE Stage 2 Proposal, which includes the extent of works the subject of the Modification Proposal. GML Type 1 A-double road trains are not currently permitted to travel on roads near the Modification Proposal, including the Hume Highway and M5 Motorway. As such, A-doubles were not included in the traffic assessment (See Appendix K of the MPE Stage 2 EIS). However, it is acknowledged that the use of A-doubles for vehicle transport is increasing across the State and National road networks. So as to not preclude A-double access and egress into in the future, A-double trucks have been considered in the swept path analysis undertaken (in the MPE Stage 2 EIS) for access to the freight terminals only (i.e. IMEX terminal and IMT terminal), with only B-doubles being considered for access to the MPE Project site (i.e. warehousing) (refer to Appendix F of the MPE Stage 2 RtS). Should the use of A-doubles be considered in the future, further operational traffic impact assessment of the use of these vehicles as part of the operation of the Amended Proposal will be considered, where necessary.	Appendix K of the MPE Stage 2 EIS Appendix F of the MPE Stage 2 RtS

Aspect	Comment	Response	Reference
Future assessment requirements	The original concept approval document identifies Under Conditions of Approval that “Future Assessment Requirements” require any future applications to assess road network impacts including those on Cambridge Avenue. Specific requirements are set out in the approval. Specific locations which are identified for consideration under future applications only indicate Cambridge Avenue within the Campbelltown local government area. However, this does not acknowledge the fact that if vehicles have used Cambridge Avenue, they must use other roads within the local government area to reach the highway system (generally Glenfield Road). This should be addressed in future assessments.	Vehicle movements during construction would be managed through a Construction Traffic Management Plan (CTMP) developed for the MPE Stage 2 Proposal. The CTMP would include measures to restrict the heavy vehicle use of Cambridge Avenue through Glenfield to access or egress the site (other than for access to the Glenfield Waste Facility). Intersection performance along Cambridge Avenue during construction was not modelled as the number of construction vehicles utilising this route would be small (heavy vehicles accessing Glenfield Waste Facility and some construction staff travelling to / from the site) and unlikely to have an adverse impact on level of service. During operation, the MPE Stage 2 Proposal (which includes the Modification Proposal) would result in minor increases in peak hour traffic volumes (from employee light vehicle traffic) on Cambridge Avenue with an estimated increase of less than 1% in 2019 and 2029. Heavy vehicles from the MPE site will head north as they will be restricted from using Cambridge Avenue. Cambridge Avenue intersections with Glenfield Road and Canterbury Road have been included within the traffic assessment for operational impacts. Due to the relatively low traffic volumes, both roundabouts at Cambridge Avenue / Glenfield Road and Cambridge Avenue / Canterbury Road are forecast to operate at LoS between A and B with the MPE Stage 2 Proposal in 2019 and 2029. This is an acceptable level of service.	N/A

Aspect	Comment	Response	Reference
Unsuitable material disposal	The assessment does acknowledge that: *There may be a small number of truck movements via Cambridge Avenue for disposal of unsuitable material at the Glenfield Waste Facility, if required*. Council would like the 'unsuitable material' to be clarified further, having regard to the fact that the Glenfield facility is not (to the Council's understanding) permitted to accept contaminated or hazardous waste.	Unsuitable materials are not necessarily contaminated or hazardous and could include a range of wastes such as demolition waste, green waste or fill that is unsuitable for re-use on site. Where reasonable and feasible, waste materials would be re-used on site. Measures to mitigate the effect of the construction waste streams would be incorporated into the MPE Stage 2 Proposal's CEMP Campbelltown City Council have correctly identified that the proposed 'Glenfield Waste Services Materials Recycling Facility' (SSD Application 13_6249) would not allow for disposal of hazardous materials such as asbestos or chemical waste. However, this restriction is only applicable to the southern portion of the Glenfield Waste Facility (south of main south rail line). The northern portion of the Glenfield Waste facility would continue to operate in accordance with the EPL issued for the site. The licence allows asbestos waste disposal (application to land) with no restrictions on volumes. All waste disposal at the Glenfield Waste Facility would be undertaken in accordance with relevant licence conditions for that facility.	Modification Report Section 5
Construction traffic	The statement overleaf infers that none of the construction traffic will be coming from Campbelltown via Cambridge Avenue. Given the proximity of the Campbelltown local government area, this appears highly unlikely. Council is concerned that the statement removes the need to consider construction traffic impacts on the Cambridge Avenue causeway (and beyond). *The majority of staff cars, approximately 90 per cent, would access and egress the site from the north via Moorebank Avenue. About 10 per cent are expected to use Anzac Road.*	Traffic distribution numbers for both construction related cars and trucks are rounded to the nearest whole number i.e light vehicle movements along Cambridge Avenue comprise less than 0.5%; therefore shown as 0%. Given the relatively small number of light vehicles anticipated to travel to / from site via Cambridge Avenue (less than 0.5%), the impact on roads within the Campbelltown City Council LGA would be considered negligible. Intersection performance along Cambridge Avenue during construction was not modelled as the number of construction	Modification Report Section 5

Aspect	Comment	Response	Reference
		vehicles utilising this route would be small (heavy vehicles accessing Glenfield Waste Facility and some construction staff travelling to / from the site) and unlikely to have an adverse impact on level of service. Vehicle movements during construction would be managed through a Construction Traffic Management Plan (CTMP) developed for the MPE Stage 2 Proposal. The CTMP would include measures to restrict the heavy vehicle use of Cambridge Avenue through Glenfield to access or egress the site (other than for access to the Glenfield Waste Facility).	
	Council does not raise issue with other components of the modification, including the changes to work hours and introduction of a small component of light industry units, changes to staging or subdivision of land.	Noted.	N/A
Site layout	Reiteration of comments made by the Council in response to the recent MPW Stage 2 application regarding changing of the site layout: *Internal/external truck access movements and impacts on Moorebank Avenue* *The largest impact on the shifting of the rail siding is its reduction in truck access points along Moorebank Avenue. The Stage 2 proposal has one intersection with Moorebank Avenue while the concept approval had 3 for the same length of frontage. The implications of this are that where the concept approval allowed multiple trucks to enter Moorebank Avenue on synchronised signal phases, the current proposal only allows trucks to enter at a single point. This is likely to have significant impact on the performance of all traffic facilities on Moorebank Avenue as in order to facilitate efficient egress of trucks into Moorebank Avenue from the terminal, Moorebank Avenue and*	The comment provided in the submission relates to access arrangements for the MPW site and is not directly relevant to the Modification Proposal or MPE Stage 2 Proposal. The MPW Stage 2 site access provides sufficient capacity for the operational vehicle movements associated with that proposal, and as such, the other two access points are not required. Access to and from the Modification Proposal / MPE Stage 2 site would be from Moorebank Avenue via the existing northern DSNDC site access. Site access at this location would allow for vehicular access to warehouse and distribution facilities to enable the direct delivery and dispatch of goods to the warehouses, and would provide sufficient capacity to accommodate Proposal operational traffic.	MPE Stage 2 EIS Appendix K

Aspect	Comment	Response	Reference
	Anzac Road priority will significantly change. Should the 3 points remain as originally approved, the entry of trucks can be staggered along Moorebank Avenue, rather than being focussed on what is already a relatively busy intersection.	The Operational Traffic and Transport Assessment (Appendix K of the MPE Stage 2 EIS) provides an assessment of intersection performance including the Modification Proposal site access. This intersection is predicted to operate at an acceptable level of service during both the AM and PM peak demonstrating that additional entry points would not be required. Further detail on site access is provided in Section 7 and Appendix K of the EIS.	
Consultation			
Consultation	Statement of Commitment No. 66 identifies the authorities and bodies with whom the proponent will consult during the design development process for the detailed applications. Currently, Campbelltown City Council is not included in that list. Having regard to the matters raised in this submission, Council requests the Department's consideration of Campbelltown being included.	The inclusion of reference to Campbelltown City Council in commitment No. 66 (in the Statement of Commitments) is supported.	Modification Report Appendix A

5 RESPONSE TO COMMUNITY AND SPECIAL INTEREST GROUP SUBMISSIONS

5.1 Community submissions

This section provides a summary of the submissions raised by the community. Submissions received from the community have been grouped and responded to by environmental aspect, within Table 5-1. A summary of the key issues raised is provided in Section 3 of this RtS. Table 5-1 should be read in conjunction with the source table provided in Appendix A.

Table 5-1 Response to community submissions

Aspect	Issue	Summary	Comments	Reference
Traffic	Congestion/Capacity	Concerned that Moorebank and Moorebank Avenue in particular is inadequate for large container trucks and is already congested	The MPE Concept Modification 2 Proposal has proposed to upgrade Moorebank Avenue. The key components of this aspect of the Modification Proposal include: • Modifications to the existing lane configuration, including some widening of the roadway to four lanes, two lanes in each direction • Signalling and intersection works • Increasing the vertical alignment from existing levels, including kerbs, gutters and a sealed shoulder. The design of Moorebank Avenue in the Modification Proposal has been developed to accommodate a future widening of Moorebank Avenue to four lanes over the full extent of the MPE site, if warranted by future increases in background traffic levels. The Modification Proposal would also bring the existing road up to Roads and Maritime Services design standards, which would improve the usability and safety of Moorebank Avenue for project traffic and the wider community.	Section 5.1 and Appendix B of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			A Traffic and Transport Memorandum was prepared by Arcadis (refer to Section 5.1 and Appendix B of the Modification Report) to consider the additional traffic impacts associated with the Modification Proposal. The Construction Traffic Impact Assessment concluded that construction traffic would not have an adverse impact on the performance of key intersections near the MPE site and would operate at an acceptable Level of Service (LoS) during the AM and PM peak periods. The Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval (MP10_0193).	
Traffic	Congestion/Capacity	Concern that the Proposal would add to existing traffic congestion on roads in the vicinity of the project. Specifically, M5, M7, Newbridge Road, Heathcote Road and the Hume Highway, especially heavy vehicles. Concerned also by fill increasing the impact of previously mentioned issues	A Traffic and Transport Memorandum was prepared by Arcadis (refer to Section 5.1 and Appendix B of the Modification Report) to consider the additional traffic impacts associated with the Modification Proposal. This memorandum is based on investigations, modelling and analysis undertaken for the detailed assessment of Stage 2 of the MPE Project, which includes the extent of works the subject of the Modification Proposal and then compares those results to those previously considered in the MPE Concept Plan Approval. The modelling undertaken for this assessment is based on the Roads and Maritime LMARI model, which has been prepared for the Liverpool Local Government Area and includes appropriate traffic growth projections. Numerous meetings, emails and telephone conversations with	Section 5.1 and Appendix B of the Concept Plan Modification Report
Traffic	Congestion/Capacity	No adequate attempt has been made to deal with the 10,000 trucks per day the site will generate		
Traffic	Congestion/Capacity	Outdated and inaccurate traffic projections put forward by the		

Aspect	Issue	Summary	Comments	Reference
		Intermodal are a key problem of all applications.	Roads and Maritime have been undertaken to ensure that the modelling undertaken for the Proposal utilises the appropriate AIMSUN (LMARI) model and assessment approach. It is thereby considered that the modelling for the Project is updated and accurate.The Construction Traffic Impact Assessment undertaken for the Modification Proposal assumed, during peak construction, the following worst-case scenario truck movements: • Heavy vehicles: approximately 1030 two-way trips per day • Light vehicles: approximately 430 two-way trips per day The highest number of heavy vehicles trips are expected to be between 7am and 6pm; with an estimated 44 to 67 two-way heavy vehicle movements expected per hour depending on the time of day. The estimated highest number of light vehicle two-way trips is expected to be 120 light vehicle trips per hour and falls between 6am and 7am. The majority of staff cars, approximately 90 per cent, would access and egress the site from the north via Moorebank Avenue. About 10 per cent are expected to use Anzac Road. All trucks are expected to access and egress the site from the north via Moorebank Avenue. No construction trucks would travel via Anzac Road. It is anticipated that heavy vehicles would use the gazetted heavy vehicle routes to access the MPE site. There may be a small	
Traffic	Congestion/Capacity	The road system can't cope with the extra 2500 trucks per day and 104 per hour on Moorebank Avenue plus current local congestion		

Aspect	Issue	Summary	Comments	Reference
			number of truck movements via Cambridge Avenue for disposal of unsuitable material at the Glenfield Waste Facility, if required. The results of the Construction Traffic Impact Assessment indicate that construction traffic associated with the Modification Proposal would not have an adverse impact on the performance of key intersections near the MPE site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods. It is concluded that the Modification Proposal would therefore not result in additional congestion impacts to key intersections within vicinity of the Modification Proposal site	
Traffic	Congestion/Capacity	Proposal would add to increasing road congestion created by upcoming apartment developments and from general population growth in the area	A Traffic and Transport Memorandum was prepared by Arcadis (refer to Section 5.1 and Appendix B of the Modification Report) to consider the additional traffic impacts, including construction and operation associated with the Modification Proposal to the MPE Concept Plan Approval (MP10_0193). The Construction Traffic Impact Assessment concluded that construction traffic would not have an adverse impact on the performance of key intersections near the MPE site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods. Further, the Modification Proposal would not alter the overall operational traffic associated with the MPE	Section 5.1 and Appendix B of the Concept Plan Modification Report
Traffic	Congestion/Capacity	Concerns that support vehicles and trucks from the Proposal would create congestion on the surrounding road network		
Traffic	Congestion/Capacity	Concerns that the Proposal would result in congestion in nearby suburbs including Moorebank, Chipping Norton, Casula, Liverpool and the Prestons		

Aspect	Issue	Summary	Comments	Reference
Traffic	Congestion/Capacity	Concern that surrounding intersections would not be able to accommodate traffic movements from trucks generated by the Proposal	Project, as considered by the MPE Concept Plan Approval (MP10_0193).	
Traffic	Congestion/Capacity	Extra traffic congestion will cause strain on local recourses including shops and travel times		
Traffic	Congestion/Capacity	The local community cannot handle the increased number of trucks and congestion		
Traffic	Congestion/Capacity	New suburbs have been established nearby and already the traffic is horrendous		
Traffic	Congestion/Capacity	Concerns around traffic impacts from 24 hour operation		
Traffic	Congestion/Capacity	Congestion from the movement of fill to site, which would potentially put children in schools at risk due to increased traffic	A Traffic and Transport Memorandum was prepared by Arcadis (refer to Section 5.1 and Appendix B of the Concept Plan Modification Report) to consider the additional traffic impacts associated with the Modification Proposal to the MPE Concept Plan Approval (MP10_0193). The Construction Traffic Impact Assessment concluded that construction traffic would not have an adverse impact on the performance of key intersections near the MPE	Section 5.1 and Appendix B of the MPE Concept Plan Modification Report
Traffic	Congestion/Capacity	What impact will stormwater and road works have on traffic in the local area		

Aspect	Issue	Summary	Comments	Reference
			site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods. A Construction Traffic Management Plan would be implemented to avoid or minimise impacts to traffic, pedestrian and cyclist access, and the amenity of the surrounding environment. It is noted that trucks hauling fill to the site would use the arterial and motorway network and would access the MPE site directly from Moorebank Avenue. There are no schools or school zones near the site.	
Traffic	Congestion/Capacity	Road reconfiguration will not remove the problems associated with increased traffic	A Traffic and Transport Memorandum was prepared by Arcadis (refer to Section 5.1 and Appendix B of the Modification Report) to consider the additional traffic impacts associated with the Modification Proposal to the MPE Concept Plan Approval (MP10_0193). The Modification Proposal includes the refining of the internal road network work and use of the internal road network by light and heavy vehicles. This has been proposed to maximise operational efficiency and improve safety. A Construction Traffic Impact Assessment was prepared and this concluded that construction traffic would not have an adverse impact on the performance of key intersections near the MPE site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods. An Operational Traffic Impact Assessment was prepared and this concluded that the Modification Proposal would not alter the overall operational traffic associated with the	Section 5.1 and Appendix B of the MPE Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			MPE Project, as considered by the MPE Concept Plan Approval (MP10_0193).	
Traffic	Assessment	450,000 additional truck movements for fill has not been studied nor "considered for mitigation" and will worsen traffic congestion	The truck movements associated with the importation of clean general fill as part of the Modification Proposal were considered within the Traffic and Transport Memorandum, prepared by Arcadis (refer to Section 5.1 and Appendix B of the Modification Report). The Construction Traffic Impact Assessment included within this memorandum assessed daily construction vehicle movements (for both heavy and light vehicles) during the peak construction period (i.e. a worst-case scenario). It is anticipated that approximately 1030 two-way heavy vehicle trips per day would be required during this period, which would include the importation of clean general fill associated with the Modification Proposal. The highest number of heavy vehicles trips are expected to be between 7am and 6pm; with an estimated 44 to 67 two-way heavy vehicle movements expected per hour depending on the time of day. The results of the Construction Traffic Impact Assessment indicated that heavy vehicle construction traffic associated with the Modification Proposal (which includes the importation of clean general fill) would not have an adverse impact on the performance of key intersections near the MPE site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods.	Section 5.1 and Appendix B of the MPE Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
Assessment process	Assessment of the MPE Project	The DP&E should start again with the precinct plan and EIS in light of these new applications	The MPE Concept Approval is a Transitional Part 3A Project and Section 75W (now repealed) of the EP&A Act recognises the need for changes to approvals and provides: *"(2) The proponent may request the Minister to modify the Minister's approval for a project. The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part".* The Modification Report proposes a modified form of the development approved within the MPE Concept Plan Approval, in that it would still facilitate for the development of an intermodal terminal facility with the same IMT throughput limitations, freight village (with adjusted location), rail link connecting the MPE Project to the Southern Sydney Freight Line (SSFL) and staging of construction and operation of the IMT facility and rail link. The Concept Plan Modification Report has been prepared to identify and assess the impacts of the Modification to the MPE Concept Plan Approval.	

Aspect	Issue	Summary	Comments	Reference
Assessment process	Assessment of the MPE Project	It is improper for this modification application to be assessed before the NSW transport planning reports due to be released as per the 2016/17 Budget Estimates Hearing of the NSW Government which state "The NSW Government has committed $3.4 million to progress studies into road infrastructure options to manage traffic impacts from the proposed Moorebank Intermodal Terminal and forecast growth in the broader Liverpool and Moorebank area."	The Modification application commenced in December 2016, and timing is determined by DPE assessment procedures within the EP&A Act and Regulation. Delaying the application process to take account of updated planning documents within assessment documentation is not considered appropriate. An assessment of traffic and transport impacts from the Modification Proposal is provided in Appendix B of the MPE Concept Plan Modification Report. This study assumes a worst-case cumulative scenario inclusive of the Modification Proposal. The findings of the assessment concluded that construction traffic would not have an adverse impact on the performance of key intersections near the MPE site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods, while operational traffic impacts would be consistent with those nominated for the MPE Concept Approval. It would be anticipated that any work carried out by the NSW Government as part of other projects would improve traffic performance.	Section 5.1 and Appendix B of the MPE Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
Traffic	Safety	Any traffic increase in this area will "overwhelm" residents and normal users of the road	A Traffic and Transport Memorandum was prepared by Arcadis (refer to Section 5.1 and Appendix B of the Concept Plan Modification Report) to consider the additional traffic impacts associated with the Modification Proposal to the MPE Concept Approval (MP10_0193). The Construction Traffic Impact Assessment concluded that construction traffic would not have an adverse impact on the performance of key intersections near the MPE site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods. Further, the Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval (MP10_0193).	Section 5.1 and Appendix B of the Concept Plan Modification Report
Traffic	Road Infrastructure	Damage to roads from increases in heavy vehicle numbers	The MPE Project is to be funded by SIMTA and MIC. Included in the MPE Concept Plan Approval is the need for relevant drainage and transport infrastructure that will be funded by SIMTA and MIC as a form of developer contribution. Whilst, discussions are still ongoing with relevant government agencies including Liverpool City Council and RMS; in the MPE Stage 2 EIS the Proponent has provided a consideration of developer contributions under the Liverpool Contributions Plan 2009, particularly relation to the Preston's Industrial Release Area (Section 1.1 of the plan) and noting there is no Section 94 Contribution Plan relating to industrial development on the Modification Proposal site.	
Traffic	Road Infrastructure	Existing road infrastructure is not adequate to support the project		

Aspect	Issue	Summary	Comments	Reference
Traffic	Road Infrastructure	Moorebank Avenue would need to be widened to at least 3 lanes each way for project to be feasible	The Modification Proposal has proposed to upgrade Moorebank Avenue. The key components of this aspect of the Modification Proposal include: • Modifications to the existing lane configuration, including some widening of the roadway to four lanes, two lanes in each direction • Signalling and intersection works • Increasing the vertical alignment from existing levels, including kerbs, gutters and a sealed shoulder. The design of Moorebank Avenue in the Modification Proposal has been developed to accommodate a future widening of Moorebank Avenue to four lanes over the full extent of the MPE site, if warranted by future increases in background traffic levels. The Modification Proposal would also bring the existing road up to current Roads and Maritime Services design standards, which would improve the usability and safety of Moorebank Avenue for project traffic and the wider community alike. A Traffic and Transport Memorandum was prepared by Arcadis (refer to Section 5.1 and Appendix B of the Concept Plan Modification Report) to consider the additional traffic impacts associated with the Modification Proposal. The Construction Traffic Impact Assessment concluded that construction traffic would not have an adverse impact on the performance of key intersections near the MPE site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods.	Section 5.1 and Appendix B of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			The Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval (MP10_0193).	
Traffic	Road Infrastructure	Construction of a temporary diversion road to allow diversion along Moorebank Avenue will cause traffic chaos	A section of Moorebank Avenue would require short-term closures periodically during the Moorebank Avenue Upgrade for diversionary works. These works would be subject to a separate traffic management plan and would include signage and diversion plans to ensure the safe continued operation of the road for Moorebank Avenue through traffic during construction. Should a larger vehicle require access to the Modification Proposal site, such as low loaders, a traffic controller would be used to allow larger trucks to proceed across the site access, ensuring sufficient time is provided to complete their turning manoeuvre. Sufficient signage would be installed to ensure unauthorised vehicles do not enter the site. The existing local accesses along Moorebank Avenue would be maintained during construction. No heavy vehicles would use Anzac Road. There is currently one bus service operating regular services north along Moorebank Avenue from Anzac Avenue, and one service in the AM and PM peak hours running past the Modification Proposal site, south of Anzac Road. Given that most construction activities would be contained on the Modification Proposal site rather than Moorebank Avenue, and the services that do service this portion of Moorebank Avenue are limited to	Section 5.1 and Appendix B of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			only two per day (one AM and one PM), it is considered unlikely that there would be any significant impacts to public transport services as a result of the Modification Proposal. The Moorebank Avenue upgrade includes a four-lane road at the northern extent which transitions into a two-lane road. Although it is not necessary, based on existing and proposed traffic levels, for the entire extent of this upgrade to be four lanes, the two-lane part would be built to allow for future increase in width of the carriageway. In addition to this, the road is not currently built to Roads and Maritime standards, and therefore, although the road would remain in private ownership, it would be upgraded to meet the relevant standards which would improve the usability and safety of this infrastructure.	
Traffic	Congestion/ capacity	Transport links are already struggling with current numbers	As identified within responses above concerning congestion, increased traffic associated with the construction phase of the Modification Proposal would not have an adverse impact on the performance of key intersections near the MPE site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods. The Modification Proposal would also not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval.	Section 5.1 and Appendix B of the Concept Plan Modification Report
Traffic	Road Infrastructure	Early works for fill importation will begin before road upgrades will be complete, significantly impacting traffic and invalidating early modelling	Importation of clean general fill during “Early Works” is a reference to the MPW Concept Modification Proposal, which originally proposed to import 1,600,000m^3 of clean	Section 5.1 and Appendix B of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			general fill to the MPW site for facilitate revised building formation levels to satisfy site drainage requirements. Traffic impacts and construction works associated with the clean general fill importation would now be undertaken during Stage 2 of the MPW Project, as per the MPW Amended Concept Modification Proposal, for which no permanent road upgrades would be required to facilitate this activity. Regarding clean general fill import as part of the Modification Proposal (refer to Section 5.1 of the Concept Modification Report), investigation results indicate that construction traffic (including vehicles importing fill) during peak morning and afternoon periods for the Modification Proposal would maintain LoS of C or better at key intersections. As a result, permanent intersection upgrades would not be required during the importation of fill for the Modification Proposal.	
Traffic	Use of local roads	Commuter vehicles utilising back roads to avoid congestion	A Traffic and Transport Memorandum was prepared by Arcadis (refer to Section 5.1 and Appendix B of the	

Aspect	Issue	Summary	Comments	Reference
Traffic	Road safety	Heavy vehicles getting in accidents on local roads and endangering houses and pedestrians	Modification Report) to consider the additional traffic impacts associated with the Modification Proposal. The Construction Traffic Impact Assessment concluded that construction traffic would not have an adverse impact on the performance of key intersections near the MPE site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods. The Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval (MP10_0193). Construction heavy vehicles and container trucks during operation would not travel to the MPE site via Anzac Road (east of Yulong Close) or Cambridge Avenue. Further, as part of the MPE Concept Approval (MP10_0193) Conditions of Approval and Statement of Commitments, the SIMTA has committed to implement: • A Construction Traffic Management Plan to manage heavy vehicle access routes and minimise and mitigate any unacceptable impacts of the Proposal on the surrounding area (SoC 10) • A Traffic Site Management Plan to minimise the potential operational impacts of the Proposal on the surrounding area (SoC 11).	Section 5.1 and Appendix B of the MPE Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
Traffic	Congestion/ capacity	Road realignment will force additional traffic through Wattle Grove along Anzac Road	The Modification Proposal would not result in a redistribution of traffic through Wattle Grove via Anzac Road. A Traffic and Transport Memorandum was prepared by Arcadis (refer to Section 5.1 and Appendix B of the Concept Plan Modification Report) to consider the additional traffic impacts associated with the Modification Proposal to the MPE Concept Approval (MP10_0193). A Construction Traffic Impact Assessment was prepared and this concluded that construction traffic would not have an adverse impact on the performance of key intersections near the MPE site and that these intersections would operate at an acceptable LoS during the AM and PM peak periods. An Operational Traffic Impact Assessment was prepared and this concluded that the Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval (MP10_0193).	Section 5.1 and Appendix B of the Concept Plan Modification Report
Noise	Operational Noise	Concerned warehouses built will be insufficient to block operational noise from the community	A design change proposed as part of the Concept Plan Modification Report included the reconfiguration of the internal road network within the MPE Stage 2 site and a revised warehousing layout. A Noise and Vibration Impact Assessment was prepared by Wilkinson Murray as part of the Concept Plan Modification Report. It was prepared to assess any potential impacts of the Modification Proposal to the surrounding area. The assessment concluded that although the purpose of the warehouse building is not to shield operational noise, the	Section 5.2 and Appendix C of the Concept Plan Modification Report.

Aspect	Issue	Summary	Comments	Reference
			revised warehousing layout on the MPE Stage 2 site would result in a significant reduction to operational noise impacts to sensitive receivers in Wattle Grove North, while the associated internal road and warehouse layout changes are expected to have a minor effect on operational noise levels at sensitive receivers in Wattle Grove and Casula, when compared to impacts originally proposed for the MPE Concept Approval, which would not result in any additional exceedances of relevant noise criteria.	
Noise	Mitigation	Insufficient mitigation is provided for noise generation and receivers	A Noise and Vibration Impact Assessment was prepared by Wilkinson Murray as part of the Concept Plan Modification Report to consider if the Modification Proposal would create any additional impacts other than those considered in the MPE Concept Approval (MP10_0193). The Noise and Vibration Assessment found that the Modification Proposal is likely to have a negligible effect on operational noise levels at receivers in Wattle Grove, south of Anzac Road, Casula and Glenfield, with a predicted reduction in operational noise levels at receivers in Wattle Grove north. The Noise and Vibration Impact Assessment also concluded that the requirements addressed in the MPE Concept Plan Approval Conditions of Approval and the MPE Concept Approval Statement of Commitments would adequately manage and mitigate the potential impacts of the Modification Proposal.	Section 5.2 and Appendix C of the Concept Plan Modification Report.
Noise	Mitigation	Additional noise walls should be constructed around the perimeter of the site to better mitigate noise emissions.		

Aspect	Issue	Summary	Comments	Reference
Noise	Operational noise	Noise from the construction and operation of 300,000m^2 of warehousing and distribution facilities of the proposal will negatively affect residents	A Noise and Vibration Impact Assessment was prepared by Wilkinson Murray as part of the Concept Plan Modification Report to consider if the Modification Proposal would create any additional impacts other than those considered in the MPE Concept Approval (MP10_0193). The assessment of the impact of construction noise on the surrounding area concluded that the Modification Proposal would comply with the established construction noise management levels (NML) for standard construction hours set in accordance with the Interim Construction Noise Guideline (DECC, 2009) at all receivers. They are also predicted to be within the range of noise levels predicted for the MPE Concept Plan Approval. For construction works outside standard hours, compliance with NMLs would also be achieved, except for a predicted 1 dB exceedance in Wattle Grove. This exceedance is considered imperceptible and can be adequately addressed by construction noise mitigation and management measures. The assessment of the impact of operational noise on the surrounding area concluded that the Modification Proposal would reduce operational noise levels when compared to the MPE Concept Plan Approval.	Section 5.2 and Appendix C of the Concept Plan Report.

Aspect	Issue	Summary	Comments	Reference
Noise	Operational noise	The continuous transfer of containers between the MPE stage 1 IMT and the proposals warehousing and distribution facilities will require heavy vehicles capable of being loaded with containers and used on MPE stage 2 site will cause 24/7 noise.	The MPE Concept Approval (MP10_0193) included Conditions of Approval and a Statement of Commitments that require SIMTA to undertake further detailed noise assessments to determine the noise impacts of future stages of the MPE Project on the surrounding area. The Modification Proposal does not propose to alter these in any way and further detail assessment has occurred as part of the MPE Stage 2 EIS.	Section 5.2 and Appendix C of the Concept Plan Modification Report.
Noise	General	The proposal will increase noise pollution, specifically 24 hour operations, impacting the health of residents	A Noise and Vibration Impact Assessment was prepared by Wilkinson Murray as part of the Concept Plan Modification Report to consider if the Modification Proposal would create any additional impacts other than those considered in the MPE Concept Plan Approval (MP10_0193). The assessment of the impact of operational noise on the surrounding area concluded that the Modification Proposal would reduce operational noise levels.	Section 5.2 and Appendix C of the Concept Plan Modification 2 Report.
Noise	General	General comment around noise generated by plant and operational machinery including trucks, container terminal, loading docks etc.		

Aspect	Issue	Summary	Comments	Reference
Noise and air quality	Operational impacts	Concerned importation of fill will negatively impact community and will cause dust and noise pollution	An Air Quality Impact Assessment was prepared by Ramboll Environ as part of the Concept Plan Modification Report to consider if the Modification Proposal would create any additional impacts other than those considered in the MPE Concept Plan Approval (MP10_0193). The assessment concluded that the bulk earthworks phase would comply with the relevant criteria for dust and particulate matter in *Approved Methods for Modelling and Assessment of Air Pollutants in New South Wales* (NSW EPA 2005). It would also comply with the National Environment Protection (Ambient Air Quality) Measure for $PM_{2.5}$. A Noise and Vibration Impact Assessment was prepared by Wilkinson Murray as part of the Concept Plan Modification Report to consider if the Modification Proposal would create any additional impacts other than those considered in the MPE Concept Plan Approval. The assessment of the impact of construction noise on the surrounding area concluded that the Modification Proposal would comply with the established construction noise management levels (NML) for standard construction hours set in accordance with *the Interim Construction Noise Guideline* (DECC, 2009) at all receivers. They are also predicted to be within the range of noise levels predicted for the MPE Concept Plan Approval. For construction works outside standard hours, compliance with NMLs would also be achieved, except	Section 5.7 and Appendix E of the Concept Plan Modification Report Section 5.2 and Appendix E of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			for a predicted 1 dB exceedance in Wattle Grove. This exceedance is considered imperceptible and can be adequately addressed by construction noise mitigation and management measures.	
Noise	Construction and operational noise	The increase in site level from greater quantities of fill will result in greater impacts from generation, transmissions and reception of construction and operational noise	A Noise and Vibration Impact Assessment was prepared by Wilkinson Murray as part of the Concept Plan Modification Report to consider if the Modification Proposal would create any additional impacts other than those considered in the MPE Concept Approval (MP10_0193). The assessment of the impact of construction noise on the surrounding area concluded that the Modification Proposal would comply with the established construction noise management levels (NML) for standard construction hours set in accordance with *the Interim Construction Noise Guideline* (DECC, 2009) at all receivers. They are also predicted to be within the range of noise levels predicted for the MPE Concept Plan Approval. For construction works outside standard hours, compliance with NMLs would also be achieved, except for a predicted 1 dB exceedance in Wattle Grove. This exceedance is considered negligible and can be adequately addressed by construction noise mitigation and management measures. The assessment of the impact of operational noise on the surrounding area concluded that the Modification Proposal would reduce operational noise levels.	Section 5.2 and Appendix C of the Concept Plan Modification Report
Noise	Operational noise	Concerned for the noise impacts on residential homes		
Noise	Operational road traffic noise	Objects to the noise that will be generated by the extra traffic on Moorebank Avenue		

Aspect	Issue	Summary	Comments	Reference
Noise	Assessment	The estimated noise levels noted in the assessment as being acceptable are contradicted by Transport for NSW and Sydney trains Noise logging reports of 2015	The Modification Proposal does not include changes to the rail infrastructure associated with the MPE precinct. Consideration of rail noise along the rail link and SSFL is therefore outside the scope of this RtS.	N/A
Noise	Mitigation	Object to the Modification to the Statement of Commitments (Table 3-2, pg. 22) that would allow noisy construction works outside of hours	Table 3-2 of the Concept Plan Modification Report includes proposed revisions to the Revised Statement of Commitments (June 2014). This includes changes to SoC 20 that aim to align the MPE Concept Plan Approval more closely with the conditions of consent for both the MPE Stage 1 Project (SSD 6766) and the MPW Early Works (SSD 5066). The circumstances in which out of hours work can occur are limited in order to minimise potential impacts (i.e. where works can comply with noise management levels, where deliveries need to occur out of hours in emergencies or for safety reasons, where works are authorised under an environment protection licence or where works are in accordance with an approved out of hours works protocol). The revised SoC 20 may be subject to revision through future development applications (including noise assessments).	Section 3.3 of the Concept Plan Modification Report.

Aspect	Issue	Summary	Comments	Reference
Air	Air Quality / Pollution	Increase in pollution generated by increased congestion and heavy vehicle movements	Ramboll Environ (Ramboll Environ, 2016) have assessed the potential construction and operational air quality impacts associated with the Modification Proposal (refer to Appendix E of the Concept Plan Modification Report). The key emissions to air generated during the construction phase of the Modification Proposal are associated with fugitive dust or particulate matter (PM). As such, an assessment of construction phase impacts was conducted to address potential impacts associated with bulk earthworks, including impacts associated with heavy vehicle movements. Modelling results indicate that the construction phase emissions for the Modification Proposal would comply with all relevant impact assessment criteria. The maximum predicted increase in annual average PM_{10} (0.4 µg/m³), $PM_{2.5}$ (0.1 µg/m³), TSP (0.6 µg/m³) and dust deposition (0.3 g/m^2/month) are considered minor when compared against existing background conditions. The Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval. It would therefore not alter the operational air quality modelling results or conclusions presented in the MPE Concept Plan EA.	Section 5.7 of the Modification Proposal Appendix E of the MPE Stage 2 Concept Modification Report

Aspect	Issue	Summary	Comments	Reference
Air	Operational air quality	Concerns that additional heavy vehicles and trains from the Proposal will result in increasing air pollution (in particular diesel emissions) impacting on nearby residents and the environment	Additional air quality assessment was only carried out for components of the Modification Proposal which have the potential to change impacts identified within the MPE Concept Plan EA. In this context, potential operational impacts associated with the reconfiguration of the internal road network and potential construction impacts associated with bulk earthworks were considered. The Air Quality Impact Assessment (refer to Appendix E of the Modification Report) found that: • Trucks travelling along Moorebank Avenue were assessed in the Concept Plan Approval AQIA. Upgrade works as part of the Modification Proposal would have no material effect on local air quality and would not change the conclusions in the Concept Plan Approval EA AQIA. • Emissions from trucks accessing the site were estimated based on distance based emission factors (i.e. grams per km travelled). Providing the interim site access and implementing changes to the configuration of the internal road network are unlikely to significantly change the total return distanced travelled and therefore are unlikely to change the emissions estimates, modelling and conclusions in the Concept Plan Approval AQIA. • Changes to the staging of the development are not expected to change the conclusions of the Concept Plan Approval AQIA, which assessed the ultimate proposed site freight throughput for the MPE Concept	Section 5.7 of the Modification Proposal Appendix E of the Modification Report MPE Concept Plan Approval EA
Air	Operational air quality	The area and community cannot handle the pollution		
Air	Operational air quality	The increase in diesel trucks will worsen air quality in an area close to schools, nursing homes, retail and a large residential population in an area that is already over polluted and over populated		

Aspect	Issue	Summary	Comments	Reference
			Plan. Subdivision of the MPE site is not expected to change the conclusions of the Concept Plan AQIA. • For the MPE Concept Plan Approval, the total travel distance assumed for emission estimation was 3 km and was combined with the average daily traffic (ADT) movements based on a container throughput of 1,000,000 TEU. The proposed changes to traffic movements on internal roadways for the Modification Proposal would not change these assumptions (travel distance or ADT movements) and, therefore, the Modification Proposal would not change the modelling results or conclusions presented in the Concept Plan AQIA. In summary, the Modification Proposal would not result in increased air pollution when compared to the MPE Concept Plan Approval, and no sensitive receivers, or communities or environments would be impacted. It is also noted that, once constructed, the introduction of an intermodal terminal at Moorebank as part of the MPE Project would result in fewer truck between Port Botany and Western Sydney every day, with reductions in greenhouse gas emissions, fuel consumption and other air pollution and potential increases in road network performance.	

Aspect	Issue	Summary	Comments	Reference
Air	Operational air quality	Please explain in further detail the "very low impacts on the surrounding environment from air pollutants", Table 5 & 6 of the PB EIS dated 20/04/2016 has an annualised emissions quantification and qualification which does not appear to be "very low"	The source of the information referenced in this submission is unclear. For the Modification Proposal, modelling results indicate that construction phase emissions would comply with all relevant impact assessment criteria. The maximum predicted increase in annual average PM_{10} (0.4 µg/m³), $PM_{2.5}$ (0.1 µg/m³), TSP (0.6 µg/m³) and dust deposition (0.3 g/m²/month) are considered minor when compared against existing background conditions. The highest predicted short-term impacts occur at the DJLU (north of the site), with a maximum 24-hour PM_{10} of 4.2 µg/m³ and maximum 24-hour $PM_{2.5}$ of 1.3 µg/m³. For the MPE Concept Plan Approval, the total travel distance assumed for operational emissions estimation was 3 km and was combined with the ADT movements based on a container throughput of 1,000,000 TEU. The proposed changes to traffic movements on internal roadways for the Modification Proposal would not change these assumptions (travel distance or ADT movements) and, therefore, the Modification Proposal would not change the modelling results or conclusions presented in the MPE Concept Plan EA. Air quality impacts that are not associated with the Modification Proposal are not considered further in this document.	Section 5.7 of the Modification Proposal Appendix E of the Concept Plan Modification Report MPE Concept Plan Approval EA

Aspect	Issue	Summary	Comments	Reference
Health	Diesel fumes	How will the increased health risks for populations residing adjacent to source points of Diesel Fuel	For the MPE Concept Plan Approval, the total travel distance assumed for emission estimation was 3 km and was combined with the ADT movements based on a container throughput of 1,000,000 TEU. The proposed changes to traffic movements on internal roadways for the Modification Proposal would not change these assumptions (travel distance or ADT movements) and, therefore, the Modification Proposal would not change the modelling results or conclusions presented in the MPE Concept Plan EA and would not increase health risks for adjacent populations from diesel fuel emissions. It is also noted that, once constructed, the introduction of an intermodal terminal at Moorebank as part of the MPE Project would result in fewer truck journeys between Port Botany and Western Sydney every day, with reductions in greenhouse gas emissions, fuel consumption and other air pollution and potential increases in road network performance.	Section 5.7 of the Concept Plan Modification Report Concept Plan Approval EA
Air quality	Diesel fumes	Diesel Fumes will be increased as a result of the proposal		
Health	Operational health impacts	Children and schools nearby will be impacted by increased pollution		

Aspect	Issue	Summary	Comments	Reference
Health	Particulate Matter	Dust born particles as a result of the importation of fill will cause permanent respiratory damage to residents	The modelling results for PM emissions associated with the construction phase were compared to the NSW EPA's impact assessment criteria, outlined in *Approved Methods for Modelling and Assessment of Air Pollutants in New South Wales* (NSW EPA 2005) to determine if there would be any significant impacts on air quality. The modelling results indicate that the construction phase emissions for the Modification Proposal would comply with all relevant impact assessment criteria. The maximum predicted increase in annual average PM_{10} (0.4 µg/m³), $PM_{2.5}$ (0.1 µg/m³), TSP (0.6 µg/m³) and dust deposition (0.3 g/m2/month) are considered minor when compared against existing background conditions. The highest predicted short-term impacts occur at the DJLU (north of the site), with a maximum 24-hour PM_{10} of 4.2 µg/m³ and maximum 24-hour $PM_{2.5}$ of 1.3 µg/m³.	Section 5.7 of the Concept Plan Modification Report Appendix E of the Concept Plan Modification Report
Health	Pollution / air quality	Increased pollution will affect people's health, particularly young children	Modelling results indicate that the construction phase emissions for the Modification Proposal would comply with all relevant impact assessment criteria. The maximum predicted increase in annual average PM_{10} (0.4 µg/m³), $PM_{2.5}$ (0.1 µg/m³), TSP (0.6 µg/m³) and dust deposition (0.3 g/m^2/month) are considered minor when compared against existing background conditions. For the MPE Concept Plan Approval, the total travel distance assumed for emission estimation was 3 km and was combined with the ADT movements based on a container throughput of 1,000,000 TEU. The proposed changes to traffic movements on internal roadways for the Modification Proposal would not change these assumptions (travel distance or ADT movements) and	Section 5.7 of the Concept Plan Modification Report Appendix E of the Concept Plan Modification Report MPE Concept Plan Approval EA
Health	Pollution / air quality	Impacts to air quality from the project would result in health impacts to nearby schools, childcare centres and homes		
Health	Particulate matter	Concerns around air pollution and particulates (including diesel particulate matter) from the project resulting in various impacts to health including: Shortened life expectancy, increases outbreaks of asthma, cancer in newborns, lung cancer in		

Aspect	Issue	Summary	Comments	Reference
		children, autoimmune diseases, bronchitis, coronary disease, cardiovascular disease	therefore the Modification Proposal would not change the air quality modelling results or conclusions presented in the MPE Concept Plan EA.	
Health	Pollution / air quality	Increased impacts to those suffering asthma and other respiratory conditions	In summary, as the Modification Proposal is not anticipated to result in changes to air quality impacts, related health risks to sensitive receivers and/or surrounding communities are also not expected to change	
Health	Pollution / air quality	Concerned the proposal will increase pollution in the local area and affect the community	Air quality modelling results included with the MPE Stage 2 EIS, which includes all potential construction phase emissions for the Modification Proposal, indicate that the Modification Proposal would comply with all relevant impact assessment criteria. The maximum predicted increase in annual average PM_{10} (0.4 µg/m³), $PM_{2.5}$ (0.1 µg/m³), TSP (0.6 µg/m³) and dust deposition (0.3 g/m^2/month) are considered minor when compared to existing background conditions. During operation, the maximum increase in annual average PM_{10} and $PM_{2.5}$ (0.1 µg/m³) and 24-hour average PM_{10} and $PM_{2.5}$ (0.2 µg/m³) as a result of the Modification Proposal would be minor when compared to existing background conditions. Predicted NO_2 would be well below the relevant impact assessment criteria.	Sections 5.7 and 5.11 of the Concept Plan Modification Report
Health	Pollution / air quality	Area cannot handle increase in pollution		
Health	Pollution / air quality	Concerns to residents from increased pollution		

Aspect	Issue	Summary	Comments	Reference
Health	Pollution / air quality	Will impact the health of my family from toxic fumes, will also impact my mental health due to the usage of train brakes and train noise	The potential human health risks associated with the Modification Proposal are consistent with those described in the Concept Plan Approval EA during the operational phase. Emissions during construction were not evaluated as they would be temporary, appropriately managed and compliant with relevant air quality standards. Noise related to the use of train brakes is not relevant to the Modification Proposal as the Modification Proposal does not modify rail operations as described within the Concept Plan Approval EA.	MPE Concept Plan Approval EA Section 5.11 of the Concept Plan Modification Report
Health	Sleep disturbance	Sleep disturbance from the Proposal resulting in impacts to human health	The Screening HRA did not evaluate the potential human health impacts of exposure to noise. However, based on a review of the potential noise impacts documented in Section 5.2 of the Modification Report, the human health risk associated with noise would be reduced from that expected by the Concept Plan EA.	Section 5.2 of the Concept Plan Modification Report
Health	General	General impacts to health and wellbeing of nearby residents not considered in this proposal	A Screening Level Health Risk Assessment (Screening HRA) was prepared by Toxikos (2012) for the Concept Plan Approval EA. The Screening HRA assessed the health impacts associated with airborne particulates, and considered potential impacts of the MPE Project on air quality in the surrounding residential areas. The Screening HRA concluded that emissions from the MPE Project were unlikely to have acute or chronic health impacts on the community. The emissions of major importance for possible health impacts are fine particulate	MPE Concept Plan Approval EA Section 5.11 of the Concept Plan Modification Report
Health	General	Concerned about the detrimental health effects of the project on a community predominantly made up of young families		
Health	General	This project is causing stress for their family worrying about their home and the area they live in		

Aspect	Issue	Summary	Comments	Reference
Health	Pollution	Please consider the health of our children in an already polluted environment	matter ($PM_{2.5}$), while it was also noted that nitrogen dioxide (NO_2) would potentially contribute to the overall acute or chronic health risk for the MPE Project. Overall PM_{10}, $PM_{2.5}$ and NO_2 from the MPE Project were assessed as having negligible potential impact on the health of people in the surrounding area, either on their own or in combination. The potential human health impacts associated with the Modification Proposal are consistent with those described above for the operational phase. During operation, the maximum increase in annual average PM_{10} and $PM_{2.5}$ (0.1 µg/m³) and 24-hour average PM_{10} and $PM_{2.5}$ (0.2 µg/m³) as a result of the Modification Proposal would be minor when compared to existing background conditions. Predicted NO_2 would be well below the relevant impact assessment criteria. Emissions during construction were not evaluated by the Screening HRA because they would be temporary, appropriately managed and compliant with relevant air quality standards. Air quality modelling results included with the MPE Stage 2 EIS, which includes all potential construction phase emissions for the Modification Proposal, indicate that the Modification Proposal would comply with all relevant impact assessment criteria.	

Aspect	Issue	Summary	Comments	Reference
Natural Environment	General Environment	The proposal would significantly impact the environment and cause environmental destruction	The Modification Proposal Report has been prepared to assess the environmental impacts of Amendments to the MPE Concept Approval. The Modification Proposal would not significantly alter the assessment provided in the MPE Concept Plan EA and would have limited environmental consequences beyond those envisaged in the MPE Concept Plan EA. With Minor revisions, the MPE Concept Plan Conditions of Approval and SoCs are considered adequate to address environmental issues associated with the Modification Proposal.	N/A
Natural Environment	General Environment	The environmental impact from the removal of vegetation, remediation works, earthworks and levelling of the site, drainage and utilities installation, construction of the hardstand.		
Natural Environment	General Environment	Damage to the environment would be irreparable		
Natural Environment	Biodiversity	Adverse impacts to local wildlife	Impacts on biodiversity associated with construction and operation of the MPE Project were assessed in the Concept Plan Approval EA. The assessment of biodiversity-related impacts has also been considered as part of each SSD Approval under the MPE Concept Plan, including the MPE Stage 1 Project, and the MPE Stage 2 Proposal. Assessments of significance were prepared for threatened flora and fauna species and ecological communities known or likely to be impacted by the MPE Project. Assessment of seven threatened species and communities listed under the EPBC Act known or likely to be present near the MPE site was also undertaken. These assessments concluded that four threatened ecological communities, four threatened terrestrial fauna species and one aquatic fauna species would not be significantly impacted by the MPE Project. Impacts on	Table 5-11 and Table 5-12 of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			these threatened species and communities can be adequately addressed through mitigation measures. Section 5.3 of the Concept Plan Modification Report outlines and assesses any additional impacts to flora and fauna due to the Modification Proposal. Significant impacts on threatened species and endangered ecological communities are not likely given that the clearing of the entire MPE site was assessed and approved through the MPE Concept Plan EA. It is also noted that impacts to native plant community types (PCTs), including threatened ecological communities, would be offset in accordance with the NSW Biodiversity Offsets Policy for Major Projects. Several additional requirements were prescribed for all future approvals under the MPE Concept Plan Approval with regards to biodiversity, as described in Table 5-11 of the Concept Plan Modification Report. These requirements are considered sufficient for further assessment of the Modification Proposal. In addition, biodiversity issues associated with the MPE Project would be managed in accordance with the SoCs detailed in Table 5-12 of the Concept Plan Modification Report. These are considered adequate to address the potential impacts of the Modification Proposal.	

Aspect	Issue	Summary	Comments	Reference
Natural Environment	Erosion	66ha of bulk earthworks will be remediated with grass, this would leave it more susceptible to erosion and have a higher mobility potential than other vegetation types. Is there an intention to utilise geotechnical fabrics to minimise erosion? Overland runoff from this area and flooding from the site in general can affect estuary sunlight penetration and can have greater impacts on the Georges River such as bank erosion, turbidity creation, poisoning of marine life etc.	A Stormwater and Flooding Environmental Assessment (Hyder Consulting, 2013e) and Flood Study and Stormwater Management Report (Hyder Consulting, 2013f) was prepared as part of the Concept Plan Approval EA. The Stormwater and Flooding Environmental Assessment was undertaken having regard to the site context and identified three existing catchments that discharge from the site, two eastwards towards Anzac Creek and one westward into the Georges River. The Flood Study and Stormwater Management Report determined the peak flows leaving the site and concluded that the proposed volume of detention storages would adequately mitigate additional site run-off up to and including the 100 year annual recurrence interval (ARI) storm. Flooding risk associated with the development of the warehousing and distribution was also identified. During construction, and specifically during bulk earthworks, there is potential for soil to be eroded from the construction area and deposited onto nearby lands or downstream of either the Georges River or Anzac Creek. This is generally consistent with the Concept Plan Approval, which contemplated some earthworks on the MPE site. The soils and topography of the MPE site have been identified as posing a low erosion hazard. The soils are generally fine grained and require a relatively long residence time in sediment basins to achieve the Total Suspended Solids (TSS) concentrations suitable for discharge off site.	MPE Concept Plan Approval EA Section 5.6 of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			The Modification Proposal would not significantly alter the imperviousness of the MPE site when compared to the MPE Concept Plan Approval. It would also not significantly increase the imperviousness of the Moorebank Avenue, when compared to the existing road formation. Accordingly, there would not be significant changes to peak discharges from either the MPE site or Moorebank Avenue attributable to the Modification Proposal. Stormwater and flooding issues associated with the MPE Project would be managed in accordance with the MPE Concept Plan Approval and associated SoCs. These are considered adequate to address the potential impacts of the Modification Proposal. As required by SoC 29, water quality and quantity issues will be managed during the construction phase through the implementation, inspection and maintenance of best practice soil and water management techniques which will be defined in the CEMP for sedimentation and erosion control during construction. The requirements for specific mitigation measures, such as the use of geotechnical fabrics would be determined in accordance with the principles and requirements of Managing Urban Stormwater – Soils & Construction Volume 1 ('Blue Book') (Landcom, 2004) and Volume 2 (DECC 2008) and incorporated into the CEMP for construction of each stage of the MPE Project.	
	Water quality	Concerned the project will negatively impact South-West river systems	A Stormwater and Flooding Environmental Assessment (Hyder Consulting, 2013e) and Flood Study and	

Aspect	Issue	Summary	Comments	Reference
Natural Environment		Concerned the project will cause major degradation/damage to the Georges River	Stormwater Management Report (Hyder Consulting, 2013f) was prepared as part of the Concept Plan Approval EA. The Stormwater and Flooding Environmental Assessment was undertaken having regard to the site context and identified three existing catchments that discharge from the site, two eastwards towards Anzac Creek and one westward into the Georges River. The Flood Study and Stormwater Management Report determined the peak flows leaving the site and concluded that the proposed volume of detention storages would adequately mitigate additional site run-off up to and including the 100 year annual recurrence interval (ARI) storm. Flooding risk associated with the development of the warehousing and distribution was also identified. During construction, and specifically during bulk earthworks, there is potential for soil to be eroded from the construction area and deposited onto nearby lands or downstream of either the Georges River or Anzac Creek. This is generally consistent with the Concept Plan Approval, which contemplated some earthworks on the MPE site. The soils and topography of the MPE site have been identified as posing a low erosion hazard. The Modification Proposal would not significantly alter the imperviousness of the MPE site when compared to the MPE Concept Plan Approval. It would also not significantly increase the imperviousness of Moorebank Avenue, when compared to the existing road formation. Accordingly, there would not be significant changes to	MPE Concept Plan Approval EA Section 5.6 of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			peak discharges from either the MPE site or Moorebank Avenue attributable to the Modification Proposal. DRAINS modelling results indicate that the proposed drainage systems and OSD basins would provide adequate system capacities and mitigate potential adverse flood impacts associated with development of the MPE Stage 2 site (including the Modification Proposal) Stormwater and flooding issues associated with the MPE Project would be managed in accordance with the MPE Concept Plan Approval and associated SoCs. These are considered adequate to address the potential impacts of the Modification Proposal.	
General	Land use	Objects to use of prime public riverfront for an industrial project and its alienation from public use	The components of the Modification Proposal are located approximately 450 metres to the east of the Georges River, and are not considered to be located on riverfront land.	
General	Land use	Area should be used to beautify Georges River rather than for industrial uses		
Natural environment	Project design	Concerned that raising the site by 2 m will cause site run-off into the Georges River and Wattle Grove	A Stormwater and Flooding Environmental Assessment (Hyder Consulting, 2013e) and Flood Study and Stormwater Management Report (Hyder Consulting, 2013f) was prepared as part of the Concept Plan Approval EA. The Modification Proposal would not significantly alter the imperviousness of the MPE site when compared to the MPE Concept Plan Approval. It would also not significantly increase the imperviousness of Moorebank	MPE Concept Plan Approval EA Section 5.6 of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			Avenue, when compared to the existing road formation. Accordingly, there would not be significant changes to peak discharges from either the MPE site or Moorebank Avenue attributable to the Modification Proposal. DRAINS modelling results indicate that the proposed drainage systems and OSD basins would provide adequate system capacities and mitigate potential adverse flood impacts associated with development of the MPE Stage 2 site (including the Modification Proposal) from existing conditions.	
Natural environment	Location of Project	Project should not be situated so close to an environmentally sensitive area such as the Georges River	A Stormwater and Flooding Environmental Assessment (Hyder Consulting, 2013e) and Flood Study and Stormwater Management Report (Hyder Consulting, 2013f) was prepared as part of the Concept Plan Approval EA. Water quality was also assessed with the Georges River and Anzac Creek being classified as lowland aquatic ecosystems of south-eastern Australia (ANZECC, 2000). Water quality parameters were found to be within the guidelines with the exception of pH and dissolved oxygen (DO). Spot measurements within the Georges River and Anzac Creek demonstrated pH 6.06 and 5.62 respectively (guideline value 6.50) and DO below the lower guideline value of 60 per cent saturation in both locations. Significant changes to operational water quality are not expected as a result of the Modification Proposal because there would be no significant change to flow discharges, discharge points and land uses when	MPE Concept Plan Approval EA Section 5.6 of the Concept Plan Modification Report
Natural environment	Water pollution	Concerned the proposal will cause pollution to the local river systems		

Aspect	Issue	Summary	Comments	Reference
			compared to the MPE Concept Plan Approval. The performance of proposed operational treatment measures (i.e. gross pollutant traps and rain gardens) would comply with the catchment specific targets of the Georges River Estuary Coastal Zone Management Plan (CZMP) and neutral or beneficial effect (NorBE) targets. Total pollutant loads contained in the runoff from the site (to both the Georges River and Anzac Creek) would be less than or equal to loads under existing conditions. It can therefore be inferred that any small changes in stormwater quality attributable to the Modification Proposal would be also be adequately addressed by proposed operational treatment measures.	
Natural environment	Erosion	Imported fill will erode away in a heavy storm and pollute the Georges River	A Stormwater and Flooding Environmental Assessment (Hyder Consulting, 2013e) and Flood Study and Stormwater Management Report (Hyder Consulting, 2013f) was prepared as part of the Concept Plan Approval EA. The Stormwater and Flooding Environmental Assessment was undertaken having regard to the site context and identified three existing catchments that discharge from the site, two eastwards towards Anzac Creek and one westward into the Georges River. The Flood Study and Stormwater Management Report determined the peak flows leaving the site and concluded that the proposed volume of detention storages would adequately mitigate additional site run-off up to and including the 100 year annual recurrence interval (ARI)	MPE Concept Plan Approval EA Section 5.6 of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			storm. Flooding risk associated with the development of the warehousing and distribution was also identified. During construction, and specifically during bulk earthworks, there is potential for soil to be eroded from the construction area and deposited onto nearby lands or downstream of either the Georges River or Anzac Creek. These potential impacts are generally consistent with the Concept Plan Approval, which considered earthworks on the MPE site. Water quality and quantity issues will be managed during the construction phase through the implementation, inspection and maintenance of best practice soil and water management (refer to SoC 29). This will include the preparation and implementation of a Soil and Water Management Plan (SWMP) and Erosion and Sediment Control Plan (ESCP) (refer to SoC 39).	
Natural environment	Environmental availability	Redirection of waterways will cause Anzac and Harris Creeks to dry up	No redirection of any waterways would be required for the Modification Proposal.	N/A
Natural environment	Contamination	Contaminated soil on the site will flow into Georges River and damage waterways	A *Preliminary Environmental Site Assessment of the MPE Site and Rail Corridor Lands (Preliminary ESA)* and a *Phase 1 Environmental Site Assessment – Rail Corridor Land for SIMTA Moorebank Intermodal Terminal Facility* was prepared by Golder Associates, 2013 for the MPE Concept Approval. The Preliminary ESA did not identify any significant contamination issues that would preclude the development of the MPE site. It is expected that the Modification Proposal would not introduce any new	Section 5.5 of the MPE Concept Approval EA

Aspect	Issue	Summary	Comments	Reference
			contamination issues/risks that were not previously considered in the MPE Concept Approval and Preliminary ESA. Water quality and quantity issues will be managed during the construction phase through the implementation, inspection and maintenance of best practice soil and water management (refer to SoC 29). This will include the preparation and implementation of a Soil and Water Management Plan (SWMP) and Erosion and Sediment Control Plan (ESCP) (refer to SoC 39).	
Heritage	Aboriginal/European Heritage	The spur line proposal is across land that is currently occupied by Glenfield Waste Services and used as a waste landfill site, which so far has been used as an excuse to ignore visual impacts to Glenfield Farm, even though this landfill site is temporary and was to be remediated and returned to public use land, under the National Parks and Wildlife service control. This land remains an important part of the visual curtilage of Glenfield Farm.	The tie in of the Rail link to the SSFL, which crosses the Glenfield Waste Facility, is approved to be constructed and operated under the MPE Stage 1 Project (SSD14-6766). The Modification Proposal does not seek to alter the use of the rail link proposed as part of the MPE Project.	N/A
Heritage	Aboriginal/European Heritage	The interest in the land currently occupied by Glenfield land fill is posed by Glenfield Farm to have had its visual curtilage completely ignored in this deal, which should now be		

Aspect	Issue	Summary	Comments	Reference
		exposed to proper public and planning scrutiny as part of the Concept Plan Modification Report process. Any voluntary agreement made in respect of this land should have included the interest in it held by Glenfield Farm's visual curtilage and the owners should have been consulted		
Heritage	Aboriginal/European Heritage	Historic Glenfield farm buildings listed as being of exceptional importance to the state of NSW would have their views disrupted	A Non-Indigenous Heritage Assessment (Artefact, 2013) was prepared for the Concept Plan Approval EA. A number of heritage listed items located in the vicinity of the MPE site were also identified, with only one of these, Glenfield Farm (listed on the State Heritage Register (SHR)), potentially affected by the MPE Project. The assessment noted that the MPE Project would include the establishment of a landscaping 'buffer zone' along Moorebank Avenue, which would include screening vegetation with dense tree canopy cover and that this feature would help to mitigate potential impacts on views from Glenfield Farm resulting from new buildings within the MPE site. The Visual Impact Assessment prepared for the MPE Concept Approval (Reid Campbell, 2013a) concluded that existing development surrounding the MPE site would generally screen the MPE Project from most of the surrounding area. Bulk earthworks on the MPE and Moorebank Avenue would not result in additional heritage impacts. Adjustment of the building formation would not be	MPE Concept Plan Approval EA Section 5.8 of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			substantial enough to result in additional impacts to views and setting of heritage items in the vicinity such as Glenfield Farm.	
Heritage	Aboriginal/European Heritage	The acoustic impacts will cause grave issues of liveability to Glenfield Farm along with ruining its horizon viewpoint	A Noise and Vibration Impact Assessment was undertaken as part of the Concept Plan Approval EA (Wilkinson Murray, 2013). Wilkinson Murray have undertaken an assessment of the potential noise impacts associated with the Modification Proposal (refer to Appendix B). During construction, changes to the MPE site boundary, the interim site access, internal road network, the freight village, warehousing, staging and subdivision are all expected to have negligible construction noise impacts. These components of the Modification Proposal are not expected to increase construction noise when compared to the MPE Concept Plan Approval. During operation, no adverse impacts to any residential receivers in Glenfield are expected as a result of the Modification Proposal. Visual impacts relating to Glenfield Farm are discussed above.	MPE Concept Plan Approval EA Sections 5.2, 5.8 and Appendix B of the Concept Plan Modification Report
Natural environment	Bushfire	The southern aspect of the site will present a bushfire threat as it has sloped indexed land which under the right temperature and wind direction could pose problem to resident who have to evacuate through 1 main entry/exit point on Wattle Grove Road	Bushfire impacts of the MPE Project were previously addressed in the MPE Concept Plan Approval EA. The Modification Proposal would not alter the findings of the Concept Plan Approval EA and associated *Preliminary Hazards and Risks Assessment* in relation to bushfire.	Section 5.4 of the Concept Plan Modification Report MPE Concept Plan Approval EA

Aspect	Issue	Summary	Comments	Reference
			Bushfire impacts that are not associated with the Modification Proposal are not considered further in this RtS.	
Visual	Pollution	Increase in site level from the fill will result in great distribution of lighting impacts to local residents	Lighting would be required periodically during construction to illuminate ancillary facilities, and on plant and equipment. The impacts of light spill during construction are expected to be minor, localised and temporary. The considerable separation of residential dwellings from the MPE site would also further reduce the impact of construction lighting, and lighting would be designed and located to minimise the effects of light spill on surrounding sensitive receivers. Any impacts would be experienced with or without the Modification Proposal. During operation, visual impacts to surrounding sensitive receivers from lighting would generally be consistent with those identified in the Concept Approval EA. However, there is some potential that the Modification Proposal could increase the prominence of lighting along the Moorebank Avenue upgrade, creating the potential for additional light spill to that originally contemplated by the MPE Concept Plan Approval, a detailed light spill assessment for the recent MPE Stage 2 Proposal indicated that the combination of the lighting design, luminaire selection, positioning and aiming would produce lighting results that are in compliance with the requirements of *Australian Standard (AS) 4282-1997 Control of Obtrusive Effect of Outdoor Lighting*.	Section 5.9 of the Concept Plan Modification Report MPE Concept Plan Approval EA
General	Pollution	Increase in building heights will increase noise light and pollution to local residents	As discussed above, lighting impacts during construction would be similar with or without the Modification Proposal. A detailed light spill assessment for the recent	Sections 5.2, 5.11 and Appendix B of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			MPE Stage 2 Proposal indicated that the combination of the lighting design, luminaire selection, positioning and aiming would produce lighting results that comply with the relevant Australian Standard. Wilkinson Murray undertook an assessment of the potential noise impacts associated with the Modification Proposal. The main findings of the assessment are summarised below. Noise levels associated with construction would comply with the established construction noise management levels (NML) for standard construction hours set in accordance with the *Interim Construction Noise Guideline* (DECC, 2009) at all receivers. They are also within the range of noise levels predicted for the MPE Concept Plan Approval. Compliance with NMLs for the out of hours works would also be achieved, except for a predicted 1 dB exceedance in Wattle Grove. This exceedance is considered negligible and can be adequately addressed by construction noise mitigation and management measures. The assessment also identifies that additional construction traffic associated with the Modification Proposal would have an imperceptible effect on road traffic noise on the surrounding road network and would comply with the established criteria. Operational noise impacts when compared to the MPE Concept Plan are reduced for receivers at Wattle Grove, Wattle Grove North and Casula. This is primarily as a result of warehouses on the MPE site providing noise	MPE Concept Plan Approval EA

Aspect	Issue	Summary	Comments	Reference
			increased shielding to sensitive receivers. A 1 (dB) increase in operational noise would result to receivers in Glenfield, however noise levels would be still well below established criteria and this increase is considered negligible.	
Natural environment	Flooding	Uncaptured flows from the eastern side of the site will negatively impact Anzac Creek	Total pollutant loads contained in the runoff from the site to Anzac Creek would be less than or equal to loads under existing conditions as shown in Section 5.6.2 of the Modification Proposal. It can, therefore, be inferred that any small changes in stormwater quality attributable to the Modification Proposal would be also be adequately addressed by proposed operational treatment measures. Modelling undertaken demonstrates that potential adverse flood impacts attributable to the MPE Project (inclusive of the Modification Proposal) have been adequately mitigated along the Anzac Creek floodplain for up to 100 year events, and generally along the overall floodplain for events greater than the 100 year event.	Section 5.6 of the Concept Plan Modification Report
Natural environment	Flooding	Increasing site level will increase flooding impacts to surrounding areas	A Stormwater and Flooding Environmental Assessment (Hyder Consulting, 2013e) and Flood Study and Stormwater Management Report (Hyder Consulting, 2013f) was prepared as part of the Concept Plan Approval EA. The Stormwater and Flooding Environmental Assessment was undertaken having regard to the site context (including site level increase) and identified three existing catchments that discharge from the site, two eastwards	MPE Concept Plan Approval EA Section 5.6 of the Concept Plan Modification Report
Natural environment	Flooding	New concrete yards and large shed and general increase in sealed areas will displace rainwater and increase flood danger for surrounding residents and areas		
Natural environment	Flooding	Proposal will change the whole nature of the flood zone and Georges		

Aspect	Issue	Summary	Comments	Reference
		river catchment, resulting in more flooding and spreading pollution further	towards Anzac Creek and one westward into the Georges River. The Flood Study and Stormwater Management Report determined the peak flows leaving the site and concluded that the proposed volume of detention storages would adequately mitigate additional site run-off up to and including the 100 year annual recurrence interval (ARI) storm. Flooding risk associated with the development of the warehousing and distribution was also identified. During construction, and specifically during bulk earthworks, there is potential for soil to be eroded from the construction area and deposited onto nearby lands or downstream of either the Georges River or Anzac Creek. This is generally consistent with the Concept Plan Approval, which contemplated some earthworks on the MPE site. The soils and topography of the MPE site have been identified as posing a low erosion hazard. The Modification Proposal would not significantly alter the imperviousness of the MPE site when compared to the MPE Concept Plan Approval. It would also not significantly increase the imperviousness of the Moorebank Avenue, when compared to the existing road formation. Accordingly, there would not be significant changes to peak discharges from either the MPE site or Moorebank Avenue attributable to the Modification Proposal. DRAINS modelling results indicate that the proposed drainage systems and OSD basins would provide adequate system capacities and mitigate potential adverse flood impacts associated with development of	
Natural environment	Contaminated runoff	If the site were flooded contamination would run off and potentially harm and kill previous thought extinct *Hibbertia Fumana*		

Aspect	Issue	Summary	Comments	Reference
			the MPE Stage 2 site from existing conditions. It can therefore be inferred that any small changes to peak discharges which might be attributable to the Modification Proposal would also be adequately accommodated. Stormwater and flooding issues associated with the MPE Project would be managed in accordance with the MPE Concept Plan Approval and associated SoCs. These are considered adequate to address the potential impacts of the Modification Proposal.	
Natural environment	Flooding	Site does not need to be raised as it does not flood	The importation of clean general fill would be used to level the site, and would raise the height in only some areas. Adjustments to final building formation levels are required to support the operation of stormwater infrastructure for the MPE site by replicating the existing stormwater catchments.	
Natural environment	Flooding	Importation of 2 million tons of fill will change the entre water flow and flood diversion profile of the flood plain area	Modelling undertaken for the MPE Stage 2 Proposal demonstrated that sufficient capacity can be provided within the stormwater structures proposed to effectively drain the site in a 100 year ARI event. The adjustment to building formation level will, consistent with assessment in the MPE Concept Plan EA, result in the operational area of the MPE site being above the regional PMF levels. However, areas not impacted by regional flooding may still be affected by local PMF flow regimes.	MPE Concept Plan Approval EA Section 5.6 of the Concept Plan Modification Report
Natural environment	Flooding	No plans to create a site for the backed-up flood waters to retreat to		
Natural environment	Flooding	How much will the fill affect the flood height?		

Aspect	Issue	Summary	Comments	Reference
			The impacts associated stormwater flows from the MPE site to the Georges River are expected to be negligible in the context of the Georges River catchment as a whole. The modelling also demonstrates that potential adverse flood impacts attributable to the MPE Project (inclusive of the Modification Proposal) have been adequately mitigated along the Anzac Creek floodplain for up to 100 year events, and generally along the overall floodplain for events greater than the 100 year event. While the modelling indicates that there may be local flood level increases impacting on the neighbouring property immediately to the north-east, these impacts would be limited to the open vehicular parking areas, and would only occur in extremely rare events (of greater than 100 year ARI).	
Natural environment	Flooding	The area proposed for the Moorebank Intermodal is located on the primary floodplain for the Georges River. According to a paper entitled “Have We Forgotten About Flooding on the Georges River?’” presented at the 2001 Floodplain Management Authorities Conference at the Wentworth Shire Council, planning considerations need to be made for a maximum flood, which can be up to 5 metres higher than the 100 year flood, which is 10.5 metres.	The article in question references the Probable Maximum Flood (PMF), which it states “can be up to 5m higher than the 100 year flood”. PMF levels were previously addressed in Section 5.6.2 of the Modification Report, which stated that the adjustment to building formation level would be consistent with the assessment in the MPE Concept Plan EA, result in the operational area of the MPE site being above the regional PMF levels.	MPE Concept Plan Approval EA Section 5.6 of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
Natural environment	Flooding	It is essential that a full flood modelling study is carried out in respect of this modification proposal	A Stormwater and Flooding Environmental Assessment (Hyder Consulting, 2013e) and Flood Study and Stormwater Management Report (Hyder Consulting, 2013f) was prepared as part of the Concept Plan Approval EA. The modelling carried out determined that flood impacts would be limited to open vehicular parking areas to the north east of the site, and would only occur in extremely rare events.	MPE Concept Plan Approval EA Section 5.6 of the Concept Plan Modification Report
Natural environment	Flooding	The Proposal will destroy the floodplain	A *Stormwater and Flooding Environmental Assessment and Flood Study* and *Stormwater Management Report* was prepared for the MPE Concept Plan Approval. This assessed the impact of the Concept Approval on the surrounding catchments that discharge from the site including Anzac Creek and the Georges River. Flood modelling was undertaken for the MPE Stage Proposal and it demonstrated that the potential adverse flood impacts attributable to the MPE Project have been adequately mitigated along the overall floodplain for up to 100 year events and greater than 100 year events.	Section 5.6 of the MPE Concept Plan Approval EA
General	Fill	Not necessary to increase height of site by 2 metres	The importation of clean general fill would be used to level the site, and would raise the height in only some areas. Adjustments to final building formation levels are required to support the operation of stormwater infrastructure for the MPE site by replicating the existing stormwater catchments.	N/A

Aspect	Issue	Summary	Comments	Reference
General	Fill	Fill is only being added in an effort to avoid site remediation, due to contamination and dangerous materials left behind	The preliminary Environmental Site Assessment did not identify any significant contamination issues which would preclude the development of the MPE site. It did however, recommend further assessment based on the detailed design of subsequent stages of the MPE Project with the aim of identifying the extent of contamination and remediation actions required. Further assessment of the MPE site was undertaken for the MPE Stage 2 EIS (Arcadis, 2016) which identified there were no specific areas requiring direct remediation within the MPE Stage 2 site (which includes the Modification Proposal Site). However, there are various contamination aspects of potential concern which would be managed appropriately during construction through implementation of measures outlined within Section 13.3 and 22 of the MPE Stage 2 EIS. The importation of clean general fill would be used to level the site, and would raise the height in only some areas. Adjustments to final building formation levels are required to support the operation of stormwater infrastructure for the MPE site by replicating the existing stormwater catchments. Clean general fill is defined as material meeting the NSW Environment Protection Authority's (EPA) resource recovery orders and exemptions including Virgin Excavated Natural Material (VENM) and Excavated Natural Material (ENM) as defined below: • VENM is natural material (such as clay, gravel, sand, soil or rock fines):	Sections 13 and 22 of the MPE Stage 2 EIS.
General	Fill	2.2 million cubic meters of landfill is untested, land should be remediated instead		

Aspect	Issue	Summary	Comments	Reference
			- that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining or agricultural activities, - that does not contain sulfidic ores or soils, or any other waste, - and includes Excavated Natural Material (ENM) that meets such criteria for VENM as may be approved from time to time by a notice published in the NSW Government Gazette. • ENM, refers to naturally occurring rock and soil (including but not limited to materials such as sandstone, shale, clay and soil) that: - has been excavated from the ground - contains at least 98% (by weight) natural material - does not meet the definition of VENM - does not include material located in a hotspot; that has been processed, contains acid sulphate soils or potential acid sulphate soils. The clean general fill to be imported to the Modification Proposal site will come with relevant waste classification certificates verifying that it is VENM/ENM and suitable for use as clean fill.	

Aspect	Issue	Summary	Comments	Reference
Natural environment	General impacts	The fill will likely cover rare botanical specimens, aboriginal sites and cause un-remediated contamination	Clean general fill brought to the MPE site and Moorebank Avenue would be clean and appropriately tested and have waste classification certificates (or equivalent) certifying the material is suitable for use on the MPE site The Modification Proposal would not impact any areas of PAD or any known Aboriginal sites. No rare botanical specimens would be impacted through the changes associated with the Modification Proposal. The Modification Proposal would require clearing of only a very small, isolated and fragmented area of native vegetation, comprising 0.1 hectares of Hard-leaved Scribbly Gum – Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin. All other areas to be impacted are planted and disturbed vegetation. Any impacts to native plant community types (PCTs) would be offset in accordance with the NSW Biodiversity Offsets Policy for Major Projects. Impacts related to biodiversity, contamination and Aboriginal heritage are detailed in Sections 5.3, 5.5 and 5.8 of the Modification Report. Biodiversity, contamination and Aboriginal impacts associated with the development of MPE site would be managed in accordance with the Concept Plan Approval and associated SoCs as well as any additional mitigation measures specified in the Modification Report. These are considered adequate to address the potential impacts of the Modification Proposal.	Sections 5.3, 5.5 and 5.8 of the Concept Plan Modification Report
General	Fill	If 600,000 tonnes of fill is required then the site is not suitable and the	On a large and complex project, such as MPE, it is common-place and to be expected that modifications will	

Aspect	Issue	Summary	Comments	Reference
		original application was not carried out correctly.	need to be made to a Concept Plan Approval as a consequence of the detailed design process. Section 75W (now repealed) of the EP&A Act recognises the need for changes and provides: *"(2) The proponent may request the Minister to modify the Minister's approval for a project. The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part."* Some of the individual components of the Modification Proposal are likely to be considered consistent with the MPE Concept Plan Approval and therefore may not specifically require a modification application. However, it is considered appropriate that the components of the Modification Proposal be considered as a group (including the importation of clean general fill). Accordingly, a modification under Section 75W (now repealed) of the EP&A Act is being sought in relation to all the components of the Modification Proposal. The importation of clean general fill would be used to level the site, and would raise the height in only some areas. Adjustments to final building formation levels are required to support the operation of stormwater infrastructure for the MPE site by replicating the existing stormwater catchments.	
General	Fill	Objects to the modification of 600,000 cubic metres of fill		
General	Fill	Proposed dirt may contain bio hazards and foreign matter	Clean general fill brought to the MPE site and Moorebank Avenue would be clean and appropriately tested and have waste classification certificates (or equivalent) certifying the material is suitable for use on the MPE site.	Section 5.5.2 of Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
General	Fill	Bury contaminated land will not fix the problem, chemicals will eventually leach into the river and water table causing permanent damage	A *Preliminary Environmental Site Assessment of the MPE Site and Rail Corridor Lands* (Preliminary ESA) (Golder Associates, 2013a) and a *Phase 1 Environmental Site Assessment – Rail Corridor Land for SIMTA Moorebank Intermodal Terminal Facility* (Phase 1 ESA) (Golder Associates, 2013b) was prepared as part of the Concept Plan Approval EA. The Preliminary ESA did not did not identify any significant contamination issues which would preclude the development of the MPE site. It did however recommend further assessment based on the detailed design of subsequent stages of the MPE Project, with the aim of identifying the extent of contamination and remediation actions required, and matching these requirements to the development of the site. These recommendations are reflected in the SoCs and the Concept Plan Conditions of Approval. Contamination issues associated with the MPE Project would be managed in accordance with the Concept Plan Approval and associated SoCs referred to above. These are considered adequate to address the potential impacts of the Modification Proposal at the concept stage. Further measures have been proposed based on investigations undertaken for the MPE Stage 2 EIS.	Section 5.5 of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
General	Fill	1.63 million m^3 of imported fill does not satisfy the 'substantially the same' test as defined by legal precedent under section 96(2) of the EP&A act	The Modification Proposal, proposes the importation of approximately 600,000m^3 of clean general fill, not 1.63 million m^3. Modification of the MPE Concept Plan approval is being sought in accordance with 75W of the EP&A Act (now repealed) which continues to operate pursuant to clause 3C of Schedule 6A of the EP&A Act, not section 96 of the EP&A Act. The "substantially the same" test does not apply to modifications under section 75W. It is accepted that the modification of an approval under Section 75W should have limited environmental consequences beyond those which had been the subject of assessment in the Concept Plan EA. Section 4.3 of the Modification Report discusses the approval pathway and Section 5 discusses the potential environmental impacts associated with the Modification Proposal. As discussed in Section 5, the Modification Proposal is expected to have limited environmental impacts beyond those envisaged in the MPE Concept Plan EA. On this basis, the Modification Application was lodged with DP&E in accordance with Section 75W of the EP&A Act.	Section 4.3 and 5 of the Modification Report

Aspect	Issue	Summary	Comments	Reference
	Visual	Concerned there will be a reduction in visual amenity for elevated receivers in Casula	An *Urban Design and Landscape Report* (Reid Campbell, 2013a) was prepared for the Concept Plan Approval. A *Visual Impact Assessment* (Reid Campbell, 2013b) undertaken for the Concept Plan Approval involved the preparation of a 3-dimensional massing model to inform the likely maximum and realistic visual impact at key viewpoints. During construction of the Moorebank Avenue upgrade, access works and the importation and placement of clean general fill, the most visible elements would be construction plant such as dozers, graders, excavators, rollers and mobile cranes. These would be visible from areas such as Moorebank Avenue, but less prominent from the residential areas of Casula and Wattle Grove. Given the low-rise nature of construction works associated with the components of the Modification Proposal, visual impacts would be generally low to moderate from most viewpoints, highly localised and temporary. The component of the Modification Proposal with the greatest potential for visual impacts are the bulk earthworks which would result in some site features being slightly more prominent in the surrounding landscape. However, the extensive native bushland areas, Department of Defence facilities on neighbouring lands, the MPW site and the general pattern of industrial type development surrounding the MPE site would provide screening for sensitive receivers.	Section 5.9 of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
Visual	Visual impacts	A failure to identify and address impacts of the raised site on the important visual curtilage of historic Glenfield Farm across the spur line site and the Intermodal site across the Georges River; and a major polluting, noisy and extensive crushing operation that was also not described in the MPW Concept Plan approval, and should thus cause the modification proposal to be rejected	Impacts related to the MPW Concept Approval and associated modifications are not directly relevant to the MPE Modification Proposal and have been assessed separately.	Section 7 MPW Concept Plan Modification RtS
Visual	Visual impacts	Raising the site by 2 meters will further impact on the visual capital held by Glenfield Farm	The assessment noted that the MPE Project would include the establishment of a landscaping 'buffer zone' along Moorebank Avenue, which would include screening vegetation with dense tree canopy cover and that this feature would help to mitigate potential impacts on views from Glenfield Farm resulting from new buildings within the MPE site. Adjustment of the building layout would not be substantial enough to result in additional impacts to views and setting of heritage items in the vicinity such as Glenfield Farm. The Visual Impact Assessment prepared for the MPE Concept Approval (Reid Campbell, 2013a) concluded that existing development surrounding the MPE site would generally screen the MPE Project from most of the surrounding area.	Section 5.8 of the Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
Planning Process	Approvals/applications	The approvals process has not been undertaken correctly and is not transparent, lodging 3 applications proposal 3 days prior to Christmas is underhanded.	The approvals process for the MPE Stage 2 Application, MPW Concept Modification 1 Application and MPE Concept Modification 2 Application, which is the subject of this report, has been undertaken in accordance with relevant legislation under both the EE&A Act and the EP&A Regulations. Furthermore, the lodgement and exhibition timeframes for these documents is considered transparent and above standard requirements for public exhibition. An extended exhibition period of over 10 weeks (December 14th 2016 to 24th February 2017) was provided by DP&E to account for the Christmas period and concurrent documentation. Under normal circumstances the exhibition period is four weeks (30 days).	N/A
Planning Process	Approvals/applications	Proposal should not be approved because reconfiguring the internal road network to allow Moorebank avenue to be redirected around the eastern side of the site is underhanded and will negatively affect Wattle Grove	The Modification Proposal does not include redirection of Moorebank Avenue around the eastern side of the site. A traffic and transport assessment has been prepared (Appendix B of the Modification Report) to consider the additional impacts associated with the Modification Proposal. The Construction Traffic Impact Assessment concluded that the Modification Proposal would not adversely impact the performance of key intersections near the MPE site and that they would still operate at an acceptable LoS during AM and PM peak periods. The Modification Proposal does not propose to alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval.	Appendix B of the Modification Report

Aspect	Issue	Summary	Comments	Reference
Planning Process	Approvals/applications	Objects to all aspects of the proposal being approved	The MPE Concept Plan has been approved and provides the basis for the Modification Proposal. The MPE Concept Plan Approval includes Conditions of Approval and SoCs which remain relevant and would be addressed for the Modification Proposal as applicable to the relevant future stages of development.	N/A
Planning Process	Approvals/applications	This proposal and the entire project should be stopped completely		
Planning Process	Approvals/applications	3 new modification applications invalidate any previous EIS findings and results, a new EIS needs to be produced to include these modifications	The three Proposal applications lodged concurrently include: • MPW Concept Modification RtS (not relevant to this RtS) • MPE Stage 2 EIS • MPE Concept Plan Modification Report The purpose of the this RtS is to respond to submissions received during the exhibition of the MPE Concept Plan Modification Report, exhibited from 14th December 2016 to 24th February 2017. Since the Concept Plan Approval and Environment and Biodiversity Conservation Act 1999 (EPBC Act) Approval (No. 2011/6229), a number of design refinements have been made to the MPE Project. These refinements have been made in response to opportunities to optimise the operation of the IMT, to facilitate the construction process and to address matters such as subdivision which were not contemplated at the time of the Concept Plan Approval. The refinements also respond to advice and consultation with government authorities and service	N/A

Aspect	Issue	Summary	Comments	Reference
			providers, as well as additional data from more detailed environmental and social investigations.	
Planning Process	Approvals/applications	The application is a major modification to the concept and should be rejected	Modification of the MPE Concept Plan approval is being sought in accordance with 75W of the EP&A Act (now repealed) which continues to operate pursuant to clause 3C of Schedule 6A of the EP&A Act. Modifications under section 75W need not be of "minimal" environmental impact as suggested in the submission. It is accepted that the modification of an approval under Section 75W should have limited environmental consequences beyond those which had been the subject of assessment. Section 4.3 of the Modification Report discusses the approval pathway and Section 5 discusses the environmental impacts of Modification Proposal. As discussed in Section 5, the Modification Proposal is expected to have limited environmental consequences beyond those envisaged in the MPE Concept Plan EA. On this basis, the Modification Application was lodged with DP&E in accordance with Section 75W of the EP&A Act.	Section 4.3 and 5 of the Modification Report
Planning Process	Approvals/applications	Proposal would not have been approved originally had these modifications been included in the original plans		
Planning Process	Approvals/applications	Proposed modification is of massive not minor environmental impact, on these grounds the application should be rejected "The consent authority must first consider whether the proposed modification is of minimal environmental impact." [Environmental and Planning Law in New South Wales, Lyster, Lipman, Franklin, Witten, & Pearson, Chapter 4, Developmental Control, Lapse, Modification and Revocation, pg. 109]		
Planning Process	Approvals/applications	The greens proposal to place intermodal terminals on the periphery of the cities and use both Port Kembla and Newcastle ports along with port botany to distribute freight	The MPE Concept Plan EA included consideration of the choice of the current site and potential alternative sites and the site selection is not considered further in the scope of the modification.	The MPE Concept Plan EA

Aspect	Issue	Summary	Comments	Reference
		fairly and with less environmental destruction	There has been strong and consistent support at State and Commonwealth Government levels for the development of an IMT in Moorebank. The MPE site has been earmarked as a highly suitable location for an IMT in both freight and distribution strategy and there is demonstrable demand for an IMT within the area (refer to Section 3 of the MPE Stage 2 EIS). Development of the land for the purposes of an IMT is therefore considered the most suitable and highest and best use for the land. The Commonwealth and State Governments have further endorsed the development of an IMT on the MPE site through granting approvals including the MPE EPBC Approval (No. 2011/6229) and the MPE Concept Plan Approval (MP10_0193). Mitigation measures are included as part of the MPE Concept Plan Approval (and associated SoCs) and the MPE Stage 2 EIS to minimise the impact of the MPE Project on the surrounding environment and community. In this context, alternative locations for this development are not considered relevant to the Modification Proposal.	

Aspect	Issue	Summary	Comments	Reference
Planning Process	Approvals/applications	The planning department should reject all applications and a new fully costed precinct master plan should be developed, one that includes late additions and factors in the RMS traffic impact study, PAC etc. due to the new modifications	On a large and complex project, such as MPE, it is common-place and to be expected that modifications will need to be made to a Concept Plan Approval due to changes arising from the detailed design process. Detailed impact assessments have considered the MPE Stage 2 Proposal (inclusive of the Modification Proposal the subject of this RtS). These assessments have considered the impacts of traffic at both a project level and as part of a cumulative impact assessment. The information provided is consistent with the level of detail required for each stage of development assessment in accordance with the EP&A Act.	N/A
Planning Process	Approvals/applications	Opposed to operational movements between MPE and MPW	Provision for operational movements between the MPE and MPW sites is not part of the Modification Proposal.	N/A
Planning Process	Approvals/applications	Modification application is not “substantially the same as the original development.”2 million cubic metres of fill importation is a major change	Modification of the MPE Concept Plan approval is being sought in accordance with 75W of the EP&A Act (now repealed) which continues to operate pursuant to clause 3C of Schedule 6A of the EP&A Act. The “substantially the same test” does not apply to modifications under section 75W. Section 4.3 of the Modification Report discusses the approval pathway and Section 5 discusses the environmental impacts of Modification Proposal. As discussed in Section 5, the Modification Proposal is expected to have limited environmental consequences beyond those envisaged in the MPE Concept Plan EA. On this basis, the Modification Application was lodged	Section 4.3 of the MPE Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			with DP&E in accordance with Section 75W of the EP&A Act.	
General	Description	The distance of Wattle Grove to the MPE site as stated in the application is incorrect. It should be 370m not 640m.	The referenced distances in Section 2.1 of the Modification Report were stated incorrectly and should read: • Wattle Grove, located approximately 360 metres to the north-east of the proposed construction boundary • Moorebank, located approximately 1300 metres to the north of the proposed construction boundary • Casula, located approximately 760 metres from the proposed construction boundary • Glenfield, located approximately 1830 metres to south-west of the construction boundary	Section 2.1 of the MPE Concept Plan Modification Report
Planning process	Combined project / Modifications	Concerned that if this large a modification is required then the original proposal is flawed and should be thrown out	The modifications sought fall within the scope of the power under section 75W of the EP&A Act, as they are changes to the terms of the MPE Concept Plan Approval. They do not propose a whole new development.	Section 4.3 of the MPE Concept Plan Modification Report
Planning process	Description	This is not a modification but a whole new development	Section 4.3 of the Modification Report discusses the approval pathway and Section 5 discusses the environmental impacts of Modification Proposal. As discussed in Section 5, the Modification Proposal is expected to have limited environmental consequences beyond those envisaged in the MPE Concept Plan EA. On this basis, the Modification Application was lodged with DP&E in accordance with Section 75W of the EP&A Act.	

Aspect	Issue	Summary	Comments	Reference
Planning Process	Scope of approvals/applications	This modification proposal now makes all previous studies and proposals irrelevant as the plans have changed, planning and testing should be done again and the new data presented to the public for consultation	The Modification Report addresses the potential impacts of proposed changes to the MPE Concept Plan Approval and was placed on public exhibition for public comment from 14th December 2016 to 24th February 2017.	
Planning Process	Scope of approvals/applications	If the organisation can't work out how much fill is needed then what else will need to be modified in future, what else are they withholding?	The MPE Concept Plan Approval EA stated that: "Following approval, a detailed design process will be undertaken and further approval applications relating to the construction work will then be lodged on a staged basis. The approval applications will include more detailed documentations of the proposed development and a comprehensive assessment of its compliance with the provisions outlined in the Concept Plan". Any future modifications required to the MPE Project would undergo a thorough environmental assessment in accordance with the requirements of the EP&A Act.	
Planning Process	Scope of approvals/applications	Opposed to the change of function of the intermodal terminal to allow interstate, intrastate and port shuttle freight rail	A detailed description of the components of the Modification Proposal is provided in Section 3 of the Modification Report, and an environmental assessment and justification of each component as part of the Modification Proposal is provided in Sections 4 and 5 of the same report. Overall, the assessment identifies that the Modification Proposal would result in limited environmental impacts in	Sections 3, 4 and 5 of the MPE Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			addition to those identified within the MPE Concept Plan EA.	
Management	Environmental Management Documents	The original EIS did not allow for the amount of fill required for retail, commercial or light industrial uses and therefore should be reassessed	The Modification Report addresses the potential impacts of proposed changes to the MPE Concept Plan Approval, including the proposed importation of clean general fill.	Modification Report
Management	Environmental Management Documents	Amendments introduce significant environmental impacts and should be addressed separately in their own EIS not included as an amendment	On a large and complex project, such as MPE, it is common-place and to be expected that modifications will need to be made to a Concept Plan Approval as a consequence of the detailed design process. The Modification Report addresses the potential impacts of proposed changes to the MPE Concept Plan Approval.	Modification Report
Management	Environmental Management Documents	Area was set aside as a 'Green Zone' by Delfin as a separation between residents and the Military	The Modification Proposal does not propose to remove any vegetation in the buffer zone between the MPE site and Wattle Grove.	N/A
Management	Environmental Management Documents	A viable plan with adequate mitigation of impact which is enforceable and accountable is needed and not currently supplied	The MPE Concept Plan Approval (MP10_0193) includes conditions of approval and SoCs that have incorporated the recommendations of specialist consultants to mitigate environmental impacts, monitor environmental performance and achieve a positive environmental outcome. SIMTA is required to satisfy these conditions and commitments.	N/A
Management	Technical Studies	Visual Impact Assessment and Light spill studies show that significant landscaping, screening and	A Visual Impact Assessment and Light Spill Study was prepared by Reid and Campbell (2013a) for the MPE Concept Approval. This Visual Impact Assessment concluded that existing development surrounding the	MPE Concept Approval

Aspect	Issue	Summary	Comments	Reference
		architectural elements will be needed in order to shield site operations	MPE site would generally screen the MPE Project from most of the surrounding area. A number of mitigation measures including landscaping, planting and built-form screening were recommended to further reduce the overall impact of the MPE Project. Further, a light still analysis was conducted and this concluded that light spill to residential properties were well within the required criteria specified in Australian Standard *AS4282-1997 'Control of Obtrusive Effect of Outdoor Lighting*'.	
Management	Technical Studies	The impact of light spill to residential properties will affect residents 24/7. The light spill study shows this.	As part of the Visual Impact Assessment, a light spill study was conducted by Reid and Campbell for the MPE Concept Approval (2013a) and for the MPE Stage 2 Proposal (2016). These assessments indicated that the MPE Proposal would be compliant with the requirements of Australian Standard *AS4282-1997 Control of Obtrusive Effect of Outdoor Lighting* and this is consistent with the requirements of the SoCs for the MPE Project.	
Management	Technical Studies	Thorough research needs to be done to substantiate the project to the local people	The MPE Concept Plan EA prepared by Urbis (2012) (refer to Section 3) included a detailed strategic justification for the construction and operation of the MPE Project. The Modification Report (Arcadis, 2016) (refer to Section 4) includes a strategic and project level justification for the Modification Proposal. There has been strong and consistent support at State and Commonwealth Government levels for the development of an IMT at Moorebank. The MPE site has been earmarked as a highly suitable location for an IMT in both freight and distribution strategy and there is demonstrable demand for an IMT within the area (refer to	Section 3 of the MPE Concept Plan EA Section 4 of the MPE Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			Section 4 of the Modification Report). Development of the land is therefore considered most suitable and the highest and best use for the land. The Commonwealth and State Governments have further endorsed the development of an IMT on the MPE site through the granting of approvals including the MPE EPBC Approval (No. 2011/6229) and the MPE Concept Approval (MP10_0193). Environmental impact associated with the MPE Project including socio-economic impacts have been considered through the MPE Concept Approval EA and Modification Proposal. It is considered that the potential impacts can be satisfactorily mitigated through a range of measures that will be addressed as part of future detailed planning approval applications and throughout the construction and operational phases of the project. Overall, the assessments conclude that the development proposed in the MPE Concept Plan Approval and Modification Proposal is in the public interest.	
General	General	Since project was conceived the surrounding areas have been rezoned to medium and high density, greatly increasing strain on traffic, resources etc.	Detailed impact assessments have been undertaken progressively for both the MPE Project, the Modification Proposal and the MPE Stage 2 Proposal. These assessments have considered the zoning of the surrounding area and impacts of traffic in relation to traffic growth from background traffic and the MPE Project. The information provided is consistent with the level of detail required for each stage of development assessment in accordance with the EP&A Act.	N/A

Aspect	Issue	Summary	Comments	Reference
General	Project footprint	Proposed raising of vertical alignment of Moorebank avenue for 1.5kms by 2m from the northern boundary of MPE to 120 meters south of the MPE site will require more space for the proposed site	The construction area required from the Moorebank Avenue upgrade component of the Modification Proposal is shown in Section 2 of the Modification Report.	Section 2 of the MPE Concept Plan Modification Report
General	MPE Stage 2 Application	SIMTA shouldn't be able to apply for Stage 2 when they haven't finished modifying their concept plan	The Modification Proposal seeks to modify the MPE Concept Approval to facilitate for future stages of development including, but not limited to, the MPE Stage 2 Proposal. It is anticipated that a decision on whether to approve the Modification Proposal will be reached prior to any decision in relation to the MPE Stage 2 Proposal. This approach is consistent with the requirements of the EP&A Act.	
General	MPE Stage 2 Application	Stage 2 should not be approved when concept plant and layout is not finalised		
General	MPE Stage 2 Application	The modification application ignores the extremely close position of historic Glenfield Farm to the spur line site, and the impacts of the modifications on the Glenfield Farm site.	The Heritage Impact Assessment (Appendix F of the Modification Report) assess the impacts of the Modification Proposal on items of Aboriginal and Non-Aboriginal heritage that surround the MPE Project site including Glenfield Farm. The Heritage Impact Assessment concluded the Modification Proposal would not result in additional impacts to views and setting of heritage items in the vicinity, such as Glenfield Farm.	Section 5.8 and Appendix F of the MPE Concept Plan Modification Report
Economics	General	SIMTA is importing fill for profit	The requirement to import additional clean general fill material as part of the Modification Proposal has been addressed in Section 3 of the Modification Report. The importation of clean general fill would be used to level the site, and would raise the height in only some areas. Adjustments to final building formation levels are required	N/A

Aspect	Issue	Summary	Comments	Reference
			to support the operation of stormwater infrastructure for the MPE site by replicating the existing stormwater catchments. The adjustment to the site levels would ensure that the site can be effectively drained in a 100-year annual recurrence interval (ARI) event and it would also bring the operational area of the MPE site above the regional probable maximum flood (PMF) levels.	
General	MPE Stage 2 Application	Objects to the use of public funds for this privately owned project	The MPE Project is to be funded by both SIMTA and MIC. The MPE Project (and Concept Modification Proposal) would result in benefits to the wider community on a regional scale through a shift from road to rail and improved freight movements from Port Botany to Moorebank.	Section 3 of the MPE Concept Plan EA Section 4 of the MPE Concept Plan Modification Report
General	MPE Stage 2 Application	Will benefit multinational companies who will not pay their fair share of taxes	The justification and strategic need for the MPE Project has been considered in Section 3 of the MPE Concept EA (Urbis, 2012), while Section 4 of the Modification Report includes a strategic and project level justification for the Modification Proposal.	
General	MPE Stage 2 Application	Imposing healthy and safety issues on a community for the benefits of business economics is unethical	Potential health and safety impacts associated with the Modification Proposal are assessed in the Modification Report. It is concluded that no additional health or safety impacts would be generated from the Modification Proposal when compared to the MPE Concept Approval. Mitigation measures to manage and minimise impacts to the community are included in the MPE Concept Plan Approval conditions of approval and associated SoCs.	

Aspect	Issue	Summary	Comments	Reference
General	Project need	Forwarding freight on from its original port destination in Port Botany will increase freight and shipping costs while unnecessarily clogging roads	The justification and strategic need for the MPE Project has been considered in Section 3 of the MPE Concept EA (Urbis, 2012), while Section 4 of the Modification Report includes a strategic and project level justification for the Modification Proposal.	Section 3 of the MPE Concept EA Section 4 of the MPE Concept Plan Modification Report
General	Socio-economic impact	Increased health problems from the proposals pollution will cause an increase in the cost of Medicare and hospitals due to the increase number of people with medical conditions	A preliminary screening health risk assessment was prepared by Toxikos for the MPE Concept Approval (Screening HRA). The assessment evaluated the health impacts associated of the MPE Project on the air quality of the surrounding residential areas. Overall, the preliminary screening health risk assessment concluded that the MPE Project would not cause a significant acute or chronic health risk and that impacts would be managed through the implementation of mitigation and management measures prescribed in the MPE Concept Plan EA. The potential human health impacts associated with the Modification Proposal are consistent with those described above during the operational phase. Emissions during construction were not evaluated by the Screening HRA because they would be temporary, appropriately managed and compliant with relevant air quality standards. The Screening HRA did not evaluate the potential human health impacts of exposure to noise. However, based on a review of the potential noise impacts documented in Section 5.2 of the Modification Report, the human health	Appendix I of the MPE Concept Plan EA Section 15 of the MPE Concept Plan EA Section 5.2 and 5.11 of the MPE Concept Plan Modification Report.

Aspect	Issue	Summary	Comments	Reference
			risk associated with noise would be reduced from that expected by the MPE Concept Plan EA.	
Socio-economic	Reduction in property prices and compensation	Project would cause a decrease in property and land value	A socio-economic impact assessment was undertaken as part of the MPE Concept Plan Approval EA (refer to Section 15.3 of the MPE Concept Plan EA). Section 15.3 of the EIS considers economic impacts generated as a result of operation of the MPE Project and concluded that the MPE Project would provide employment and economic benefits for the Liverpool LGA, the South-West Subregion and the Sydney Metropolitan Area.	Section 15.3 of the MPE Concept Plan EA
Socio-economic		Impacts to nearby residents' economic wellbeing		
Socio-economic		Request for reimbursement of property capital loss	There are a number of factors that influence property values including market conditions, physical characteristics of the property, location, proximity to employment opportunities, socio-economic characteristics and amenity. Any impact on property values associated with a particular proposal is difficult to quantify, particularly when the proposal has demonstrated an acceptable level of environmental impact.	N/A
Socio-economic		The intermodal project will drive new residents and investment away from the region	The Modification Proposal does not alter the potential socio-economic impacts identified in the MPE Concept Plan EA.	N/A
Socio-economic	Employment	Dispute employment numbers stated in the EIS. The use of automation would reduce these numbers significantly	The Modification Proposal would not alter the employment numbers identified in the MPE Concept Plan EA (Urbis, 2013) which identified that the MPE Project would generate 7,100 ongoing direct and indirect jobs once the facility is fully operational. The facility would also	Section 15 of the MPE Concept Plan EA

Aspect	Issue	Summary	Comments	Reference
			generate 850 direct and indirect jobs per annum over the six year construction period, or a total of 5,100 one year full time equivalent jobs over the full six year construction period.	
Socio-economic	Cost of the project	The public should not pay for the extensive road works, traffic control or the rail link for a private facility	The Project is to be funded by SIMTA and MIC. Included in the MPE Concept Approval is the need for relevant drainage and transport infrastructure that will be funded by SIMTA and MIC as a form of developer contribution. While discussions are still ongoing with relevant government agencies including Liverpool City Council and RMS; in the MPE Stage 2 EIS the Proponent has provided a consideration of developer contributions in light of the Preston's Industrial Release Area contributions as Liverpool City Council does not have a Section 94 Contribution Plan relating to industrial development on the MPE site.	N/A
Socio-economic	Cost of the project	Government has not allocated the required funds for the required infrastructure to establish the site		N/A
Socio-economic	Cost of the project	Raising the ground works by 2m is a waste of tax payers' money	The Modification Proposal is to be funded by both SIMTA and MIC. The MPE Project (and Modification Proposal) would result in benefits to the wider community on a regional scale through a shift from road to rail and improved freight movements from Port Botany to Moorebank.	N/A
Socio-economic	Cost of the project	Waste of tax payers' funds		N/A
Socio-economic	Cost of the project	If SIMTA is so confident of its proposal it should pay 400M for the rail link and 3 billion for the road upgrades itself	The MPE Project is to be funded SIMTA and MIC.	N/A

Aspect	Issue	Summary	Comments	Reference
Community	Consultation	Consultation to date has been insufficient/non-existent	SIMTA (and MIC) has implemented ongoing community consultation initiatives since 2010. This has included multiple newsletters distributed to approximately 10,000 households within the nearby suburbs to the MPE site. Other consultation tools implemented throughout the Project and that remain ongoing include: • Standalone Project website (www.simta.com.au) • Email feedback system (SIMTA@elton.com.au) • Free call 24-hour information line (1800 986 465) All stakeholder and community consultation undertaken to date has been consistent with the Commonwealth Department of Energy and Environment (DoEE's) *EIS Guidelines*, the Secretary for the NSW Department of Planning and Environment (DP&E's) Director-General's Requirements (DGRs) and Draft Statement of Commitments set out for the MPE Concept Approval (MP10_0193). A summary of consultation undertaken for the MPE Concept Approval is outlined within Section 17 of the MPE Concept Plan Approval EA. A summary of consultation undertaken to date for the Modification Proposal is included in Section 1.3 of the Modification Report and Section 2 of this RtS. Community Consultation for the MPE Concept Modification Report was undertaken as part of the exhibition/public notification period as required under s96(2) of the EP&A Act. Registered Aboriginal Parties have not been consulted with during the exhibition of the MPE Concept Modification Report, as the Amended	Section 17 of the MPE Concept Approval EA Section 1.3 of the Modification Report Section 2 of this RtS

Aspect	Issue	Summary	Comments	Reference
			Modification Proposal is consistent with the approach identified in the MPE Concept Plan Approval and does not result in any further impacts on Aboriginal heritage significance. Consultation with key stakeholder groups, agencies and the public is to remain ongoing throughout the course of the MPE Project.	
Community	Consultation	Multistorey high-rise apartment buildings are being constructed within 1km of the proposed site, these new owners have not been consulted with and their views will be obstructed with the proposal	As outlined above, SIMTA (and MIC) has implemented ongoing community consultation methods since 2010, in accordance with relevant guidelines and approval requirements. The MPE Concept Approval EA included consideration of the local and regional context of the site with respect to surrounding land uses and development, along with a strategic justification for the MPE Project (refer to Section 3 of the MPE Concept Approval EA). While it is unclear which specific buildings are being referred to, due to the setback distance the MPE site would appear in the context of other industrial development in the locality. Views would not be obscured. Bulk earthworks proposed as part of the Modification Proposal would result in some site features being slightly more prominent in the surrounding landscape. However, the extensive native bushland areas, Department of Defence facilities on neighbouring lands, the MPW site and the general pattern of industrial type development surrounding the MPE site would provide screening for nearby sensitive receivers.	Section 3 and 13.4 of the MPE Concept Approval EA

Aspect	Issue	Summary	Comments	Reference
Community	Consultation	Huge swathes of the broader community, who will also be affected, have been left out of the consultation process such as Bayside council area, Sutherland shire, Georges river, Canterbury, and Bankstown	As discussed above, community consultation for the MPE Project has been undertaken since 2010, using a variety of media including community newsletters to approximately 10,000 households in surrounding suburbs, a stand-alone project website, email feedback system and 24-hour telephone information line. This consultation has been undertaken consistent with DPE's Major Project Community Consultation Guidelines 2007, designed to provide those who will potentially be 'directly impacted by the project' an opportunity to receive information and provide feedback. The Modification Proposal is likely to reduce traffic movements through the Bayside, Canterbury / Bankstown LGAs which are currently experiencing traffic from road freight (from Port Botany to other regions of Sydney).	
Community	Consultation	Responses to community concerns to date have been inadequate	As discussed above, the community consultation process undertaken for the MPE Concept Approval and MPE Modification Proposal has been in accordance with relevant guidelines and requirements prescribed under the DGRs and Statement of Commitments prescribed for the Project. Information to the community has been provided through a variety of mediums, including: • Newsletters – Last newsletter sent August, 2016 • Standalone Website - www.simta.com.au) • Email feedback system (SIMTA@elton.com.au) • Free call 24-hour information line (1800 986 465) Responses to community concerns have been provided relative to the mode of communication. Formal concerns	N/A

Aspect	Issue	Summary	Comments	Reference
			submitted as part of the exhibition/public notification period have been identified and addressed as part of the RtS process (i.e. this Report).	
Community	Impacts to community lifestyle	The Proposal would impact on community, families and lifestyle. Impacting general health, traffic and environment through noise and pollution for years to come	Impacts to community health and lifestyle were identified and assessed in the MPE Concept Approval, through assessments for traffic, noise, air and health (refer to Sections 5, 6, 11 and 15.2 of the MPE Concept Plan EA). The Modification Proposal, as assessed within the Modification Report, would not result in any additional significant impacts to traffic, noise, air and health above that approved for the MPE Concept Approval, with the implementation of SoCs outlined in Appendix A of the Modification Report.	Sections 5, 6, 11 and 15.2 of the MPE Concept Plan EA Appendix A of the MPE Concept Plan Modification Report
Community	Impacts to community lifestyle	The proposal would impact young families who have settled in the area		
Community	Impacts to community lifestyle	The Proposal will decrease the quality of life for the community		
Community	Impacts to community lifestyle	Adverse impacts on the standard of living for local residents		
Community	Impacts to community lifestyle	Many residents have illnesses and the current peaceful and green environment minimise symptoms and aid recovery		
Community	Impacts to community lifestyle	The proposal would change the character of the area	An *Urban Design and Landscape Report* (Reid Campbell, 2013) was prepared for the Concept Plan Approval (refer to Section 13 of the MPE Concept EA). The report found that the MPE Project would integrate into the surrounding land form and surrounding development through the use of architecturally designed structures, landscaping and select vegetation removal. The assessment found that the most prominent views of the MPE Project would occur	Section 13 of the MPE Concept EA Section 5.9 of the MPE Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			at localised boundary points at Moorebank Avenue and Anzac Road and at some nearby residential properties, however these impacts were assessed as relatively low level given current exposure to the industrial character of the MPE site and linear infrastructure within the Rail Corridor. A number of mitigation measures including landscaping, planting and built-form screening were recommended to reduce this overall impact. The Modification Proposal would include bulk earthworks activities, which would result in some site features being slightly more prominent in the surrounding landscape. A revised visual impact assessment, as presented in Section 5.9.2 of the Modification Report, indicates that overall, the Modification Proposal would not contribute to a significant increase in visual impact at any viewpoint.	
Community	Impacts to community lifestyle	Industrial area not appropriate in the middle of a residential community	As outlined in Section 1.1 of the MPE Concept Plan EA, the MPE Project is located on land zoned as IN1 General Industrial under the Liverpool Local Environment Plan 2008 (Liverpool LEP). The MPE Project is classified as a freight distribution facility and warehouse or distribution centre, both of which are permitted with consent. A key consideration is that the nearest residential area to the MPE site is located to the north-east of the site (Wattle Grove suburb), which is buffered by residual Commonwealth Land. The MPE site is generally located in an industrial area, surrounded by similar uses along Moorebank Avenue and Anzac Road. The location of the MPE Project (and the Modification Proposal) is therefore considered suitable in the context	Section 1.1 of MPE Concept Plan EA
Community	Impacts to community lifestyle	Densely populated family orientate residential area not suitable for such a development		
Community	Impacts to community lifestyle	The proposal is located too close to residential areas		

Aspect	Issue	Summary	Comments	Reference
			of the surrounding uses, distance to residential properties and mitigation measures proposed to minimise impacts on the surrounding area.	
Community	Impacts to community lifestyle	The proposal will risk destroying the unique, young family orientated community, specifically one that is surrounded by the bush	Impacts to community health and lifestyle were identified and assessed in the MPE Concept Approval, through assessments for traffic, noise, air and health (refer to Sections 5, 6, 11 and 15.2 of the MPE Concept Plan EA). The Modification Proposal, as assessed within the Modification Report, would not result in any additional significant impacts to traffic, noise, air and health above that approved for the MPE Concept Approval, with the implementation of SoCs outlined in Appendix A of the Modification Report. As outlined in Section 1.1 of the MPE Concept Plan EA, the MPE Project is located on land zoned as IN1 General Industrial under the Liverpool Local Environment Plan 2008 (Liverpool LEP). The MPE Project is classified as a freight distribution facility and warehouse or distribution centre, both of which are permitted with consent. A key consideration is that the nearest residential area to the MPE site is located to the north-east of the site (Wattle Grove suburb), which is buffered by residual Commonwealth Land. The MPE site is generally located in an industrial area, surrounded by similar uses along Moorebank Avenue and Anzac Road. The location of the MPE Project (and the Modification Proposal) is therefore considered suitable in the context of the surrounding uses, distance to residential properties	

Aspect	Issue	Summary	Comments	Reference
			and mitigation measures proposed to minimise impacts on the surrounding area.	
Community	Impacts to community lifestyle	Extensive construction works and operation will impact the surrounding community in regards to noise, emissions, dust, breaking, lighting and shunting	Noise, air and lighting impacts for the MPE Project were identified and assessed in the MPE Concept Plan Approval (refer to Sections 6, 11 and 13 of the MPE Concept EA). Mitigation and management measures, outlined within Section 18 of the MPE Concept Plan EA, have been prescribed to mitigate these impacts within acceptable and manageable levels. The Modification Proposal, as assessed within the MPE Concept Modification Report, would not result in any additional significant impacts compared to the MPE Concept Approval, through the implementation of SoCs outlined in Appendix A of the MPE Concept Modification Report.	Sections 6, 11, 13 and 18 of the MPE Concept Plan EA. Appendix A of the MPE Concept Plan Modification Report
Community	Impacts to community lifestyle	It is unrealistic to assume that this development in such a small community will have no impact	The MPE Concept Plan EA identifies and addresses the anticipated impacts during construction and operation of the MPE Project for a range of environmental aspects. Mitigation and management measures proposed as part of the EA respond to the degree of anticipated impact. The Modification Proposal, as assessed within the Modification Report would not result in any significant additional impacts compared with those already identified and addressed within the MPE Concept Plan EA.	

Aspect	Issue	Summary	Comments	Reference
Community	Impacts to community lifestyle	Facility will stifle growth in an important business growth centre	The strategic need and business case for the MPE Project is presented and was assessed within the MPE Concept EA (Approved MP10_0193). As outlined above, the approved MPE Project is located on land zoned as IN1 General Industrial under the Liverpool Local Environment Plan 2008 (Liverpool LEP) and would provide both economic and social benefits as discussed in Section 17.3 of the MPE Concept Plan EA. The Modification Proposal, as assessed within the MPE Concept Modification Report would not result in any significant impacts in addition to those already identified and addressed within the MPE Concept Plan EA, and retains the use of the land as intended and presented within the MPE Concept Plan EA.	Section 17.3 of the MPE Concept Plan EA
Community	Impacts to community lifestyle	Raising site 2m will put the terminal in full view of surrounding residents making their life unbearable	A Visual Impact Assessment (VIA) was prepared by Reid Campbell (2013) to inform the MPE Concept Approval. The assessment found that the MPE Project would generally retain the existing character of the area and that the existing development surrounding the MPE site would generally screen the MPE Project from most of the surrounding area However, some relatively high and/or bulky structures/equipment may increase the visibility of the MPE site beyond its current levels, with some limited and localised visual impacts. A number of mitigation measures including landscaping, planting and built-form screening were recommended to reduce this overall impact. The Modification Proposal would involve importation of clean general fill to adjust the building formation of the site to support stormwater and drainage requirements. A	Section 13 of the MPE Concept Plan EA Section 5.9 of the MPE Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			visual impact assessment of the Modification Proposal was included within Section 5.9 of the MPE Concept Modification Report. The results of that assessment found that the visual impacts ranged from negligible/low to low/moderate across all viewpoints. Further assessment of individual viewpoints as part of the MPE Stage 2 EIS indicates that the MPE Stage 2 Proposal (which includes the components of the proposed modification) is in keeping with the surrounding land uses and any impacts would be effectively minimised using landscaping and urban design. The highest anticipated visual impact at any viewpoint would be Moderate.	
Community	Impacts to community lifestyle	Diesel particle pollution and traffic will have a negative impact on residents and has not been looked at properly	*Air Quality* An Air Quality Impact Assessment (Pacific Environment, 2011) was prepared for the MPE Concept Plan EA, which takes into account all stages of the MPE Project. Particulate Matter (PM) modelling predictions were made based on the maximum operating capacity of the MPE Project compared against air quality indicators for coarse particulate matter (PM_{10}) and fine particulate matter ($PM_{2.5}$). The modelling indicated that maximum predicted incremental 24-hour PM concentrations at sensitive receivers would be approximately 8 $\mu g/m^3$, which equates to 16% of the impact assessment criteria for PM_{10} and 32% of the advisory reporting standard for $PM_{2.5}$. Ramboll Environ conducted an air quality impact assessment of the potential impacts associated with the Modification Proposal (refer to Appendix E of the Modification Report). The modelling results indicate that	Section 5 and 11 of the MPE Concept Plan EA Section 5.1 and 5.7 of the MPE Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			the construction phase emissions for the Modification Proposal would comply with all relevant impact assessment criteria. *Traffic* Several studies were undertaken to support the MPE Concept Plan Approval EA with a focus on operational traffic and transport. These included: • *Strategic Needs for Intermodal Terminal and Freight Demand* (Hyder Consulting, 2013a) • *Transport and Accessibility Impact Assessment* (Hyder Consulting, 2013b). Mitigation measures to limit the deterioration in level of service were identified and modelled and showed that road capacity improvements would mitigate the forecast impacts from the MPE Project. Acknowledging that the MPE Project will be developed in stages a road upgrade staging plan, along with timings for the upgrades, was proposed. This staging plan indicated that the following upgrades may potentially be required (subject to further detailed assessments) at the following locations: • Moorebank Avenue from the MPE site to the M5 interchange • Moorebank Avenue / Anzac Road intersection • M5 Motorway / Moorebank Avenue grade separated interchange. The Modification Report includes an assessment of anticipated traffic impacts generated by the Modification	

Aspect	Issue	Summary	Comments	Reference
			Proposal. The results from this assessment indicated that the construction traffic associated with the Modification Proposal would not have an adverse impact on the performance of key intersections near the MPE site and would operate at an acceptable LoS during the AM and PM peak periods.	
Community	Impacts to community lifestyle	Objects to extended working hours close to residents	As outlined within the revised Statement of Commitments for the MPE Concept Modification report (refer to Appendix A of MPE Concept Modification Report), any works undertaken outside of standard working hours would be subject to noise assessments as part of future development proposals. Section 8.2.2 of the MPE Stage 2 EIS assesses the proposal to extend regular working hours for certain activities to facilitate importation of clean general fill outside of peak traffic times, thereby reducing potential traffic congestion. The assessment of these additional OOH periods indicates that construction noise levels are not predicted to exceed applicable NML at sensitive receivers for all OOH periods proposed.	Appendix A of MPE Concept Plan Modification Report Section 8.2.2 of the MPE Stage 2 EIS
Community	Social	It's morally wrong to do this to residents in the area	The merits of this type of land use at this location were assessed as part of the MPE Concept Plan Approval. Section 18 of the MPE Concept Plan EA, includes a range of mitigation measures to manage and minimise impacts to surrounding land uses. Revised SoCs are provided in Appendix A of the Modification Report.	Section 18 of the MPE Concept EA Appendix A of the MPE Concept Plan Modification report
Community	Safety	Erecting noise barriers in close proximity to noise sources is unsafe	No noise barriers are proposed for the MPE Project.	

Aspect	Issue	Summary	Comments	Reference
		and impractical, especially when sources are not static		
Community	Road safety	Traffic caused by the proposal will be dangerous and compromise the safety of residents	*Air Quality* An Air Quality Impact Assessment (Pacific Environment, 2011) was prepared for the MPE Concept Plan EA, which takes into account all stages of the MPE Project. Particulate Matter (PM) modelling predictions were made based on the maximum operating capacity of the MPE Project compared against air quality indicators for coarse particulate matter (PM_{10}) and fine particulate matter ($PM_{2.5}$). The modelling indicated that maximum predicted incremental 24-hour PM concentrations at sensitive receivers would be approximately 8 $\mu g/m^3$, which equates to 16% of the impact assessment criteria for PM_{10} and 32% of the advisory reporting standard for $PM_{2.5}$. Ramboll Environ conducted an air quality impact assessment of the potential impacts associated with the Modification Proposal (refer to Appendix E of the Modification Report). The modelling results indicate that the construction phase emissions for the Modification Proposal would comply with all relevant impact assessment criteria. *Traffic* Several studies were undertaken to support the MPE Concept Plan EA with a focus on operational traffic and transport. These included: • *Strategic Needs for Intermodal Terminal and Freight Demand* (Hyder Consulting, 2013a)	Section 5 and 11 of the MPE Concept Plan EA Section 5.1 and 5.7 of the MPE Concept Plan Modification Report

Aspect	Issue	Summary	Comments	Reference
			• *Transport and Accessibility Impact Assessment* (Hyder Consulting, 2013b). Mitigation measures to limit the deterioration in level of service were identified and modelled and showed that road capacity improvements would mitigate the forecast impacts from the MPE Project. Acknowledging that the MPE Project will be developed in stages a road upgrade staging plan, along with timings for the upgrades, was proposed. This staging plan indicated that the following upgrades may potentially be required (subject to further detailed assessments) at the following locations: • Moorebank Avenue from the MPE site to the M5 interchange • Moorebank Avenue / Anzac Road intersection • M5 Motorway / Moorebank Avenue grade separated interchange. The Modification Report includes an assessment of anticipated traffic impacts generated by the Modification Proposal. The results from this assessment indicated that the construction traffic associated with the Modification Proposal would not have an adverse impact on the performance of key intersections near the MPE site and would operate at an acceptable LoS during the AM and PM peak periods.	
Community	Road safety	Concerned that SIMTA's official report states at this point that there is a 20 fold higher crash rate than the RMS threshold for blackspots on	The Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval.	

Aspect	Issue	Summary	Comments	Reference
		Moorebank and Cambridge avenue, 2 fatalities over 5 years and MICL's EIS which states a 40 fold higher crash rate than the RMS threshold on the M5 between Heathcote Rd and the Hume Highway, while the report states that between 75-85% of intermodal trucks will use these blackspots and 100% will use Moorebank Ave. Concern this will result in more deaths.		
Flora & Fauna	General	Project would impact on native flora and fauna and destroy habitat for local species	The biodiversity impacts of the MPE Project were previously assessed in the MPE Concept Plan EA Flora and Fauna Assessment (Hyder Consulting, 2013), MPE Stage 1 EIS (Hyder Consulting 2015a), and MPE Stage 1 RtS (Hyder Consulting 2015b). Those assessments recorded four Threatened Ecological Communities (TECs) listed under the *NSW Threatened Species Conservation Act* (TSC Act) within the study area. Additional targeted threatened flora surveys were undertaken in 2016, as documented in CPB (2017) and SIMTA (2017). Arcadis undertook a further assessment of the potential biodiversity impacts associated with the Modification Proposal. That assessment, described in detail in Section 5.3 of the Modification Report, determined that the Modification Proposal would result in clearing of approximately 0.1 hectares (ha) of additional Hard-leaved Scribbly Gum – Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin.	Flora and Fauna Assessment (Hyder Consulting, 2013) Biodiversity Assessment Report for MPE Stage 1 EIS (Hyder Consulting 2015a) Biodiversity Assessment Report for MPE Stage 1 RtS (Hyder Consulting 2015a) Section 5.3 of the MPE Concept Plan Modification Report.

Aspect	Issue	Summary	Comments	Reference
			Any impacts to threatened species or ecological communities would be offset in accordance with the NSW Biodiversity Offsets Policy for Major Projects.	
Flora & Fauna	General	Concerned project would impact endangered flora and fauna thought to be extinct, specifically *Hibbertia fumana*	Targeted surveys for threatened flora species were undertaken as part of the MPE Stage 1 biodiversity assessments (Hyder Consulting 2015a, 2015b) and additional surveys were conducted in the Boot land to the south of the MPE Site in late 2016 (CPB 2017, SIMTA 2017). Additional targeted threatened flora surveys have been undertaken for the MPE Stage 2 RtS (Arcadis, 2017) within 30 m of the eastern boundary of the MPE Site where it adjoins the Boot land, and within 30 m of the portion of the Boot land south of the MPE Site that adjoins the fenceline south of the construction footprint. Threatened flora species targeted as part of the additional surveys included: • *Acacia bynoeana* (Bynoe's Wattle) • *Acacia pubescens* (Downy Wattle) • *Grevillea parviflora subsp. Parviflora* (Small-flowered Grevillea) • *Hibbertia fumana* • *Hibbertia puberula subsp. puberula* • *Persoonia nutans* (Nodding Geebung). The results and extent of the survey area and locations of threatened species recorded within this area is included	Section 7.5 of the MPE Stage 2 RtS

Aspect	Issue	Summary	Comments	Reference
			in Section 7.5 of the MPE Stage 2 RtS. The Modification Proposal would result in construction phase biodiversity impacts consistent with those already identified and assessed as part of the MPE Concept Approval EA, with the exception of the loss of 0.1 hectare of Hard-leaved Scribbly Gum – Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin. This area was not previously assessed, as it was not mapped.	
Flora & Fauna	General	Concerned project is reducing vegetation in the riparian corridor, how is this going to be offset	The Modification Proposal would result in the clearing of an additional approximately 0.1 ha of Hard-leaved Scribbly Gum – Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin. The Modification Proposal would not result in any additional impacts to riparian vegetation, including within the Georges River Riparian corridor. Any impacts of the project on threatened species or ecological communities would be offset in accordance with the NSW Biodiversity Offsets Policy for Major Projects.	Section 7.5 of the MPE Stage 2 RtS
Flora & Fauna	General	This modification shows that key information was withheld until after the approvals process relating to previous thought extinct species	Detailed surveys and biodiversity impact assessments have been undertaken progressively for the MPE Project. The information provided is consistent with the level of detail required for each stage of development in accordance with the EP&A Act.	Section 7.5 of the MPE Stage 2 RtS
Flora & Fauna	General	During the development of the DNSDC endangered and previously thought extinct plants were destroyed, why will the same not occur during this project	Impacts on biodiversity associated with construction and operation of the MPE Project were assessed in the Concept Plan Approval in the Flora and Fauna Assessment (Hyder Consulting, 2013). The assessments concluded that potentially affected threatened flora and	Section 7.5 of the MPE Stage 2 RtS

Aspect	Issue	Summary	Comments	Reference
			fauna would not be significantly impacted by the MPE Project and impacts on these threatened species and communities can be adequately addressed through mitigation measures. Targeted surveys for threatened flora species were undertaken as part of the MPE Stage 1 biodiversity assessments (Hyder Consulting 2015a, 2015b) and additional surveys were conducted in the Boot land to the south of the MPE Site in late 2016 (CPB 2017, SIMTA 2017). No threatened flora species were recorded within the Modification Proposal site.. The Modification Proposal would result in biodiversity impacts consistent with those already identified and assessed as part of the MPE Concept Approval EA with the exception of the loss of 0.1 hectare of Hard-leaved Scribbly Gum – Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin. This area was not previously assessed, as it was not mapped. All other areas to be impacted are planted and disturbed vegetation. Any impacts to threatened species and ecological communities would be offset in accordance with the NSW Biodiversity Offsets Policy for Major Projects, and would be considered in the Biodiversity Offset Strategy to be prepared for the Moorebank Precinct (under the Draft MPE Stage 1 Conditions of Approval).	

Aspect	Issue	Summary	Comments	Reference
Flora & Fauna	General	Proposal originally said there would be no impacts to native flora and fauna, this constitutes a lie	The clearing of the entire MPE site was assessed in the MPE Concept Plan Assessment; the loss of 0.1 hectare of Hard-leaved Scribbly Gum – Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin was not previously assessed, as this area was not mapped. All other areas to be impacted by the Modification Proposal are planted and disturbed vegetation.	Section 7.5 of the MPE Stage 2 RtS
Flora & Fauna	Vegetation Management	What is the conservation and management plan for Hibbertia Fumana, which department will be delegated authority to ensure the plan is produced by the applicant	The Modification Proposal would result in biodiversity impacts consistent with those already identified and assessed as part of the MPE Concept Approval EA with the exception of the loss of 0.1 hectare of Hard-leaved Scribbly Gum – Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin. This area was not previously assessed, as it was not mapped. All other areas to be impacted are planted and disturbed vegetation. Any impacts to threatened species and ecological communities would be offset in accordance with the NSW Biodiversity Offsets Policy for Major Projects, and would be considered in the Biodiversity Offset Strategy to be prepared for the Moorebank Precinct (under the MPE Stage 1 Conditions of Approval). Construction Flora and Fauna Management Plans (CFFMPs) have been prepared for Construction Packages 1 and 2 of MPE Stage 1 (CPB 2017, SIMTA 2017). These Plans include pre-clearance surveys for threatened flora species, including *Hibbertia fumana.* Additional biodiversity assessment has been undertaken for the MPE Stage 2 Proposal (which includes the extent of the Modification Proposal) and is included in Section	Section 11 and Appendix O of the MPE Stage 2 EIS

Aspect	Issue	Summary	Comments	Reference
			11 and Appendix O of the MPE Stage 2 EIS. During surveying for the assessment *Hibbertia puberula* subsp. *puberula*, was recorded in the Boot Land to the south and east of the Modification Proposal site. Given the marginal habitat present and following targeted surveys, it is considered unlikely that this threatened flora species occurs on the Modification Proposal site. A Biodiversity Offset Strategy (BOS) is currently under preparation to offset the impacts of the MPE Project and MPW Project. This BOS is to be submitted in accordance with the Conditions of Approval for the MPW Project (SSD 5066) and also Conditions of Approval for the MPE Stage 1 Project (SSD 14-6766).	
	Impacts to Native species	Non-reporting of extinct flora until 4 days after the report points to dishonesty and shows no community consultation	Detailed surveys and biodiversity impact assessments have been undertaken and documented progressively for the MPE Project. The information provided is consistent with the level of detail required for each stage of development in accordance with the EP&A Act.	Section 7.5 of the MPE Stage 2 RtS

5.2 Special interest groups

Three submissions were received from special interest groups and immediately surrounding land owners including the following:

- East Liverpool Progress Association
- Moorebank Residents Action Group
- ABB

Response to the issues raised in these submissions are included in Table 5-2 (East Liverpool Progress Association), Table 5-3 (Moorebank Residents Action Group) and Table 5-4 (ABB) respectively.

5.2.1 East Liverpool Progress Association

The East Liverpool Progress Association (ELPA) Moorebank submission received for the MPE Concept Plan Modification Proposal is expressed to be in relation to the MPW Concept Modification Proposal, MPE Concept Plan Modification Proposal and the MPE Stage 2 EIS. A significant proportion of the information provided with the ELPA Moorebank submission was considered to be background and contextual information and has therefore not been reproduced in this RtS. Comments as relevant to the MPE Concept Plan Modification Proposal have been summarised below.

Table 5-2 Response to special interest group - East Liverpool Progress Association

Aspect	Comment	Response	Reference
Approval Process	Comment that the Planning Assessment Commission (PAC) should withhold consent and the decision should be made by the Minister for Planning.	Under Section 23 of the EP&A Act the Minister may delegate functions under the Act, such as assessment of a concept plan modification application, to the PAC. The MPE Concept Plan modification application is to be considered by the PAC under Ministerial delegation dated 14 September 2011 as more than 25 objections were received and noting earlier Liverpool City Council and Campbelltown City Council objections to the MPE Concept Plan. As such, the PAC is the consent authority for the Modification Proposal.	N/A

Aspect	Comment	Response	Reference
Traffic			
Traffic modelling	Roads and Maritime Services (Roads and Maritime) and TfNSW previously agreed to the development of a mesoscopic and microsimulation transport model for the combined MPE and MPW sites. The intended scope of this model should be communicated publicly. It is not clear that the requirements of condition 12 of the MPW Concept Approval have been satisfied. The latest traffic modelling should be publicly exhibited.	Condition 12 of the MPW Concept Approval does not apply to the Modification Proposal. A precinct model has been prepared by SIMTA to highlight potential traffic impacts of the Proposal at a range of scales (as a part of the Moorebank Precinct), the need for upgrades to the road network, and the timing and triggers for those upgrades. Ongoing consultation with TfNSW is being undertaken regarding the outcomes of the precinct model. The traffic assessment provided in Section 5 and Appendix B of the Modification Report provides details of the traffic modelling including assumptions and methodology and outcomes for the Modification Proposal.	Section 5 and Appendix B
	Further review and comment should be made in relation to the dangerous M5 Georges River Bridge merge / weave operation.	The AIMSUN modelling conducted for the MPE Stage 2 Proposal (and which is relevant to the Modification Proposal) considered the potential vehicular conflict and delays associated with weaving and merging of traffic at the M5 interchange. In assessing weaving impacts the AIMSUN model examines driver behaviour, vehicle acceleration and deceleration characteristics and the road geometry. The issue of weaving on the M5 is not something that is directly related to the presence of the project and is a broader existing road network issue affected by background traffic growth.	Section 7 of the MPE Stage 2 EIS

Aspect	Comment	Response	Reference
	The Aurecon Moorebank Intermodal Terminal Independent Traffic and Transport review of the MPW Staged SSD (prepared for the NSW Department of Planning and Environment - 8 October 2015) (MPW Concept Approval) should be further considered.	The Independent Traffic and Transport review of the MPW Staged SSD is not directly relevant to the Modification Proposal. It is however noted that the review was considered by the PAC prior to the decision to grant development consent for the MPW Project on 3 June 2016.	N/A
	The largest component of the identified benefit is the removal of traffic congestion from around and beyond Port Botany. The IMT is merely relocating this traffic congestion.	The Operational Traffic and Transport Impact Assessment (OTTIA - Section 7 and Appendix K of the MPE Stage 2 EIS) concluded that the MPE Stage 2 Proposal (and cumulative scenario including the MPE Stage 2 Proposal), which includes the Modification Proposal, would result in increases in traffic volumes on Moorebank Avenue (south of Anzac Road) by 23% in 2019 and 19% in 2029. This is followed by Moorebank Avenue (north of Anzac Road) with an increase of 18% in 2019 and 15% in 2029. The analysis suggests increases due to the MPE Stage 2 Proposal on the remaining road sections are expected to be low with increases of below 4% in the opening year and 10-year horizon for the surrounding road network. By transporting freight from Port Botany to Moorebank by rail, the number of heavy vehicles required to process freight from Port Botany would be reduced, resulting in regional traffic improvements with a mode shift from truck to rail. This aligns with the NSW Freight and Ports Strategy, which identifies that there is an opportunity to shift more freight to rail. The Modification Proposal would not generate any increases in heavy vehicles that would not otherwise be on the Sydney metro road network (without the Modification Proposal). The key function of the MPE Project to transport freight from Port Botany to Moorebank by rail, instead of by road, would allow heavy trucks to have their source and destination at Moorebank, reduce the distances heavy vehicles would be required to travel and would provide effective management control of freight.	Section 7 and Appendix K of the MPE Stage 2 EIS

Aspect	Comment	Response	Reference
Site operations	There is a lack of integration across Moorebank Avenue from rail to warehouse. Concern about the costs and amenity impacts associated with the rerouting of Moorebank Avenue to the eastern boundary of the MPE site.	The transfer of operational vehicles between the MPW and MPE sites for the purposes of container handling between the IMT's and warehouses on each site has been included as part of the Amended Modification Proposal for the MPW Concept Approval and has been approved under the MPE Concept Approval. A portion of freight would be transferred from the IMT facility to the warehousing area within the MPE site, or from the IMEX terminal on the MPE site to the warehousing on the MPW site, without accessing the broader road network. Site transfer trucks moving between the MPW and MPE sites would turn right on Moorebank Avenue, and use the signalised MPE site access to enter/exit the MPE site. The Modification Proposal does not include any rerouting of Moorebank Avenue.	
Air quality and noise emissions			
Air quality and noise	The IMT is an industrial use involving diesel emissions and noise during operation. The site is located near residential neighbourhoods and is not suitable for this use.	The land use zoning for the site is for industrial use, and has been zoned for industrial use under the Liverpool LEP for many years, predating the IMT proposal. Noise and air quality issues associated with the Modification Proposal are detailed in Section 5 of the Modification Report. The assessment found that: • Construction noise associated with the Modification Proposal would comply with established noise management levels, except for a predicted 1dB exceedance for Wattle Grove outside standard working hours. This is considered imperceptible. • The Modification Proposal would result in reduced operational noise when compared to the MPE Concept Plan. • Construction and operational emissions to air would comply with all relevant impact assessment criteria.	Section 5 of the Modification Report

Aspect	Comment	Response	Reference
Strategic justification			
Site suitability and alternatives	The IMT site (Moorebank Precinct, which includes the MPW site) is in a geographical corner that is reliant upon bridges and is surrounded by existing traffic congestion. Alternative sites at Badgerys Creek and Eastern Creek are expansive green field developments suitable for good planning.	The comments regarding site suitability and alternatives are not directly related to the Modification Proposal. The MPE Concept Plan Approval (10_0193) was granted approval by the PAC on 29 September 2014. This approval identifies that the NSW state government supports, subject to satisfying conditions of approval, the operation of the MPE Project on the eastern side of Moorebank Avenue, Moorebank. Further, as described within the MPE Concept Plan Approval documentation, the location of the MPE Project site has been identified and supported by planning and freight strategy documents prepared by a number of government agencies. Therefore, the location and use of the MPE Project site in Moorebank is considered to have been addressed in the MPE Concept Plan Approval and supported by government agencies. A change to the location of the site is therefore not considered suitable at this stage of development.	MPE Concept Plan Approval (10_0193)
Business case and port freight transport demand	Business case studies used to provide the economic case, and financial support for the development should be made public. Demand for port freight transport is below the lower projections previously provided and the IMT is therefore no longer urgent.	The comments regarding the business case and port freight transport demand are not directly related to the Modification Proposal. It is, however, noted that business case assessment was approved by the Infrastructure Australia board in February 2015 and is publicly available. The business case assessment identifies that: • An intermodal terminal could be economically viable, particularly given the growth potential of Port Botany, the long timeframes for alternative road transport improvements such as WestConnex, and the likely continued congestion in the immediate Port Botany area. • The use of alternative ports to Port Botany is not commercially viable for a number of reasons, including the greater transport distances to the Sydney metropolitan destinations and economies of scale of stevedoring. • An IMT at Moorebank was chosen as there is no other potential terminal site in the Sydney basin that has the same locational advantages, size, short-term availability, existing road and rail connections and ability to meet long-term industry needs at the time of the assessment.	N/A

Aspect	Comment	Response	Reference
		With reference to the comments about port freight transport demand it is noted that while compound annual container growth through Port Botany has been over seven per cent for a ten year period to 2012, current forecasts are slightly more conservative with a forecast average annual growth rate of 6.2 % over the period 2014-2019. At the projected TEU throughput growth of 6.2 % per annum (Port Authority of NSW forecasts) throughput is expected to reach 3.2 million TEU in 2020. Over the longer term, the NSW Freight and Port Strategy predicts that total throughput at Port Botany is forecast to reach seven million TEU by 2030.	

5.2.2 Moorebank Residents Action Group

Table 5-3 Response to special interest group submission – Moorebank Residents Action Group

Aspect	Comment	Response	Reference
Traffic modelling	Objection based on insufficient infrastructure guarantees. With ever increasing size of the proposed facility, the proposed updates for the local road network, including Moorebank Avenue, cannot be adequate as traffic modelling has not been thoroughly performed.	The assessment of traffic impacts of the Modification Proposal relies on investigations, modelling and analysis undertaken for the detailed assessment of the MPE Stage 2 Project, which includes the extent of works the subject of the Modification Proposal and then compares those results to those previously considered in the MPE Concept Plan Approval. Future traffic growth and modelling data for the operational and construction traffic assessments was sourced from RMS' wider Liverpool Moorebank Arterial Road Investigations (LMARI) model built in AIMSUN modelling software version 8.0.9 (R35843). AIMSUM was used to provide strategic, mesoscopic and microsimulation modelling. The AIMSUM model has been supplemented with additional operational traffic modelling using SIDRA Network version 7 for the modelling of intersection performance. The SIDRA modelling was used to determine intersection layouts, signal phasing and timing, which was then integrated into the AIMSUM model to determine impacts to the surrounding road network. Intersection performance was assessed in term of Level of Service (LoS). LoS criteria used for intersection assessments was taken from the "*Guide to Traffic Generating Developments*" published by the Roads and Traffic Authority (RTA) of New South Wales, Australia (draft version 2.2 of October 2002).	Section 5.1 of the Modification Report.

Aspect	Comment	Response	Reference
		This approach is considered adequate for the assessment of impacts associated with the Modification Proposal. The Modification Proposal would not alter the overall operational traffic associated with the MPE Project, as considered by the MPE Concept Plan Approval. As noted in section 5.1 (Traffic and transport) of the Modification Report, an area wide network improvement strategy is needed to ensure the desired functionality of the network of motorways, arterials, collector and local roads in the study area is achieved and provides safe and efficient traffic dispersal. These wider network improvements are required to provide an adequate LoS across the road network to meet the predicted growth in traffic demand in the opening year 2019 and 10-year horizon of 2029.	
Approval process	These modifications are hardly minor, and a completely new proposal is considered more appropriate for modifications of this size.	Section 4.3 of the Modification Report discusses the approval pathway and Section 5 discusses the environmental impacts of Modification Proposal. As discussed in Section 5, the Modification Proposal is expected to have limited environmental consequences beyond those envisaged in the Concept Plan EA. On this basis, the Modification Application was lodged with DP&E in accordance with Section 75W of the EP&A Act.	Section 4.3 and Section 5 of the Modification Report.

5.2.3 ABB

The ABB submission received is expressed to be in relation to the MPW Concept Modification Proposal, the MPE Concept Plan Modification Proposal and the MPE Stage 2 EIS. It is noted that several of the issues raised in the submission relate to the MPW Stage 2 Proposal and are not directly relevant to the MPE Concept Plan Modification Proposal. Section 2 of the MPW Stage 2 RtS provides a response to these comments, with design changes, particularly drainage, undertaken for the MPW Stage 2 Proposal (known as the Amended Proposal) to address ABB's concerns.

Table 5-4 Response to special interest group submission – ABB

Aspect	Comment	Response	Reference
Exhibition periods	Given the length of the approval documentation and the potential for impacts on the ABB site and operations, the consultation period was insufficient for ABB to properly understand the impacts and respond. Ongoing consultation with SIMTA is requested.	Consultation has been undertaken progressively, with both ABB and other surrounding landowners, with issues raised during previous phases of consultation used to shape the assessment approach during this stage of approval. The MPE Concept Modification Report was on public exhibition from 7 July 2016 to 22 August 2016, a period consistent with the statutory public exhibition requirements set out in the *Environmental Planning and Assessment Regulation Act 1979*. Due to proximity of the ABB site to the MPW site, the focus of consultation with ABB has been in relation to MPW Concept Modification and the MPW Stage 2 Proposal This has including letters circulated to ABB on 16 August 2016 (which responded to issues raised in an earlier meeting) and 22 November 2016 (which responded to further issues raised by ABB in September 2016). Additionally, a meeting was held with ABB on 23 February 2017, during the exhibition period, to consider concerns raised by ABB. Ongoing consultation with ABB would be undertaken throughout construction and operation of the MPE project, as appropriate.	N/A
Drainage	Query regarding the completeness, accuracy and adequacy of the stormwater modelling undertaken, the proposed use of the ABB site to drain the development, and the effects on PCB contamination on the ABB site.	The stormwater modelling referred to in the ABB submissions is for the MPW Stage 2 Proposal, and is not relevant to the Modification Proposal. The concerns raised by ABB have been considered at a concept level in the MPW Concept Modification Report and RtS and refinements have been made to the drainage design previously provided within the MPW Stage 2 EIS. No drainage works would be undertaken on the ABB site.	N/A

Aspect	Comment	Response	Reference
Traffic	Concern expressed regarding the changes to access arrangements into and in the vicinity of the ABB site.	The design of the Moorebank Avenue / Anzac Road intersection is not in the scope of the MPE Concept Plan Modification Proposal. Traffic modelling and impact assessment for this intersection and the surrounding road networks is provided in the MPW Stage 2 RtS. It should be noted that access to the ABB site would be maintained throughout construction and operation of the MPW Stage 2 Proposal.	N/A
Noise and dust	Concern with the filling of the site and the assessment of noise and dust impacts at the ABB site.	The Noise and Vibration Impact Assessment (NVIA) and Air Quality Impact Assessment (AQIA) referred to in the ABB submission relate to the MPW Stage 2 Proposal, not the MPE Concept Plan Modification.	N/A

6 REVISED STATEMENT OF COMMITMENTS

As part of the Modification Proposal, a Revised Statement of Commitments (November 2016) was proposed by SIMTA, as the proponent, and was presented in Appendix A of the Modification Report. The Revised Statement of Commitments (November 2016) incorporated:

- Additional commitments, over and above those included in the Revised Statement of Commitments (June 2014), to address impacts specific to the Modification Proposal.
- A new column to identify a reference number for each commitment.

The only further change proposed following the public display period is the amendment of SoC 66 to recognise the need for further consultation with Campbelltown City Council during the design development process. This change responds to a request in the Campbelltown City Council submission (refer to Section 4 of this RtS (Response to Government Agency Submissions)).

For ease of reference the Revised Statement of Commitments (June 2017) is presented in Table 6-1. The proposed changes that have been made since the Revised Statement of Commitments (June 2014) are shown in using ~~***bold italics strikethrough***~~ and ***bold underline italics***.

The proposed amendments to the MPE Concept Plan Approval conditions are as outlined in Section 3.3 of the Modification Report. No further amendments are proposed as part of this RtS.

Table 6-1 Revised Statement of Commitments (June 2017)

Aspect	No.	Statement of Commitment	Timing
Development and staging	1	The Proponent commits to carrying out the development of the SIMTA Intermodal Terminal Facility generally in accordance with the following plans and documents: • ~~Land Use Plan, prepared by Reid Campbell.~~ • ~~Indicative Staging Plan, prepared by Reid Campbell.~~ • ***Section 3 of the Concept Plan Modification Report (MP10_0193 MOD2)***	Throughout the construction and operation of the SIMTA proposal
	2	The Proponent commits to seeking planning approval for the delivery of the rail link between the SIMTA site and the Southern Sydney Freight Line as part of the detailed planning application for the first stage of works. The planning application shall include the following information: • Clear and comprehensive description of the proposed infrastructure and operational details associated with the intermodal terminal. • Detailed assessment of all environmental issues, including geotechnical, ecological, stormwater/flooding and contamination. • Clear demonstration that the proposed new siding will be compatible with the current and future track alignment, including the proposed quadruplication of the East Hills railway corridor.	Provide with the planning application for the first stage of works (including the rail link)

Aspect	No.	Statement of Commitment	Timing
		Details of consultation with the relevant agencies, including Transport for NSW, Railcorp/Sydney Trains, ARTC, Crown Lands Office, NSW Office of Water, NSW Fisheries and others, as required.	
	3	The Proponent commits to including the following information with the detailed planning application(s) for the warehouse buildings: • Details of the building massing and internal layouts. • Siting and design of buildings in consideration of potential noise impacts from the intermodal terminal facility. • Perspective images that clearly show the proposed building treatments.	Provide with the Planning application(s) for the warehouse buildings
	4	The Proponent will consider the inclusion of facilities within the Freight Village that meet the needs of employees.	Provide with the planning application(s) for the freight village
	5	The principles of Crime Prevention Through Environmental Design are to be considered and incorporated into the design	Provide with the planning applications for the three major stages of the Concept Plan and as required throughout the construction and operation of the SIMTA proposal
Transport and Access	6	The Proponent commits to negotiating with the relevant agencies/authorities as required to facilitate the staged delivery of the following road infrastructure upgrades in accordance with the Transport Accessibility Impact Assessment:	
		• Provide a new traffic signal at SIMTA's northern access with Moorebank Avenue.	Prior to exceeding 250,000 TEU terminal (rail side) throughput
		• Provide a new traffic signal approximately 750 metres south of SIMTA Central access.	Prior to exceeding 250,000 TEU terminal (rail side) throughput

Aspect	No.	Statement of Commitment	Timing
		• Widen Moorebank Avenue to four lanes between the M5 Motorway/Moorebank Avenue grade separated interchange and the southern SIMTA site access. Some localised improvements will be required around central access and southern access points	Address within 24 months of operating at 300,000 TEU throughput per annum
		Concurrent with four lane widening on Moorebank Avenue, the Moorebank Avenue/Anzac Road signal will require some form of widening at the approach roads.	
		• Potential upgrading works at the M5 Motorway/Moorebank Avenue grade separated interchange to cater for both background and additional SIMTA traffic growth as outlined in Table 9-1 of the Transport Accessibility Impact Assessment (and Table 6 of the Environmental Assessment report).	Address within 24 months of operating at 500,000 TEU throughput per annum
	7	The Proponent commits to negotiating with the relevant agencies/authorities as required to facilitate the staged delivery of the public transport infrastructure in accordance with the Transport Accessibility Impact Assessment: • Designing and constructing the central spine road and other site roads to accommodate buses, bus infrastructure and cyclist use for employees • Construction of a covered bus drop off/pick up facility within the site to encourage the use of buses for employees. • Review and rationalisation of the locations of Route 901 bus stops in the vicinity of the site to match the proposed northern terminal entry location and enhance accessibility • Providing peak period and SIMTA shift work responsive express buses to/from the site and Liverpool Station via Moorebank Avenue and Newbridge Roads with frequency dependant on the development of the site. • Providing peak period express buses to/from the site and Holsworthy rail station via Anzac Road, Wattle Grove Drive and Heathcote Road with frequency dependant on the development of the site. • Consulting with relevant bus provider(s) regarding the potential to extend the Route 901 bus through the site via the light vehicle road and increasing peak period bus service frequencies to better match the needs of existing and future employees of the locality with frequency dependent on the development of the site.	Throughout the detailed planning, construction and operation stages of the SIMTA proposal

Aspect	No.	Statement of Commitment	Timing
		• Consulting with relevant bus providers regarding changes to existing bus stop location and the identification of new bus stop locations if required.	
	8	The Proponent shall encourage walking and cycling by the inclusion of appropriate facilities including under cover bike storage, showers and change facilities.	Address in the planning applications for the three major stages of the Concept Plan, where relevant, taking into account employee numbers
	9	The Proponent commits to undertaking an actual truck trip generation survey after 24 months of operation and then progressively as the SIMTA site is developed.	Address after 24 months of commencing operation and within 24 months of operating at an annual throughput of 500,000 TEU and 1,000,000 TEU
	10	The Proponent commits to developing a Construction Traffic Management Plan to minimise the potential impacts of the construction stage(s), including: • Heavy vehicle access routes • Location of construction worker parking • Mitigation measures to avoid any unacceptable impacts on the surrounding land uses. • Mitigation measures to avoid any unacceptable impacts on regular bus services and school bus services operating on roads within the vicinity of the site and pedestrian and cyclist access.	Prior to construction
	11	The Proponent commits to developing a Traffic Site Management Plan prior to the commencement of operations at the site to minimise the potential impacts, including: • Management measures to avoid trucks parking and idling either within or outside of the site boundaries • Provision of adequate parking for heavy vehicles to accommodate any potential delays in schedule times	Address prior to commencement of operation for each of the three major stages of the Concept Plan

Aspect	No.	Statement of Commitment	Timing
Noise and Vibration	12	The Proponent will undertake further detailed assessments at each application stage after the Concept Plan Approval to provide input to planning and confirm the need for and degree of noise mitigation if required. This should be undertaken based on the most detailed information available at that stage of works. These subsequent assessments should address the DGR requirements for the SIMTA proposal as a minimum.	Provide with the planning applications for the three major stages of the Concept Plan
	13	The Proponent will carry out detailed assessments when the SIMTA proposal is operational, including monitoring of operational noise levels at nearby receivers. The monitoring data should be used to validate noise models used in these assessments.	Address within 12 months of commencing operation and within 12 months of operating at an annual throughput of 500,000 TEU and 1,000,000 TEU
	14	The Proponent shall consider locating buildings at or near the north-eastern and south-eastern boundaries of the site to provide beneficial acoustic shielding to the nearest residences.	Address in the planning applications for the warehouse buildings and/or freight village
	15	The Proponent shall consider locating less noise-intensive activities and operations at the northeastern and south-eastern corners of the site where residences are closest	Address in the planning applications for the three major stages of the Concept Plan
	16	The Proponent should make provision for a noise barrier along the western boundary of the SIMTA site. The requirement for the barrier will be determined having regard to the outcomes of the operational noise monitoring.	Address in the planning applications for the three major stages of the Concept Plan
	17	The Proponent will carry out detailed assessments for the subsequent application stages and when the SIMTA proposal is operational, including monitoring of background noise levels at nearby receivers. The monitoring data should be used to validate noise models used in these assessments. The subsequent assessments should address the environmental assessment requirements, as determined by the approval authority, as a minimum.	Provide with the planning applications for the three major stages of the Concept Plan and within 12 months of the commencement of operation for each stage

Aspect	No.	Statement of Commitment	Timing
	18	The Proponent commits to undertaking a review of national and international 'best practice' for the design and operation of intermodal facilities to identify reasonable and feasible management strategies to reduce air quality and noise impacts associated with construction and operation of the intermodal terminal development stages of the proposal.	Provide with the planning application for the first stage of works (including the rail link)
	19	Prior to undertaking demolition and construction on site, a Construction Noise and Vibration Management Plan should be prepared based on details of the proposed construction methodology, activities and equipment This should identify potential noise and vibration impacts and reasonable and feasible noise mitigation measures (such as those identified in this report) that may be implemented to minimise any potential impacts, including engineering and management controls.	Prior to demolition and/or construction
	20	~~All construction activities will have regard to the standard hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturday (with approval from relevant authorities). Any works undertaken outside of these hours will be undertaken in consultation with relevant authorities.~~ ~~Works outside these hours that may be permitted will include:~~ • ~~Any works which do not cause noise emissions to be audible at any nearby sensitive receptors.~~ • ~~The delivery of materials which is required outside of these hours as requested by Police or other authorities for safety reasons. Local residents, commercial and industrial premises will be informed of the timing and duration of approved works in accordance with the notification provisions outlined in the CNMP.~~ • ~~Emergency work to avoid the loss of lives, property and/or to prevent environmental harm. Any other work as approved through the CNMP Process~~ ~~Any other work as approved through the CNMP Process.~~ ***Construction activities associated with the Development shall be undertaken during the following standard construction hours:*** • ***7.00 am to 6.00 pm Mondays to Fridays, inclusive; and*** • ***8.00 am to 1.00 pm Saturdays*** • ***at no time on Sundays or public holidays.*** ***Works may be undertaken outside of standard construction hours, subject to future***	During construction

Aspect	No.	Statement of Commitment	Timing
		development applications (including noise assessments). ***Construction works outside of the standard construction hours may be undertaken in the following circumstances:*** • ***construction works that generate noise that is:*** – ***no more than 5 dB(A) above rating background level at any residence in accordance with the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009); and*** – ***no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) at other sensitive receivers; or*** • ***for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or*** – ***where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm;*** – ***works approved through an EPL, or*** – ***works as approved through the out-of-hours work protocol outlined in the CEMP.***	
Health	21	The Proponent will undertake further health impact assessments for lodgement with each of the detailed planning applications for the three major stages of the development, including: • Discussion of the known and potential developments in the local region • Assessment of the impact on the environmental values of public health. • Assessment of local and regional impacts including health risks Health impact assessments will be undertaken with reference to the Centre for Health Equity Training, Research, and Evaluations' practical guide to impact assessment (August 2007).	Provide with the planning applications for the three major stages of the Concept Plan

Aspect	No.	Statement of Commitment	Timing
Biodiversity	22	The Proponent will undertake further detailed assessment to establish the potential biodiversity impacts of the proposed rail link and measures to mitigate its potential impacts. The investigations shall incorporate the mitigation measures listed within Section 5 of the Flora and Fauna Assessment and as summarised below: <u>Avoid Impacts</u> Site establishment, earthworks and rail construction <u>Mitigate Impacts</u> • Soil disturbance related to site establishment, earthworks and rail construction • Vegetation clearance for rail construction, access and maintenance tracks • Construction in riparian areas/in proximity to watercourse • Construction of pavement, slabs and building structures • Hot works (including vegetation clearing requiring heat producing equipment) • Alteration to air quality and noise environments • Operation of the SIMTA proposal	Provide with the planning application for the first stage of works (including the rail link)
	23	<u>Management of Threatened Plant Species</u> The Proponent shall prepare and implement a Threatened Species Management Plan for the *Persoonía nutans* and *Grevillea parviflora* subsp. *parviflora* populations within the rail corridor that would be affected by the rail link	Provide with the planning application for the first stage of works (including the rail link)
	24	<u>Off-Set Impacts</u> The Proponent will update the Preliminary Biodiversity Offset Strategy (Hyder Consulting 2013) in accordance with the NSW offset principles for major projects (state significant development and state significant infrastructure) and continue to consult with the Department of the Environment (DOTE) through the project approval processes. The offset package will be secured before any clearing of endangered ecological communities or threatened species is carried out.	Address within 12 months of the approval of the planning application for the first stage of works (including the rail link) and secure offsets prior to vegetation clearing
	25	<u>Aquatic Flora and Fauna</u> The Proponent will implement the following measures to protect the aquatic flora and fauna as part of the applications for the detailed planning applications (where relevant and applicable):	

Aspect	No.	Statement of Commitment	Timing
		• Implementation of design principles for friendly fish passage.	Provide with the planning application for the first stage of works (including the rail link)
		• Implementation of Construction and Operation Management Plans for maintenance of structures in riparian and aquatic zones.	During construction
		• Minimise siltation of the Georges River during construction through implementing the water quality mitigation measures detailed within the Stormwater and Flooding section of the Statement of Commitments.	
		• Thorough assessment of any development within the Anzac Creek CSWL community, including potential impacts on groundwater quality and quantity	Provide with the planning applications for the three major stages of the Concept Plan that impact on Anzac Creek
		• Lantana removal within nominated construction zones to reduce degradation of streamside vegetation and offset any potential impacts to aquatic biodiversity.	During construction
	26	<u>Riparian</u> The proposed rail link (located within the rail corridor) is exempt from the requirement for an a WM Act controlled activity approval from NOW as a transitional Part 3A project; however the detailed design of the rail link will seek to conform to the objects of the WM Act and its associated guidelines.	Provide with the planning application for the first stage of works (including the rail link)
	27	The riparian setback for Anzac Creek, as specified by NOW, is 30 metres (20 metre CRZ and 10 metre VB), while for Georges River the riparian setback is likely to be a minimum of 50 metres (40 metre CRZ and 10 metre VB)	Provide with the planning applications for the three major stages of the Concept Plan
	28	Riparian corridors will be appropriately revegetated to restore and/or maintain ecological, functional and habitat values and impede surface flows and drop sediment before it reaches the waterways.	During construction

Aspect	No.	Statement of Commitment	Timing
	29	Water quality and quantity issues will be managed during the construction phase through the implementation, inspection and maintenance of best practice soil and water management techniques which will be defined in the CEMP for sedimentation and erosion control during construction.	During construction
	30	Water quality and quantity issues will be managed during the operation phase through the implementation, inspection and maintenance of Water Sensitive Urban Design (WSUD) measures such as rainwater tanks, grass filter strips, swales and bio retention.	During construction
Hazards and Risks	31	<u>Asbestos</u> • The Proponent will develop an asbestos management plan for the MPE Project containing a risk assessment undertaken in accordance with Code of Practice for the Management and Control of Asbestos in the Workplace (NOHSC, 2005). • Where the management plan recommends the removal of asbestos from site, all works will be undertaken in accordance with the Code of Practice for the Safe Removal of Asbestos (NOHSC, 2005), including the development of an asbestos removal control plan and an emergency plan.	Prior to demolition and/or construction
	32	<u>Dangerous Goods</u> • The Proponent commits to undertaking a preliminary hazard assessment either during the preparation of the subsequent detailed planning applications (where tenants and purposes have been defined) or by tenants during the operational phase of development, as required by State Environmental Planning Policy No. 33 Hazardous and Offensive Development (SEPP No. 33). • Once the level of risk has been identified the aim will be to reduce the risk to 'as low as reasonably possible' (ALARP) through the application of specific operational management procedures that would form part of a framework for managing risks, captured within the facility's Hazard and Risk Management Plan and Emergency Response Plan. • Should unacceptable levels of risk be identified during the Preliminary Hazard Assessment (PHA), SIMTA will require potential tenants to demonstrate measures to reduce the risk to an acceptable level prior to acceptance of tenancy.	Prior to occupation of buildings by tenants proposing to store, handle or transport dangerous goods

Aspect	No.	Statement of Commitment	Timing
		• The Proponent will require all tenants to disclose the anticipated type and quantity of goods entering the SIMTA site prior to award of tenancy. Prior to commencement of a lease on the SIMTA site, all tenants that would handle dangerous goods would be required to sign on to SIMTA's Hazard and Risk Management Plan and the Emergency Response Plan for the site. • These plans will be reviewed regularly and updated as goods entering the site may change with the tenancies. The requirements in the Code of Practice for storage and handling of dangerous goods (Work Cover NSW, 2005) would be adopted in these plans as a minimum.	During operation
	33	<u>Spills</u> The Proponent commits to the preparation of a Construction and Operational Management Plan prior to the commencement of site operations for control/mitigation and management of any spillage/leaks etc.	Prior to commencement of operation for the first stage of works
	34	<u>Unexploded Ordnance</u> The Proponent commits to undertaking and remediation (where necessary) prior to the commencement of construction.	Prior to construction on land potentially affected by UXO
	35	<u>Bushfire Management</u> • The Proponent commits to incorporating the key objectives identified by the Rural Fire Service (RFS) into relevant future design stages, in accordance with the following principles: – Afford occupants of any building adequate protection from exposure to a bush fire. – Ensure safe operational access and egress for emergency service personnel and residents – Provide for ongoing management and maintenance of bush fire protection measures, including fuel loads in asset protection zones (APZs) – Ensure that utility services are adequate to meet the needs of fire fighters	Address in the planning applications for the three major stages of the Concept Plan
Contamination	36	The following tasks will be undertaken in association with the detailed planning applications for the staged redevelopment of the SIMTA site: Confirming what, if any, actions were taken in regards to the Milsearch (2002)	Provide with the planning applications for the three major stages of the Concept Plan

Aspect	No.	Statement of Commitment	Timing
		recommendations and the associated low risk ordnance issues. • Undertaking further investigations in the areas of environmental concern likely to be impacted upon by the proposed development. These investigations will be based on the detailed design of the proposed development to identify the extent of contamination, and what, if any, remediation activities are needed. The remediation of areas of the site (if any) would be best matched to the development of the site and considered as part of the future design.	
	37	• Developing a Contamination Management Plan with detailed procedures on: – Handling, stockpiling and assessing potentially contaminated materials encountered during the development works; – Landfill gas management during the excavation, handling, and stockpiling of waste materials, if excavation is required during the development, in the area of the Glenfield Quarry and Landfill; – Assessment, classification and disposal of waste in accordance with relevant legislation; and – A contingency plan for unexpected contaminated materials, such as materials that is odorous, stained or containing anthropogenic materials, that may be encountered during site works.	Prior to construction of the three major stages of the Concept Plan
	38	The Proponent will undertake the following tasks in association with the detailed planning applications for the rail link: • Undertaking a Phase 2 intrusive environmental site assessment of the proposed rail corridor lands, with an objective to assess the risk posed to the detailed design and construction of the rail corridor by the areas of environmental concern identified within this report. The Phase 2 intrusive investigation would include a program of soil and groundwater sampling completed in accordance with the guidelines made or approved by the EPA under s105 of the Contaminated Land Management Act 1997;	Provide with the planning application for the first stage of works (including the rail link)

Aspect	No.	Statement of Commitment	Timing
		• Developing and implementing a contamination management plan as part of the project construction environmental management plan for managing contaminated materials either expected or unexpectedly encountered during the construction of the rail corridor. The contamination management plan would include detailed procedures on: – Handling, stockpiling and assessing potentially contaminated materials encountered during the development works; – Assessment, classification and disposal of waste in accordance with relevant legislation; and • A contingencies plan for unexpected contaminated materials, such as materials that is odorous, stained or containing anthropogenic materials that may be encountered during site works.	Developed prior to construction of the rail link
Stormwater and Flooding	39	The Proponent will incorporate stormwater quantity and quality management measures into the detailed applications in accordance with the objectives and performance standards outlined in the *Stormwater and Flooding Environmental Assessment* report and including: • Preparation of a Soil and Water Management Plan (SWMP) and Erosion and Sediment Control Plan (ESCP) for both the construction and operation phases. • Implementation of management plan strategies prior to commencement of the staged construction phase • Monitoring and review performance of sediment and water control structures during construction and operation phases	Provide with the planning applications for the three major stages of the Concept Plan Prior to construction Throughout construction and operation
	40	The proponent commits to providing a multi-cell culvert (with elevated 'dry' cells and recessed 'wet' cells) to facilitate aquatic and terrestrial fauna movement in accordance with Witheridge (2003) and Part 7 (Division 3) of the Fisheries Management Act 1994 (FM Act)	Provide with the planning application for the first stage of works (including the rail link)
	41	The Proponent will prepare and update a flood emergency response plan as necessary to address the staged development of the site. Details are to be provided prior to the construction of each of the three major stages of the development.	Prior to construction of the three major stages
	42	The proponent will investigate opportunities to minimise the number of piers located within Georges River during detail design development.	Provide with the planning application for the first stage of

Aspect	No.	Statement of Commitment	Timing
			works (including the rail link)
Air quality	43	The Proponent commits to undertaking a review of national and international 'best practice' for the design and operation of intermodal facilities to identify reasonable and feasible management strategies to reduce air quality and noise impacts associated with construction and operation of the intermodal terminal development stages of the proposal.	Provide with the planning application for the first stage of works (including the rail link)
	44	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 – PM_{10} and Nitrogen Dioxide	Within 12 months of commencing operation and within 12 months of operating at an annual throughput of 500,000 TEU and 1,000,000 TEU
	45	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.	Within 12 months of commencing operation and within 12 months of operating at an annual throughput of 500,000 TEU and 1,000,000 TEU
	46	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.	Prior to construction
	47	The Proponent commits to the preparation of a Greenhouse Gas Management Plan for the three major stages of the development in accordance with the provisions of the Greenhouse Gas Assessment.	Provide with the planning applications for the three major stages of the Concept Plan
Heritage	48	The Proponent commits to the implementation of the following General Mitigation Measures in the Aboriginal Cultural Heritage Assessment and include: • Consultation between SIMTA and relevant Registered Aboriginal Parties (RAPs)	Provide an implementation plan with the planning application for the first stage of works

Aspect	No.	Statement of Commitment	Timing
		throughout the design and construction of the SIMTA proposal.	(including the rail link)
		• Where possible, SIMTA should aim to avoid impacting any known Aboriginal heritage objects, sites or places and places that have potential Aboriginal heritage or cultural values, throughout the life of the SIMTA proposal. • Where impact cannot be avoided, SIMTA should choose partial impact rather than complete impact wherever possible and ensure that appropriate measures to mitigate impacts are developed and implemented as required and as appropriate during design, construction and operation of the various stages of the SIMTA proposal. • If relocation of any element of the SIMTA proposal outside area assessed in this study is proposed, further assessment of the additional area(s) should be undertaken to identify and appropriately manage Aboriginal objects/sites/places that may be in this additional area(s). • In the event that previously undiscovered Aboriginal objects, sites or places (or potential Aboriginal objects, sites or places) are discovered during construction, all works in the vicinity of the find should cease and SIMTA should determine the subsequent course of action in consultation with a heritage professional, relevant Registered Aboriginal Parties and/or the relevant State government agency as appropriate • Should suspected human skeletal material be identified, all works should cease and the NSW Police and the NSW Coroner's office contacted. Should the burial prove to be archaeological of Aboriginal origin, consultation with a heritage professional, relevant RAPs and/or the relevant State government agency, should be undertaken by SIMTA. • SIMTA should ensure that any reports or documents for the SIMTA proposal concerning Aboriginal heritage comply with applicable statutory requirements (those currently applicable are outlined in this report), are prepared in accordance with best practice professional standards and, where appropriate, ensure findings are provided to OEH AHIMS Registrar and the relevant RAPs.	
	49	The Proponent commits to the implementation of the following Site Specific Mitigation Measures:	During construction of the first stage of

Aspect	No.	Statement of Commitment	Timing
		• To ensure cultural values of land affected by the rail link are appropriately characterised and assessed, Aboriginal consultation should continue to be undertaken in accordance with applicable guidelines and requirements. • Where potentially impacted by the proposed rail link footprint, the artefacts identified in Transect I on the SIMTA site, and Transect 7 immediately south of the SIMTA site, should be collected by RAPs in conjunction with a heritage professional before construction commences. A Care and Control Agreement should be completed between SIMTA and the RAPs regarding the future of the artefacts (it is usually preferred that they be reburied nearby). • Given the extensive historical disturbance within the remainder of the SIMTA site, it is considered that the likelihood of the presence of intact or significant Aboriginal objects and/or sites is low and no further archaeological investigations are warranted in these remaining areas. • In relation to the proposed rail link footprint, with the exception of PADs 1 - 3 (Figure 33), it is considered that the likelihood of the presence of intact or significant Aboriginal objects and/or sites is low and no further archaeological investigations are warranted in the remaining areas. • Areas within 50 metres of the eastern and western banks of the Georges River, should not be impacted without further assessment. • The detailed application for the first stage of works shall include test excavations in each of PADs I - 3 in accordance with current archaeological practice and any relevant guidelines to determine the nature, extent and significance of any Aboriginal archaeological deposit. Such testing would be undertaken under Section 75U of the Environmental Planning and Assessment Act 1979, and be used to inform the assessment of these areas prior to lodgement of the subsequent staged application.	works (including the rail link)
	50	***The Proponent commits to establishing an exclusion zone around MPE Isolated Artefact 2, MPE Isolated Artefact 3, and MPE Isolated Artefact 4 to protect these artefacts from potential impacts arising as a result of construction.***	***Prior to construction of the second stage of works***

Aspect	No.	Statement of Commitment	Timing
	51	Where the detailed design of the rail link would result in disturbance to a potential archaeological deposit or an area of potential archaeological value the detailed application for that stage of works shall include test excavations in those areas that may be disturbed in accordance with current archaeological practice and any relevant guidelines to determine the nature, extent and significance of any Aboriginal archaeological deposit. Such testing would be undertaken under Section 75U of the Environmental Planning and Assessment Act 1979, and be used to inform the assessment of these areas prior to lodgement of the subsequent staged application.	Provide with the planning application for the first stage of works (including the rail link)
	52	<u>Non-Indigenous Heritage</u> • The Proponent commits to undertaking the recommendations within the Non-Indigenous Heritage report and including: • Preparing a Statement of Heritage Impact (SoHI) for submission to the Minister for Planning and Infrastructure as part of staged planning applications at State level. • Commencing discussions with the appropriate heritage bodies regarding the potential listing of the DNSDC site on the National Heritage List or the State Heritage Register. • Preparing a Statement of Heritage Impact for each stage, including the legal status of the site and advice on required actions depending on whether the site is listed or unlisted at the time that approval is sought. • Development of an overall mitigation strategy for the DNSDC site, which may be based on Table 3 of the Non-Indigenous Heritage report. • Undertaking further archaeological assessment and investigation or monitoring, where required in areas designated as having archaeological potential that would be impacted by the proposal. The SoHIs for each stage should address the archaeological potential within the development area for each stage • If any archaeological deposit or item of heritage significance is located within the study area and is at risk of being impacted, the NSW Heritage Council should be notified and a heritage consultant/archaeologist should be engaged to assess the item to determine its heritage significance.	Provide with the planning applications for the three major stages of the Concept Plan as applicable to that stage of the project

Aspect	No.	Statement of Commitment	Timing
	53	The potential visual impact of the proposed rail corridor shall be mitigated by the use of screening vegetation and terracing or earth mounding to soften the impact of the flyover.	Provide with the planning application for the first stage of works (including the rail link)
	54	The Proponent commits to the preparation and submission of a Landscape Management Plan with the detailed applications for the for the three major stages of the development that address each of the objectives and design principles contained within the Urban Design and Landscape report and the following mitigation measures: • High quality landscaping throughout the site, which will reinforce and extend the surrounding natural context and ecological qualities into the site. • Inclusion of an 18 metre wide corridor of screening vegetation and a bio-retention swale along the Moorebank Avenue frontage, which will utilise a selection of native tree species with dense tree canopy and low screen planting. • Landscape punctuation of nodal points along Moorebank Avenue. • A 'boundary treatment' or 'buffer zone' along the other site boundaries, consisting of existing local species in the area and providing an essential scale of planting to complement the built form, including: – Southern boundary: combination of 10 metre and 20 metre wide landscape corridors and a bio-retention swale adjacent to the warehouse and distribution facilities and Intermodal Terminal. – Eastern boundary: total buffer zone of 13.5 metres consisting of 2.5 metre landscape corridor, a 6 metre internal light vehicle access road and a five metre wide bioretention swale. – Land cleared for the railway alignment will be include planting consisting of tall trees with a height of 20 metres at Maturity, interspersed with medium height trees.	Provide with the planning applications for the three major stages of the Concept Plan
	55	The Proponent will use lighting which is in accordance with Australian Standard A54282-1997 "Control of Obtrusive Effect of Outdoor Lighting'. The height of the permanent light poles will be a maximum of 40 metres and reduced in height, where possible, to minimise potential light spill while maintaining appropriate safety standards.	Provide with the planning applications for the three major stages of the Concept Plan

Aspect	No.	Statement of Commitment	Timing
Utilities	56	The Proponent will protect and relocate (where required) the existing services passing through the site, including stormwater, sewer, water, telecommunications and electricity	Prior to/during construction as impacted
	57	The Proponent will undertake further investigations, as required, and provide details that adequate services are available to the site and/or provide details regarding the proposed servicing upgrades. Details are to be provided with the applications for each of the future stages of the development.	Provide with the planning applications for the three major stages of the Concept Plan
	58	The Proponent will undertake to source all water supplies for the project from an authorised and reliable source.	Prior to construction and operation
	59	The Proponent will obtain authorisation for the taking of water for purposes other than water supply, including for dewatering during construction.	Prior to construction
Climate change and risk	60	The Proponent will where applicable implement the controls and mitigation measures summarised in the Climate Risk Assessment report and including: • Incorporate climate change sensitivity analyses for 20 per cent increase in peak rainfall and storm volumes into flood modelling assessment to determine system performance • Incorporate appropriate flood mitigation measures, where practical within the design to limit the risk to acceptable levels • Consider the impacts of climate change on system performance, and where practical incorporate adaptive capacity measures within the design to limit the risk to acceptable levels • Use of appropriate materials and engineering design capable of withstanding potential impacts posed by storm damage • Incorporate appropriate strategic protection zones, including asset protection zones into design to limit bushfire risk to acceptable levels, where required • Control of performance of hotworks on total fire ban days during construction and operation, particularly within any defined asset protection zones. • Maintain track stability through regular maintenance, use concrete sleepers in place of wooden ones and use preventative measures in the event of heatwaves (e.g. speed restrictions, warehouse ventilation for improved heat removal) • Consider further assessment of Marginal Abatement Cost Curves to assess commercial	Address within the planning applications for the three major stages

Aspect	No.	Statement of Commitment	Timing
		opportunities of reducing reliance on single energy source	
Ecological Sustainable Development	61	Where applicable the Proponent will implement the Ecological Sustainable Development initiatives across the construction, operation and decommissioning stages of the SIMTA proposal including: • Site management policies and strategies. • Materials selection and energy and water demand management. • On-site renewable energy generation.	Provide with the planning applications for the three major stages of the Concept Plan and throughout the project, as required
	62	The following principles will be achieved during the design development and construction phase of the proposal: • Precautionary principles. • Inter-generational equality. • Conservation of biological and ecological integrity. • Improved valuation, pricing and incentive mechanisms.	During construction
Waste Management	63	The Proponent commits to undertaking waste management in the demolition, construction and operational phases of the development as listed below: <u>Demolition</u> • Re-use of material will have priority over recycling • Recycling will have priority over disposal • Selection of reputable waste removal contractors who will guarantee that recyclable material will be recycled and will provide any relevant certificates • Vegetation removed shall be either preserved for use in the new development, or mulched for inclusion in landscaping activities. The remainder will be sent to a composting facility • Excavated earth will be used for infill and landscaping where feasible, the remainder will be sent to a recycling facility • Asphalt will be re-used by transferring it to a batching plant or using it as a base layer for access roads • Concrete components will where possible be crushed and reused on site, the remainder will be sent to a recycling facility • Fuel and oil storage from demolition machinery will be secured and managed responsibly within compound sites during works, and removed upon completion of works	Prior to and during demolition

Aspect	No.	Statement of Commitment	Timing
		• Sewage waste shall be disposed of by a licensed waste contractor in accordance with Sydney Water and OEH requirements.	
	64	<u>Construction</u> • Reduce potential waste by ordering the correct quantities of materials • Coordinate and sequence trades people to minimise waste • Prefabricate materials where possible • Use modular construction and basic designs to reduce the need for off-cuts • Reuse formwork • Reuse or recycle materials from the demolition phase • Separate off-cuts to facilitate reuse, resale or efficient recycling • Minimise site disturbance and limit unnecessary excavation • Select landscaping which reduces green waste • Select waste removal contractors to guarantee that recyclable waste are recycled • Engage with the supply chain to supply products and materials that use minimal packaging • Set up schemes with suppliers to take back packaging materials • Sewage waste shall be disposed of by a licensed waste contractor in accordance with Sydney Water and OEH requirements.	Prior to and during construction
	65	<u>Operations</u> • Appropriate areas shall be provided for the storage of waste and recyclable material • Standard signage on how to use the waste management system and what materials are acceptable in the recycling will be posted in all waste collection and storage areas • All domestic waste shall be collected regularly and disposed of at licensed facilities. • Waste collection vehicles will be able to service the development efficiently and effectively. • An education programme and on-going monitoring will to be implemented for training personnel to properly sort and transport waste into the right components and destinations.	Throughout the operation of the SIMTA proposal

Aspect	No.	Statement of Commitment	Timing
		• Sewage waste will be disposed of by a licensed waste contractor in accordance with Sydney Water and OEH requirements. • Trade waste will be discharged to the sewer through a trade waste agreement with Sydney Water	
Consultation	66	The Proponent will continue to consult with relevant government authorities and bodies during the design development process for the detailed applications for the three major stages of the development. Depending on the development proposed, these may include: • Liverpool City Council • ***Campbelltown City Council*** • Transport for NSW • Railcorp • Australian Rail Track Corporation Ltd (ARTC) • NSW Department of Primary Industries (including NSW Office of Water, NSW Fisheries and Crown Lands) • NSW Office of Environment and Heritage • Heritage Council of NSW • NSW Environment Protection Authority • Department of Defence • Department of Finance and Deregulation	Provide with the planning applications for the three major stages of the Concept Plan
		The Proponent will continue to engage and consult with the community during the future detailed planning applications. Depending on the scale of the proposed, development, SIMTA may undertake the following activities either prior to lodgement or during the public exhibition of the application: • Open a Community Information Centre (as appropriate) to provide stakeholders with information and to receive feedback on the proposal • Update the existing project website and maintain access • Continued operation of the email feedback system and free-call information line.	Provide with the planning applications for the three major stages of the Concept Plan
		The Proponent shall: • Obtain the consent of the ARTC with respect to the connection to the Southern Sydney Freight Line (noting that the granting of consent by ARTC is subject to the provision of ARTC Interstate Access Undertaking).	Prior to issue of a construction certificate for the rail link construction.

Aspect	No.	Statement of Commitment	Timing
		• Work with ARTC to identify the timing, scope and staging of any required capacity enhancement to the ARTC Network.	

7 CONCLUSION

SIMTA is seeking to modify the MPE Concept Plan Approval (MP 10_0193) to include the following:

- Extension of the land to which the MPE Concept Plan Approval applies to recognise works on Moorebank Avenue and drainage works to the south and east of the MPE site
- Upgrade of Moorebank Avenue from the northern to the southern extent of the MPE site, including alterations to the existing lane configuration, increasing the vertical alignment, some widening and ancillary services and infrastructure such as stormwater drainage on the western side of Moorebank Avenue
- Provision of an interim MPE site access to warehousing
- Reconfiguration of the internal road network within the MPE Stage 2 site and use of all internal roads by both light and heavy vehicles, rather than separating heavy and light vehicles within the MPE site
- Importation of clean general fill (approximately 600,000m^3) material for bulk earthworks to adjust the building formation to support the functionality of the site stormwater and drainage system
- Changes to the location of, and land uses within the freight village and provision of warehousing along the Moorebank Avenue frontage (previously identified as IMT)
- Changes to the staging of development including construction of all warehouses as part of the MPE Stage 2 Proposal
- Subdivision of the MPE site.

This RtS has been prepared to respond to submissions raised by both community and government stakeholders during the public exhibition of the Concept Plan Modification Report, between 14 December 2016 and 24 February 2017. This RtS provides further information and justification for the Modification Proposal in order to respond to and address the submissions received (refer to Sections 4 and 5 of this RtS).

The Modification Proposal would not significantly alter the assessment provided in the MPE Concept Plan EA in relation to relevant legislation and plans. It would also not alter functions of the MPE Project and only minor changes to MPE Project boundary are proposed in order to facilitate the development of the site. In this context, the Modification Proposal is not considered to represent a material transformation of the MPE Project as described in the MPE Concept Plan Approval and, consistent with the findings of the Concept Plan Modification Report, it is considered that the Modification Proposal would also have limited environmental consequences beyond those envisaged in the MPE Concept Plan EA.

The proposed amendments to the MPE Concept Plan Approval conditions are as outlined in Section 3.3 of the Concept Plan Modification Report and are considered adequate for the Modification Proposal. The only further change proposed following the public display period is the amendment of SoC 66 to recognise the need for further consultation with Campbelltown City Council during the design development process.

7.1 Overview of submissions and consultation

During the public exhibition period submissions were invited from all stakeholders, including members of the community and government stakeholders. Of the 170 community submissions received, 162 were from the community, including landowners, special interest groups (3 submissions) and occupants and other members of the public, all of which were in opposition to the Modification Proposal. A total of 8 submissions were received from government agencies, including local councils.

The key issues which have been raised for the Modification Proposal, by the community stakeholders (note that multiple issues may have been raised within a single submission), include:

- Traffic and transport (57 submissions)
- Noise impacts (21 submissions)
- Air quality (13 submissions)
- Human health (22 submissions)
- Natural environment (47 submissions)
- Planning process (31 submissions)
- Economics (19 submissions)
- Community (44 submissions)
- Flora and fauna (9 submissions).

Government agencies raised similar concerns to those raised by the community.

7.2 Next steps

The DP&E will, on behalf of the NSW Minister for Planning, review the Concept Plan Modification Report and this RtS. Once the DP&E has completed its assessment, a draft assessment report will be prepared for the Secretary of the DP&E, which may include recommended conditions of approval.

The assessment report will then be provided to the Planning Assessment Commission (PAC) for consideration. The PAC would determine the Proposal, with any conditions considered appropriate.

The PAC's determination, including any final conditions of approval and the Secretary's report, will be published on the DP&E's website immediately after determination, together with a copy of this RtS.

SIMTA is committed to continuing to consult with stakeholders, including the community throughout the planning of the Proposal and future stages of development. Further information on the Modification Proposal is available on the Project website: www.simta.com.au

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ARCADIS Design & Consultancy for natural and built assets

Moorebank Precinct East - Concept Plan Modification

Response to Submissions SSD 16_7628 MOD2

Appendix A - Community Response Table

SIMTA

SYDNEY INTERMODAL TERMINAL ALLIANCE

Part 4, Division 4.1, State Significant Development

August 2017

Table 1 Community Response Table

Aspect	Issue	Summary	Respondent Reference number	Total
Traffic and transport	Congestion / capacity	• Concerned that Moorebank and Moorebank Avenue in particular is inadequate for large container trucks and is already congested • Concern that the Proposal would add to existing traffic congestion on roads in the vicinity of the project. Specifically, M5, M7, Newbridge Road, Heathcote Road and the Hume Highway, especially heavy vehicles. Concerned also by fill increasing the impact of previously mentioned issues • No adequate attempt has been made to deal with the 10,000 trucks per day the site will generate • Outdated and inaccurate traffic projections put forward by the Intermodal are a key problem of all applications. • The road system can't cope with the extra 2500 trucks per day and 104 per hour on Moorebank Avenue plus current local congestion • Proposal would add to increasing road congestion created by upcoming apartment developments and from general population growth in the area • Concerns that support vehicles and trucks from the Proposal would create congestion on the surrounding road network • Concerns that the Proposal would result in congestion in nearby suburbs including Moorebank, Chipping Norton, Casula, Liverpool and the Prestons	20,60/192695,102,108,155/180304,192736,4,5,17,19/189829,34/184073,35,53,55,68,79,80,83,88,91/184063,94,95/191318,116,126,127,128,133/192738,134,136,138,151,178787,18/191512,40,46,67,14,141,77,106,23,43/184077,51,61,131/189863,39,103,115	48

Aspect	Issue	Summary	Respondent Reference number	Total
		• Concern that surrounding intersections would not be able to accommodate traffic movements from trucks generated by the Proposal • Extra traffic congestion will cause strain on local recourses including shops and travel times • The local community cannot handle the increased number of trucks and congestion • New suburbs have been established nearby and already the traffic is horrendous • Concerns around traffic impacts from 24 hour operations • Congestion from the movement of fill to site, which would potentially put children in schools at risk due to increased traffic • What impact will stormwater and road works have on traffic in the local area • Road reconfiguration will not remove the problems associated with increased traffic		
	Assessment	• 450,000 additional truck movements for fill has not been studied nor "considered for mitigation" and will worsen traffic congestion • The DP&E should start again with the precinct plan and EIS in light of these new applications • It is improper for this modification application to be assessed before the NSW transport planning reports due to be released as per the 2016/17 Budget Estimates Hearing of the NSW Government which state "The NSW	39,53,57/184236,60/192695,155/180304,55	6

Aspect	Issue	Summary	Respondent Reference number	Total
		Government has committed $3.4 million to progress studies into road infrastructure options to manage traffic impacts from the proposed Moorebank Intermodal Terminal and forecast growth in the broader Liverpool and Moorebank area."		
	Safety	• Any traffic increase in this area will "overwhelm" residents and normal users of the road	195761,41,195753	3
	Road Infrastructure	• Damage to roads from increases in heavy vehicle numbers • Existing road infrastructure is not adequate to support the project • Moorebank Avenue would need to be widened to at least 3 lanes each way for project to be feasible • Construction of a temporary diversion road to allow diversion along Moorebank Avenue will cause traffic chaos • Transport links are already struggling with current numbers • Early works for fill importation will begin before road upgrades will be complete, significantly impacting traffic and invalidating early modelling	43/184077,129,197213,20,68,128,138,73,55,178936	10
	Use of local roads	• Commuter vehicles utilising back roads to avoid congestion • Heavy vehicles getting in accidents on local roads and endangering houses and pedestrians • Road realignment will force additional traffic through Wattle Grove along Anzac Road	14,41,130	3

Aspect	Issue	Summary	Respondent Reference number	Total
Noise	Operational Noise	• Concerned warehouses built will be insufficient to block operational noise from the community • Insufficient mitigation is provided for noise generation and receivers • Additional noise walls should be constructed around the perimeter of the site to better mitigate noise emissions. • Noise from the construction and operation of 300,000m2 of warehousing and distribution facilities of the proposal will negatively affect residents • The continuous transfer of containers between the MPE stage 1 IMT and the proposals warehousing and distribution facilities will require heavy vehicles capable of being loaded with containers and used on MPE stage 2 site will cause 24/7 noise.	9,31,71,155/180304,68,128,138	7
	General	• The proposal will increase noise pollution, specifically 24 hour operations, impacting the health of residents • General comment around noise generated by plant and operational machinery including trucks, container terminal, loading docks etc. • Concerned importation of fill will negatively impact community and will cause dust and noise pollution • The increase in site level from greater quantities of fill will result in greater impacts from generation, transmissions and reception of construction and operational noise	17,85/184096,151,197213,9,195753,195761,23,31,51,71,185204,14,112/197755,46,97/192746,68,128,138	19

Aspect	Issue	Summary	Respondent Reference number	Total
		• Concerned for the noise impacts on residential homes • Objects to the noise that will be generated by the extra traffic on Moorebank Avenue		
	Assessment	• The estimated noise levels noted in the assessment as being acceptable are contradicted by Transport for NSW and Sydney trains Noise logging reports of 2015	144	1
	Mitigation	• Object to the Modification to the Statement of Commitments (Table 3-2, pg. 22) that would allow noisy construction works outside of hours	155/180304	1
Air	Air Quality / Pollution	• Increase in pollution generated by increased congestion and heavy vehicle movements • Concerns that additional heavy vehicles and trains from the Proposal will result in increasing air pollution (in particular diesel emissions) impacting on nearby residents and the environment • The area and community cannot handle the pollution • The increase in diesel trucks will worsen air quality in an area close to schools, nursing homes, retail and a large residential population in an area that is already over polluted and over populated • Please explain in further detail the "very low impacts on the surrounding environment from air pollutants", Table 5 & 6 of the PB EIS dated 20/04/2016 has an annualised emissions quantification	14,23,88,97/192746,112/197755,178,77,106,41,78,52,67,141	13

Aspect	Issue	Summary	Respondent Reference number	Total
		and qualification which does not appear to be "very low" • How will the increased health risks for populations residing adjacent to source points of Diesel Fuel • Diesel Fumes will be increased as a result of the proposal • Children and schools nearby will be impacted by increased pollution		
	Particulate matter	• Dust born particles as a result of the importation of fill will cause permanent respiratory damage to residents	130	1
Health	Pollution / air quality	• Increased pollution will affect people's health, particularly young children • Impacts to air quality from the project would result in health impacts to nearby schools, childcare centres and homes • Concerns around air pollution and particulates (including diesel particulate matter) from the project resulting in various impacts to health including: Shortened life expectancy, increases outbreaks of asthma, cancer in newborns, lung cancer in children, autoimmune diseases, bronchitis, coronary disease, cardiovascular disease • Increased impacts to those suffering asthma and other respiratory conditions • Concerned the proposal will increase pollution in the local area and affect the community • Area cannot handle increase in pollution	197213,2,10,195761,75,3/184098,12/184065,81,109,143,116,46,51,195753,62,153	16

Aspect	Issue	Summary	Respondent Reference number	Total
		• Concerns to residents from increased pollution • Will impact the health of my family from toxic fumes, will also impact my mental health due to the usage of train brakes and train noise		
	Sleep disturbance	• Sleep disturbance from the Proposal resulting in impacts to human health	185204	1
	General	• General impacts to health and wellbeing of nearby residents not considered in this proposal • Concerned about the detrimental health effects of the project on a community predominantly made up of young families • This project is causing stress for their family worrying about their home and the area they live in • Please consider the health of our children in an already polluted environment	9,30/184071,62,81,122,73,75,86	8
Natural environment	General Environment	• The proposal would significantly impact the environment and cause environmental destruction • The environmental impact from the removal of vegetation, remediation works, earthworks and levelling of the site, drainage and utilities installation, construction of the hardstand. • Adverse impacts to local wildlife • Damage to the environment would be un repairable • 66ha of bulk earthworks will be remediated with grass, this would leave	8/189913,30/184071,63,134,186308,68,89,128,138,95/191318,131/189863,55	12

Aspect	Issue	Summary	Respondent Reference number	Total
		it more susceptible to erosion and have a higher mobility potential than other vegetation types. Is there an intention to utilise geotechnical fabrics to minimise erosion? Overland runoff from this area and flooding from the site in general can affect estuary sunlight penetration and can have greater impacts on the Georges River such as bank erosion, turbidity creation, poisoning of marine life etc.		
	Impacts on local river systems	• Concerned the project will negatively impact South-West river systems • Concerned the project will cause major degradation/damage to the Georges River • Objects to use of prime public riverfront for an industrial project and its alienation from public use • Area should be used to beautify Georges River rather than for industrial uses • Concerned that raising the site by 2 m will cause site run-off into the Georges River and Wattle Grove • Project should not be situated so close to an environmentally sensitive area such as the Georges River • Concerned the proposal will cause pollution to the local river systems • Imported fill will erode away in a heavy storm and pollute the Georges River • Redirection of waterways will cause Anzac and Harris Creeks to dry up	5,122,126,127,1,18/191512,47,19/189829,185204, 35,100,64,89,130,144	15

Aspect	Issue	Summary	Respondent Reference number	Total
		• Contaminated soil on the site will flow into Georges River and damage waterways		
	Aboriginal/European Heritage	• The spur line proposal is across land that is currently occupied by Glenfield Waste Services and used as a waste landfill site, which so far has been used as an excuse to ignore visual impacts to Glenfield Farm, even though this landfill site is temporary and was to be • remediated and returned to public use land, under the National Parks and Wildlife service control. This land remains an important part of the visual curtilage of Glenfield Farm. • Historic Glenfield farm buildings listed as being of exceptional importance to the state of NSW would have their views disrupted • The interest in the land currently occupied by Glenfield land fill is posed by Glenfield Farm to have had its visual curtilage completely ignored in this deal, which should now be exposed to proper public and planning scrutiny as part of the Concept Plan Modification Report process. Any voluntary agreement made in respect of this land should have included the interest in it held by Glenfield Farm's visual curtilage and the owners should have been consulted • The acoustic impacts will cause grave issues of liveability to Glenfield Farm along with ruining its horizon viewpoint	55	1
	Bushfire	• The southern aspect of the site will present a bushfire threat as it has sloped indexed land which under the	105	1

Aspect	Issue	Summary	Respondent Reference number	Total
		right temperature and wind direction could pose problem to resident who have to evacuate through 1 main entry/exit point on Wattle Grove Road		
	Pollution	• Increase in site level from the fill will result in great distribution of lighting impacts to local residents • Increase in building heights will increase noise light and pollution to local residents	9,116,139/189901	3
	Flooding	• Uncaptured flows from the eastern side of the site will negatively impact Anzac Creek • Increasing site level will increase flooding impacts to surrounding areas • New concrete yards and large shed and general increase in sealed areas will displace rainwater and increase flood danger for surrounding residents and areas • Proposal will change the whole nature of the flood zone and Georges river catchment, resulting in more flooding and spreading pollution further • If the site were flooded contamination would run off and potentially harm and kill previous thought extinct *Hibbertia Fumana* • Site does not need to be raised as it does not flood • Importation of 2 million tons of fill will change the entre water flow and flood diversion profile of the flood plain area	31,71,49/191520,50/191502,80,89,133/192738,144,147,185204,98,139/189901,130,55,148	15

Aspect	Issue	Summary	Respondent Reference number	Total
		• No plans to create a site for the backed-up flood waters to retreat to • How much will the fill affect the flood height? • The area proposed for the Moorebank Intermodal is located on the primary floodplain for the Georges River. According to a paper entitled “Have We Forgotten About Flooding on the Georges River?’” presented at the 2001 Floodplain Management Authorities Conference at the Wentworth Shire Council, planning considerations need to be made for a maximum flood, which can be up to 5 metres higher than the 100 year flood, which is 10.5 metres. • It is essential that a full flood modelling study is carried out in respect of this modification proposal • The Proposal will destroy the floodplain		
	Fill	• Not necessary to increase height of site by 2 metres • Fill is only being added in an effort to avoid site remediation, due to contamination and dangerous materials left behind • 2.2 million cubic meters of landfill is untested, land should be remediated instead • The fill will likely cover rare botanical specimens, aboriginal sites and cause un-remediated contamination • If 600,000 tonnes of fill is required then the site is not suitable and the original application was not carried out correctly.	15,55,60/192695,130,139/189901,48,136,58,77,106,80,96/191352,116	13

Aspect	Issue	Summary	Respondent Reference number	Total
		• Objects to the modification of 600,000 cubic metres of fill • Proposed dirt may contain bio hazards and foreign matter • Bury contaminated land will not fix the problem, chemicals will eventually leach into the river and water table causing permanent damage • 1.63 million m3 of imported fill does not satisfy the 'substantially the same' test as defined by legal precedent under section 96(2) of the EP&A act		
	Visual	• Concerned there will be a reduction in visual amenity for elevated receivers in Casula • A failure to identify and address impacts of the raised site on the important visual curtilage of historic Glenfield Farm across the spur line site and the Intermodal site across the Georges River; and a major polluting, noisy and extensive crushing operation that was also not described in the MPW Concept Plan approval, and should thus cause the modification proposal to be rejected • Raising the site by 2 meters will further impacts on the visual capital held by Glenfield Farm	31,71,55	3
Planning process	Approvals/applications	• The approvals process has not been undertaken correctly and is not transparent, lodging 3 applications proposal 3 days prior to Christmas is underhanded. • Proposal should not be approved because reconfiguring the internal road network to allow Moorebank avenue to	36/191404,38,96/191352,15,155/180304,42/192717,45,48,58,122,136,60/192695,144,139/189901,55	15

Aspect	Issue	Summary	Respondent Reference number	Total
		be redirected around the eastern side of the site is underhanded and will negatively affect Wattle Grove • Objects to all aspects of the proposal being approved • This proposal and the entire project should be stopped completely • 3 new modification applications invalidate any previous EIS findings and results, a new EIS needs to be produced to include these modifications • The application is a major modification to the concept and should be rejected • Proposal would not have been approved originally had these modifications been included in the original plans • Proposed modification is of massive not minor environmental impact, on these grounds the application should be rejected “The consent authority must first consider whether the proposed modification is of minimal environmental impact.” [Environmental and Planning Law in New South Wales, Lyster, Lipman, Franklin, Witten, & Pearson, Chapter 4, Developmental Control, Lapse, Modification and Revocation, pg. 109] • The greens proposal to place intermodal terminals on the periphery of the cities and use both Port Kembla and Newcastle ports along with port botany to distribute freight fairly and with less environmental destruction • The planning department should reject all applications and a new fully costed precinct master plan should be		

Aspect	Issue	Summary	Respondent Reference number	Total
		developed, one that includes late additions and factors in the RMS traffic impact study, PAC etc. due to the new modifications • Opposed to operational movements between MPE and MPW • Modification application is not "substantially the same as the original development."2 million cubic metres of fill importation is a major change • The distance of Wattle Grove to the MPE site as stated in the application is incorrect. It should be 370m not 640m.		
	Combined project / Modifications	• Concerned that if this large a modification is required then the original proposal is flawed and should be thrown out • This is not a modification but a whole new development • This modification proposal now makes all previous studies and proposals irrelevant as the plans have changed, planning and testing should be done again and the new data presented to the public for consultation • If the organisation can't work out how much fill is needed then what else will need to be modified in future, what else are they withholding? • Opposed to the change of function of the intermodal terminal to allow interstate, intrastate and port shuttle freight rail	77,106,60/192695,84,113/184094,136,132,139/189901	8
	Environmental Management Documents	• The original EIS did not allow for the amount of fill required for retail,	35,79,84,90,130,132	6

Aspect	Issue	Summary	Respondent Reference number	Total
		commercial or light industrial uses and therefore should be reassessed • Amendments introduce significant environmental impacts and should be addressed separately in their own EIS not included as an amendment • Area was set aside as a 'Green Zone' by Delfin as a separation between residents and the Military • A viable plan with adequate mitigation of impact which is enforceable and accountable is needed and not currently supplied		
	Tech studies	• Visual Impact Assessment and Light spill studies show that significant landscaping, screening and architectural elements will be needed in order to shield site operations • The impact of light spill to residential properties will affect residents 24/7. The light spill study shows this. • Thorough research needs to be done to substantiate the project to the local people	68,128,138,89	4
	General	• Since project was conceived the surrounding areas have been rezoned to medium and high density, greatly increasing strain on traffic, resources etc. • Proposed raising of vertical alignment of Moorebank avenue for 1.5kms by 2m from the northern boundary of MPE to 120 meters south of the MPE site will require more space for the proposed site	35,77,79,106,68,128,138	7

Aspect	Issue	Summary	Respondent Reference number	Total
	MPE Stage 2 Application	• SIMTA shouldn't be able to apply for Stage 2 when they haven't finished modifying their concept plan • Stage 2 should not be approved when concept plant and layout is not finalised	31,71,22	3
	MPW Mod 1	• The modification application ignores the extremely close position of historic Glenfield Farm to the spur line site, and the impacts of the modifications on the Glenfield Farm site.	55	1
Economics	General	• SIMTA is importing fill for profit • Objects to the use of public funds for this privately owned project • Will benefit multinational companies who will not pay their fair share of taxes • Imposing healthy and safety issues on a community for the benefits of business economics is unethical • Forwarding freight on from its original port destination in Port Botany will increase freight and shipping costs while unnecessarily clogging roads • Increased health problems from the proposals pollution will cause an increase in the cost of Medicare and hospitals due to the increase number of people with medical conditions	9,132,43/184077,89,155/180304,63,65/184079,70,117,122	10
	Reduction in property prices and compensation	• Project would cause a decrease in property and land value • Impacts to nearby residents' economic wellbeing • Request for reimbursement of property capital loss	3/184098,97/192746,108,112/197755,197213,117,141	7

Aspect	Issue	Summary	Respondent Reference number	Total
		• The intermodal project will drive new residents and investment away from the region		
	Employment	• Dispute employment numbers stated in the EIS. The use of automation would reduce these numbers significantly	178787	
	Cost of the project	• The public should not pay for the extensive road works, traffic control or the rail link for a private facility • Government has not allocated the required funds for the required infrastructure to establish the site • Raising the ground works by 2m is a waste of tax payers' money • Waste of tax payers' funds • If SIMTA is so confident of its proposal it should pay 400M for the rail link and 3 billion for the road upgrades itself	136,155/180304,53,63,65/184079,141	6
Community	Consultation	• Consultation to date has been insufficient/non-existent • Multistorey high-rise apartment buildings are being constructed within 1km of the proposed site, these new owners have not been consulted with and their views will be obstructed with the proposal • Huge swathes of the broader community, who will also be affected, have been left out of the consultation process such as Bayside council area, Sutherland shire, Georges river, Canterbury, and Bankstown • Responses to community concerns to date have been inadequate	106,144,77,79,126,9,127,132	8

Aspect	Issue	Summary	Respondent Reference number	Total
	Impacts to community lifestyle	• The Proposal would impact on community, families and lifestyle. Impacting general health, traffic and environment through noise and pollution for years to come • The proposal would impact young families who have settled in the area • The Proposal will decrease the quality of life for the community • Adverse impacts on the standard of living for local residents • Many residents have illnesses and the current peaceful and green environment minimise symptoms and aid recovery • The proposal would change the character of the area • Industrial area not appropriate in the middle of a residential community • Densely populated family orientate residential area not suitable for such a development • The proposal is located too close to residential areas • The proposal will risk destroying the unique, young family orientated community, specifically one that is surrounded by the bush • Extensive construction works and operation will impact the surrounding community in regards to noise, emissions, dust, breaking, lighting and shunting	5,11/184083,30/184071,36/191404,37,68,92/189951,120/184069,138,110,124,128,96/191352,50/191502,14,47,109,186308,16,34/184073,35,117,70,79,95/191318,97/192746,100,112/197755,60/192695,104,107/184067,55	32

Aspect	Issue	Summary	Respondent Reference number	Total
		• It is unrealistic to assume that this development in such a small community will have no impact • Facility will stifle growth in an important business growth centre • Raising site 2m will put the terminal in full view of surrounding residents making their life unbearable • Diesel particle pollution and traffic will have a negative impact on residents and has not been looked at properly • Objects to extended working hours close to residents		
	Social	• It's morally wrong to do this to residents in the area	44	1
	Safety	• Erecting noise barriers in close proximity to noise sources is unsafe and impractical, especially when sources are not static • Traffic caused by the proposal will be dangerous and compromise the safety of residents • Concerned that SIMTA's official report states at this point that there is a 20 fold higher crash rate than the RMS threshold for blackspots on Moorebank and Cambridge avenue, 2 fatalities over 5 years and MICL's EIS which states a 40 fold higher crash rate than the RMS threshold on the M5 between Heathcote Rd and the Hume Highway, while the report states that between 75-85% of intermodal trucks will use these blackspots and 100% will use	31,71,92/189951,94,127,185204	6

Aspect	Issue	Summary	Respondent Reference number	Total
		Moorebank Ave. Concern this will result in more deaths.		
Flora and Fauna	General	• Project would impact on native flora and fauna and destroy habitat for local species • Concerned project would impact endangered flora and fauna thought to be extinct, specifically *Hibbertia Fumana* • Concerned project is reducing vegetation in the riparian corridor, how is this going to be offset • This modification shows that key information was withheld until after the approvals process relating to previous thought extinct species • During the development of the DNSDC endangered and previously thought extinct plants were destroyed, why will the same not occur during this project • Proposal originally said there would be no impacts to native flora and fauna, this constitutes a lie	27/184092,31,71,130,67,197213,122,132	8
	Vegetation management	• What is the conservation and management plan for Hibbertia Fumana, which department will be delegated authority to ensure the plan is produced by the applicant	31,71	2
	Impacts to native species	• Non-reporting of extinct flora until 4 days after the report points to dishonesty and shows no community consultation	144	1

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