

Modification of Concept Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the Concept Plan approval referred to in Schedule 1, subject to the conditions in Schedule 2.



David Gainsford
Executive Director
Infrastructure Assessments

Sydney 31 January 2020

SCHEDULE 1

Concept Plan Approval: **MP10_0193** granted by the Planning Assessment Commission on 29 September 2014

For the following: The Concept Plan involves the use of the site as an intermodal facility, including a rail link to the Southern Sydney Freight Line within an identified rail corridor, an upgrade of Moorebank Avenue, warehouse and distribution facilities, freight village (including ancillary site and operational services), stormwater, landscaping, servicing, and associated works.

Proponent: Sydney Intermodal Terminal Alliance (SIMTA)

Approval Authority: Minister for Planning and Public Spaces

The Land: Intermodal and warehousing site: Land generally described as being located on the eastern side of Moorebank Avenue, between Anzac Road and the East Hills Passenger Line, Moorebank (Lot 1 in DP 1048263, Lot 3002 DP 1125930, Lot 4 DP 1197707); and

Moorebank Avenue: Land described as Moorebank Avenue generally between the Anzac Road/Moorebank intersection to approximately 200 metres south of the intermodal site (Lot 1 DP 1197707 and Lot 2 DP 1197707)

Rail corridor: Land generally described as being located between the intermodal site and warehousing site and the East Hills Passenger Line to the south, part of the East Hills passenger Line/Commonwealth Land to the southwest, and the northern portion of the Glenfield Waste Disposal Facility to the west, comprising:

- Lot 3001 DP 1125930 - Lot 52 DP 517310
- Lot 1 DP 825352 - Lots 101 – 104 DP 1143827

- Lot 2 DP 825348
- Lots 1 & 2 DP 1061150
- Lot 1 DP 712701
- Lots 5 – 7 in DP 833516
- Lot 51 in DP 515696
- Lot 1 DP 1130937
- Lot 91 DP 1155962
- Lot 4 DP 1130937
- Conveyance Book 76 Number 361
- George's River, Crown Land
- Crown Road
- Public road reserve of Moorebank Avenue (north of Anzac Road)

Modification:

MP 10_0193 MOD 3: the modification includes:

- adjustment to the southern boundary of the MPE site to facilitate a revised drainage system layout and design for Onsite Stormwater Detention Basin (OSD) 2.

SCHEDULE 2

The concept approval is modified as follows:

- (a) Schedule 2, Term 1.1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

- 1.1 The Concept Plan approval shall be undertaken generally in accordance with:
- a) Major Project Application 10_0193;
 - b) the *Environmental Assessment SIMTA Sydney Intermodal Terminal Alliance Part 3A Concept Application*, Volumes 1-4, prepared by Urbis and dated March 2012
 - c) the *Environmental Assessment SIMTA Sydney Intermodal Terminal Alliance Transitional Part 3A Concept Application*, Volumes 1-4, prepared by Urbis and dated August 2013;
 - d) the *SIMTA Sydney Intermodal Terminal Alliance Submissions Report*, prepared by Urbis and dated December 2013;
 - e) the modification request MP 10_0193 MOD 1 with supporting documents titled *Concept Plan Approval (MP 10_0193) Modification* (including the Revised Statement of Commitments), prepared by Hyder and dated May 2015;
 - f) the modification request MP 10_0193 MOD 2 with supporting documents titled *Moorebank Precinct East - Concept Plan Modification 2 (MP10_0193_MOD2)* prepared by Arcadis and dated November 2016;
 - g) the document titled *Moorebank Precinct East - Concept Plan Modification 2 Response to Submissions SSD 16_7628 MOD 2* prepared by Arcadis and dated August 2017;
 - h) the document titled MPE Concept Plan Mod 2 (MP10_0193MOD2) – Consolidated assessment clarification responses, prepared by Arcadis and dated November 2017; and
 - ~~i) the terms of this approval.~~
 - i) **the modification request MP 10_0193 MOD 3 with supporting documents titled *Modification of Consent Concept Approval MP10_0193* prepared by Aspect Environmental and dated April 2019;**
 - j) **the document titled *Modification of Consent (Mod 2) Response to Submissions State significant development SSD 7628* prepared by Aspect Environmental and dated September 2019 (to the extent to which it applies to the concept); and**
 - k) **the terms of this approval.**

- (b) Schedule 2, Term 1.2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

- 1.2 In the event of an inconsistency between:
- a) the terms of this Concept Plan approval and any document listed from term 1a) to ~~4h)~~ **1k)** inclusive, the terms of this Concept Plan approval shall prevail to the extent of the inconsistency; and
 - b) any document listed from terms 1a) to ~~4h)~~ **1k)** inclusive, and any other document listed from terms 1a) to ~~4h)~~ **1k)** inclusive, the most recent document shall prevail to the extent of the inconsistency.

End of modification