

# Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*  
 Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

<b>Application Number</b>	SSD-10431
<b>Project Name</b>	<p><b>Moorebank Intermodal Precinct West - Stage 3</b></p> <p>The proposal comprises the following components:</p> <ul style="list-style-type: none"> <li>· establishment of a construction compound in the southern portion of the Moorebank Precinct West (MPW) site to facilitate site development works for MPW Stages 2 and 3 and future stages of the MPW development</li> <li>· ancillary works including access roads, earthworks, utilities installation/connection, stormwater and drainage infrastructure, signage and landscaping</li> <li>· progressive subdivision of the MPW site into nine (9) allotments</li> </ul>
<b>Location</b>	Moorebank Ave, Moorebank
<b>Applicant</b>	Sydney Intermodal Terminal Alliance (SIMTA)
<b>Date of Issue</b>	20/03/2020
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> (the Regulation).</p> <p>Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.</p> <p>Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> <li>· adequate baseline data</li> <li>· consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed)</li> <li>· measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment</li> <li>· a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues</li> <li>· justification for the use of any assessments prepared for MPW Concept Proposal and Stage 1 (SSD 5066) or MPW Stage 2 (SSD 7709).</li> </ul> <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>· a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived.</li> </ul>

	<p>The report must be prepared on company letterhead and indicate applicable GST component of the CIV</p> <ul style="list-style-type: none"> <li>· an estimate of jobs that will be created during the construction and operational phases of the proposed development</li> <li>· certification that the information provided is accurate at the date of preparation.</li> </ul>
<p><b>Key issues</b></p>	<p>The EIS must address the following specific matters:</p> <p><b>1. Statutory and Strategic Context</b> – including but not limited to: Addressing the relevant planning provisions, relevant environmental planning instruments, goals and strategic planning objectives in the following:</p> <ul style="list-style-type: none"> <li>· NSW State and Premier Priorities</li> <li>· A Metropolis of Three Cities – the Greater Sydney Region Plan</li> <li>· The NSW State Infrastructure Strategy 2018-2038</li> <li>· Future Transport 2056</li> <li>· NSW Freight and Ports Plan 2018-2023</li> </ul> <p><b>2. Compliance with the Approved Concept Proposal</b></p> <p>The EIS must demonstrate that the proposal is consistent with the Concept Proposal and Stage 1 approval SSD 5066, dated 3 June 2016 (as modified), including compliance with development outcomes approved under the Concept Proposal for stage1, 2 and 3 and meeting of all the requirements stipulated under Schedule 4 (Conditions to be met in future development applications).</p> <p><b>3. Air Quality</b> – including but not limited to: A comprehensive air quality impact assessment including:</p> <ol style="list-style-type: none"> <li>a) an assessment of construction related impacts including dust and wind erosion from exposed surfaces and proposed mitigation measures and safeguards to control dust generation and other airborne pollutants and to minimise impacts on nearby receptors</li> <li>b) an assessment of cumulative impacts associated with any existing development and any developments having been granted development consent, but which have not commenced</li> <li>c) an updated assessment/review of direct and indirect greenhouse gas emissions arising from this development and associated impact mitigation requirements, in reference to the Concept Plan greenhouse gas assessment.</li> </ol> <p><b>4. Traffic and Transport</b> – including but not limited to: A Traffic Impact Assessment that assesses intersection and road network impacts, including impacts on Cambridge Avenue. The traffic assessment must provide:</p> <ol style="list-style-type: none"> <li>a) details of the current daily and peak hour light and heavy vehicle, public transport, pedestrian and bicycle movements (including</li> </ol>

consideration of pedestrian and bicycle access from Casula train station to the MPW and Moorebank Precinct East (MPE) sites), and existing traffic and transport facilities provided on the road network located adjacent to the proposed development

- b) details of the proposed permanent access road and temporary loop road
- c) detailed traffic modelling analysis to assess the road network operation in consultation with Transport for NSW and identify intersection upgrade requirements (if required). This assessment must include both MPE and MPW sites under the State Significant Development (SSD) applications approved to date
- d) an assessment of operational traffic and transport impacts to the road network and transport operation, including any changes to local road connectivity and impacts on local traffic arrangements, road capacity/safety assessment and traffic capacity of the road network and its ability to cater for predicted future growth and the development traffic
- e) details of mitigation measures for the identified impacts (if any)
- f) details of proposed upgrade(s) at key intersections (if any), such as vehicle swept paths, geometry and sight lines
- g) details of future public transport requirements including bus services and bus stops
- h) an assessment of construction traffic impacts, which may include a draft Construction Traffic Management Plan including:
  - i. the identification of haulage routes and details of the existing traffic situation on these routes
  - ii. an assessment of construction traffic volumes (including spoil haulage/delivery of materials and equipment to the road corridor and ancillary facilities)
  - iii. a draft construction staging plan that includes the proposed construction activities and timeframe for each stage for MPE Stage 1 and 2 approvals and MPW Stage 2 approval
  - iv. an assessment of cumulative impacts associated with other construction activities, including MPE and MPW sites under the SSD applications approved to date
  - v. details of peak hour and daily truck movements, hours of operation, access arrangements at all stages of construction, including the access points to MPW Stage 2 and MPE Stage 1 and Stage 2 projects and traffic control measures for all construction activities
  - vi. an assessment of construction road safety at key

intersections and locations subject to pedestrian / vehicle / bicycle conflicts

- vii. details of any required temporary cycling and pedestrian access during construction
- viii. details of access arrangements for workers to / from the site, including pedestrian and public transport linkages, emergency vehicles and service vehicle movements
- ix. details of mitigation measures for the identified impacts (if any).
- i) be prepared in accordance with: *Guide to Traffic Generating Developments (Roads and Maritime Services)*, *EIS Guidelines — Road and Related Facilities (DoPI)*, *NSW Planning Guidelines for Walking and Cycling* and *Guide to Traffic Management Part 12: Traffic Impacts of Development (AUSTROADS)*.

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

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

- a) assess construction noise and vibration impacts associated with construction of the proposal, including impacts from construction traffic and ancillary facilities. The assessment must identify sensitive receivers and assess construction noise/vibration generated by representative construction scenarios focusing on high noise generating works. Where work hours outside of standard construction hours are proposed, clear justification and detailed assessment of these work hours must be provided, including alternatives considered, mitigation measures proposed and details of construction practices, work methods, compound design, etc
- b) assess operational noise and vibration impacts and identify feasible and reasonable measures proposed to be implemented to minimise noise impacts from use of the facility
- c) include a framework for on and off-site noise monitoring during operation
- d) an assessment of cumulative impacts associated with any existing development and any developments having been granted development consent, but which have not commenced
- e) be prepared in accordance with: *Noise Policy for Industry* (EPA, 2017), *Interim Construction Noise Guideline* (EPA, 2009), *Assessing Vibration: a technical guide* (EPA, 2006), and the *NSW Road Noise Policy* (EPA 2011).

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

- a) an assessment of the impacts of the project on local infrastructure, demonstrating that satisfactory arrangements are in place to support

and mitigate any impacts of MPW Stage 3 including applicable costs, timing and approval pathways for such measures

- b) consideration of any relevant Council's Developer Contributions Plan (or equivalent document requiring developer contributions)
- c) consideration of the need to extend the Route 901 bus service.

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

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

- a) assess impacts on surface and groundwater flows, quality and quantity
- b) assess flooding impacts and characteristics, to and from the project, with an assessment of the potential changes to flooding behaviour (levels, velocities and direction) and impacts on bed and bank stability, through flood modelling, including:
  - i. hydraulic modelling for a range of flood events
  - ii. description, justification and assessment of design objectives (including bridge, culvert and embankment design)
  - iii. an assessment of afflux and flood duration (inundation period) on property;
  - iv. consideration of the effects of climate change, including changes to rainfall frequency and/or intensity, including an assessment of the capacity of stormwater drainage structures
  - v. relevant provisions of the *NSW Floodplain Development Manual 2005*
- c) assess effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas, water dependent fauna and flora (including Groundwater Dependent Ecosystems), having regard to advice received from EESG (see Attachment 1)
- d) describe any mitigating effects of the proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options
- e) identify proposed monitoring of hydrological attributes
- f) address drainage issues associated with the development / site, including the incorporation of Water Sensitive Urban Design measures, stormwater and drainage infrastructure such as on-site detention systems to ensure peak discharges and flow velocities post development must not exceed existing peak flows and velocities
- g) undertake an assessment of surface water quality during construction (including reference to water quality objectives for the relevant catchment where objectives have been determined), including an identification of works that may impact water quality, and a summary of proposed monitoring and mitigation measures in accordance with *Managing Urban Stormwater – Soils & Construction*

*Volume 1 2004 (Landcom) and Volume 2 (DECC 2008)*

- h) consideration of stormwater quality and management (including monitoring) during use of the site with the objective of maintaining or improving existing water quality taking into account the Water Quality Objectives
- i) consider whether the existing sewerage system can cater for the proposal and whether environmental performance of the existing system will be impacted
- j) identify and assess the soil characteristics and properties that may impact or be impacted by the project, including acid sulfate soils, salinity, erodibility, unstable or unsuitable ground and unrippable rock
- k) include a bulk earthworks strategy detailing the volume of spoil to be extracted from the site, planned reuse and amount of material to be imported.

**8. Aboriginal Heritage** including but not limited to:

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

- a) identify and describe the Aboriginal cultural heritage values that exist across the whole area that would be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The identification of cultural heritage values must be conducted in accordance with the *Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW* (OEH 2010), and guided by the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (DECCW, 2011)
- b) where impacts are identified, undertake and document consultation with Aboriginal people in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR
- c) assess and document impacts on Aboriginal cultural heritage values in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to the Environment, Energy and Science Group in the Department of Planning, Industry and Environment.

**9. Historic Heritage** including but not limited to:

An assessment of the heritage impacts of the proposal. The assessment must consider impacts to historic heritage. For any identified impacts, the

assessment must:

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

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

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

- a) an assessment of visual impacts
- b) consideration of lighting impacts in the local area, analyse and describe the contribution and impacts of the proposed facility on light spill at the local scale and to sensitive receivers
- c) include details of hard and soft landscaping treatment and design (including details of suitable landscaping incorporating endemic species)
- d) ensure the layout and design of the development has regard to the surrounding vehicular, pedestrian and cycling networks
- e) propose management/mitigation measures to address the visual impact of the proposal.

**11. Contamination** – including but not limited to details of remediation to be or already completed on site.

**12. Hazards and Risks** – including but not limited to a preliminary risk screening completed in accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and *Applying SEPP 33* (DoP 2011).

**13. Masterplan** – including but not limited to consideration of the inter-relationships between the Moorebank Precinct West site with surrounding land uses, in particular the Moorebank Precinct East site. Connectivity between sites such as container, vehicle and pedestrian movements should also be considered (if proposed, or likely to occur in the future).

**14. Biodiversity**

- a) biodiversity impacts related to the proposal and the preparation of a Biodiversity Assessment are to be addressed in accordance with

the requirements of the Biodiversity Conservation Act 2016

- b) where a Biodiversity Development Assessment Report (BDAR) is not required, engage a suitably qualified person to assess and document the flora and fauna impacts related to the proposal.

**Note:** *A BDAR waiver under section 7.9 has been granted for the proposed development (being Moorebank Precinct West Stage 3 – SSD 10431). The application, therefore, does not need to be accompanied by a BDAR, where made in accordance with the requirements of the waiver.*

**15. Waste** – including but not limited to:

An assessment of liquid and/or non-liquid waste generated on the site, how it will be identified, quantified, classified, documented and disposed of. The assessment must also include a description of measures to be implemented to manage waste in accordance with the waste hierarchy. This assessment must include waste management measures to ensure that the proposal considers the aims, objectives and guidelines in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-2021*.

**16. Bushfire Management** – including but not limited to:

- a) an assessment against the *Planning for Bushfire 2006* (NSW Rural Fire Service)
- b) demonstrate that bushfire asset protection zones do not impact on biodiversity offset areas and the Georges River riparian corridor.

**17. Property and Infrastructure** – including but not limited to:

- a) assessing the impacts on affected properties and land uses, including impacts relating to access, land use, business activities, future development potential, and property acquisition
- b) assessing the service demand, capacity and augmentation of existing and proposed utilities and infrastructure, including any relocation as a result of the development.

**18. Staging** – provide details of staging which:

- a) describes how the development will relate to other future development stages, including those on the MPE site
- b) describes how future estate infrastructure will be delivered in conjunction with future warehouse construction
- c) includes an indicative construction program for both MPW and MPE
- d) documents how compliance with the requirements of conditions in Schedule 4 of the MPW Concept Plan (SSD 5066) will be achieved
- e) demonstrates that estate infrastructure will be delivered prior to operation of the intermodal terminal facility, warehousing delivered in each stage, and the freight village.



	<p><b>19. Ecologically Sustainable Development (ESD)</b> The EIS must detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development.</p> <p><b>20. Subdivision</b> – provide details of subdivision which:</p> <ol style="list-style-type: none"> <li>a) assess compliance with the minimum lot size specified in the <i>Liverpool Local Environmental Plan 2008</i>, having regard to advice received from Council (see Attachment 1)</li> <li>b) demonstrate compliance with Condition 15 of SSD 5066</li> <li>c) include a subdivision plan showing completed estate works including but not limited to site services, internal roads, maintenance access roads, pedestrian paths, landscaping, lighting of common areas, provision for emergency services including for firefighting, onsite detention basins and stormwater treatment systems</li> <li>d) include a detailed management and maintenance program for estate infrastructure</li> <li>e) nominate a single entity responsible for implementation of the management and maintenance program.</li> </ol>
<b>Plans and Documents</b>	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> <li>· site layout plan, including carparking</li> <li>· architectural drawings (floor plans, elevations, sections)</li> <li>· site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings</li> <li>· swept path analysis</li> <li>· site analysis plan</li> <li>· landscape plan, including any public domain works</li> <li>· indicative precinct layout plan (illustrating the layouts of Moorebank Precinct West and Moorebank Precinct East)</li> <li>· mapping of: flood prone land, flood planning area and hydraulic categorisation; acid sulfate soils (classes); rivers, streams, wetlands and estuaries</li> <li>· groundwater; groundwater dependent ecosystems; and proposed intake and discharge locations</li> <li>· preliminary construction management plan, inclusive of a construction traffic management plan</li> <li>· geotechnical and structural report</li> <li>· noise contour maps</li> <li>· signage details</li> <li>· schedule of materials and finishes.</li> </ul>
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p>

	<p>In particular you must consult with:</p> <ul style="list-style-type: none"> <li>· local, State or Commonwealth government authorities, including the: <ul style="list-style-type: none"> <li>o Liverpool City Council</li> <li>o Campbelltown City Council</li> <li>o Environment Protection Authority</li> <li>o Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former Officer of Environment and Heritage)</li> <li>o Transport for NSW</li> <li>o Regions, Industry, Agriculture and Resources Group of the Department of Planning, Industry and Environment – Fisheries (Department of Primary Industries)</li> <li>o Water Group of the Department of Planning, Industry and Environment</li> <li>o Department of Premier and Cabinet – Heritage NSW</li> <li>o NSW Rural Fire Service</li> <li>o NSW Health</li> </ul> </li> <li>· service and infrastructure providers: <ul style="list-style-type: none"> <li>o Transport for NSW (Roads and Maritime Services Division)</li> <li>o Sydney Water Corporation</li> <li>o Endeavour Energy</li> <li>o Jemena</li> <li>o Telstra</li> <li>o AGL Upstream Investments Pty Ltd</li> </ul> </li> <li>· specialist interest groups, including Local Aboriginal Land Councils</li> <li>· the public, including community groups and adjoining and affected landowners.</li> </ul> <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
<b>Further consultation after 2 years</b>	<p>If you do not lodge a development application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.</p>
<b>References</b>	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.</p>

**ATTACHMENT 1**

Government Authority Responses to Request for Key Issues  
For Information Only