Moorebank Intermodal Terminal Project

Planning Proposal: Proposed Amendment to Liverpool Local Environmental Plan 2008

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PARSONS BRINCKERHOFF
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List of acronyms

Acronym	Definition
AEP	average exceedance probability
ASS	acid sulphate soil
CBD	Central Business District
CO2	carbon dioxide
DNSDC	Defence National Storage Distribution Centre
Defence	Department of Defence
DLTP	Defence Logistics Transformation Program
DoE	Department of the Environment
DoF	Commonwealth Department of Finance
DP	Deposited Plan
EIS	environmental impact statement
EPBC Act	(Commonwealth) *Environment Protection and Biodiversity Conservation Act 1999*
EP&A Act	(NSW) *Environmental Planning and Assessment Act 1979*
FSR	floor space ratio
GHG	greenhouse gas
ha	Hectares
HIA	health impact assessment
HHRA	human health risk assessment
IMEX	Import/export
IMT	Intermodal Terminal
km	Kilometre
Lands Acquisition Act	(Commonwealth) *Lands Acquisition Act 1989*
LCC	Liverpool City Council
LGA	Local Government Area
LEP	Local Environmental Plan
LG Act	(NSW) *Local Government Act 1993*
LLEP	*Liverpool Local Environmental Plan 2008*
km	Kilometre
m	metre
MIC	Moorebank Intermodal Company
MUR	Moorebank Units Relocation

Acronym	Definition
NSW	New South Wales
NSW DP&E	NSW Department of Planning and Environment
RAP	remedial action plan
REP	regional environmental plan
SEPP	State Environmental Planning Policy
SME	School of Military Engineering
SSD	State significant development
SSFL	Southern Sydney Freight Line
TSC Act	(NSW) *Threatened Species Conservation Act 1995*

Executive Summary

The Moorebank Intermodal Terminal (IMT) Project (the Project) involves the development of intermodal freight terminal facilities at Moorebank, in south-west Sydney, linked to Port Botany and the interstate freight rail network. The Project includes associated commercial infrastructure (i.e. warehousing), a rail link connecting the Project site to the Southern Sydney Freight Line (SSFL), and road entry and exit points from Moorebank Avenue. The Project proponent is Moorebank Intermodal Company (MIC), a Government Business Enterprise (GBE) set up to facilitate the development of the Project.

The key aims of the Project are to increase Sydney's rail freight capacity — including promoting the movement of container freight by rail between Port Botany and west and south-west Sydney — and to reduce road freight on Sydney's congested road network. The Project is needed to address Sydney's critical shortage of IMT capacity and has the potential to improve Australia's national productivity.

MIC is currently seeking approval and authorisation for the Project under the (Commonwealth) *Environmental Projection and Biodiversity Act 1999* (EPBC Act) and under the (NSW) *Environmental Planning and assessment Act 1979* (EP&A Act) as a State significant development (SSD). The Moorebank IMT Project is due to commence construction in mid-2015, subject to Commonwealth and State environmental planning approvals, and would be progressively developed until the Project reaches Full Build in 2030.

This planning proposal is being sought concurrent to the Commonwealth and State approval, and seeks to facilitate the development of the IMT by rezoning the Project site and introducing relevant provisions into the *Liverpool Local Environmental Plan 2008* (LLEP). More specifically, the planning proposal seeks to:

- amend the land use zoning of the Project site to provide, with consent, the development of the IMT and access to the freight network;
- introduce the requirement to provide for satisfactory arrangements for contributions to be made towards regional transport infrastructure reasonably required by the Project; and
- introduce planning controls that are consistent with the development controls for other industrial land uses.

The planning proposal is being exhibited concurrently with the Commonwealth and State approvals so that the rezoning of the Project site can be considered in conjunction with the SSD. Therefore, as the Project has been determined to be SSD, and pursuant to the EP&A Act, the NSW Department of Planning and Environment (DP&E) is the relevant planning authority responsible for this planning proposal.

An assessment of the Project and the proposed amendments to the LLEP has been undertaken and has determined that this planning proposal is generally consistent with the relevant State and local strategic planning framework and policy documents. In addition, while the Project would have environmental and social impacts, with the implementation of mitigation and management measures, the residual impact would have a low or moderate significance level. These impacts would be further investigated and mitigation measures refined during the Stage 2 SSD approval applications.

1. Introduction

This planning proposal describes the intended effect and justification for a proposed amendment to the *Liverpool Local Environmental Plan 2008* (LLEP) to accommodate the proposed construction and operation of an Intermodal Terminal (IMT) at Moorebank, Sydney.

This planning proposal has been prepared in accordance with Section 55 of the (NSW) *Environmental Planning and Assessment Act 1979* (EP&A Act) and the following NSW Department of Planning and Environment (NSW DP&E) guidelines:

- *A guide to preparing planning proposals* (October 2012); and
- *A guide to preparing local environmental plans* (April 2013).

1.1 Background

Forecast growth in international and interstate freight movements through Sydney's Port Botany, and increased industrial and commercial development in west and south-west Sydney, have prompted government and industry to consider new strategies for alleviating constraints on freight. Insufficient intermodal rail freight capacity is recognised as a key barrier to the future development of Sydney and improvements in national productivity.

The Australian Government announced in September 2004 that it would consider the development of an IMT at Moorebank (Department of Transport and Regional Services 2006). The Moorebank site was considered suitable for the development of an IMT due to its proximity to road and rail networks, and established and future industrial and commercial centres in western Sydney. In 2005, the independent Freight Infrastructure Advisory Board recommended that the NSW Government act to ensure that the Moorebank site is secured for the development of an IMT facility. The Board concluded that, in its opinion, the Moorebank site is an ideal location for an IMT and suitably placed in Sydney's west and south-western freight corridor.

As part of the $3.4 billion Nation Building Program for road and rail infrastructure, the Australian Government allocated $300 million towards detailed planning for the development of an IMT at the Project site. In May 2009, Infrastructure Australia identified the IMT as part of its 'priority pipeline'. Subsequently, in the 2010–11 Budget, the Australian Government committed $70.7 million of the $300 million provision in the Nation Building Program towards the development of a business case, designs, approvals and an implementation strategy for an IMT at the Moorebank site. The funding also proposed to support the potential relocation of the School of Military Engineering (SME) and other Department of Defence (Defence) units (currently occupying the Project site) to the nearby Holsworthy Barracks to the south-east of the Moorebank site.

The Moorebank IMT Project (the Project) is due to commence construction in mid-2015, subject to Commonwealth and State environmental and planning approvals. The Project involves the development of an import-export (IMEX) terminal linked to Port Botany, an interstate freight terminal servicing freight to, from and between Sydney, and warehousing facilities. The Project also includes the construction and operation of a rail connection to the Southern Sydney Freight Line (SSFL) and road entry and exit points from Moorebank Avenue.

The key aims of the Moorebank IMT Project are to increase Sydney's rail freight capacity — including promoting the movement of container freight by rail between Port Botany and west and south-west Sydney — and to reduce road freight on Sydney's congested road network. The proposed site of the Moorebank IMT is located on an area of Commonwealth-owned land currently occupied by Defence, and is adjacent to the SSFL, East Hills Rail Line, and M5 Motorway and in close proximity to the M7 Motorway.

The Moorebank Intermodal Company (MIC) has been established to oversee the delivery of the Project and is the proponent for the Project. Prior to MIC being established in December 2012, the then Department of Finance and Deregulation (now known as the Department of Finance (DoF)) was responsible for the Project and delivered the feasibility study for the Project, including a scoping study and business case.

MIC is currently seeking approval and authorisation for the Project under Part 9 of the (Commonwealth) *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and under Part 4, Division 4.1 of the EP&A Act as State significant development (SSD).

An Environmental Impact Statement (EIS) is currently being prepared for the Project and will address the environmental impact assessment requirements of the Commonwealth Department of the Environment (DoE) and NSW governments (NSW DP&E). This planning proposal is being exhibited concurrently with the EIS in order that the rezoning of the site can be properly considered in conjunction with the IMT development proposal.

The Project will likely be developed in phases. For the purposes of the EPBC Act and SSD approval and in order to assess the impacts of the Project, a series of five phases of Project development from site preparation through to the fully developed operation of the Project (i.e. the Full Build) have been identified. These phases are referred to as the 'Project development phases' and are discussed in detail in the EIS.

The SSD application is in respect of a concept proposal, with the exception of the Early Works development phase, for which MIC is seeking approval to commence as part of the Stage 1 SSD approval application (with no further approval requirement). Further details are provided in 3.4.1.1.

This planning proposal has been prepared to permit the rezoning of part of the land and to amend provisions of the LLEP to allow for the construction and operation of the IMT at the Moorebank site.

1.2 Project overview

The Moorebank IMT Project involves the proposed development of freight terminal facilities linked to Port Botany and the interstate freight rail network by rail. The Project involves the development of approximately 220 hectares (ha) of land for the construction and operation of the Moorebank IMT and associated facilities and warehousing. The primary function of the IMT is to be a transfer point in the logistics chain for shipping containers and to handle both international IMEX cargo and domestic interstate and intrastate (regional) cargo. The Project includes associated commercial (warehousing) facilities and supporting infrastructure.

The Moorebank IMT is a key piece of proposed infrastructure designed to address Sydney's critical shortage of IMT capacity. Specifically, it would facilitate the redistribution of freight from Port Botany to the Moorebank IMT. This would present a number of associated benefits, including relieving congestion of container freight from the road network surrounding Port Botany, complementing other IMTs in the Sydney region (e.g. Enfield and Ingleburn), and allowing for an increase in handling capacity at Port Botany. It would also complement other government rail investments.

The following constitutional objectives were established for MIC by the Australian Government in December 2012:

- To facilitate the development of an intermodal freight terminal at Moorebank, including an IMEX facility, an interstate freight terminal capable of catering for 1,800 metre trains and ancillary facilities by optimising private sector investment and innovation in the development, construction and operation of the intermodal terminal.
- To facilitate the operation of a flexible and commercially viable common user facility which shall be available on reasonably comparable terms to all rail operators and other terminal users.

- To ensure the intermodal terminal operates with the aim of improving national productivity through an efficient supply chain, increased freight capacity and better rail utilisation.
- To operate on commercially sound principles having regard to the Australian Government's long-term intention to sell its interest in the Company.

In achieving the above objectives, MIC is tasked with delivering a value for money solution to the Australian Government and acting in an environmentally and socially responsible manner with due regard to local communities' views. This means that the IMT needs to be designed, developed and operated in a way that would minimise impacts on nearby residents and businesses.

A rail link connecting the Project site to the SSFL would be developed either at the northern, southern or central part of the western boundary of the IMT site. The location of the rail access will be confirmed during detailed design, however, in order to maintain flexibility for future developers and operators of the Project, the proposal concept (and this planning proposal), provides three proposed rail access options. These are as follows:

- *northern rail access option* — with rail access from the north-western corner of the IMT site, passing through the former Casula Powerhouse Golf Course (which is currently owned by Liverpool City Council (LCC)) and crossing the Georges River and floodplain;
- *central rail access option* — with rail access from the centre of the western boundary of the IMT site, passing through Commonwealth land on the western bank of the Georges River (referred to as the 'hourglass land'); and
- *southern rail access option* — rail access from the south-western corner of the IMT site, passing through the Glenfield Landfill site (owned by Glenfield Waste Services) and crossing the Georges River and floodplain.

Only one rail access option will be adopted.

As part of the project it is proposed to maintain and enhance the riparian vegetation between the Georges River and the 1% annual exceedance probably (AEP) flood level as a dedicated conservation area. In addition, Commonwealth land to the west of the Georges River, referred to as the 'hourglass land' would also be retained as bushland and enhanced to provide for the offset of vegetation removed from the IMT site.

2. Site information

2.1 Site description

The Moorebank IMT Project is proposed to be situated on land located approximately 30 kilometres (km) south-west of the Sydney Central Business District (CBD) and 4 km south of the Liverpool CBD in the Liverpool Local Government Area (LGA) (refer Figure 2.1).

The Project site comprises:

- the main IMT site (which is the land to the east of the Georges River, is currently occupied by Defence; and
- the rail connection (including the Georges River) from the main IMT site to the SSFL, including the three rail access options (northern, central and southern) as proposed within the Project concept.

2.1.1 Main IMT site

The main Moorebank IMT site is defined as the area of land that is generally bounded by the Georges River to the west, Moorebank Avenue to the east, the East Hills Railway Line to the south and the M5 Motorway to the north. A riparian zone and the Georges River mark the western boundary of the main Moorebank IMT site.

The main Moorebank IMT site comprises Commonwealth-owned land, currently used for Defence purposes (Lot 3001 Deposited Plan (DP) 1125930), which includes the School of Military Engineering (SME) and other minor Defence units. Further details on the SME land are provided below.

The main Moorebank IMT site also includes two smaller parcels of land to the north of the SME land, known as the 'Northern Commonwealth Land' (Lot 100 DP 1049508) and the 'Northern Council Land' (Lot 101 DP 1049508). More details of these parcels of land are provided in the sections below.

The import/export (IMEX) and interstate terminals and the warehousing precinct would be located on the main Moorebank IMT site. This includes all supporting infrastructure associated with the terminals and warehousing, including repairs and maintenance, equipment storage, administration, parking and utilities.

School of Military Engineering

The SME currently occupies a large portion of the main Moorebank IMT site and consists of 13 Australian Defence Units and four Defence facilities. The SME also includes training grounds with some administrative and residential buildings, as well as a Defence museum, which commemorates the actions of Defence personnel. The Defence museum, which is currently open to the public, will be relocated to the Holsworthy Barracks as part of the separate Moorebank Units Relocation (MUR) Project (which is separate to this Project).

The southern part of the main Moorebank IMT site is currently occupied by the Royal Australian Engineers (RAE) Golf Course. This golf course is open to the public, with access provided off Moorebank Avenue via the Steele Barracks.

2.1.2 The rail access and bridge crossing

The Project concept includes the construction and operation of a rail link to connect the IMEX and interstate terminals to the SSFL. The rail connection would be achieved via a bridge structure over the Georges River, and would connect to the Project site at either the north, south or centre of the IMT. The rail access options would require the development of land outside the main IMT site as follows:

- *Northern rail access option:* would connect the IMT site to the SSFL by crossing the Georges River (which is Crown land to the mean high water mark) and an area referred to as the 'Northern Powerhouse Land', which is currently owned by LCC and legally described as Lot 10 DP 881265. The tie-in between the proposed rail link and the SSFL would also affect two small areas of land owned by Sydney Trains (formerly RailCorp) which are legally described as Lot 6 DP 1186254 and Lot 15 DP 881265.

  Construction of the northern rail access option would also require temporary occupation of LCC land (Lot 22 DP 1132574), RailCorp land (Lot 6 DP 1186253), NSW Road and Maritime Services land (Lot 4 DP 746078, Lot 17 DP 881265 and Lot 16 DP 881265) and a small piece of land which the landownership is not known (Lot 1 DP 1070419).
- *Central rail access option:* would also connect the IMT site to the SSFL across the Georges River (Crown land to the mean high water mark), and would require development of Commonwealth land on the western bank of the Georges River, which is referred to as the 'hourglass land' and legally described as Lot 4 DP 1130937. Again the tie-in between the proposed rail link and the SSFL would affect land owned by Sydney Trains legally described as Lot 4 DP 1186349, Lot 102 DP 1143827 and Lot 1 and Lot 3 DP 1130937.

  Temporary occupation of land within the Glenfield Landfill site (Lot 103 DP 1143827) as well as LCC land (Lot 1 DP 1115187, Lot 22 DP 1132574 and Lot 24 DP 1132574) adjacent to the Georges River may be required during construction of the central rail access option. In addition, a number of Sydney Trains lots (Lot 2 DP 1130937, Lot 5 DP 1186272, Lot 20 DP 1132574 and Lot 21 1132574) would be temporarily occupied during construction of the central rail access option.
- *Southern rail access option:* would also connect the IMT site to the SSFL across the Georges River (Crown land to the mean high water mark). It would also cross the Glenfield Landfill site on the western side of the river, which is split into lots owned by Figela Pty Ltd (legally described as Lot 103 DP 1143827), and JC & FW Kennett Pty Ltd (legally described as Lot 104 DP 1143827, Lot 5 DP 833516 and Lot 51 DP 515696). The tie-in to the SSFL would also affect land owned by Sydney trains, legally described as Lot 4 DP 1186349 and Lot 102 DP 1143827.

  Temporary occupation of Commonwealth land (the hourglass land) (Lot 4 DP 1130937) and also Sydney trains land (Lot 1 DP 1130937) may be required for construction of the southern rail access option.

It is noted that not all lots identified above are subject to the amendments proposed as part of this planning proposal. This is because the current zoning of some of the lots identified above (primarily RailCorp land) already provides for the construction and operation of rail (i.e. the current zoning is *SP2 (Railway)*), and no further LLEP amendments are necessary for the Project.

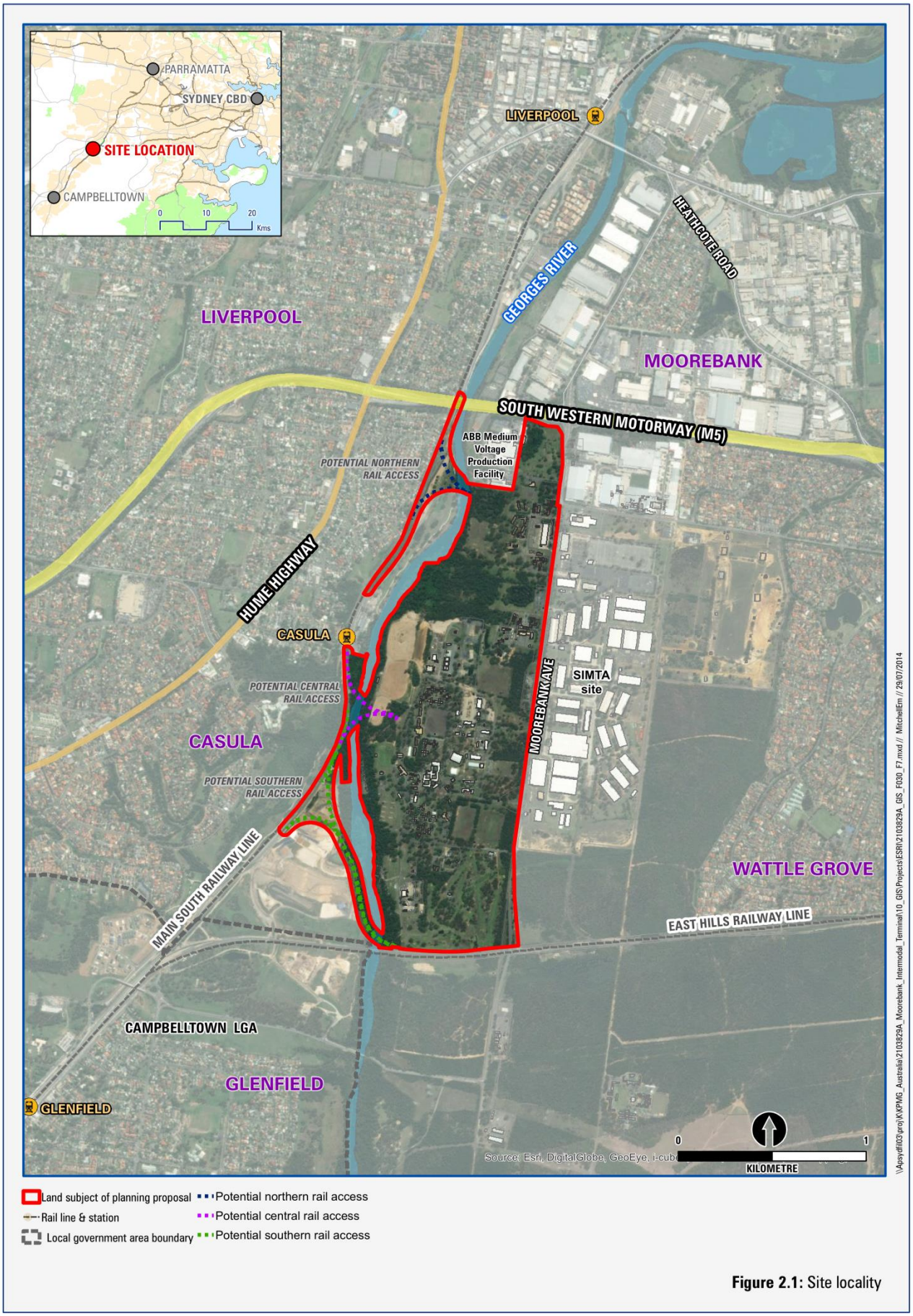

Figure 2.1: Site locality

2.2 Site context

The locality surrounding the Project site consists of the residential suburbs of Casula, Wattle Grove and North Glenfield, as well as industrial, commercial and Defence land. The Holsworthy Military Area (Holsworthy Barracks) is located south-east of the Project site and the Defence National Storage Distribution Centre (DNSDC) occupies leased land to the east of Moorebank Avenue. The Main South Railway Line and the SSFL are located on the western side of the Georges River.

To the north of the Project site, the local area is generally characterised by industrial and commercial land uses, including ABB Australia's Medium Voltage Production Facility (a facility providing research and development, laboratories and factories) which is located adjacent to the M5 Motorway. Beyond the M5 Motorway is a combination of industrial and commercial areas (to the east of the Georges River) and the residential area of Liverpool (to the west of the Georges River).

To the east of the Project site, land use is predominately industrial and commercial, with extensive Defence land further east (including the Holsworthy Military Area to the south-east of the Project site). Land use immediately east of Moorebank Avenue and north of Anzac Road includes the privately-owned Moorebank Business Park. Land east of Moorebank Avenue and south of Anzac Road includes the DNSDC, which contains warehousing and large tracts of open storage space for Defence vehicles. The Defence Logistics Transformation Program commenced construction in December 2012 and is scheduled to be completed progressively from late 2014 through to late 2016. This Program will modernise and enhance Defence's warehousing and distribution functions to provide optimum support to Defence operations (Source: <http://www.defence.gov.au/jlc/dltp.html>).

The site south of the DNSDC site and immediately east of the Project site (across Moorebank Avenue) is currently subject to a proposal for the construction and operation of an IMT by Sydney Intermodal Terminal Alliance (SIMTA). In January 2012, SIMTA lodged an EIS with NSW DP&E, which was placed on public exhibition between 28 March and 28 May 2012 and then again from 4 September to 21 October 2013. NSW DP&E has provided a number of recommendations to the Planning Assessment Commission of NSW (PAC) (recommendations made in June 2014), however a decision by the PAC has not yet been made. In addition, in June 2013 a draft EIS was placed on public exhibition under the (Commonwealth) *Environmental Protection and Biodiversity Act 1999* (EPBC Act) and this was approved on the 6 March 2014, also subject to conditions.

It is noted that potential exists for cumulative impacts to arise as a result of the Project and the proposed SIMTA development on land immediately East of Moorebank Avenue (refer Figure 2.1).

It is anticipated that the demand for freight handling within the Moorebank catchment area is not likely to exceed 1.1 million TEUs ('twenty foot equivalent units', or the equivalent of one 20-foot (6.1 metre) standard shipping container) a year for IMEX freight. This is the capacity of the Moorebank IMT Project alone, and there is no prospect of both the Moorebank IMT and SIMTA IMT projects being developed as stand-alone intermodal terminals for handling IMEX freight. This conclusion was confirmed as reliable by Transport for NSW (TfNSW) in July 2013. Furthermore, there is insufficient capacity on the SSFL to accommodate the operation of both IMTs. The cumulative impact of both projects progressing in their current form has been deemed unrealistic and not assessed in the Project EIS.

However, it is feasible that land on the SIMTA site could be developed for warehousing that would complement an intermodal facility on the Project site. An alternative scenario has been developed for the cumulative impact assessment, which considers the scenario of the Project site being developed as presented in the EIS and summarised in section 1.2 of this planning proposal, in combination with the development of the SIMTA site entirely for warehousing. An assessment of this scenario is provided in Chapter 27 – *Cumulative impacts* of the Project EIS.

That cumulative assessment focused on offsite impacts associated with traffic, air quality and noise impacts, and found that provided adequate mitigation measures were in place (including MIC continuing to work with

NSW government over strategic road network requirement's), the development of both sites could be managed to within acceptable environmental impacts.

South and east of the SIMTA and DNSDC site lies heavily vegetated Commonwealth-owned land. East of the Commonwealth land is the residential suburb of Wattle Grove and further south-east of the Project site is the Holsworthy Military Reserve.

To the west of the Project site is the Georges River. The riparian area along the Georges River is generally well established with native and other vegetation. A small area adjacent to the river on the east bank is cleared, providing boat access and a viewing platform for water-based activities and a Defence training area for heavy plant and machinery. The areas west and north-west of the Georges River mark a transition to low-density residential development and associated commercial developments and community facilities within the suburbs of Casula and Liverpool. The nearest residences to the Project site are located approximately 200 metres (m) west of the Georges River's western bank, and west of the SSFL.

The Glenfield Landfill, a large waste handling facility and refuse disposal site, is located to the south-west of the Project Site on the west bank of the Georges River.

2.3 Current zoning and planning controls

The Project site is located wholly within the Liverpool LGA and is subject to the provisions of the LLEP.

Land within the main IMT site which is subject to this planning proposal is generally located within the *SP2 Infrastructure (Defence)* zone under the LLEP, with the exception of the Northern Commonwealth Land and Northern Council Land, which is zoned *IN1 General Industrial*. The Georges River to the west of the main IMT site is included in the *W1 Natural Waterways* zone.

In addition, construction of the northern access option would affect land zoned *RE1 Public Recreation* and *SP2 Infrastructure (Classified Road).* The central rail access option would affect an area of land zoned *SP2 Infrastructure (Defence)* (the 'hourglass land') as well as land to the north and south of the hourglass land which is zoned *RE1 Public Recreation.*

The southern rail access option would affect land zoned *RE1 Public Recreation* as well as the southern part of the hourglass land, which is zoned *SP2 Infrastructure (Defence).*

All rail access options would impact on land within the existing SSFL, which is zoned *SP2 Infrastructure (Railway).*

Extracts of the LLEP zoning, floor space ratio, and height of buildings maps showing the current zoning and applicable planning controls for the Project site are included in **Appendix A**.

3. Planning proposal

3.1 Planning proposal process

The process of undertaking an amendment to a Local Environmental Plan (LEP) is set out in Division 4 of Part 3 of the EP&A Act. In summary, this process involves:

- Step 1. Preparation of the planning proposal - the relevant planning authority is responsible for preparing the planning proposal, explaining the reasons for, justification, and details of the proposed changes to the LEP.

  Under the EP&A Act if the planning proposal is initiated for the purposes for permitting the carrying out of SSD, then the Secretary for NSW DP&E may undertake the functions of the relevant planning authority (RPA). As the Moorebank IMT has been determined to be SSD, and a Stage 1 SSD is being processed concurrent to this planning proposal, NSW DP&E is the RPA for this planning proposal.
- Step 2. Gateway decision – the RPA (NSW DP&E) submits the planning proposal to the Minister who determines whether or not to proceed with the planning proposal.

  The Gateway decision determines whether any consultation or further work is required of the planning proposal to proceed.
- Step 3. Planning proposal lodged – following any required amendments to the planning proposal as a result of further work or consultation identified at the Gateway determination, the final documentation is then lodged with NSW DP&E, who then prepare for exhibition.
- Step 4. Exhibition – the planning proposal is placed on public exhibition for at minimum period of 30 days. However, for this Project, the exhibition process will be 60 days, consistent with the exhibition period for the EIS.
- Step 5. Assessment of planning proposal and variation – NSW DP&E then considers the submissions raised through the exhibition period and the planning proposal is revised if required.
- Step 6. Making of LEP – the Secretary for NSW DP&E makes arrangements for the drafting of the legal instrument to give effect to the planning proposal. The Minister makes the final decision whether it is appropriate to make the proposed LEP amendments. If accepted, the LEP is then updated.

Figure 3.1 illustrates the process identified above.

In terms of the relationship to the SSD process, this planning proposal is being exhibited concurrently with the EIS so that the rezoning of the Project site can be properly considered in conjunction with the IMT development proposal. It is likely that the decision on the EIS and the planning proposal would be released at similar times.

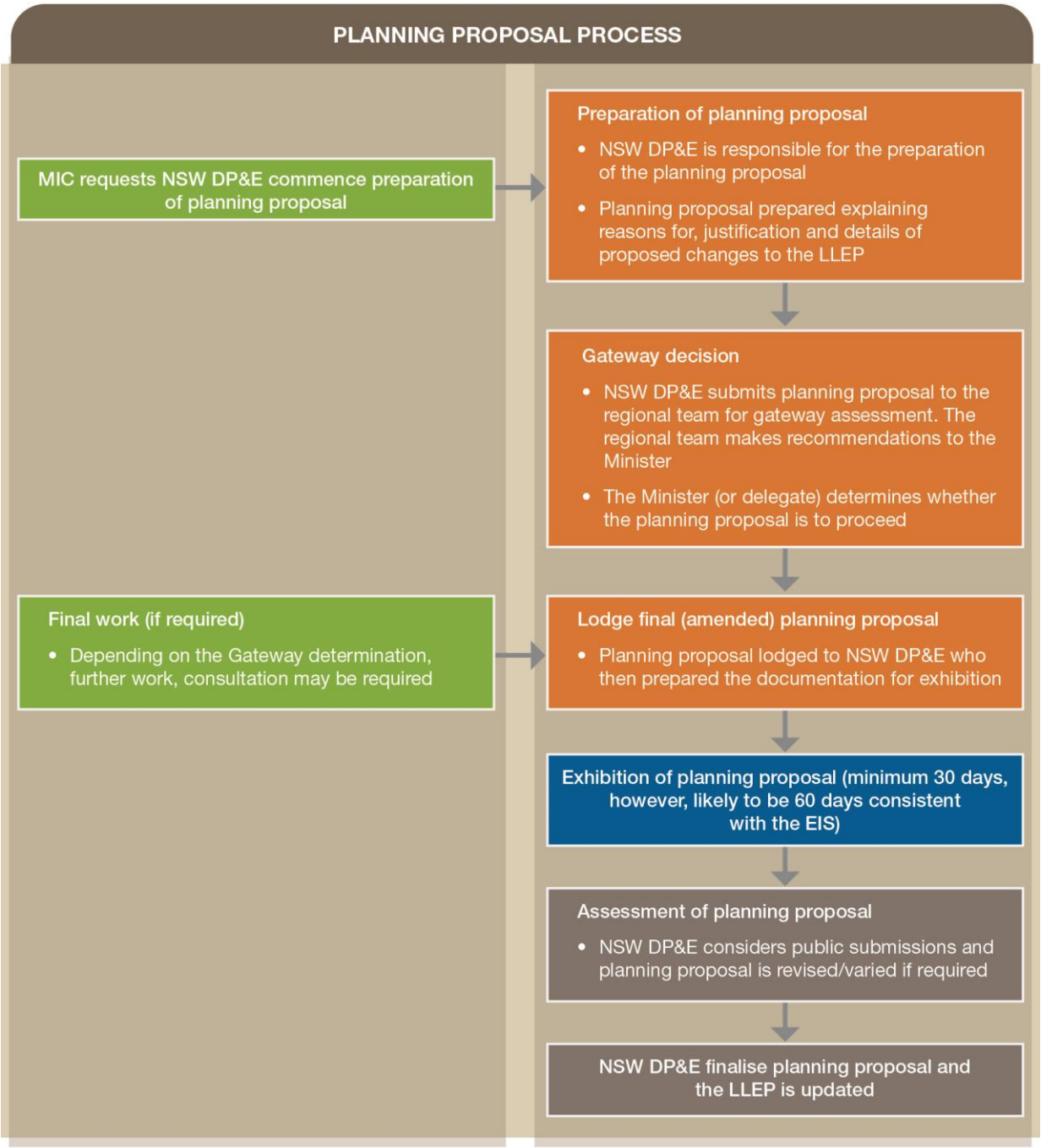

Figure 3.1 Planning proposal process

3.2 Land use definitions

3.2.1 IMT terminal and warehousing

The Moorebank IMT Project involves the construction and operation of an IMEX and interstate terminal, associated commercial infrastructure and facilities, fuel storage, warehousing, rail link connecting to the SSFL and road entry and exit points. The use of land for these purpose falls within the definition of a 'freight transport facility', as defined under the LLEP as follows:

> *a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers*

used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

Other land uses defined within the LLEP that may be relevant to the proposed development on the Project site include 'liquid fuel depots', 'roads', 'transport depots' and 'warehouse or distribution centre'.

3.2.2 Rail access

While the construction and operation arrangements for the rail access associated with the Project have not yet been determined, it is likely that the rail access would be constructed by or on behalf of MIC or a private developer, which would mean the land works would not be a public utility undertaking, and would not be subject to the standard provisions applicable to such a use.

This planning proposal seeks to introduce amendments to the Part 7 (additional local provisions) of the LLEP to provide for construction and operation of the rail access, which is not considered a public utility undertaking. This is outlined in section 3.4.

3.3 Part 1 – Objectives or intended outcomes

Through the planning proposal, it is intended to rezone the Project site to allow for the types of land uses proposed in the EIS.

The objectives of the planning proposal are to:

1. Enable redevelopment of the Project site for the proposed Moorebank IMT that:
   - is a key component for the future development of Sydney's intermodal capacity;
   - would allow for the types of land uses proposed that include freight transport facility, warehousing development and ancillary development;
   - is compatible with agreed State and regional strategic direction for development of the Project site;
   - is consistent with the outcomes of strategic studies undertaken into addressing Sydney's lack of intermodal capacity;
   - supplement substantial Government investment in rail, ports and freight facilities;
   - allows for planning controls compatible with the proposed land uses; and
   - provide certainty to Government that the Project site could be developed in the future for the purposes of an intermodal facility.
2. Permit development and operation of a rail connection from the Project site to the SSFL over the Georges River.
3. Enhance amenity to the Project site and improve the public domain in the surrounding area by creating a dedicated green belt along the western edge of the site.

3.4 Part 2 – Explanation of provisions

The proposed objectives of the planning proposal will be achieved by:

1. Amending the LLEP Land Zoning Map (LZN-013) in accordance with the proposed Land Zoning map shown in **Appendix B** to rezone the Project site to partly *IN1 General Industrial* and partly *E3 Environmental Management*. Rezoning of Lot 4 DP 1130937 to *E3 Environmental Management* is also proposed.

2. For the reasons explained in section 3.5 below, it is intended to amend Part 7 (additional local provisions) of the LLEP to allow for the development of certain land at Casula and Moorebank as follows:

   Add the following matter at the end of Schedule 1:

   22 Use of certain land at Casula and Moorebank

   (1) This clause applies to land in zone E3 Environmental Management, W1 Natural Waterways, SP2 Infrastructure (Classified Road) and Zone RE1 Public Recreation, within the area identified as the ***IMT area*** *on the Key Sites Map.*

   (2) Development for the following purposes is permissible with consent:

   a) Drainage works;

   b) A rail link from the Moorebank Intermodal Terminal to the Southern Sydney Freight Line.

3. Amending the LLEP Key Sites Map (KYS-013) in accordance with the proposed Key Sites map shown in **Appendix C** to allow for the 'IMT area' to be identified for the purposes of proposed clause 7.36 'Arrangements for regional transport infrastructure for certain land at Moorebank' and proposed Schedule 1, clause 22 'Use of certain land at Casula and Moorebank'.

4. Amending the LLEP Floor Space Ratio Map (FSR-013) in accordance with the proposed Floor Space Ratio map shown in **Appendix D** to allow for a maximum floor space ratio of 1:1.

5. Amending the LLEP Height of Buildings Map (HOB-013) in accordance with the proposed Height of Buildings map shown in **Appendix E** to allow for a maximum building height of 21 m.

6. For the reasons explained in section 3.5, it is intended to amend Part 7 (additional local provisions) of the LLEP to ensure that adequate provision is made for infrastructure such as roads and intersection improvements required as a result of the development of the IMT. The amendment to Part 7 (additional local provisions) is as follows:

   Insert at the end of Part 7 the following matter:

   7.36 Arrangements for regional transport infrastructure for certain land at Moorebank

   (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of regional transport infrastructure required as a result of the Moorebank Intermodal Terminal (IMT).

   (2) This clause applies to land shown on the Key Sites Map.

   (3) Despite any other provision of this Plan, the consent authority must not consent to development for the purposes of the IMT on land to which this clause applies unless the Secretary for NSW DP&E has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of improvements to regional transport infrastructure and services reasonably required as a result of the development and operation of the IMT.

   (4) Subclause (3) does not apply in relation to:

   i. Any development that does not result in a net increase in traffic generation to or from the IMT area; or

   ii. Any development that is, in the opinion of the consent authority, of a minor nature, and/or, is a precursor to the IMT development (demolition, contaminated land remediation, earthworks and similar site preparation activities);

   iii. Any part of the land shown on the Key Sites Map that is subject to a planning agreement made under Division 6 of Part 4 of the Act which provides for the making of contributions for the

purposes of improvements to regional transport infrastructure and services where the Minister is a party to the agreement; or

iv. *Any application for development consent, including a staged development application, for the purposes of the IMT that will, if such consent is granted, result in a planning agreement of the sort referred to in subclause (4)(iii) coming into effect.*

3.5 Part 3 – Justification

This section sets out the reasoning for the proposed rezoning of the Project site, taking into consideration the intended outcomes and objectives outlined above in section 3.3. The following questions are based on requirements contained in NSW DP&E's *A guide to preparing planning proposals* (October 2012) and address the need for the planning proposal, relationship to strategic planning framework, environmental, social and economic impacts and its effect on State and Commonwealth interests, specifically infrastructure.

3.5.1 Section A – Need for planning proposal

3.5.1.1 Is the planning proposal a result of any strategic study or report?

The planning proposal is being undertaken in response to a business case process that was undertaken by the Australian Government for the development of an IMT on the Project site. The business case process involved assessing the need for such a facility at Moorebank, taking into account: projected freight demand; existing transport infrastructure constraints; the commercial feasibility of the Project and the technical and environmental suitability of the site. Based on the findings of the business case a decision was made by the Australian Government in early 2012 to proceed with the Project. This planning proposal has subsequently been prepared in order to facilitate the proposed Moorebank IMT, including warehousing and the associated infrastructure as well as to provide for environmental protection on the riparian corridor adjacent to Georges River. The Moorebank IMT is considered consistent with State and regional strategic planning documents as detailed further in section 3.5.2.1 below.

The planning proposal is intended to facilitate the orderly development of the Moorebank IMT. The Moorebank IMT is a key piece of infrastructure that would address Sydney's critical shortage of intermodal terminal capacity, and would specifically facilitate the redistribution of freight from Port Botany to the Moorebank IMT, particularly by rail. The Project will be developed in five stages, with Early Works commencing in 2015 and Full Build reached in 2030. The SSD application is a concept proposal for the whole of the Project, with the exception of the Early Works development phase, which will occur before construction of the IMT. The actual construction and operation of the following Project development phases will require separate approval (referred to as the referred to Stage 2 SSD approval(s)).

Development of the Project site is currently restricted by land use zoning that partly prohibits the SSD application for the Moorebank IMT. Following discussions with NSW DP&E regarding the SSD application, it was confirmed that a rezoning of the Project site would be required. NSW DP&E is supportive of the rezoning process.

As described in section 2.3, land that would be developed for the purposes of the IMEX and interstate freight terminals and warehousing is currently zoned *SP Infrastructure (Defence).* This planning proposal seeks to amend the zoning of this land to an *IN1 General Industrial* zone to better reflect the intended use of the Project site. In addition, the environmental studies conducted for the SSD application have identified the need for conservation of the natural environment adjacent to the Georges River. This planning proposal intends to provide for the conservation of this land (comprising land on the eastern bank (the conservation area) and the western bank (the hourglass land) of the river adjacent to the Project site, as indicated in **Appendix B**) through rezoning to an *E3 Environmental Management* zone, which will support the potential use of the land for environmental offsets.

This planning proposal is intended to ensure that the SSD application and future development of the Project site benefits from the most appropriate form of zoning for development of an IMT. The planning proposal has been lodged in accordance with s89E(5) of the EP&A Act, and would be considered in conjunction with the SSD application for the Moorebank IMT.

3.5.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This planning proposal is considered the best means of achieving the long-term Project objectives identified in section 3.3 above. Amending the zoning of the Project site is required to provide certainty to the community that the Project site would be developed in accordance with the SSD approval. The existing zoning would potentially prohibit future development of the Project site for an IMEX and interstate terminal, warehousing, and ancillary development that is required for operation of the Moorebank IMT. Implementing the proposed zoning for the site will provide a structure for development and also provide for environmental conservation on the Project site.

The planning proposal intends to amend some of the planning controls currently imposed under the LLEP to enable future development of the Project site in accordance with controls which are consistent with the current *IN1 General Industrial* zone under the LLEP. Specifically, it is intended to amend the planning controls related to floor space ratio (FSR), and height of buildings with a 1:1 FSR to be introduced for warehousing on site and a 21 m height restriction to apply to buildings. These controls will apply to land within the *IN1 General Industrial* zone on the Project site. Introducing these planning controls is considered the best means of permitting the proposed development consistent with the amended land use zones.

This planning proposal seeks to permit with consent the construction of a rail connection from the SSFL to the Moorebank IMT, to the west of Georges River, which would not otherwise be permissible under the current zoning. This includes construction of rail through existing zoning *RE1 Public Recreation, W1 Natural Waterways, SP2 Infrastructure (Classified Road)* and proposed zoning *E3 Environmental Management.* The land will remain zoned *RE1 Public Recreation, W1 Waterways,* and *SP2 Infrastructure (Classified Road)* while allowing construction of the rail access associated with the Project. This is considered preferable to pursuing an alternative zoning that allows development for the purpose of rail infrastructure (such as *SP2 Infrastructure (Rail)*. Retaining the existing zoning facilitates the continuing use of the land whilst also permitting future rail access to the Project site to and from the SSFL. Rezoning this part of the Project site would remove the existing land use objectives for the land (for example public recreation). The use of the land for the rail link to the SSFL is not incompatible with the use for the public recreation, waterways and road and, as such, the current zoning should be retained, subject to amendment of Part 7 of the LLEP.

In addition, the planning proposal provides for drainage works to be permissible with consent on the western edge of the Project site. The proposed zoning of this area is zone *E3 Environmental Management*. The E3 zone is considered preferable to pursuing an alternative zoning that allows drainage works, such as zone IN1, because it provides the environmental benefits associated with conserving the existing natural environment. Amending Part 7 of the LLEP will preserve this benefit, as well as facilitating the site specific need to construct appropriate drainage for the Moorebank IMT Project. Amending the list of permissible development in the *E3 Environmental Management* zone to permit drainage works with consent is not considered appropriate, given the site specific requirements for drainage works at the Moorebank IMT Project site are not applicable to other *E3 Environmental Management* land in the Liverpool LGA.

To ensure the Moorebank IMT is permissible on the Project site, this planning proposal requests amendment of Part 7 (additional local provisions) of the LLEP. This is considered the best means of achieving the objectives of the planning proposal. The justification for this approach is discussed below.

In respect of regional transport infrastructure and services, this planning proposal seeks to ensure that adequate provision is made for infrastructure such as roads and intersection improvements required as a result of the Moorebank IMT. As such, this planning proposal introduces a clause which requires

arrangements to be made for contributions to the provision of regional transport infrastructure and services. The purpose of this clause is to satisfy needs that arise from development of the IMT at the Project site.

3.5.1.3 The need for the reclassification of land required for the northern rail access option

The Minister's Gateway Determination (dated 15 March 2013) requested that the planning proposal consider the need to reclassify public owned land, and in particular the *RE1 Public Recreation* zoned land from 'community' to 'operational' in order to permit the construction of a proposed northern rail access option over the Northern Powerhouse Land. It is noted that at the time of this decision only the northern rail access option was included in the proposal concept, however, since then the central and the southern rail access options have been included.

The Commonwealth currently proposes to acquire the freehold title to the Northern Powerhouse Land by compulsory acquisition, under the (Commonwealth) *Lands Acquisition Act 1989* (Lands Acquisition Act). The Commonwealth will comply with the provisions of the *Lands Acquisition Act* in relation to the acquisition.

DoF, who was responsible for the Project prior to MIC being established, previously proposed that construction of the rail link would not commence until the acquisition of the Northern Powerhouse Land had been completed. Under section 41 of the *Lands Acquisition Act*, acquisition will have the effect of:

- vesting the freehold to the Northern Powerhouse Land in the Commonwealth; and
- freeing and discharging the Northern Powerhouse Land from all interests, trusts, restrictions, dedications and reservations and other affectations existing at the date of acquisition.

This will have the effect of removing the classification of the Northern Powerhouse Land for the purposes of the (NSW) *Local Government Act 1993* (LG Act).

The acquisition of this land will only occur in the event that the northern rail access option is selected (refer Section 2.1.2).

3.5.1.4 Is there a net community benefit?

The Moorebank IMT would achieve a net community benefit, as determined by application of the 'Net Community Benefit Test' adapted from the *Draft Centres Policy: Planning for retail and commercial development* (April 2009). The 'Net Community Benefit Test' provides a series of questions to determine the nature of a planning proposal, and is detailed in Table 3.3

Table 3.1 Net Community Benefit Test

Question	How the Proposal applies
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?	Yes, the LLEP amendment will be compatible with agreed State and regional strategic direction for development of the area, as discussed in Section B (section 3.5.2.1) of this proposal. The LLEP amendment would facilitate the development of the Moorebank IMT, which is a key component of future development of Sydney's intermodal capacity. The land is located adjacent to the strategic road network, including the M5 Motorway, M7 Motorway and Hume Highway, as well as the SSFL. The LLEP amendment would also provide for rezoning of land along the banks of the Georges River, preserving a green corridor.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/sub-regional strategy?	The Project site is located in the south-west subregion of Sydney, and is adjacent to industrial land in the Liverpool area, and in close proximity to the South West Growth Centre.

Question	How the Proposal applies
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	No. The siting of the Moorebank IMT is the result of strategic studies undertaken to address Sydney's lack of intermodal capacity. The LLEP amendment is intended to give rise to the Moorebank IMT development presented in the EIS, which is to be lodged with NSW DP&E and the DoE and is site specific.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes. There have been no previous rezoning proposals in the locality that would be anticipated to produce cumulative rezoning effects in conjunction with the proposal. However, the potential impacts of the development of the SIMTA site to the east of the Project site have been considered in the EIS.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	The LLEP amendment will facilitate the Moorebank IMT and associated development, including warehousing, on the Project site. The operation of the Moorebank IMT is a permanent employment generating activity, requiring staff for intermodal operations, warehousing and distribution, and maintenance. Employment will also be generated during the construction phase of the Project. The LLEP amendment will largely replace the current zoning of the land, which is predominately *SP2 Infrastructure (Defence)*. The Defence facilities will be relocated to the nearby Holsworthy Barracks as part of the Moorebank Unit Relocation project, which would be undertaken separately to the Moorebank IMT Project. As such, it is anticipated that the Moorebank IMT will result in a significant net gain of jobs in the Liverpool LGA. Further information on the social and economic impacts of the proposal are provided as part of the EIS for the Project.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The LLEP amendment does not affect the supply of residential land, and will not impact upon housing supply or affordability. No residential zoned land would be created or removed as part of the LLEP amendment.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?	Road and rail upgrades would be required to support the development of the proposed Moorebank IMT. The required upgrades to the road and rail network will be described in the Moorebank IMT EIS. This LLEP amendment will permit the development of the rail connection from the SSFL to the Project site through the adjoining land.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	The Moorebank IMT would provide additional employment opportunities for local residents of the Liverpool LGA and surrounding areas in the South West Growth Centre. It is located adjacent to the M5 Motorway, with ease of access to the M7 Motorway and Hume Highway. The impact on car distances travelled would be anticipated to be positive given the proximity to transport links and labour markets. Further to this, the Moorebank IMT is intended to facilitate a shift in freight movements from road to rail. This would reduce road freight movements and associated impacts on the road network. Further details on impacts on greenhouse gas emissions, operating costs and road safety are presented in the Moorebank IMT EIS.
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	The LLEP amendment is intended to supplement substantial Government investment in rail, ports and freight facilities. The Moorebank IMT would provide significant additional IMEX freight handling capacity over what is currently permissible at Port Botany under the present planning restrictions. Throughput at Port Botany would be able to increase substantially as a result of providing a port shuttle to the Moorebank IMT. This port shuttle would be facilitated by the SSFL. The Project site is located adjacent to the SSFL, though requires construction of a rail link over the Georges River and land to the west of the river. This LLEP amendment is intended to provide certainty to Government and the community that the Project site would be developed in the future for the purposes of an intermodal facility.

Question	How the Proposal applies
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	The Project site is constrained by proximity to the Georges River and resultant flood risks. Additionally, whilst the site is not generally identified as land with high biodiversity values, the site does contain areas of native vegetation and some EPBC Act and (NSW) *Threatened Species Conservation Act 1995* (TSC Act) listed species have been identified within and in close proximity to the site. The LLEP amendment proposes maintaining an area of land along the eastern bank of the Georges River as well as the hourglass land on the western bank of the Georges River as environmental management land. This land would provide a green buffer to the west of the intermodal site. A hydrology assessment and biodiversity impact assessment has been prepared for inclusion in the Moorebank IMT EIS.
Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community?	The LLEP amendment will be compatible with surrounding land uses. The proposed *IN1 General Industrial* land is located adjacent to Moorebank Avenue. Land to the east of this road is currently zoned *IN1 Industrial*, and is subject to the 'Moorebank South Industrial Precinct overlay in the LLEP. The development of the rail connection is complementary to the adjacent *SP2 Infrastructure (Railway)* land that forms the Main South Line and SSFL. The land to be zoned *E3 Environmental Management* would be complementary to surrounding land uses to the west of the Project site, including the open space areas either side of the Georges River and residential communities of Casula, and proposed land uses, such as the proposed regional open space rehabilitation of Glenfield Landfill. The rezoning of this land to *E3 Environmental Management* would potentially facilitate future public use of this part of the Project site.
Will the public domain improve?	The public domain will improve as a result of the development. The Project site is currently zoned *SP2 Infrastructure (Defence)*, and public access to the majority of the Project site is restricted. The LLEP amendment will create a dedicated green belt along the western edge of the Project site. The proposed *E3 Environmental Management* zoning may provide for potential future public use of that part of the Project site should operations of the Moorebank IMT allow.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	The LLEP amendment does not include commercial/retail zones and as such is not anticipated to affect choice and competition in this sector.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	The LLEP amendment would not have the potential to develop into a centre (i.e. an urban centre as defined in the Metropolitan Strategy).
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The LLEP amendment is intended to facilitate the development of the Moorebank IMT in accordance with the proposed Moorebank IMT EIS. As discussed above, the Moorebank IMT is a key piece of infrastructure that would address Sydney's critical shortage of intermodal terminal capacity, and would specifically facilitate the redistribution of freight from Port Botany to the Moorebank IMT, particularly by rail. The LLEP amendment would achieve the objectives identified in Part 3.3 of this planning proposal, by ensuring development for the purposes of the Moorebank IMT is permissible on the Project site, and creating the opportunity for the dedication of land for environmental management purposes. By classifying development required as part of this Project as permissible with consent, the LLEP amendment would allow development of the Project site (with development consent) as a centre for freight handling in Sydney's south-west. Should the planning proposal not proceed, future stages of the development of the Moorebank IMT may result in prohibited land use. This would minimise the potential benefits of the Moorebank IMT Project, including increasing freight rail share and providing employment opportunities in south-west Sydney.

The business case prepared for the Moorebank IMT Project identified a number of economic, social and environmental benefits for the community and economy. The identified Project benefits underpin the need for the Project, and are summarised below:

The development of the Moorebank IMT is intended to increase intermodal capacity in Sydney, and will have a number of flow-on benefits across the freight sector, and State economy. The economic benefits of the Moorebank IMT are estimated at close to $9 billion (before costs and in net present value terms), over a 30 year operational period of the Project, including $120 million per year for the south-western Sydney economy, through: improved productivity; reduced operating costs; reduced costs associated with road damage, congestion and accidents; and better environmental outcomes.

The benefit-cost ratio for the Project is estimated at 1.57, which is considered a strong positive economic evaluation for an infrastructure project of this type. By providing increased intermodal capacity in Sydney, it is envisaged that the unit costs of transporting containers by rail for IMEX and interstate markets would be decreased, and this would lead to an increase in the share of freight movements by rail. The contributing factors to the total economic benefits of the Moorebank IMT include:

- savings in operating costs in the freight transport sector, through productivity improvements associated with rail freight movement;
- improvement in reliability and availability of freight services, relative to road services;
- reductions in road damage, and associated savings;
- reductions in costs associated with road congestion and road accidents;
- increased reliability in journey times;
- reductions in operating cost, resulting from the economies of scale provided by rail transport;
- incremental revenues resulting from operating surplus;
- the residual value of the Project physical assets, following the end of the indicative 30 year operational period;
- increased employment in south-west Sydney during construction and operation; and
- reductions in environmental and social costs associated with road transport, including reductions in noise, greenhouse gas emissions, fuel consumption and other air pollution.

A summary of the key economic benefits of the Project are included in Table 3.4.

Table 3.2 Key economic benefits of the Project

Measure	Value
Net gain of project benefits to NSW economy	$690 million net project benefits over the 30 year assessment period (2010/11 dollars, Discounted at a rate of 7%).
Lower truck volumes at Port Botany	From 2024 onwards, up to 1,500 fewer truck journeys to and from Port Botany each day as a result of a transfer of container traffic from road to rail.
For every 1 million TEU containers transported by rail instead of road for IMEX traffic	3.5 million litres of fuel less would be consumed. 9,846 tonnes of CO2 greenhouse gases would not be emitted.
Fuel savings and greenhouse gas reductions for the interstate facility (in the year 2029)	4.1 million litres of fuel less would be consumed.
Job impact	1,247 jobs (typical workforce) realised during the construction of the IMEX terminal, and warehousing and 275 jobs (typical workforce) during the construction for the interstate terminal. 2,173 jobs will be realised with the operation of both terminals

Measure	Value
	together with warehousing.

3.5.2 Section B – Strategic planning framework

3.5.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The need for additional intermodal capacity at Moorebank has been identified in a number of strategic policy documents prepared by NSW DP&E. The Moorebank IMT is intended to satisfy the strategic need for the intermodal capacity in the Sydney region.

NSW 2021

In 2011, the NSW Government released *NSW 2021: A plan to make NSW number one* (NSW Government 2011). This document provides a 10-year plan to guide strategic policy making and infrastructure delivery in NSW. The plan details five main strategies:

- rebuild NSW's economy
- return quality services
- renovate infrastructure
- strengthen our local environment and communities
- restore accountability to government.

The plan includes a target of enhancing rail freight movement in NSW, by doubling the proportion of container freight movement by rail through NSW ports by 2020. The NSW Government has indicated that shifting freight movements to rail is a priority action to maximise capacity at Port Botany and reduce truck movements on the NSW road network. By facilitating future development on Project site for the purposes of the Moorebank IMT, the planning proposal is considered consistent with the NSW 2021 plan.

The State Infrastructure Strategy 2012–2032

In 2012, Infrastructure NSW released *The State Infrastructure Strategy 2012–2032* (the State Infrastructure Strategy) (Infrastructure NSW 2012). The State Infrastructure Strategy provides an assessment of the infrastructure needed to serve NSW over the next 20 years, and identifies a number of principal recommendations for infrastructure projects to meet this demand.

The State Infrastructure Strategy identifies transport access to and from Sydney's international gateways as a short term infrastructure priority. Development of an IMT at Moorebank in the next four years, and supporting infrastructure in five to ten years' time, are principal recommendations of the strategy, particularly should there be growth in demand for IMEX intermodal freight handling in NSW. The planning proposal would provide optimum land use zoning for the future development of an IMT at Moorebank.

Metropolitan Plan for Sydney 2036

The *Metropolitan Plan for Sydney 2036* (the Metropolitan Plan) (NSW Government 2010b) was released in December 2010 and provides an integrated long-term planning framework for Sydney's development to 2036. The Metropolitan Plan identifies nine major challenges for the future growth of the metropolitan area, including the need for more efficient transport and infrastructure delivery, and tackling climate change. Key objectives and actions identified include strengthening existing freight and industry clusters and the support

of new clusters. The Moorebank to Prestons and Minto area is identified as a significant freight industry cluster.

The Metropolitan Plan for Sydney 2036 identifies intermodal terminals as an essential component of an efficient freight and logistics sector and identifies ongoing collaboration with the Australian Government towards facilitating development of intermodal facilities. The Moorebank IMT is noted for its potential to generate employment in the Liverpool LGA and support commercial land use across the metropolitan area. The planning proposal would provide certainty that the Project site could be developed for the purposes of the Moorebank IMT.

Draft Metropolitan Strategy for Sydney to 2031

The *Draft Metropolitan Strategy for Sydney to 2031* (Draft Metropolitan Strategy) was released for public consultation in March 2013. The Draft Metropolitan Strategy is yet to be finalised but once the current draft strategy is finalised, this will replace the Metropolitan Plan (as described above).

The Draft Metropolitan Strategy sets the framework and strategic planning foundation for the sustainable growth of Sydney and has been prepared in conjunction with *NSW 2021*, the *NSW Long Term Transport Master Plan* and the *State Infrastructure Strategy* to fully integrate land use and infrastructure outcomes.

The Draft Metropolitan Strategy identifies the need for more efficient transport and infrastructure delivery to ensure that Sydney's freight transport and intermodal terminal network will be more efficient and have greater capacity. The Strategy identifies that industrial lands close to rail, motorways, other major roads, or ports, airports and intermodal terminals have high strategic value and recognises the need to plan for the Moorebank IMT Project in the medium to long term. The planning proposal would provide certainty that the Project site could be developed for the purposes of the Moorebank IMT, consistent with the provisions of the Draft Metropolitan Strategy.

NSW Long Term Transport Master Plan

The *NSW Long Term Transport Master Plan* (LTTMP) was adopted by the NSW Government in December 2012. The LTTMP sets the framework for the NSW Government's 20 year vision for delivering an integrated, modern transport system.

The LTTMP identifies intermodal terminals as a key part of the NSW freight network system, critical to increasing the share of container freight moved by rail and to manage growing import container trade particularly in Sydney. The Moorebank IMT is identified within the LTTMP as having the potential to generate new jobs in the transport and logistics sector and supporting commercial activity across south west Sydney and the broader city. The planning proposal is intended to reduce planning limitations on developing the Project site for the purposes of the Moorebank IMT, and would contribute to implementing the measures and actions identified in the LTTMP.

Railing Port Botany's Containers

The NSW State Government identified the Moorebank IMT as a critical component in meeting Sydney's freight rail targets in the *Railing Port Botany's containers: Proposals to ease pressure on Sydney's roads* (Freight Infrastructure Advisory Board (FIAB) 2005). The Moorebank site was identified as strategically important given its proximity to the SSFL, M5 Motorway and M7 Motorway. The report, prepared by the Independent FIAB, recommended the NSW Government implement the following strategies:

- Develop the major, new IMTs at Enfield, Moorebank and Eastern Creek (including adequate provisions to allow common-user, open-access operations).
- Regard Moorebank as a key component in meeting Sydney's intermodal capacity needs.
- Ensure that the Moorebank site is secured for IMT development by the private sector and be prepared if necessary, on a transitional basis, to use funds from the Freight Infrastructure Charge for this purpose.

- Work with the Commonwealth to see the School of Military Engineering moved from the site as soon as possible.
- Commence planning for the Project site's development by the private sector as an intermodal terminal with the capacity to handle at least 500,000 truck equivalent units annually.
- Develop a business model for the acquisition and development of the site in a way that allows the private sector to bring forward the terminal's development.
- Pursue negotiations with the Commonwealth for AusLink funding for an Australian Rail Track Corporation rail connection into the Moorebank site.
- Ensure that access to the Moorebank site is delivered in a way that does not compromise the future expansion of the East Hills passenger line.
- Ensure planning for Moorebank includes design buffers to reinforce the site's separation from residential development and provide public recreation facilities along both sides of the Georges River.

The planning proposal would provide appropriate planning controls for the Project site to be developed in accordance with the strategies identified in the report. In particular, the proposed *E3 Environmental Management* will provide buffers from the IMT to the adjoining residential areas and provide an open space area along the eastern side of the Georges River consistent with the existing open space along the western side.

South West subregion: Draft Subregional Delivery Plan

The Draft Metropolitan Strategy identifies six sub-regions to provide direction for subregional planning including metropolitan priorities. Subregional Delivery Plans will be a key intermediate step to translate the outcomes sought by the Metropolitan Strategy for Sydney at the local scale. The Liverpool LGA with be included in the South West subregion under the Draft Metropolitan Strategy which includes priorities protecting metropolitan-significant infrastructure including freight corridors and intermodal terminals. Specifically, the sub-regional strategy identifies Moorebank as a location for an intermodal terminal. The Subregional Delivery Plan is yet to be finalised.

NSW Ports and Freight Strategy

In November 2013 the final *NSW Freight and Ports Strategy* (NSW Government 2013) was released. This strategy seeks to establish a roadmap for understanding and addressing NSW's current and future freight needs. The strategy notes that the Project site has been identified by the Australian and NSW Governments as a key strategic location to increase intermodal capacity.

Action 2E of the strategy is to 'Foster intermodal terminal network development'. The document notes that 'metropolitan intermodal terminals are critical to increase rail mode share and manage the rapidly growing import container trade, as well as the interstate freight task' (p 120). It also acknowledges that '[t]he existing capacity of intermodal terminals in Sydney is inadequate to meet the growing demand for import and export container movements'(p 120), and that '[t]he development of appropriate intermodal terminals in the Sydney metropolitan area and regional areas will contribute to increasing freight moved by rail, particularly in the container market' (p120). These statements are generally consistent with the identified need for the Project.

In addition, the strategy expressly supports the development of an IMT at Moorebank as it is 'supported by dedicated rail freight lines and adequate road connections' (p121).

3.5.2.2 Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

The LLEP amendment is considered consistent with the Liverpool Community Strategic Plan (*Growing Liverpool 2023*).

By providing a dedicated industrial zone to cover the Moorebank IMT and associated development, the LLEP amendment provides for increased employment opportunities in the Liverpool LGA and aims to create long-term economic and social security, in line with the guiding direction 6 'accessible connection city' of the plan.

The LLEP amendment recognises the value of protecting natural ecosystems for the well-being of the community and provides for development that will reduce the ecological footprint of the community through reducing fuel consumption and deleterious road-based vehicular emissions, consistent with direction 5 'natural sustainable city' of the plan. This would be achieved by promoting the reduction of road based freight movements through Sydney and along the North-South corridor between Brisbane and Melbourne by facilitating a rail link to the SSFL and also providing for land to be zoned *E3 Environmental Management* along the bank of the Georges River.

The LLEP amendment intends to reduce overall impacts from freight traffic on Sydney's roads. By shifting freight movements from road to rail, the Moorebank IMT aims to reduce impacts from truck movements on Sydney's suburban road network between Port Botany and south-western Sydney. The LLEP amendment intends to promote an efficient and highly connected transport system that satisfies the increasing demand for rail-based solutions to Sydney's freight infrastructure needs, in line with direction 6 'accessible connected city' identified in the plan.

The Moorebank IMT is consistent with strategic planning undertaken for the LLEP. The supporting documentation for the LLEP includes investigations into industrial lands in the Liverpool LGA. The Liverpool Industrial Land Strategy (Liverpool City Council, 2007) identifies Moorebank as a suitable location for future industrial development, owing to its advantageous location, proximity to labour markets and access to key infrastructure including the CBD and Sydney airport. The Moorebank, Warwick Farm and Prestons areas are identified in the Liverpool Industrial Land Strategy as LCC's preferred location for a business park that restricts unsightly or unpleasant operations; however, the strategy also acknowledges strategic need implement a future key freight sector strategy to increase handling of freight by rail.

3.5.2.3 Is the planning proposal consistent with applicable state environmental planning policies?

The planning proposal is considered to be consistent with applicable State Environmental Planning Policies (SEPPs), as discussed below.

State Environmental Planning Policy (Infrastructure) 2007

A review of the land use controls applicable to the Project site indicates that the development of an intermodal facility on the site is permissible with consent on land within the *IN1 General Industrial* zone under *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP). The proposed rail access is not governed by the Infrastructure SEPP (as the rail infrastructure is not likely to be constructed by a public authority) and as such, there is potential that this development would be restricted under local planning controls. This may restrict the staged development of the Moorebank IMT.

This planning proposal is intended to allow for the types of land uses proposed, including development of a freight transport facility and ancillary development (including warehousing), and provide certainty to Government that the Project site could be developed in the future for the purposes of an IMT facility.

State Environmental Planning Policy No 19—Bushland in Urban Areas

State Environmental Planning Policy No. 19 – Bushland in Urban Areas (SEPP 19) provides for the protection of bushland zoned or reserved for public open spaces. The Project involves the removal of bushland in a section of land zoned RE1 Public Recreation in order to allow for the proposed rail link connection to the SSFL.

The construction of the Project is considered essential to accommodate growth in container volumes in Sydney and manage capacity constraints at Port Botany. Vegetation clearance in land zoned *RE1 Public Recreation* zone would be limited to land required for construction of the rail access and associated maintenance corridor (i.e. the proposed easement would include the rail infrastructure and proposed maintenance access to it). As outlined in the EIS, vegetation would be reinstated where possible across the Project site following construction. In addition, off-site biodiversity offsets would be provided in accordance with NSW and Commonwealth requirements.

An assessment of the impacts of the Project on vegetation, including analysis of the potential for the spread of weeds and exotic plants, is contained in Chapter 13 – *Biodiversity* of the EIS.

In summary, the planning proposal is considered consistent with SEPP 19.

State Environmental Planning Policy No 44—Koala Habitat Protection

State Environmental Planning Policy No 44—Koala Habitat Protection (SEPP 44) aims to provide protection of areas of natural vegetation that provide habitat for koalas. SEPP 44 applies to the entire Liverpool LGA, and therefore applies to the Project site.

If present on the Project site of the Moorebank IMT, koala populations would likely be limited to the banks of the Georges River, given disturbance and habitat fragmentation elsewhere on the Project site. This land is generally included within the lands to be included in the proposed *E3 Environmental Management* zone. A comprehensive assessment of potential impacts on koala habitat and proposed mitigation strategies is provided in Chapter 13 – *Biodiversity* the EIS.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55—Remediation of Land (SEPP 55) provides a planning approval framework for the remediation of contaminated land.

The Project would include remediation works which are to be conducted to ensure safe use of the Project site for commercial and industrial purposes. All remediation work carried out as part of the Project would be carried out in accordance with the requirements of SEPP 55, including compliance with the contaminated land planning guidelines, any guidelines in force under the *Contaminated Land Management Act 1997*, the National Environmental Protection Measures and a plan of remediation prepared in accordance with the contaminated land planning guidelines (cl 17(1)). A notice of completion of remediation work would be issued to Council within 30 days of completion of the work (cll 17(2)-(3)).

Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment

The planning proposal is consistent with *Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment* (Georges River Catchment REP), which sets out planning principles to be applied during the preparation of a local environmental plan. These principles aim to ascertain likely impacts on downstream LGAs and cumulative impacts of developments on the Georges River and its tributaries. The Georges River Catchment REP is a deemed SEPP (EP&A Act, Sch 6, cl 119).

The land zoned *E3 Environmental Management* in the west of the Project site will be retained as a green belt along the Georges River, providing possible future public access to this part of the site and acting as a buffer to the adjoining Moorebank IMT.

The impacts of stormwater runoff and sewer overflows caused by the proposed development will be appropriately managed through mitigation and design measures for the Project site.

A comprehensive assessment of the hydrological and water quality impacts of the Project have been provided in Chapter 16 – *Hydrology, groundwater and water quality* of the EIS, and the findings of this

assessment incorporated in the assessment in **Appendix C** of the EIS. All of the REP principles have been considered and addressed as part of the EIS.

3.5.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?

The planning proposal is considered consistent with all applicable ministerial directions issued by the Minister for NSW DP&E under s117(2) of the EP&A Act, except Direction 4.1. A summary of the applicable directions and how the planning proposal complies is included in Table 3.5.

Table 3.3 Ministerial directions

Ministerial direction	How the proposal complies with the direction
1.1 Business and industrial zones	The planning proposal provides for increasing the area of an existing industrial zone. The proposal is considered consistent with this direction in that it encourages employment growth in a suitable location adjacent to industrial uses and transport links.
2.1 Environmental protection zones	The planning proposal provides for protection and conservation of environmentally sensitive areas adjacent to the Georges River. The proposal is considered consistent with this direction in that it increases the area of land in the Liverpool LGA that is included within the environmental management zone.
2.3 Heritage conservation	A European Heritage Assessment was prepared for the Project, and is included in the EIS. In regard to European (historic) heritage values, the existing Project site includes memorial sites dedicated to military personnel who have served in the Royal Australian Engineers Corps. The SM, including the RAE Memorial Chapel, RAE Monument, Major General Sir Clive Steele Memorial Gates, and Cust Hut) is identified as a local heritage item in Schedule 5 of the LLEP. A number of these individual items also meet the criteria for Commonwealth and State significance. Prior to development of the Project, some of these items of heritage significance are proposed to be relocated in part or in full to Holsworthy barracks as part of Defence's MUR Project. Following completion of the MUR Project, the residual Moorebank Cultural Landscape would be a fragmented one with an added loss of historical and social connection. Three potential archaeological deposits (PADs) also lie within the proposed construction footprint on the Project site. These are mapped in Chapter 21 - *European Heritage* of the EIS. An Aboriginal Heritage Assessment was also prepared for the Project and included in the EIS. Field surveys undertaken on the site indicated there are localised areas of Aboriginal archaeological sensitivity. The majority of Aboriginal sites identified within the Project site are surface scatters of artefacts and/or areas of archaeological deposit. Of interest, three scarred trees of possible Aboriginal origin were identified, as well as the three potential archaeological deposits (PADs) and three archaeologically sensitive landform types. Subsequent archaeological field survey and subsurface testing demonstrated that the areas of greatest Aboriginal significance and archaeological research value are located in the riparian areas on the western edge of the Project site, which would generally not be developed as part of the Project and are less disturbed than other parts of the Project site. One PAD was identified to the west of Georges River, on land affected by the northern rail access option. This PAD is located on an archaeologically sensitive landform as shown in Figure 20.3 in Chapter 20 – *Aboriginal heritage.* For land that would be affected by the central and the southern rail access options, no surface evidence of Aboriginal occupation was found, however areas of potentially intact deposits were identified along the banks of the Georges River that may contain archaeological evidence. The remainder of the Project site has been extensively developed for Defence purposes, and a large proportion of the Project site is either of low or nil sensitivity. European and Aboriginal Heritage technical papers form part of Volume 6 of the EIS. It is considered that the planning proposal is consistent with Direction 2.3 as outlined in these assessments.

Ministerial direction	How the proposal complies with the direction
3.4 Integrating land use and transport	The planning proposal provides for increasing the area of an existing industrial zone. The proposal is considered consistent with this direction in that it is consistent with the aims, objectives and principles of *Improving Transport Choice – Guidelines for Planning and Development* (DUAP 2001) and *The Right Place for Business and Services – Planning Policy* (DUAP 2001), particularly those pertinent to industrial land use. Details on the impacts of the Moorebank IMT have been provided as part of the traffic impact assessment provided as part of the EIS for the Project. It is considered that the planning proposal is consistent with Direction 3.4 as outlined in this assessment.
4.1 Acid sulphate soils	The planning proposal would apply to land with potential acid sulfate soils (ASSs). ASSs are soils that contain iron sulphides, which produce sulphuric acid when exposed to oxygen in air. The alluvial soils associated with the Georges River contain iron sulphides and have varying levels of acid generating potential. ASSs are potentially present in some locations at the site. ASS mapping (CSIRO 2012) indicates that there is a high probability of ASS occurring along the banks of the Georges River, on the western side of the site. The proposal is inconsistent with this direction, because it proposes an intensification of land uses on the site. A planning proposal may only be inconsistent with Direction 4.1 in the event that the Secretary of NSW DP&E or a delegate is satisfied that the proposal is 'justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction'. The EIS identifies the need for further testing of soils to confirm the presence of ASSs. If ASSs are detected, an ASS Management Plan would be developed and any offsite disposal would be in accordance with the NSW DECC (2008) *Waste Classification Guidelines Part 4: Acid Sulphate Soils*.
4.3 Flood prone land	The Project site is located within the Georges River Catchment, with the majority of the site draining into the Georges River itself, which flows north along the site's western border. The area has historically been subject to flooding from the river, and the western part of the Project site lies within the 1% AEP flood level. A series of detailed hydrological investigations have been undertaken for the Project, including a detailed flood impact assessment and a Stormwater Management Plan for the site. As a result of these investigations, a number of potential surface water impacts were able to be identified and mitigated through the design. In particular, the extent of the 1% AEP flood line on the east bank of the Georges River was delineated, and provided a significant constraint on development of the Project. As a result, an undeveloped conservation zone (comprising land proposed to be rezoned to the *E3 Environmental Management* zone) is proposed between the Georges River and the Project footprint. The proposed Project site drainage system has been designed to contain stormwater run-off for all events up to and including the 10% AEP design event in an underground piped network. Run-off from larger events would surcharge the network and travel overland via the road network, dedicated open channels or via graded channels across the Project site. The proposed system has been designed to minimise disturbance to Project site operations as a result of a rainfall event or from a flood event within the Georges River. All outlets from the Project's stormwater system would be set above the 1% AEP design flood level in the Georges River. It is considered that the planning proposal is consistent with Direction 4.3 as outlined in this assessment.
4.4 Planning for bushfire protection	The planning proposal would apply to land identified as bushfire prone land. The key bushfire threats to the Project site have been identified from the south-eastern corner of the Project site (extensive bushland offsite including Holsworthy Military Area) and from the western boundary (Georges River corridor and on-site conservation zone). Some restoration of vegetation would be implemented within the conservation zone as part of the Project. Remnants of vegetation in the eastern section of the Project site are proposed to be cleared for the development and would no longer pose a bushfire threat. The proposed site layout and design provides some suitable measures to minimise bushfire risk in particular the provision of a perimeter road and location of commercial development and warehouses away from bushfire threat. Additional measures for site design and layout are proposed, including the development of landscaping/vegetation management and fire safety and evacuation plan as well as safety provisions relating to access, water and services. The NSW Rural Fire Service (RFS) reviewed the assessment of bushfire risks undertaken for the EIS, and confirmed that the assessment was thorough in its view.

Ministerial direction	How the proposal complies with the direction
	The RFS also advised that the aims and objectives of the 'Planning for Bush Fire Protection' 2006 apply to buildings construction in association with the Project. Adequate protection from the effects of bushfire are expected to be achieved through suitable design (including access provisions, location of vulnerable facilities, appropriate fire-fighting systems, and power and gas reticulation systems), and procedures to limit fuel loads and ensure that safe evacuation can be achieved if a fire should threaten the Project site. A more detailed bushfire assessment would be undertaken as part of the detailed design process, in consultation with the NSW Rural Fire Service to minimise any remaining risk. It is considered that the planning proposal is consistent with Direction 4.4 as outlined in this assessment.
6.1 Approval and referral requirements	The planning proposal does not include provisions that would require concurrence, consultation or referral of development applications or identify development as designated development. As such, the proposal is considered consistent with Direction 6.1.
6.2 Reserving land for public purposes	Clause (4) of Ministerial direction 6.3 states that a 'planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning'. While the planning proposal may require the development of land which is zoned for public purposes, the planning is not however inconsistent with the direction in that it neither: ▪ reserves land for a public proposal for acquisition by a public authority; nor ▪ rezones and/or removes a reservation of any land that is reserved for public purposes because the land is no longer designated by a public authority for acquisition.
6.3 Site specific provisions	The planning proposal has been prepared to enable the development of the Moorebank IMT. The proposal is considered consistent with this objective in that it would allow for the Moorebank IMT to be carried out in the zone the land is situated on.
7.1 Implementation of the Metropolitan Plan for Sydney 2036	As discussed above in section 3.5.2.1 of this report, the *Metropolitan Plan for Sydney 2036* (Metropolitan Plan) identifies intermodal terminals as an essential component of an efficient freight and logistics sector and identifies ongoing collaboration with Commonwealth towards facilitating development of intermodal facilities. The Moorebank IMT is noted for its potential to generate employment in the Liverpool LGA and support commercial land use across the metropolitan area. The planning proposal would provide certainty that the Site could be developed for the purposes of the Moorebank IMT. The Metropolitan Plan was released in December 2010. The Draft Metropolitan Strategy for Sydney to 2031 was released in March 2013 for comment and is discussed further in section 3.5.2.1 above. Once the current draft strategy is finalised, this will replace the Metropolitan Plan.

3.5.3 Section C – Environmental, social and economic impact

The environmental, social and economic impacts of the planning proposal have been investigated and assessed as part of the technical studies conducted as part of the EIS. A summary of key environmental issues and how these will be assessed is provided below.

3.5.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The proposal involves rezoning of the Project site from *SP2 Infrastructure (Defence)* to *IN1 General Industrial* and *E3 Environmental Management*, in order to facilitate the Moorebank IMT Project. The proposal involves retention of a green belt along the eastern bank of the Georges River (to be zoned *E3*

Environmental Management), but would allow clearing of vegetation and development for industrial purposes as permissible with development consent on the remainder of the Site (to be zoned *IN1 General Industrial*).

A biodiversity assessment conducted for the EIS noted that two threat-listed species of plant, *Persoonia nutans* (listed as endangered under the EPBC Act and TSC Act) and *Grevillea parviflora subsp. parviflora* (listed as vulnerable under the EPBC Act and TSC Act), have been recorded on the main IMT site. Six additional threat-listed plant species have a moderate likelihood of occurrence within the main IMT site and the land affected by the three rail access options, based on their preferred habitats and known distribution; however, targeted searches undertaken for this Project have not detected these species.

Faunal surveys detected the Grey-headed Flying-fox (listed as Vulnerable under the EPBC Act and TSC Act) flying over the main IMT site. An earlier fauna study (Lesry 2003) recorded the presence of two threat-listed microbat species in the Project site: the Large-footed Myotis and Eastern Bent-wing Bat.

The riparian habitats occurring on the western part of the site along the Georges River are likely to provide habitat for these species and additional threat-listed species not recorded in targeted surveys, and act as a wildlife corridor. Four ecological communities occurring on Site, including Castlereagh Swamp Woodland, Castlereagh Scribbly Gum Woodland, Riparian Forest and Alluvial Woodland, form part of ecological communities listed under the TSA Act. It is considered, however, that scattered vegetation throughout the site is of poor to moderate ecological integrity, due to modified vegetation structure and composition and is unlikely to be utilised extensively as habitat by threat-listed species.

A comprehensive biodiversity assessment has been prepared as part of the EIS that provides an assessment of likely impacts on the natural environment and include mitigation measures to minimise the impacts of the Moorebank IMT. The Moorebank IMT Project would include the provision of offsets, which would comprise the land proposed for rezoning to *E3 Environmental Management* (on the eastern and western banks of the Georges River) (the subject of this planning proposal), and other as yet unidentified land as required.

3.5.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

As discussed above, the planning proposal is to be considered in conjunction with the SSD application for the Moorebank IMT, which would be lodged with NSW DP&E. As part of a Preliminary Project Environmental Overview under Part 4, Div 4.1 for the Moorebank IMT, a number of likely environmental impacts have been identified and the impacts assessed as part of the EIS.

A number of comprehensive technical and specialist environmental studies have been prepared to determine the likely environmental impacts of the Project and identify appropriate mitigation measures and strategies, in accordance with the Secretary's Environmental Assessment Requirements (the NSW SEARs), the Commonwealth EIS Guidelines and the EPBC Act Guidelines for the content of a draft environmental impact statement. Environmental impacts resulting from the Moorebank IMT and studies prepared as part of the EIS are summarised in Table 3.6.

Table 3.4 Impact assessment overview

Key environmental values	Impact assessment overview
Traffic, transport and access	The Project has the potential to increase traffic and congestion on key local roads and to subsequently increase journey times. Access would largely be via Moorebank Avenue (north of the East Hills Railway Line) and the M5 Motorway, but also likely through local streets in Casula. Some partial and full road closures may be required during construction (most likely at night). During operation, the Project would save on road based freight trips, leading to significant benefits for the regional road network, including a reduction of approximately 67,000 truck vehicle kilometres travelled per day by 2031. Some additional heavy and light vehicle trips would be

Key environmental values	Impact assessment overview
	generated by the Project, primarily along Moorebank Avenue, and the M5 Motorway and local road intersections in the vicinity of Project site (refer Chapter 11 – *Traffic, transport and access* of the EIS); however this is predicted to have a negligible impact on surrounding road infrastructure. There would be no need for heavy vehicle parking on Moorebank Avenue. Additional rail trips would be generated by the IMEX facility (by approximately additional 273 train movements per week); however, these additional trips are assumed to be within the already approved capacity of the SSFL. Any additional capacity augmentation on the SSFL would be undertaken by ARTC outside the scope of this project. Trains for the interstate facility (approximately 24 train movements per week) would also travel on the SSFL and the wider metropolitan freight network and beyond. Prior to the commencement of operations, widening of Moorebank Avenue to dual carriageway (four lanes), redevelopment of the Moorebank Avenue and Anzac Road intersection, and new intersections for remaining access points along Moorebank Avenue would be undertaken.
Noise and vibration	Chapter 12 – *Noise and vibration* of the EIS provides an assessment of the potential noise and vibration impacts associated with construction and operation of the Moorebank IMT. A noise and vibration assessment for the Project was prepared and included in the EIS. A range of management and mitigation measures are proposed to be considered during the further assessment and detailed design of the Project for the feasible, reasonable and practical control of potential off-site noise and vibration impacts. A range of feasible and reasonable noise and vibration mitigation measures have been proposed to reduce and control potential noise and vibration consistent with the *Interim Construction Noise Guideline* (DECC 2009). Specific mitigation measures are proposed for the northern rail access option to mitigate the impacts of the operation this rail access on surrounding receptors.
Hazard and risk	Chapter 14 – *Hazards and risks* of the EIS describes the potential hazards and risks arising from the construction and operation of the Moorebank IMT, including the handling and storage of dangerous goods and hazardous materials within the Project site. A Preliminary Risk Assessment was prepared and included in the EIS. Management and mitigation measures have been included in the EIS including safeguards to minimise the potential for hazards and risks of hazardous materials and design measures proposed to minimise bushfire risk.
Contamination and soils	Chapter 15 – *Contamination and soils* of the EIS describes the geological and soil environment of the Moorebank IMT and the potential sources of contamination from former and current land uses of the site. It also assesses potential contamination and soil impacts of the Project. A detailed Phase 2 Environmental Site Assessment (ESA) of the existing main IMT site (the proposed Moorebank IMT site) and Phase 1 ESAs of the land subject to the northern, central and southern rail *access* options have been prepared and are summarised in the EIS. The EIS identified that a number of potential sources of contamination exist within the main IMT site. Contamination risks are considered to be most relevant to the construction stages of the Project, however during Project operation, a number of potential contamination risks will remain. In accordance with the Project's Preliminary Remedial Action Plan, a number of locations within the main IMT site have been identified as requiring specific remediation activities to address existing Project site contamination. These activities are proposed to address existing contamination and, therefore, would be undertaken prior to any construction or pre-construction works required for the Project. Further intrusive testing and investigations are recommended for the land affected by the rail access options. These investigations would be undertaken during detailed design so that management and/or remediation options can be identified/evaluated. In addition, a number of proposed remediation approaches and technologies that would be used throughout the Project's on-going management of contamination. These are detailed in Chapter 15 – *Contamination and soils.*
Hydrology and water quality	Chapter 16 – *Hydrology, groundwater and water quality* of the EIS describes the surface and groundwater impacts of the Moorebank IMT Project. A Surface Water Impact Assessment has been prepared and is included in the EIS. The Project site is located within the Georges River catchment, with the majority of the Project site draining into the Georges River, which forms the western boundary of the Project site. Land use within the catchment varies, and includes residential, industrial, agricultural, mining, Defence land and protected areas such as drinking water catchments and conservation areas. The Georges River extends approximately 60 km south-west of Sydney, with the Project site

Key environmental values	Impact assessment overview
	located in the upper section of what is referred to as the mid Georges River. Mitigation measures, including regional flooding mitigation measures; on-site storm water and surface water quality management and groundwater mitigation and further investigation, have been recommended to minimise and prevent adverse impacts to surface water hydrology and water quality, both within the Project site and externally. A number of recommendations are also presented in the EIS including potential further groundwater investigations that could be completed during the development of the detail design.
Air quality	Chapter 17 – *Local air quality* of the EIS provides an assessment of the existing local air quality surrounding the Moorebank IMT site and the predicted local air quality impacts resulting from construction and operation of the Moorebank IMT Project. A Local Air Quality Assessment was prepared and included in the EIS. Management and mitigation measures and safeguards, or equivalent, proposed during the pre-construction and construction phase and during operation are outlined in Chapter 17 – *Local air quality*. Proposals to implement the use of cleaner fuels and technologies which would significantly reduce emissions from on-site activities would be investigated at detailed design stage. Other mitigation and management measures relating to control of odour emissions and proposed ambient air monitoring are also discussed in this chapter. Chapter 18 – *Regional air quality* of the EIS provides an assessment of the existing air quality for the Sydney region as a whole (the 'Sydney basin') and the predicted regional air quality impacts resulting from the operation of the Moorebank IMT Project. It concluded that the impact overall the Project would have a negligible effect on air emissions across the Sydney basin when it reaches full operation in 2030.
Greenhouse gas	Chapter 19 – *Greenhouse gas assessment* of the EIS provides an estimate of the construction and operational greenhouse gas (GHG) emissions and potential impacts associated with the Moorebank IMT Project. The EIS identifies that throughout the construction and operation of the Project, the primary focus would be to improve and maintain operational efficiencies, by implementing best practice technologies to reduce energy consumption and GHG emissions. Mitigation and management measures are included to describe the key actions and procedures that would be undertaken to minimise energy consumption and GHG emissions throughout the Project. As identified in Table 3.2 above, one of the key economic benefits of the Project is the fuel savings and greenhouse gas reductions for the interstate facility in the year 2029. Fuel savings and greenhouse gas reductions for the IMEX facility (in the year 2030) are estimated at approximately 9,846 tonnes.
Heritage	Chapter 20 – *Aboriginal heritage* of the EIS provides an assessment of the Aboriginal heritage items present at the Project site, as well as assessments of cultural heritage significance and potential impacts of the Moorebank IMT Project on heritage values. An Aboriginal Heritage Assessment was prepared and included in the EIS. The findings of the assessment determined that while the majority of identified Aboriginal recordings would be directly impacted as a result of the Project, the areas of highest sensitivity would be largely conserved. A range of mitigation strategies would be further considered and implemented during the detailed design, construction and subsequent phases of the Project and are outlined in Chapter 20 - *Aboriginal heritage.* Chapter 21 – *European heritage* provides an assessment of the European heritage items present at the Project site and presents assessments of cultural heritage significance and potential impacts to European heritage values as a result of the Moorebank IMT Project. A European Heritage Assessment was prepared and included in the EIS. Similar to the strategies implemented to manage Aboriginal heritage impacts, during the current assessment, various measures have been considered to avoid or mitigate harm, however, there are very limited options in terms of altering the Project impact area. The proposed mitigation measures for the identified archaeological deposits are focused on investigating, documenting and archiving those deposits identified as having the greatest research potential. Additional investigations, historical research and a comprehensive salvage program would maximise information yielded from impacted sites as well as ensuring retention of such information for future generations. Further assessment of the potential impacts of the Moorebank IMT Project and more detailed development of mitigation measures would be conducted during the detailed design phase of the Project, and Stage 2 SSD approval assessments.

Key environmental values	Impact assessment overview
Visual and light spill	Chapter 22 – *Visual and urban design of* the EIS describes the potential visual impacts of the Moorebank IMT Project, including light spill, and the urban design principles underpinning the Project. A detailed Visual Impact Assessment and Light Spill Assessments were prepared and included in the EIS. Construction of the Project during Project Phases A to C would result in impacts to receptors located directly west and east of the Project site. These impacts would range from negligible to moderate/high across, depending on the location of the receptor. The greatest impacts would be to receptors within Leacock Regional Park, Carroll Park and adjacent residential properties, Georges River Casula Parklands, St Andrews Park and residential properties surrounding St Andrews Park. Visual receptors to the east of the Project site along Moorebank Avenue and at the junction of M5 Motorway and Moorebank Avenue are also likely to experience moderate to high visual impacts as a result of the construction and completed operational elements of the Project, and in particular the warehousing development would be visible from these locations. Once the Project is fully operational, again visual impacts would range from negligible to moderate/high for receptors directly west and east of the Project site. The greatest impacts would be experienced by receptors within Leacock Regional Park, Carroll Park and residential properties surrounding Carroll Park. Receptors to the east of the Project site would experience a moderate level of impact once the Project is fully developed. Visual mitigation measures, urban design principles and building design would be considered during the detailed design process and would be consistent with controls (height and floor space ratio) proposed to be introduced for the Project site as part of this LLEP amendment. It is noted that the warehousing precinct may front Moorebank Avenue and would therefore be the highly visible 'face' of the development and would also be the main entry point to the Project site. The landscaping and streetscape would be considered during detailed design to mitigate impacts of the development. Lighting required during construction of the Project would be designed and located to minimise the effects of light spill on surrounding sensitive receivers, including residential areas and the proposed conservation area. Light spill mitigation measures would be considered during detailed design.
Health impact	Chapter 25 – *Human health* of the EIS describes potential human health risks and impacts that may arise from activities associated with the construction and operation of the Moorebank IMT Project. These risks and impacts may arise, for example, from changes in the natural and built environment, such as ambient noise levels, air quality, or traffic and transport networks, as well as through changes in socio-economic conditions. A Health Impact Assessment (HIA) and Human Health Risk Assessment (HHRA) were prepared and included in the EIS. The HIA and HHRA undertaken for this Project have determined that, based on the findings and conclusions of specialist studies, notably those of traffic, noise and air quality impacts assessments, the measures proposed to manage and mitigate impacts with the potential to contribute to health effects would ensure that such impacts remain within acceptable levels. Provided that these measures are implemented, then the risk and significance of potential health repercussions associated with the Project and its activities are low and acceptable from a regulatory perspective. However, as part of wider ongoing monitoring and evaluation processes, it is proposed that monitoring data for air quality, noise and traffic is 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.

3.5.3.3 How has the planning proposal adequately addressed any social and economic effects?

Chapter 24 – *Social and economic impacts* of the EIS provides a discussion of the social and economic impacts the Moorebank IMT Project may have at the local, regional and national levels.

During construction of the Project, it is expected that the typical daily workforce would be 150 during Early Works, 662 during Phase A, 435 during Phase B and 275 during Phase C. The Project is expected to generate a peak daily construction workforce of approximately 300 during Early Works, 1,146 during Project Phase A, 1,236 during Project Phase B and 474 in Project Phase C.

Some local social and recreational infrastructure may be impacted by the Project. This would be limited to the Royal Australian Engineers (RAE) Golf Club located at the southern end of the Project Site and the NSW Barefoot Water Ski Club, which operates on the Georges River with a ramp from Helles Park just north of the M5 Motorway overbridge.

Some impacts to social and community infrastructure, including housing and accommodation; increased demand on medical, health services and/or infrastructure; demand on education services, are likely to occur throughout the construction and operational stages of the Project, as discussed in Chapter 24 of the EIS. Social amenity impacts on local traffic, air quality, noise and vibration and visual amenity as well as mitigation and management strategies are also outlined in this chapter.

Construction and operation of the Moorebank IMT would bring about some economic benefits to the regional and national economy. In particular, this includes close to $9 billion in economic benefits over a 30 year operational period of the Project, including $120 million per year for the south-western Sydney economy, through: improved productivity; reduced operating costs; reduced costs associated with road damage, congestion and accidents; and better environmental outcomes. The Project would also generate employment with as many as 1,522 jobs during construction (including 1,247 jobs during the IMEX terminal and warehouse construction (typical workforce) and 275 (typical workforce) during the interstate terminal construction.

The business case for the Project identified a number of adverse economic consequences of not proceeding with the Moorebank IMT Project.

A site visit in August 2012 was undertaken by Parsons Brinckerhoff to identify local businesses in Wattle Grove, Casula and Glenfield. This identified that some local businesses may be impacted by the construction and/or operation of the Project. Consultation has occurred with local businesses and meetings have been held with the Sydney Business Chamber and NSW Business Chamber with a view to consult with local businesses in the area as the Project progresses.

3.5.4 Section D - State and Commonwealth interests

3.5.4.1 Is there adequate public infrastructure for the planning proposal?

The Project site is located in close proximity to the SSFL, East Hills Rail Line, and M5 Motorway, with access to the M7 Motorway and Hume Highway by the M5 Motorway. The Moorebank IMT would require construction of a rail connection across the Georges River, upgrades to the road network, drainage works and connections to water, electricity and gas networks as identified in the EIS. This infrastructure provision is discussed in the EIS being prepared as part of the Project.

3.5.4.2 What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

A summary of the views of State and Commonwealth Public Authorities will be provided following the completion of the consultation process required under the gateway determination issued on 15 March 2013 as described in section 3.6.1 below.

3.6 Part 4 – Stakeholder and community consultation

3.6.1 Consultation requirements

The Gateway determination for the Project dated 15 March 2013 outlined consultation requirements for the planning proposal, as follows:

- the planning proposal to be made publicly available for 28 days, in conjunction with the public exhibition of the EIS;
- material being made publicly available along with planning proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (NSW DP&E 2012);
- consultation with the following public agencies under section 56(2)(d) of the EP&A Act:
  - Sydney Metropolitan Catchment and Management Authority
  - Office of Environment and Heritage
  - Department of Primary Industries – Fishing and Aquaculture
  - Department of Primary Industries – Catchments and Lands
  - Australian Rail Track Corporation
  - Transport for NSW
  - RailCorp
  - Roads and Maritime Services
  - Sydney Ports Corporation
  - Integral Energy
  - Essential Energy
  - Transgrid
  - Sydney Water
  - Fire and Rescue NSW
  - NSW Rural Fire Services
  - Adjoining LGAs.

Consultation with the above public agencies would be undertaken by NSW DP&E during the public exhibition of the planning proposal. Community consultation and public exhibition of the planning proposal will be undertaken concurrently with public exhibition of the EIS.

During public exhibition of the planning proposal and associated EIS, consultation with members of the community and key stakeholders would be conducted to ensure:

- the community and stakeholders have a high level of awareness of all processes and activities associated with the Project
- accurate and accessible information is made available
- timely response is given to issues and concerns raised by stakeholders and the community
- a dedicated 1300 hotline and email address would be provided to allow public enquiries about the planning proposal and issues associated with environmental, social and economic impacts of the Moorebank IMT Project.

3.6.2 Consultation to date

3.6.2.1 Agency and government consultation

Consultation activities undertaken to date have included multiple one-on-one meetings, telephone and email communication, the release of Project information papers and letters, stakeholder briefings and workshops, community open days and site visits with key stakeholders. Table 3.7 provides a summary of the level of consultation undertaken with the Project's relevant stakeholders.

Table 3.5 Summary of key consultation activities

Stakeholders	Level of consultation
■ DoE ■ NSW DP&E	■ One-on-one meetings and briefings ■ Letters ■ Telephone and email communication
■ LCC ■ NSW Office of Environment and Heritage ■ NSW Environmental Protection Agency ■ Defence ■ ABB ■ Transport for NSW including Freight and Regional Development and RMS ■ Department of Infrastructure and Regional Development	■ One-on-one-meetings and briefings ■ Letters ■ Briefings ■ Reference group for the health impact assessment ■ Telephone and email communication ■ Site visit to the Project site
■ Sydney Trains (formerly RailCorp) ■ Australian Rail Track Corporation ■ (NSW) Department of Primary Industries ■ NSW Rural Fire Service ■ NSW Health ■ Infrastructure Australia ■ Sydney Ports Corporation ■ Campbelltown City Council ■ Western Sydney Regional Organisation of Councils ■ Sydney Business Chamber ■ NSW business Chamber ■ Australian Trucking Association ■ Australian Army Cadets ■ Local Aboriginal Land Councils and Registered Aboriginal Parties	■ One-on-one briefings ■ Telephone and email communication ■ Site visit to the Project site
■ Sydney Water Corporation ■ Telstra ■ Endeavour Energy (formerly Integral Energy) ■ Optus ■ AAPT ■ Jemena ■ AGL ■ VisionStream ■ APA Group	■ Telephone and email communication ■ One-on-one meeting (with Sydney Water Corporation and APA Group) ■ Letters

Stakeholders	Level of consultation
■ NSW Treasury ■ (NSW) Department of Premier & Cabinet and Ministerial officers	■ One-on-one meetings

Meetings and communications with key agencies and government departments, such as DoE, NSW DP&E and LCC have been ongoing during preparation of this EIS. Key agencies and local councils have also had the opportunity to review the Commonwealth EIS Guidelines and NSW SEARs developed for the Project's EIS and to submit responses.

3.6.2.2 Community consultation

Community consultation for the Project began in 2010 and has been ongoing since this time. The key consultation activities undertaken to date are included below.

- A Project website <http://www.micl.com.au/>, is continually being updated to provide information as the Project progresses, including details on the results of the water, air and noise monitoring. Outcomes of community consultation sessions (as discussed below) are also presented on the website.
- Communication with community members (who have contacted MIC through the Project website) has occurred through a series of personal briefings for residents, held in January 2011, August 2012 and January 2014. MIC has also responded to enquiries made through the website.
- Community update newsletters have been mailed to all households in communities surrounding the Project site (e.g. Casula, Wattle Grove, Holsworthy and Glenfield) to keep the community up to date on Project milestones. To date five community updates have been mailed to 10,000 residents in August 2011, October 2011, November 2011 and June 2012, and to 12,000 residents in October 2013, and May 2014. The letters also invited the community to the information sessions (as discussed below).
- Five community information sessions held on 28 October 2011, 29 October 2011, 30 October 2013, 2 November 2013 and 7 November 2013. These sessions provided the community with the opportunity to:
  - view information boards about the various aspects of the Project;
  - hear presentations by MIC and the Project team;
  - ask questions about the Project during an open question and answer session;
  - discuss the Project with members of the technical team and ask questions about any potential impacts; and
  - take away fact sheets on some of the technical studies.
- Stakeholder meetings with meetings with local community members to address their particular concerns about the Project.

3.6.3 Key issues and concerns

Key issues raised by stakeholders and the community included:

- air quality impacts including increased pollution from increased traffic;
- potential for human health impacts from diesel emissions and dust generation and concerns regarding toxicity, cancer, asthma and other diseases;
- road network performance impacts including congestion and potential damage to roads
- noise impacts as a result of the Project and the SSFL;
- removal of threatened species and large areas of vegetation;

- impacts on the Georges River and associated activities on the river;
- light spill and visual impacts;
- potential alternative uses for the site, including development of a business park, and alternative site options;
- impacts on heritage items on the Project site;
- impacts on quality of life in suburbs of Wattle Grove, Moorebank and Casula;
- reduction in property values;
- cumulative impacts of the SIMTA Project and the Moorebank IMT Project and confusion about the connection between the two projects; and
- reduction in the quality of life in suburbs of Wattle Grove, Moorebank and Casula.

These issues are specific to the Moorebank IMT project and have been assessed in detail as part of the Project EIS.

4. Conclusion

This planning proposal relates to a proposed amendment to *Liverpool Local Environmental Plan 2008* for land at Moorebank, Sydney. The aim of this report has been to describe the proposed amendments to the Land Zoning, Floor Space Ratio and Height of Buildings Maps and to Part 7 of the LLEP to permit the proposed development of the Moorebank IMT.

The proposed amendment is generally consistent with the applicable strategic planning framework as demonstrated in this report. The impacts of the Project have been considered in detail and presented in the EIS for the Commonwealth and State approval applications. In summary, while the Project is expected to have environmental and social impacts, with the implementation of the proposed mitigation and management measures as outlined in this EIS, the majority of the residual impacts identified are not considered significant. There will however be residual risks in terms of traffic and congestion; social impacts during construction and operation; disturbance or destruction of Aboriginal heritage; and disturbance or destruction of European heritage. These impacts have been identified as risks that retain a low or moderate significance rating resulting in the need for an ongoing and targeted focus on these matters as the Project enters its next stages (e.g. detailed design and future Stage 2 SSD approvals).

Overall, the proposed LLEP amendments are presented in this planning proposal are considered the most appropriate means to provide for the construction and operation of the Moorebank IMT, which will generate social and economic benefits at the local, regional and national level.

Appendix A

Liverpool Local Environmental Plan 2008 - Zoning and planning controls map extracts

Appendix B

Draft Land Zoning Map - Proposed amendment to Liverpool Local Environmental Plan 2008

Appendix C

Key Sites Map

Appendix D

Draft floor space ratio map – Proposed amendment to Liverpool Local Environmental Plan 2008

Appendix E

Draft height of buildings map - Proposed amendment to Liverpool Local Environmental Plan 2008