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TRANSCRIPT OF PROCEEDINGS

TRANSCRIPT IN CONFIDENCE

O/N H-1038479

INDEPENDENT PLANNING COMMISSION

MEETING WITH DEPARTMENT OF PLANNING AND ENVIRONMENT

**RE: MOOREBANK INTERMODAL WEST CONCEPT PLAN
AND STAGE 1 MOD 1**

MOOREBANK INTERMODAL PRECINCT WEST STAGE 2

**PANEL: DIANNE LEESON
ALAN COUTTS
JOHN HANN**

ASSISTING PANEL: DAVID WAY

**DEPARTMENT OF
PLANNING AND
ENVIRONMENT: DAVID GAINSFORD
DOMINIC CRINNION**

**LOCATION: IPC OFFICES
LEVEL 3, 201 ELIZABETH STREET
SYDNEY, NEW SOUTH WALES**

DATE: 3.00 PM, FRIDAY, 14 JUNE 2019

MS D. LEESON: Okay. So good afternoon and welcome. Before we begin, I would like to acknowledge the traditional owners of the land on which we meet, the Gadigal people. I would also like to pay my respects to their elders past and present and to the elders from other communities who may be here today. Welcome to the meeting. SIMTA, the applicant, is seeking to the concept plan and undertake a construction of stage 2 for the Moorebank Intermodal Facility West in the Liverpool City Council area. My name is Diane Leeson. I am the chair of this IPC panel. Joining me are the fellow – are fellow Commissioners Alan Coutts and John Hann, as well as David Way from the Commission secretariat.

In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded, and a full transcript will be produced and made available on the Commission's website. This meeting is one part of the Commission's decision-making process. It is taking place at the preliminary stage of this process and will form one of several sources of information upon which the Commission will base its decision. It is important for the Commissioners to ask questions of attendees and to clarify issues whenever we consider it appropriate. If you're asked a question and are not in a position to answer, please feel free to take the question on notice and provide any additional information in writing, which we will then put up on our website.

I request that all members here today introduce themselves before speaking for the first time and for all members to ensure that they do not speak over the top of each other, to ensure accuracy of the transcript. We will now begin. Thank you, David. Thank you, Dominic. What we thought we would do this afternoon is, first off, just ask you to explain to us the process that the department has been through because we have a modification on foot for the concept plan and the stage 2 assessment in a concurrent fashion, and we've seen there's some concern from the community about that process. So I think if you can outline the process you followed and your confidence in that - - -

MR D. GAINSFORD: Yes.

MS LEESON: - - - then the assessment itself – I think the rest of the conversation will flow – we will draw out what we need to as we go along - - -

MR GAINSFORD: Sure. Yes.

MS LEESON: - - - and we will just ask questions at fairly random fashion.

MR GAINSFORD: Of course. Yes. More than happy. So thank you. Thanks for the opportunity. Yes. So David Gainsford, executive director for priority projects at the department; and Dominic Crinnion here as a team leader in that ports and water space. Karen Harragon is an apology today, but has also had a strong role in this project. So, look, I will give a bit of an overview, maybe, Di, to try and address some of those issues. Dom here will obviously have a level of detail that I don't and

hopefully can help with that. We've also got some plans that will help as we go through things. So, I mean, maybe starting right from the outset in terms of the project, because it is quite a complex one.

5 So one of the things that we often start with in regard to the sort of scale of Moorebank is that we are talking about something, you know, in terms of project size, that's the equivalent of the Sydney CBD, and what comprises that development is referred to as Moorebank Precinct East and Moorebank Precinct West, and it is important because there are, historically, two separate approvals that relate to that
10 development. The separate approvals themselves – and, I guess, focusing on Moorebank Precinct West, because that's obviously what we're talking about – that was originally developed by Moorebank Intermodal Company, who was a Commonwealth listed company, and Moorebank Precinct East was actually a separate proposal that was being done by Qube Holdings. There was an agreement
15 that was signed by those two parties in 2015, but there's a legacy that there was two separate approvals for those two separate projects.

So it's only since 2015, effectively, that Qube has taken the running for both of those projects, with that legacy of the two different approvals, but effectively now
20 operating them as one combined project, and there's some implications of that which I will come back to. So, importantly for Moorebank Precinct West, development consent was granted for stage 1 as part of the concept approval in 2016. In terms of what's happening on the ground at the moment – because there's also a series of consents that have been granted for Moorebank Precinct East, both stage 1 and stage
25 2, and stage 2 for Moorebank Precinct East, which has enabled them to start building warehouses and rail connections in 2018. So there's significant construction that's underway out on the site, which you will – I know you're going out on Tuesday.

MS LEESON: Tuesday.

30 MR J. HANN: Tuesday now. Yes.

MR GAINSFORD: Yes. So you will see the evidence of that work. In relation to Moorebank Precinct West stage 2 – so that incorporates, as you're no doubt aware,
35 an intermodal freight terminal facility to support an annual throughput of 500,000 20-foot equivalent containers, with the maximum – with the approved maximum throughput under the concept approval being 1.05 million containers, and I think the latest understanding I have of how many containers are going through Port Botany is around about 3 million per year.

40 MR HANN: Okay.

MR GAINSFORD: So it's quite a considerable proportion of those containers. So the approved concept layout included two intermodal terminals, with only one
45 intermodal terminal now being proposed. The terminal rail line would connect via a rail link connection to the Moorebank Precinct East Rail Link and then to the Southern Sydney Freight Line.

MR A. COUTTS: Does the fact that there's only now one intermodal terminal, rather than two, have an impact on those numbers of containers?

5 MR D. CRINNION: No. So the terminal will perform both the import-export function as well as the regional function. So in the original application, they were two separate, but they will be combined in the one terminal.

MR COUTTS: Right.

10 MR GAINSFORD: The other aspects of the Moore Precinct West stage 2 is they're proposing 215,000 square metres of warehousing floor area and 800 square metres of what they're referring to as a freight village, which includes some retail users. The construction of those warehousing is now quite concentrated in the northern part of the site.

15

MS LEESON: Yes.

MR GAINSFORD: And maybe, Dom, if you hand out the diagrams. So from – compared to the – so the concept approval, as I understand it, Dom, allowed for 20 300,000 square metres - - -

MR CRINNION: That's correct.

MR GAINSFORD: - - - on Moorebank Precinct West site. 215,000 square metres 25 of that is now being put forward as part of this stage 2 across approximately half of the site. So there's – I guess there's an intensification, an increased sort of density of what's being proposed for that northern part of Moorebank Precinct West. The other component of stage 2 is for the importation of fill. A similar approval was put in place for Moorebank Precinct East, where I think they've brought in 600,000 cubic 30 metres of fill. Here, because the site is bigger, they're talking about 1.6 million cubic metres of fill.

MS LEESON: Do we know why they need to bring in so much fill when they had a 35 concept plan approval before and it wasn't in that. I think it was 47,000 for - - -

MR HANN: Yes. It was minuscule. Yes.

MS LEESON: Initially.

40 MR HANN: What happened there?

MS LEESON: Do we know what has driven the change?

MR CRINNION: The intent is, from the applicant's perspective – they assert that 45 it's for improved drainage across the site, but that's the primary driver, from the applicant's perspective, for bringing in that fill. It's to raise the levels of the site and, in their perspective, increase the drainage towards the – to the OSD basins

MR HANN: Does that include flooding? In other words – that’s a huge cost. It presumably wasn’t considered in the original concept approval, and, logistically, it’s obviously challenging. Yes.

5 MR GAINSFORD: So I think – I mean, some of it’s obviously being driven by the availability of spoil coming out of tunnel projects.

MR HANN: Yes. Yes.

10 MR GAINSFORD: So that’s clearly sort of an opportunity. The – I guess the argument that they’ve put forward to us is that there wasn’t a flooding imperative in terms of needing to bring in the spoil – that the developable areas of the site were outside of the flood zone, but, as Dom says, I think the main sort of driver has been to, I guess, flatten the site and more easily allow for development and also to help
15 facilitate drainage heading towards the west. So - - -

MR CRINNION: That’s the applicant’s perspective.

MR HANN: So is there a financial benefit, then, in bringing the fill in, given – is
20 that actually the case with the availability of the material, or is it a – I mean, there’s obviously a cost in handling it on – once you get it to the site, but is there a financial incentive for them to bring it in - - -

MR GAINSFORD: We don’t - - -
25

MR HANN: - - - to take it off the hands of the authorities, so to speak.

MR CRINNION: I’m not aware of the commercial arrangements, but - - -

30 MR GAINSFORD: Yes. We – we’re not aware of those, but, yes, I mean that – so, Moorebank Precinct East, they’ve now – they’ve now effectively brought in 600,000 cubic metres of spoil, and, as you will see when you go out there, it is probably raised about two metres from the level of Moorebank Avenue, which you will see when you head out there. I guess what I should say – and I will go in a little bit now
35 about the issues that we’ve been dealing with through the assessment of the project, but, to be clear, the department is supporting, is recommending approval for, this development, subject, obviously, to a number of conditions, and that’s consistent with recommendations that we’ve made for all previous stages of this development and the concept proposal. Liverpool Council has consistently objected to
40 development at Moorebank, and they’ve objected to this stage as well.

There’s also a number of residents’ actions groups and submissions that came in as part of the application, a lot of which have also opposed this development. From our point of view, I guess council’s main sort of objection points have been around issues
45 of increased traffic, dust impacts and concerns about noise impacts. Council also specifically objected to this application on the basis of what they saw as significant impacts on local amenity and local infrastructure through those traffic, air quality and

noise impacts and also on biodiversity from clearing of the site. So the department received, across both the concept modification and the stage 2 application, a total of 365 submissions, 193 for the concept mod and 130 for the stage 2 exhibition. All the individual submissions that were received objected to the proposal.

5

Obviously, we've considered the council and community submissions in our assessment. So, following on from that, the key issues that the department identified in terms of assessing these developments were traffic noise, soil, water, air quality and impacts associated with trucking, crushing – the trucking, crushing, stockpiling and placing of the imported fill. There were also a series of ecological, hydrological and visual impacts associated with the filling. The warehouse element itself and the density has also led to some concerns that we have around stormwater design, and I guess particularly look at the principles of water-sensitive urban design and how those are going to be dealt with.

10

MS LEESON: Is that related in any way to the raising of the site by up to three metres?

MR CRINNION: The water-sensitive urban design and the proposal - - -

15

MS LEESON: Well, you saying you're not – you've had issues around the drainage.

MR GAINSFORD: Yes.

20

MS LEESON: They're saying they've – they want to raise the site to deal with drainage. Are you satisfied with the drainage analysis and what they've provided?

MR CRINNION: I think the department has concerns about the particular system that they've adopted for this. So we will speak about it in a bit of detail.

25

MR GAINSFORD: Yes.

MR CRINNION: It mainly relates to the kind of engineered hard surface proposal that they have, the dual purpose OSD, on-site detention, basins and the actual scheme that they've set out on the raised side. It's not – I don't know that's so much related to the raising as such but the actual schematics of how they're – of how they've designed the basins

30

MS LEESON: Right. Okay.

MR GAINSFORD: And the amount of land that they've been able to dedicate, effectively, to those facilities as well.

35

MS LEESON: Okay.

MR GAINSFORD: So in terms of particularly looking at the fill importation, there obviously is a significant impact in truck movements compared to what was approved in the concept. It's now envisaged that there will be up to 1480 trucks per day associated with full importation, and the applicant proposed to bring that fill in
5 between 6 am and 10 pm Monday to Friday and 7 to 6 pm on Saturdays. The department has actually recommended – and I think we did something similar for Moorebank Precinct East – recommended a cap on the daily sort of movement of spoil into the site at 22,000 cubic metres, and that's - - -

10 MR CRINNION: sorry.

MR GAINSFORD: Yes. I was just going to say – so that's consistent with previous approvals that were put in place. We've also recommended limiting the construction work to stand the construction hours rather than the extensions. We feel that if
15 extensions are being sought that, perhaps, going through the normal process of doing that through a construction noise and vibration management plan is a better – better avenue, but, at this point in time, we don't agree with those extended hours.

MR HANN: David, on that, have you had any discussion with the applicant in
20 regards to their – you of the benefit of – you know, if you're extending the construction hours, obviously, you will – there should be a benefit of – you know, if you're extending the construction hours, obviously you – there should be a benefit of foreshortening the actual construction period and therefore the amenity impacts. What's their - - -

25 MR GAINSFORD: So - - -

MR HANN: Have they provided you information on that?

30 MR GAINSFORD: Yes, they did, and I think that was part of their argument. The other part of their argument was trying to avoid the – you know, having less impact on the peak period if you spread those out. So, again, we're not turning our mind away from those aspects, but we just think they would probably be better dealt with during the management plan process.

35 MR HANN: Have they given you any metrics on it? You know, were they saying, look, for example, you know six months or something like that? Have they actually provided any data?

40 MR CRINNION: I'm not aware of that information and - - -

MR HANN: Okay.

45 MR CRINNION: - - - and our intent in creating the out of hours extended work plan as part of the recommended conditions would be for them to provide that - - -

MR HANN: Yes.

MR CRINNION: - - - as part of the justification - - -

MS LEESON: Yes.

5 MR CRINNION: - - - for that extended period of time. That's not inconsistent – it's consistent with the approach to other infrastructure projects that the department has - - -

MR HANN: Yes.

10 MR CRINNION: - - - in dealing with that as part of the construction planning management planning process.

MR COUTTS: Do they come back at you on the east one and ask for extended

15 hours? Presumably you did the same thing for the east one.

MR GAINSFORD: Yes. That's right. We did. I'm not aware. Are you aware of whether extended hours?

20 MR CRINNION:

MR COUTTS: Look, I was just curious as to whether - - -

MR GAINSFORD: Yes. No, it's a good question, yes.

25 MR COUTTS: Be interesting to see if – well, okay. We need it and this is the reasons because presumably east they will come and do it on west as well, won't they?

30 MR GAINSFORD: Yes, that's right. Yes. Look - - -

MS LEESON: We will ask the applicant. It could also be related to the rate of excavation for west connects and the - - -

35 MR GAINSFORD: That's right.

MS LEESON: - - - getting the spoil out of that site. So it might be a question of how quickly they can take it

40 MR: Yes.

MS LEESON: But we will talk to the - - -

MR: We will talk to the - - -

45 MS LEESON: - - - proponent.

MR: On Monday about it.

MR: Yes. So - - -

5 MR: Okay.

MR GAINSFORD: The extent of clearing and filling is another concern from our point of view because the site is so large and so there are obviously those risks of erosion and also sediments, so the department has actually recommended limits in terms of the amount of, I guess, excavation that can occur at any point in time or the amount of exposed surface. So I think we've recommended a limit of 65 hectares at any particular point in time.

10 MS LEESON: That's quite a large area for - - -

15 MR GAINSFORD: It represents about a third of the site.

MS LEESON: So that's a work face at any time. 65 – because that's quite a large space. Are you comfortable that their proposal – their proposed management of the site – they can manage the dust suppression and air quality?

MR CRINNION: So we've recommended a number of conditions in relation to that. So there's quite a detailed soil and water management plan that we've prescribed. And so we've – I guess we've tried to limit the amount of stockpiling that can be done. We've required them to do air quality management plan and we will prescribe some of the things that they need to control as part of that and we have additional measures in addition to what was adopted for project about the regular inspections and, I guess, verification by a certified soil scientist throughout the process. So we think it's proportionate to the different – the broad different stages of the proposal insofar as we focus the impact on the actively managed components of the development, so if they were developing part of the warehouse precinct first it would limit them to that active area rather than, I guess, allowing a broader parts of the site including the stage 3, the future warehousing part of the site at the southern end to be worked on if that's a future, but it would focus that soil management on the northern component, for example

MR GAINSFORD: So there has been – what you will see when you go out onsite again on Tuesday is there has been – there has already been a fair bit of work on Moorebank Precinct West so stage 1 enabled them to do quite a bit of clearing and demolition of the buildings that were on there and so there are quite a few exposed surfaces already which – our view is that based on EPA and ourselves that have been out there, that that's working fairly well - - -

MR HANN: Okay.

45

MR GAINSFORD: - - - in terms of that storm water management. So I guess part of what we're doing here is picking up on what we think is reasonably good practice so far.

5 MR CRINNION: I think the good practice – I wouldn't speak specifically to the practice on site, but to say that the practice on site we're seeking to drive through the consent conditions is about the management of erosion and disturbance. And we've prescribed particular C factor, so sort of the soil-binding measure that has been adopted from soil and water management plans that have worked in the past. And
10 we've set out specific, I guess, trigger points for the ability to move onto new stages of work. So we've adopted a C factor of point 05 for a stage before the applicant can then move onto a new one of these 65 hectare stages. And we've also required that particular points of permanent stabilisation happen. So we've prescribed 75 per cent for one stage, before they move onto the next stage. And so that's prescribed in
15 some of our conditions. So we've tried to be – give clear criteria for how that would work in practice.

MR COUTTS: Presumably you're learning a little bit too from the approval already given to the east project.

20

MR GAINSFORD: Yes. Yes. Yes, definitely. Definitely.

MR COUTTS: Because I got the impression, reading through this, that a lot of the conditioning is similar west to east.

25

MR GAINSFORD: That's right. Yes, very much.

MR COUTTS: Yes.

30 MR GAINSFORD: And you're absolutely right. We've also, I guess – and we will come to this, particularly when we get to the stormwater management side of things. We've learnt some lessons through that process as well. I guess the other sort of key aspect that we're learning from Moorebank Precinct East is that it's unlikely that they will develop Moorebank Precinct West as one development at one time, just by
35 the sheer scale of it. You know, the proposal will likely be that they will break up the development across the warehouses and across the site. So it's making sure that we have conditions that can work with that sort of scenario as well.

MR COUTTS: So you think they might just do one or two of the warehouses first and then - - -

40

MR GAINSFORD: That's been the experience on Moorebank Precinct East. So when you go out there, you will see that there's one warehouse that's pretty much finished. And there's a few more that they're looking to start fairly soon.

45

MR COUTTS: Right.

MR GAINSFORD: But that's likely to be, we think, the scenario for Moorebank Precinct West as well.

MR COUTTS: And do the warehouses get leased out? Is that the model?

5 MR GAINSFORD: Yes. Yes. That's correct.

MR COUTTS: So the model is you build the warehouse, then you lease it out to a Toll or a or whoever.

10 MR GAINSFORD: Yes. That's right.

MR COUTTS: And then they operate it.

15 MR GAINSFORD: That's correct.

MR COUTTS: Okay. So they're essentially providing the infrastructure and then operators come in and operate the system.

20 MR GAINSFORD: That's correct.

MR COUTTS: Is that pretty much how it works?

MR GAINSFORD: Yes. That is how it works.

25 MR COUTTS: Okay.

MS LEESON: And the warehouses are required to be linked to the rail operation?

30 MR GAINSFORD: That's correct.

MR LEESON: So there can't be any standalone warehousing facilities there that are not rail-related.

35 MR GAINSFORD: That's correct.

MR LEESON: Yes.

MR GAINSFORD: Yes. That's correct. So probably an important point – just finishing off on this issue of exposed surfaces – is that the stage 1 approval didn't enable them to clear endangered ecological communities. And so that has meant is that whilst there has been some level of remediation on site, the areas that will be needed to be cleared as part of stage 2 will need some remediation. And we're aware and have become aware as we've gone through this assessment of particular issues of remediation associated with PFAS, residual PFAS issues. So, again, we've got some conditions in there that relate to, I guess, management of that sort of contamination

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and discovery of those sorts of issues prior to, you know, any of the permanent works going onto the site.

5 MR CRINNION: So diagram 8 in the maps that are shown shows the remnant vegetation. So this is the vegetation - - -

MR HANN: Diagram 8, was it?

10 MR CRINNION: Yes.

MS LEESON: Just on that PFAS, if I can.

MR CRINNION: Yes.

15 MS LEESON: Is that making its way to the waterway now, do we know, to, say, the Georges River? Will their drainage pick that up and intercept it as part of a remediation process?

20 MR CRINNION: There will have to be some process to manage the PFAS. And there is a remedial action plan that's currently – that has been prepared previously for this site. Part of the conditions have been developed in reflection of – there has to be a process of the site owner, which is the Moorebank Intermodal Company, and/or the developer working with EPA. And we think that the conditions put clear points in the development of this project that they have to manage that and they have to
25 progress that in a timely way before they get to the standard.

MS LEESON: Thanks. Yes. Thanks.

30 MR GAINSFORD: So moving onto the – if you're comfortable with me moving onto, I guess, the permanent site layout and design sort of elements and their assessment - - -

MR HANN: Can I just ask one question, David?

35 MR GAINSFORD: Yes.

MR HANN: Just in relation to dust, the EPA, I think, had some questions about the ability to – the assumptions around controlling dust in the dozing process. I think the 50 per cent figure they queried. Have you had any discussions with the EPA
40 about that, in terms of, you know, how that's to be addressed?

MR CRINNION: I guess primarily through the submissions process. I think it would be fair to say that's the way that we've engaged with the EPA on that particular process. We think they can be dealt with through the air quality
45 management plan requirements.

MR HANN: Okay.

MR CRINNION: So there's a definite focus on the development of that air quality management plan for construction and, I guess, the interface of that with the soil and water management plan and that that's actively managed. So there's – certainly our intent would be that the planning secretary would have the power to approve that
5 plan and that would definitely be controlled through that. We've prescribed the EPAs assessment methods restrictions on dust emissions off site. So we've adopted the two grams per metre cubed – metre squared per month maximum increase and the four gram per metre square per month maximum deposit of dust level off site. So we think that gives them a maximum parameter for dealing with it and the details of
10 dealing it and there's a bit of guidance in those conditions about how we think that can be controlled.

MR HANN: Okay. Yes. Thank you.

15 MR GAINSFORD: So on the, I guess, permanent layout design for the site, as proposed in stage 2, I guess it's important to reflect that one of the key elements of the concept approval was the riparian corridor and that connectivity, if you like, to Georges river. So the - - -

20 MR HANN: This is map 11.

MS LEESON: Map 11.

MR GAINSFORD: So one of the aspects that we mentioned before is that with the
25 concentration of the warehousing in this northern part of the site, compared to the concept approval, so now having the 215,000 square metres of warehousing on that northern part, containing onsite detention basins that, you know, we view as being best practice, being good water sensitive urban design, and maintaining this water sensitive urban – sorry, this conservation area, has led to some difficulties, if you
30 like, in terms of the assessment, where we've really tried to get a level of detail out of the applicant that they haven't been able to provide to us around how all those interfaces are going to work. So, again, we've dealt with this through a series of conditions and I will go into a little bit of detail on those, but they're the sort of aspects that have been quite difficult to manage as we've been going through this
35 assessment.

MR COUTTS: Why are they being – they seem to be dragged kicking and screaming a little bit to come to your conclusions.

40 MR GAINSFORD: Look, I think there's a couple of things there. One is that, you know, the scale of this development means that getting to that level of design at this stage is a difficult thing to do, and I guess we acknowledge that. The second aspect, I guess, is clearly there's a commercial imperative to try and maximise developable area on the site.

45

MR COUTTS: Yes.

MR GAINSFORD: And so, you know, there is a balance that needs to be agreed to, here, around making sure that in their view they've got something that's economic and makes financial sense but maintaining, from our point of view, the good-quality environmental values that were part of the concept approval.

5

MR COUTTS: Okay.

MR GAINSFORD: So that's been part of the process. So I guess the elements of the stormwater treatment and on-site detention design does include, in the version that you've got for Moorebank Precinct West Stage 2, what we consider to be quite deep structures with, in some cases, quite steep batters or, in some cases, actually vertical concrete walls. And to actually achieve those sort of water-sensitive urban design requirements where, you know, we want to have water-filtering vegetation and other aspects that help with the management of water quality through that system, it's not clear to us how some of those aspects can be achieved with what's in the design. So again, we've recommended some conditions, and maybe, Dom, do you want to talk to those conditions to try and manage those issues?

10
15

MR COUTTS: Just before you go on, Dom - - -

20

MR CRINNION: Yes.

MR COUTTS: - - - not having been out there and seen this part of the river, is that running through basically a canal-type channel, or is it a natural riverbank channel?

25

MR CRINNION: It's natural.

MR COUTTS: Natural riverbank channel. Right.

MR CRINNION: Yes, it is natural. So I can sort of talk through the riparian corridor criteria that we've recommended and then talk about some of the development criteria for the stormwater system. So if you look at the plan that shows the existing detail and contours with design in red, so that's the map - - -

30

MS LEESON: So this is still figure 11?

35

MR CRINNION: Map 11, yes.

MR COUTTS: Yes.

40

MR CRINNION: So it's - it is difficult to see, but there is the - the OSD - the on-site detention basin 5, which is the north-western basin, is shown in red marker on the plan. So I will point to the basin - the western face of the basin is around about here. And so - - -

45

MS LEESON: Within that tree line?

MR COUTTS: Yes, yes. Okay. Yes, yes.

MR CRINNION: Yes, roughly along that tree line there.

5 MS LEESON: Okay.

MR COUTTS: Yes.

10 MR CRINNION: So the map is prepared based on – partly based on surveyed landform and partly based on aerial imagery. So the line marked in blue is asserted to be the top terrace, so there is some terracing along parts of the site but not all.

MR COUTTS: Yes.

15 MR CRINNION: And then there's also marked the mean water level. And so it is quite steep at the norther edge of the site.

MS LEESON: Yes.

20 MR CRINNION: The river flats towards the south. So there is some defined banks – or there are defined banks. We have sought, really, to focus on this because there was a – there is a requirement in the concept approval that requires there to be a riparian corridor of 40 metres from the top of bank.

25 MR COUTTS: Yes.

MR CRINNION: So this plan is, in essence, the applicant's attempt to define the top of bank.

30 MS LEESON: Okay.

MR CRINNION: What we looked to in trying to form the appropriate riparian corridor was the kind of values that were being encompassed within the riparian corridor. And so what we've recommended is that the applicant revise the design drawing – the design in this western plank, particularly at the northern part but also
35 towards the south, which is off this plan, have a buffer zone from the top of bank that's surveyed in place by a registered surveyor. So either 40 metres from that bank or the one per cent flood extent. So the one per cent flood extent is shown in a very faint green line on this map. So it is probably a little bit - - -

40

MS LEESON: Yes.

MR COUTTS: Yes.

45 MR HANN: Yes, I can see it.

MR CRINNION: Probably a little bit more inland in some points - - -

MR HANN: Yes.

MR CRINNION: - - - then 40 metres from the top of bank as marked on this plan
- - -

5 MR HANN: There it is here.

MR CRINNION: - - - which is the purple one from the applicant's perspective, but
we wanted to verify the top of bank onsite by a surveyor and define the riparian
10 corridor as the most inland of 40 metres from the survey top of bank or the flood
extent line with an additional 10 metre extension where there's riparian vegetation.

MS LEESON: Would you like some water?

15 MR CRINNION: Sorry.

MS LEESON: You're right.

MR CRINNION: So I guess that's the focus of the riparian aspect of the design
20 requirements for the consent.

MS LEESON: So if I can just make sure I understand that properly.

MR GAINSFORD: Yes.

25 MS LEESON: They've given a survey that they say is the top of bank - - -

MR GAINSFORD: Yes.

30 MS LEESON: - - - and then they've got a 40-metre zone - - -

MR GAINSFORD: Yes.

MS LEESON: - - - from that to effectively create the riparian zone.

35 MR GAINSFORD: Yes.

MS LEESON: And then they've got the onsite detention basin west of that.

40 MR GAINSFORD: It would be east of that, yes.

MR HANN: Yes.

MS LEESON: East of - - -

45 MR GAINSFORD: Well, potentially - - -

MS LEESON: East of that, sorry?

MR HANN: Yes.

5 MR GAINSFORD: That's correct.

MS LEESON: Okay. So do any of those trees in that zone get taken out through the construction of the onsite detention basins?

10 MR CRINNION: So on this map, certainly the vegetation that's within the confines of that - - -

MS LEESON: Will be taken out through there?

15 MR CRINNION: Of that, yes.

MS LEESON: Okay.

MR GAINSFORD: So one of the things, as Dom was mentioning, in the condition is we have said that beyond the 40 metres that you need to provide, there are certain circumstances, such as where the one-in-100-year flood area is.

MR HANN: Yes.

25 MS LEESON: Yes.

MR HANN: Yes.

MS LEESON: Yes.

30 MR GAINSFORD: Or where there's already designated riparian vegetation that you should be protecting more of. So we've effectively sort of pushed them further than that 40 metres that they're saying - - -

35 MS LEESON: Yes.

MR GAINSFORD: - - - they're providing.

MS LEESON: Okay.

40 MR HANN: Because, originally, they were talking of 25 metres, weren't they - - -

MR GAINSFORD: Yes.

45 MR HANN: - - - in some areas, which, of course, you had issue with. So - - -

MR GAINSFORD: That's right. So that goes right back to the concept, doesn't it?

MR HANN: Yes.

MR GAINSFORD: Yes.

5 MR HANN: So that's no more - - -

MR GAINSFORD: Yes, that's correct.

MR HANN: - - - from your point of view.

10 MR GAINSFORD: That's correct.

MR HANN: Yes.

15 MR GAINSFORD: Yes.

MR HANN: Yes. And they're clear on that. And this plan, which they've produced – is that right, or - - -

20 MR CRINNION: Yes.

MR HANN: Yes, Cardno is engaged by the applicant – is now back to a 40 metre
- - -

25 MR GAINSFORD: That's correct.

MR HANN: - - - distance. Yes. Okay.

MS LEESON: Okay.

30 MR COUTTS: Thanks.

MR GAINSFORD: And one thing would I sort of add to that is – because this has been a long process in terms of trying to get to this point – we've had some expert
35 advice. So we've had consultants that have been assisting us through this process, primarily around the stormwater design and trying to get the stormwater design correct, but that has also, as Dom sort of said, had an influence on the riparian corridor area as well. Yes. Sorry. You go.

40 MR CRINNION: Shall I go through – quickly through the stormwater system design requirements?

MR GAINSFORD: That would be helpful, yes.

45 MS LEESON: Thanks.

MR HANN: Yes.

MR CRINNION: So in many ways, they reflect the guidance that was given in the conditions for Moorebank Precinct East Stage 2, so the MPE Stage 2 project. They reflect that. They've been redrafted to be more prescriptive and to be, I guess, expressed in outcomes and criteria more – in a more straightforward manner,
5 hopefully, than in the MPE Stage 2 consent. So essentially, we prescribed changes to the onsite detention basins and one of the key requirements is to have batter slopes into each of the basins rather than vertical walls.

10 So the applicant had redesigned the OSDs as part of the process following the Response to Submissions to provide batter slopes on at least some of the walls of most of the basins. However, we think that – given that they're going to perform a dual function and that they would have water-filtering vegetation in the bottom, they have a water – a bio-filtration component, that's really important that they have sloped sides to promote the solar access to the plants. We had asked for solar studies
15 for some of the basins and I think part of the process would be to ensure that solar access is granted to the vegetation in all basins to require this condition similar to what was required for Moorebank Precinct East Stage 2.

20 We've also required some overall performance criteria and design criteria for bioretention, and the overall extent of biofiltration and bioretention systems are one per cent across the entirety of the site. And we have some further design criteria for the actual function of the systems and how they would reduce the total loads of particulate pollutants across the site. We've also got some more water-sensitive urban design principles to guide the redesign of particular basins in some of the
25 systems as we've prescribed it, so that we have objectives and we have criteria and measurable outcomes across that – the system process.

MS LEESON: Okay.

30 MR CRINNION: The last thing, in terms of vegetation and the stormwater is you may have noted that we've recommended a koala management plan.

MR COUTTS: I'm surprised there was koalas there.

35 MR CRINNION: Yes. So I guess the assumption has been all the way along in the assessments, including at the concept plan stage, that there wasn't koalas present on the site. Koalas have now been found on the site.

40 MR COUTTS: That's good.

MR CRINNION: And whilst koalas haven't been more recently found on the site, there was some surveys that the applicant did: they found scats under a number of trees on the Moorebank Precinct West site. So with advice from OEH, we've required this koala management plan to particularly focus on any sort of offset areas,
45 firstly. But then also whether there's the potential to look at connectivity from – because that there's core koala habitat that actually sits further to the - - -

MS LEESON: Closer to the East Hills line and the Holsworthy Army Barracks, so particularly to, you know, look at any sort of connectivity opportunities there.

MR COUTTS: They were saying earlier they must be very resilient koalas.

5 MR CRINNION: Yes.

MR GAINSFORD: It's unclear how they travelled to the site. Obviously, there's a number of different ways they could and clearly did, so, yes, the intent of the condition would be to further consider connectivity that could be provided and, in 10 other aspects, there may be fencing requirements as well to, I guess, exclude the koalas from the site or to direct them - - -

MS LEESON: Yes. Because – on Moorebank East, have they started constructing the rail line yet; the link up?

15 MR CRINNION: Yes. It's well advanced.

MS LEESON: It's well advanced.

20 MR CRINNION: Yes.

MS LEESON: Okay.

25 MR CRINNION: Yes.

MS LEESON: Because, presumably, they will have to get from Holsworthy across the rail corridor into this precinct or they will be landlocked. Yes.

30 MR CRINNION: Yes.

MR COUTTS: That's the question I was just going to ask is there a natural corridor here?

35 MS LEESON: Well, that's right, because if they need to get across the rail corridor - - -

MR CRINNION: Yes.

40 MS LEESON: - - - it would be interesting to see how their management plan deals with that.

MR COUTTS: My wife showed me a photo this morning of a freeway in, I think, it's in Norway that are - - -

45 MS LEESON: Koalas?

MR COUTTS: No. No, koalas, but they have a bridge going over the freeway - - -

MR CRINNION: Yes.

5 MR COUTTS: - - - which is totally vegetated.

MS LEESON: I've seen - - -

MR COUTTS: Which is the crossing for the – for animals.

10 MR CRINNION: Yes. Arboreal animals, yes.

MR COUTTS: It's amazing.

15 MR GAINSFORD: Yes. There's many examples on the Pacific Highway.

MR CRINNION: The Pacific Highway, yes.

MR GAINSFORD: In particular, the Pacific Highway.

20 MR COUTTS: Yes. Although they tend to just be little - - -

MR CRINNION: Rope bridges.

25 MR COUTTS: - - - rope bridges.

MR GAINSFORD: There are a couple of land bridges, I think.

MS LEESON: There's some vegetated ones, yes.

30 MR GAINSFORD: At Bonville, I think.

MR COUTTS: Yes. Is it? Yes.

35 MR CRINNION: There are, yes.

MS LEESON: Yes.

MR COUTTS: Because it's quite impressive, I must say. Yes.

40 MR CRINNION: Yes, yes.

MS LEESON: Okay.

45 MR CRINNION: If you're comfortable, I will move on to traffic and some of the traffic related issues.

MS LEESON: Yes, please.

MR CRINNION: So I mentioned the construction traffic before, but moving onto the operational traffic. So the proposal would significantly increase operational traffic to the precinct. I think the applications estimate up to 1458 return truck movements per day associated with this Moorebank Precinct West.

MR COUTTS: When you say “operational”, are you talking post-construction?

MR CRINNION: Yes, that’s correct.

MR COUTTS: So is that - - -

MR CRINNION: Is that what we’re talking about here? Yes.

MR GAINSFORD: I think it assumes a full build.

MR CRINNION: A full build, does it?

MR COUTTS: Is that 24/7?

MR GAINSFORD: The proposal is now 24/7.

MR COUTTS: Yes.

MS LEESON: Yes.

MR COUTTS: So that truck movement is over a 24/7 period.

MR CRINNION: Yes.

MR GAINSFORD: As I understand it.

MR CRINNION: Yes. So one of the implications, I guess, of intensifying the amount of truck movements in the area was from RMSs point of view, to come to a voluntary planning agreement associated with a contribution to regional road upgrades. So that has been one of the key aspects that’s, I guess, been something we’ve been waiting for to be agreed to before we could finalise our assessment and refer it to the IPC. That’s now in place, so that’s a \$48 million contribution to RMS.

MS LEESON: And how will that work be implemented? Is RMS giving some commitment to a timing of those works to coincide with this reaching full completion or earlier?

MR GAINSFORD: There’s no direct commitment to what those works might entail, so it’s a general development contribution to the broader regional network. There are specific road network updates that will take - - -

MS LEESON: That makes it sound a little bit like someone stuck their finger in the air and pulled out a number. Is there any more science to what the 48 million comprises?

5 MR GAINSFORD: There were - - -

MR CRINNION: Yes.

MR GAINSFORD: Yes.

10

MR CRINNION: Yes, there was. So there was and, obviously, RMS could speak to this better than we can, but there were a – there is a series of programmed upgrades that RMS have on their program to look at in the general vicinity. And so my understanding is that they've costed a number of those upgrades and they've timed a

15 number of those upgrades and then apportioned a level of impact, if you like, or a level of responsibility to the development and that's what's driven this number.

MR COUTTS: Right.

20 MS LEESON: Okay.

MR CRINNION: As to how those projects roll out, because they will be subject to
- - -

25 MS LEESON: So that's still just a contribution to an upgrade - - -

MR CRINNION: That's correct.

MS LEESON: - - - rather than the complete upgrade.

30

MR CRINNION: That's correct. So there are upgrades that are associated with this development itself that are not part of that contribution. So - - -

MS LEESON: So that's Moorebank Avenue, Anzac Avenue and - - -

35

MR CRINNION: That's correct, yes. So the Moorebank Avenue, Anzac Road intersection is a commitment and there's also upgrades to Moorebank Avenue and the intersections with the M5 and Heathcote Road.

40 MR GAINSFORD: So they form – there are a number of additional upgrades that David mentioned that form part of the MPE stage 2 consent that was issued by the Commission. So there are those upgrades of the M5 intersection to the north and to Moorebank Avenue, the northern section of Moorebank Avenue. They are aligned to the Moorebank Precinct East delivery. And there is currently a modification before

45 the department about the timing of completion of those works. My understanding is that the applicant is developing its plans for the actual intersection treatments that would happen as part of that process, as part of MPE Stage 2. So the context is for

the project that the VPA was required for this project. The upgrade of Moorebank Avenue and Anzac Road was required for this project, because that's a site access. But the other intersection upgrades to the north form part of the MPE Stage 2 consent and they will be delivered in accordance with the requirements of that consent.

5

MS LEESON: Okay. We might separately talk to RMS, David, I think - - -

MR GAINSFORD: Yes.

10 MS LEESON: - - - just to get their views on the timing of some of these.

MR CRINNION: Yes, I - - -

MR GAINSFORD: I think that would be worthwhile.

15

MR CRINNION: I wanted to give a bit of context about the VPA. So the department's assessment report includes the satisfactory arrangement certificate issued by delegate of the secretary and that includes reference to the entirety of the VPA and the VPA includes that cash contribution that David explained. It also includes a realignment of Moorebank Avenue around the MPE site. That is future works, the delivery of those works is subject to a future separate development application so it is included in the VPA as a commitment by the developer to pursue but it doesn't form part of the current applications. It doesn't form part of either of the concept plans so it is subject to future environmental assessment and a future planning determination.

20
25

MR GAINSFORD: So the applicant - - -

MS LEESON: By the applicant, not by – so it would be an – who would be doing those works?

30

MR GAINSFORD: So RMS and the applicant are, I guess, having discussions at the moment as to who will take the lead - - -

35 MS LEESON: Okay. Okay.

MR GAINSFORD: - - - in terms of developing that project but, as Dom was saying, part of the VPA goes to pushing forward that development. And, I mean, the logic behind that, I guess, from the applicant's point of view is that as they're developing Moorebank Precinct West and looking to operate very much this project as one project - - -

40

MS LEESON: Intuitively, it seems a sensible position.

45 MR GAINSFORD: - - - trying to transfer between both sites with Moorebank Avenue in the middle of it makes – is very difficult so - - -

MR CRINNION: So the – so the VPA sets up a – that as an option but if planning approval wasn't granted to that proposal, then an alternate option in the VPA is the upgrade of Moorebank Avenue in its current alignment. So the VPA requires an upgrade of Moorebank Avenue either in its current alignment or via that diversion.

5 MS LEESON: By relocation. Okay. Thanks.

MR GAINSFORD: And upgrade is largely making it four lanes rather than – rather than two lanes so that's – that's the main.

10 MS LEESON: Would it put any grade separation in between the two terminals, east and west?

MR GAINSFORD: Not clear - - -

15 MS LEESON: Doesn't sound like it 48 million.

MR GAINSFORD: Yes, not clear at this stage.

20 MR CRINNION: The – the – the Moorebank Avenue upgrade is an addition to the 48 million contribution.

MR GAINSFORD: Yes.

25 MS LEESON: I beg your pardon.

MR GAINSFORD: Yes.

MS LEESON: Okay.

30 MR GAINSFORD: Yes. So the 48 million is very much for the regional - - -

MS LEESON: Yes, sorry.

35 MR GAINSFORD: Yes.

MS LEESON: You did say that, I'm sorry.

MR GAINSFORD: Yes. That's okay. Look, they were probably the main points I wanted to cover. We obviously haven't gone into detail around other environmental aspects associated with noise and those sorts of things but they're probably the key elements of our assessment.

40 MS LEESON: Your report says that – and we will hear from council in due course, whether it's face to face or in a submission – but your report says that:

45

Council has asserted the technical reports provided with the application are inadequate.

5 We've touched on some of them, sort of, around the stormwater design and what have you but, by and large, the department to have conditioned – you know, recommended approval and conditions, you're comfortable that if there are any shortcomings in the technical reports that they've either been addressed or they can be addressed through conditions.

10 MR GAINSFORD: That is our view, yes.

MS LEESON: Okay.

15 MR GAINSFORD: That is our view. I mean, you know, I did make mention before that council have had a history of objecting to - - -

MS LEESON: Yes, yes.

20 MR GAINSFORD: And, notwithstanding that, I know the applicant is continuing to engage with council and we have occasional conversations with council as well, we also know that they've had concerns about the level of detail in all sorts of plans associated with development on the Moorebank Precinct east side as well so I guess it's not a huge surprise to us that there was those concerns that were raised.

25 MR CRINNION: And we commissioned for technical studies to support our assessment - - -

MR GAINSFORD: Yes, yes.

30 MR CRINNION: - - - so we had our stormwater drainage specialists review, air quality assessment, a noise assessment review and a traffic report and so they did identify some gaps in the assessment and there was responses given to those throughout the assessment process by the applicant and so a number of the conditions have been designed noting that if there were gaps and they were responded to, you
35 know, have they been closed out or can they be closed out the conditions.

So a number of the drainage conditions in particular specifically require verification works as the final design is finalised and similar, I guess, with the noise review as an example, though it didn't – may not have identified substantial issues with particular
40 aspects of the noise report, it does present noise criteria limits that they've adopted across the precinct and we've been and had the benefit of using specialists who had reviewed previous sections of the project so they were able to pick up issues across the development and respond to those refined conditions.

45 MS LEESON: But raising the level of the site brings to mind two other issues, which is around noise and the noise wall and the location of that and around visual impairment.

MR GAINSFORD: Yes.

MS LEESON: Has the applicant, in your – I guess you were recommending approval with conditions.

5 MR GAINSFORD: Yes, yes.

MS LEESON: Can you just describe to us a little bit more where the noise wall is going to go and that it does meet increased height and then also just talk us through the visual assessment that's been done - - -

10 MR GAINSFORD: Yes.

MS LEESON: - - - given the raised height.

15 MR GAINSFORD: Yes. Do you want to try and take that on

MR: Yes.

20 MS LEESON: Sorry to muddle up two things at once but - - -

MR GAINSFORD: No, no, no, that's fine. They're interrelated, obviously.

MR CRINNION: I might have to defer back to the assessment report so unfortunately this diagram of the noise wall may not be very legible.

25 MS LEESON: Well, that is a challenge in trying - - -

MR CRINNION: It is a challenge.

30 MS LEESON: Trying to look at the diagrams.

MR CRINNION: I can provide a - - -

35 MR GAINSFORD: We can give you a - - -

MR CRINNION: An A3 copy.

MS LEESON: If you could, that would be terrific. Thank you.

40 MR CRINNION: So this is a diagram of the site. The green wall is the noise wall that was adopted for the noise study.

MS LEESON: So this - - -

45 MR COUTTS: Right.

MS LEESON: - - - is page 65 of the assessment report.

MR CRINNION: That's correct. And so this is presented in both the EIS and the noise and vibration impact assessment technical report that supported it. So the
5 modelling was done on the basis of the wall along the western so to the west of all the warehouses.

MS LEESON: Yes.

10 MR CRINNION: The assessment was done on the basis that the noise wall - - -

MR COUTTS: Yes, 19, you can picture it coming along out the western side of that road, I guess; is that right? Is that what - - -

15 MR GAINSFORD: Yes.

MR CRINNION: Yes, that's correct.

MR COUTTS: Or the bigger plan, yes. I see. And then there's a gap in the wall as well, isn't there?
20

MR CRINNION: Yes. So can we go to the landscape plan.

MR COUTTS: Yes, I think it's 19.
25

MR GAINSFORD: Yes.

MR CRINNION: Yes. So the wall follows - - -

30 MR COUTTS: The western

MR CRINNION: Yes, so the wall goes along the western boundary road.

MR COUTTS: Yes.
35

MR CRINNION: And it was – we consider that was relied upon as a key noise mitigation measure. It's five metres above the finished ground level, and so it was essentially adopted based on a flat site with operations to the east and the warehouses in the configuration that's presented on that diagram. So the applicant, through the
40 process, the initial process was relying on the noise wall as – throughout the assessment, later in the assessment requested that consideration be given to the noise wall as an option that could be further reviewed post-approval and potentially replaced by some alternate noise barrier or noise mitigation process.

45 MS LEESON: Do the warehouses themselves form some sort of noise barrier - - -

MR CRINNION: Yes.

MS LEESON: - - - to the west anyway?

MR CRINNION: Yes. Yes.

5 MS LEESON: Yes.

MR GAINSFORD: It was largely being driven by the haul road, though, wasn't it, too?

10 MR CRINNION: Partly.

MR GAINSFORD: Too, yes.

MR CRINNION: So there's part – the part aspect of the heavy vehicles accessing via the west, but also there is some impact, particularly, as I understand it, between the two norther warehouses, that there would be some noise impact from operations of the terminal at that northern component, potentially - - -

15

MS LEESON: Right.

20

MR CRINNION: - - - because that's where the locomotives are pulling into the site.

MS LEESON: Yes.

25

MR CRINNION: So noise impacts could potentially be reduced through a noise wall constructed between those two or a number of other of the warehouses. However, we think that as a result of the reliance upon the wall in how it was presented in the modelling, that there wasn't sufficient information to be able to say that the noise impacts could be controlled without it. And we do know that there's some predicted exceedances of the adopted project-specific noise levels in Casula, so on that western side. So we thought that the best risk-averse process for the consent would be to adopt that noise wall.

30

MR GAINSFORD: And if it was found - - -

35

MS LEESON: And does it run round the northern perimeter of the site?

MR CRINNION: Up to Bapaume Road.

40

MS LEESON: Which is this one, is it? Oh, this one.

MR CRINNION: This road here, yes. So the road that - - -

MS LEESON: Between that truck parking area.

45

MR COUTTS: Yes, right.

MR CRINNION: Yes.

MS LEESON: Okay.

5 MR CRINNION: So that's the access to the ABB site.

MS LEESON: We might - - -

MR CRINNION: Yes.

10 MS LEESON: I know I've jumped from one thing to another, but can we just talk about the ABB site, because it now presumably is at a lower level than if this is approved. This site will be raised; the ABB site will be at a lower level. There was concern about flooding and stormwater impacts on that.

15 MR CRINNION: Yes. So - - -

MS LEESON: Has the technical assessment of the – the technical report of the proponent addressed that adequately?

20 MR CRINNION: Well, we have recommended conditions to reduce that as a potential impact on the ABB site. So we've required retention of their access, that's one thing.

25 MS LEESON: That's a good start.

MR CRINNION: But we've also required further information and we've recommended that a maintenance access be provided between fill slopes on that northern boundary, so we've required – we're requesting that the development layout

30 be amended to provide additional setback on the northern perimeter. So that's currently recommended condition B to F. And then we've required a separate paragraph G, which is a maintenance access to the north of that fill-batter slope.

MS LEESON: Okay.

35 MR CRINNION: So as to reduce those potential for edge effects on the ABB site. So we did have some diagrams about the current

MR COUTTS: Were they satisfied with that?

40 MR CRINNION: Are we?

MR COUTTS: Are they?

45 MS LEESON: Are they?

MR HANN: ABB.

- MR COUTTS: ABB.
- MR CRINNION: ABB, we would have to confirm with ABB in particular.
- 5 MR COUTTS: So they haven't given you any indication yet as to whether they're satisfied or otherwise with the conditioning?
- MR CRINNION: No.
- 10 MR GAINSFORD: We haven't consulted with them as part of getting the conditions together. But we obviously did receive the submissions from them.
- MS LEESON: The submission. Okay.
- 15 MR GAINSFORD: Which I think raised some strong concerns about access, in particular.
- MR HANN: And stormwater, I think, was the other, wasn't it?
- 20 MS LEESON: Yes.
- MR HANN: Yes.
- MR GAINSFORD: Yes. Okay. Okay.
- 25 MS LEESON: Okay. So, sorry, then the visual impact issue?
- MR GAINSFORD: And the visual, yes.
- 30 MR CRINNION: So, again, I don't have a large-scale plan. I can provide some large-scale pictures, but they would be blown up from what was presented in the applicant's EIS.
- MR GAINSFORD: So they did do some visual perspectives of – from Casula, on the basis of, as you say, the raised site, with the warehouse sort of rooftops as they're proposing. And I think our conclusion was that the impacts were not significant.
- 35 MR CRINNION: They were low to moderate, I think, is what the conclusion of the applicant was. And I don't think we necessarily disagree with that. There is some screening - - -
- 40 MR GAINSFORD: From the conservation area.
- MR CRINNION: - - - but it would certainly be visible from a number of different vantage points on Casula, over the rail line, so - - -
- 45

MR GAINSFORD: You know, I mean, obviously it's now a couple of metres higher than what it was, but from our conclusion we didn't think that was significant.

5 MR CRINNION: Yes. And we understand that has been – it has been – the photo montages that are presented in the EIS or the supplementary documentation that was provided after exhibition - - -

MS LEESON: They're survey verified or - - -

10 MR CRINNION: I couldn't confirm that they're survey verified, but it certainly has been asserted to us that they're on the basis of that raised – those raised levels.

MS LEESON: Okay. Thank you.

15 MR COUTTS: So what's the view of the applicant, aside from the noise wall and the stormwater issues which are still backwards and forwards? Is the applicant generally happy with the conditioning as it stands now or - - -

20 MR GAINSFORD: That's our understanding. You know, we have gone through a series of negotiations on the draft conditions, as we have for previous applications. And, you know, I guess we've got to a point where obviously we haven't agreed on everything, but largely there. And I think it's what you were referring to before as that a number of the conditions are very similar to what has been – well, what has been put in place for Moorebank Precinct East.

25 MR CRINNION: Yes.

MR GAINSFORD: And so there's a familiarity with the requirements of those conditions. But you're right to sort of properly identify the stormwater management plans and perhaps the noise-wall condition as two of the ones that have been most difficult to get to the point where we have. And the applicant may continue to have a view that they will express to you about those conditions.

35 MS LEESON: Okay. We will hear what they have to say.

MR GAINSFORD: Yes.

MS LEESON: Okay.

40 MR CRINNION: Just in terms of managing, because it obviously is a fairly complex project with fairly complex conditioning as well, I mean, your compliance guys are obviously going to have to spend a fair bit of time at this site making sure that it's all operating according to your expectations.

45 MR GAINSFORD: And we also have an environmental representative recommended as part of this. So in many ways we're sort of treating it as we do for some of our major linear infrastructure projects, again because of the scale. We

think that that's sort of a good model to adopt, so that helps. But the project is complex, because, you know, it's one of those rare sort of projects where you've got part of the development that's effectively very close to operation, almost in an operational sense, other parts that are – and you will see this on Tuesday – well and truly under development and being built, other parts that are at very initial stages of construction and demolition and some that are still, you know, on the drawing board, if you like. So it's quite complex from that point of view and, you're right, from a compliance point of view. And because there's two different approvals, which is why, you know, we're trying as best we can to have consistency across those conditions, so that if, you know, we need to take some enforcement action or we need to at least completely understand what the activities are on site, we've got some fairly clear guidance. So - - -

MR CRINNION: The intent is to reflect conditions that have been used on past projects, particularly where they have worked or they have been through a process, so we would recommend the conditions particularly around the best practice requirements for the use of the rail link connection and the rail link. So the increased use of that as part of this project would be subject to similar requirements for the MPD project and they have worked through the post-approval consultation and the development of those plans with a specialist agency such as EPA, so a number of those conditions that have been imposed work through the process and have worked are adopted again for this consent recommendation.

MS LEESON: Have they flagged – I haven't been through all the documents in an operational sense, but truck driver's behaviour in terms of a truck driver management plan for either east or west, because sometimes truck drivers say, well, actually, I want to go along another road because it's easier. So the potential for rat running, whether it's Cambridge Avenue or other places - - -

MR GAINSFORD: Yes. Yes.

MS LEESON: - - - are there sufficient mitigations in place to – or management plans in place to ensure truck driver behaviour?

MR CRINNION: So in addition to the restriction on Cambridge Avenue which is adopted in the consent, we do have a requirement for driver code of conduct, so we do apply that condition to many of our freight and logistics projects in the so there is a – there is some level of practice within projects about how that would work, but - - -

MS LEESON: And with the benefit of experience of those, are they working well, those codes of behaviour, or are you finding problems?

MR CRINNION: I think it comes down to not just that plan, but also just the broader education and then the monitoring that's happening across the project. So it's not the single source of resolving those kind of potential issues. Certainly we

have recommended monitoring of truck movements along Cambridge Avenue as part of these Moorebank intermodal consents.

5 MR COUTTS: You've got a camera, I think make sure people don't do a left turn or whatever it is up

MS LEESON:

10 MR GAINSFORD: And the other thing I was going to add is that I think now, with the benefit of experience in some other projects, things such as Westconnex and others where this has been a live issue around, you know, driver behaviour, we have actually taken compliance action on some of those projects. So, you know, I think Dom's right that there's a series of sort of levels of trying to get good behaviour that the department can help influence, so.

15

MS LEESON: Okay.

20 MR COUTTS: You're hamstrung somewhat in that sense in the only way you're going to get better truck driver behaviour is to move away from the piecemeal contracting arrangements and apply to these truck drivers so they don't drive like maniacs to get to the next job, because they're paid on load basis.

MR GAINSFORD: You're right. That's the whole – that's – yeah.

25 MR COUTTS: And it's a killer for the trucking industry, really.

MR GAINSFORD: Yes. Yes. That's a whole another topic, yeah.

30 MR COUTTS: It is. I mean, it's a – I think it's a real problem.

30

MR GAINSFORD: Yeah.

MS LEESON: John, anything you want to ask?

35 MR COUTTS: Not part of this

MR HANN: Look, overall, I mean, obviously, there's some differences between the applicant's view of what they think is satisfactory and what you've - - -

40 MR GAINSFORD: Yes.

MR HANN: - - - put forward in your assessment report.

45 MR GAINSFORD: Yes.

MR HANN: What's – the – is there any – any of them that are involving significant pushback from the applicant? I mean, obviously they've seen the proposed conditions.

5 MR GAINSFORD: Yes.

MR HANN: And now would have been the time, I would have thought, for them to be arguing strongly. Can you give us any guidance there?

10 MR GAINSFORD: Look, I – obviously, we can't speak for the applicant. They will speak for themselves. I mean, I think – this has taken a long time from when the application went on exhibition and that has largely been driven by negotiating the voluntary planning agreement.

15 MR HANN: Yes.

MR GAINSFORD: If there has been a silver lining to that, it has actually meant that we have been able to really work through these issues in quite a bit of detail with the applicant.

20

MR HANN: Yes.

MR GAINSFORD: To the extent that, you know, we've got a set of conditions now that have – has been negotiated. As I say, they may not still be comfortable with all the limits of that, but I think we've actually got that a lot further advanced than perhaps we would have been if we were presenting this to you 12 months ago or six months ago, so.

25

MR HANN: Sure.

30

MS LEESON: Okay. Well, good.

MR COUTTS: I must say, I thought it was a very good report.

35

MR GAINSFORD: Great. Well, credit to Dom.

MS LEESON: Yes.

MR GAINSFORD: Dom really has been the one that has been writing this, so.

40

MR COUTTS: Well, that was very good. Very detailed.

MS LEESON: Very well put-together.

45

MR HANN: It was thorough.

MR COUTTS: So well done.

MS LEESON: All right. Was there anything else that you wanted to - - -

MR COUTTS: No, no, I think we've covered off

5 MS LEESON: All right. Thank you very much.

MR GAINSFORD: Thank you.

10 MR HANN: Thanks, Dom. Thanks, Tony.

MR GAINSFORD: Thank you.

MR COUTTS: Thank you.

15 MR HANN: Thank you.

MR CRINNION: Thank you.

20 **RECORDING CONCLUDED**

[4.08 pm]