



Ms Dianne Leeson  
Chair, Independent Planning Commission Panel  
Level 3, 201 Elizabeth Street  
Sydney NSW 2000

Dear Ms Leeson

I refer to correspondence from Ms Xanthe O'Donnell of the Commission Secretariat, dated 18 October 2019, requesting that the Department of Planning, Industry and Environment update and reissue the recommended Modifying Instrument for the Moorebank Intermodal West Concept Plan and Stage 1 (MOD 1) to reflect conditions drafted for the Moorebank Intermodal Precinct West Stage 2 (specifically, B2 (a) (i) and (ii) concerning the riparian corridor).

The revised modifying instrument is attached. The Department has also drafted a revised Consolidated Instrument for the Commission's use that reflects these changes. Finally, for reference, a summary of the recommended changes is also provided as Attachment 1 to this letter.

Should you have any further queries, do not hesitate to contact Dominic Crinnion at the Department by email at [Dominic.Crinnion@planning.nsw.gov.au](mailto:Dominic.Crinnion@planning.nsw.gov.au) or by phone on 9274 6495.

Yours sincerely

**David Gainsford**  
**Executive Director**  
**Infrastructure Assessments**

Encl: Revised Modifying Instrument and Consolidated Instrument

Attachment 1: Summary of recommended changes

## Attachment 1

Recommended wording for Concept conditions reflecting higher level requirements of recommended MPW Stage 2 condition B2 (a) (additions in **bold, underlined red text**; deletions in ~~red strikethrough text~~).

1. Add new Concept condition 18B as follows:

**18B. The site must include provision of a riparian corridor, comprising the following:**

- (i) **a buffer zone to the most inland of:**
  - **40 metres from the top of bank, as surveyed by a registered surveyor, or**
  - **the 1% AEP flood extent, excluding the localised depression at the existing major east-west drainage channel, and**
- (ii) **an additional 10 metre extension to the buffer zone established in (i) above, where native vegetation is located on or within 10 metres east of the buffer.**

2. Amend existing recommended Concept condition E16 as follows:

E16. All future Development Applications shall include the following **vegetated** riparian corridor widths (measured **landward** from the top of bank) **and provide detailed drawings demonstrating compliance with this requirement:**

- a) a minimum of 50 metres wide associated with the rail corridor;  
~~and~~
- b) a minimum of 40 metres wide along the terminal site-; **and**
- c) **compliance with condition 18B.**