

Moorebank Freight Intermodal Precinct

This document answers frequently asked questions about Chapter 6 - Moorebank Freight Intermodal Precinct in the State Environmental Planning Policy (Transport and Infrastructure) 2021

What is the Moorebank Freight Intermodal Precinct?

Moorebank Freight Intermodal Precinct (the Precinct) is one of Australia's largest freight infrastructure developments and will become a key component of Sydney's freight network. The Precinct is essential in protecting and strengthening the NSW and Australian economy.

Significantly, it will transform how containerised freight moves across Sydney and regionally by linking Port Botany directly to rail terminals and warehousing by rail to the Southern Sydney Freight Line and Western Sydney Aerotropolis. The Precinct will also reduce the growth in the number of container trucks travelling between Port Botany and west/south-west Sydney and between Sydney and other capital cities or regional areas.

The Precinct includes an intermodal freight terminal and connections to existing freight rail and motorway networks. It facilitates efficient freight distribution, creating up to 6,800 jobs, bringing about \$11 billion in economic benefits, and spurring economic growth and industry in South West Sydney.

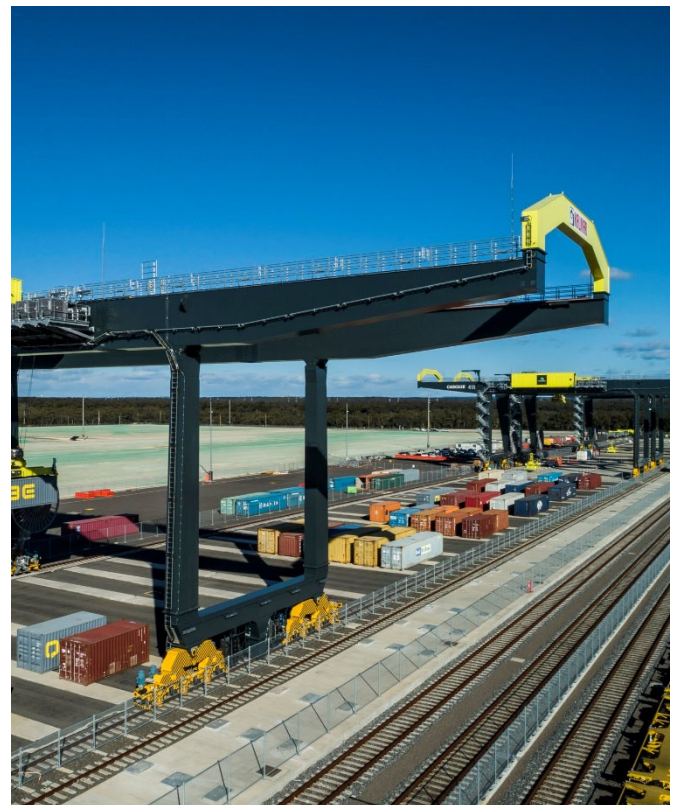


Figure 1 - Moorebank Freight Intermodal Precinct

What is an intermodal facility?

Intermodal facilities involve transporting freight in a container from one mode to another, such as trucks, rail and ships. Some facilities like Moorebank can transfer containers without handling the freight itself when changing modes. Put simply, products stay in the same container for the entire haul and are not unloaded.

Intermodal terminals provide connectivity to ports, regional networks and other capital cities and locations. Efficient intermodal terminals can also increase freight operators' flexibility and decrease the supply chain's overall cost.

Where is the Precinct located?

The 243-hectare site is located in the Liverpool local government area in the suburb of Moorebank. Its location is integral as it is adjacent to the Southern Sydney Freight Line freight railway line, the M5 motorway and close to the M7 motorway and the Western Sydney Aerotropolis. Port Botany is located approximately 26 km directly to the east of the site, or 33 km by road, with the Sydney CBD 27km to the north-east.

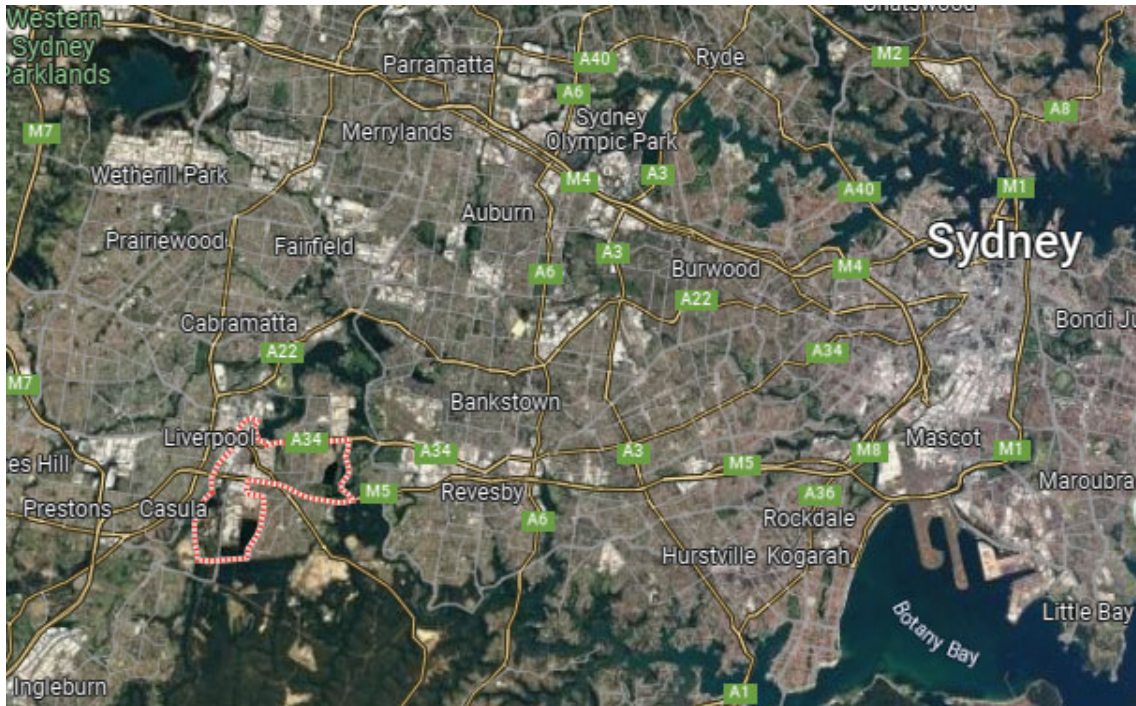


Figure 2 - Map showing suburb of Moorebank (pink outline)

What type of uses will the Precinct include?

Once completed, the Precinct will include (but may not be limited to);

- An import-export (IMEX) Rail Terminal with the capacity to handle up to 1.05 million twenty foot equivalent units (TEU) a year of international containerised freight.
- An Interstate Rail Terminal with a capacity to handle up to 500,000 TEU of interstate and regional freight per year.
- Up to 850,000 square metres of high-specification warehousing where containers can be unpacked before delivery of their contents to its final destination.
- Auxiliary facilities, including retail and services.
- A rail connection to the Southern Sydney Freight Line (SSFL), including a dedicated freight rail access to Port Botany.
- Substantial biodiversity offset areas protected from development, including vegetation on the east bank of the Georges River

Which planning pathways apply to the Precinct?

The NSW planning system has a risk-based approach to development. The type of consent or approval required, if any, depends upon the scale and potential impacts of the development. There are three assessment pathways that apply to the Precinct: minor or small developments are permitted without any approval as exempt development; larger building works are permitted as complying development; and more significant development requires consent from a consent authority through a development application.

The Environmental Planning and Assessment Act 1979 (EP&A Act) is the principal planning legislation for NSW. It provides a framework for the overall environmental planning and assessment of proposals. Part 3 of the EP&A Act provides for the formation of Environmental Planning Instruments (EPIs) in the form of Local Environmental Plans (LEPs) or State Environmental Planning Policies (SEPPs), which in turn outline the permissibility of development and respective controls and approval requirements.

Table 1 Possible planning pathways for the Precinct

Legislation		Pathway		
Name of EPI	Relationship to the Precinct	Exempt Development	Complying Development	Development Consent
SEPP (Planning Systems) 2021	Some types of development are deemed to have state significance due to their size, economic value or potential impacts.	Does not include an exempt development planning pathway.	Does not include a complying development planning pathway.	Development that is of significance to the State and requires development consent from the Minister.
SEPP (Transport and Infrastructure) 2021 (Chapter 6)	Chapter 6 enables certain development to progress through exempt and complying development pathways.	Includes exempt development provisions specific to the Precinct.	Includes complying development provisions specific to the Precinct.	Does not include a development consent planning pathway.
SEPP (Exempt and Complying Development Codes)	This SEPP applies to all other exempt and complying development that is not covered in the SEPP (Transport and Infrastructure) 2021	Applies to any other exempt development not covered in the SEPP (Transport and Infrastructure) 2021	Applies to any other complying development not covered in the SEPP (Transport and Infrastructure) 2021	Does not include a development consent planning pathway
Liverpool LEP 2008	As most of the site is zoned IN – General Industrial, standards will still need to be considered, and any other development types not covered in the above EPI's applies to the Precinct.	Applies to any other exempt development not covered in the above EPI's	Applies to any other complying development not covered in the above EPI's	This applies to any other development not covered in the above EPI's and requires development consent from the council.

What has already been approved?

The Precinct has been split into two sub-precincts, Moorebank East and Moorebank West. Various existing planning approvals apply to the site within these precincts, including concept approvals, detailed development consents and modifications to those multiple consents. A Voluntary Planning Agreement has also been negotiated for the site.

The NSW Department of Planning and Environment has assessed and approved the sub-precincts through a rigorous state significant development (SSD) assessment process. This process identifies the environmental impacts of the Precinct and will mitigate each impact through conditions that the precinct operator must meet during and/or after construction. Existing development consent condition obligations will continue to apply when undertaking development at the site as exempt or complying development.

What is the Transport and Infrastructure SEPP, and what does it do?

The government uses SEPPs to deal with matters of State or regional planning significance. The Moorebank Precinct has its own chapter within the Transport and Infrastructure SEPP 2021 (T&I SEPP).

[Click here to see the Moorebank chapter of the T&I SEPP](#)

The chapter enables certain development to progress through exempt and complying development pathways. This allows for efficient delivery of the Precinct so that benefits can be unlocked faster and impacts properly mitigated.

The T&I SEPP is consistent with other policies in the NSW planning framework. The Department has adopted a similar approach in other environmental planning instruments, such as in the *T&I SEPP Chapter 5 - Three Ports*. These allow the efficient development and redevelopment of land at the ports.

What are the new planning pathways in the Precinct?

T&I SEPP Chapter 6 permits specific development in the Precinct as either 'exempt development' or 'complying development'. The T&I SEPP applies these two different planning approval pathways to development depending on their scale.

What is exempt development?

Exempt development is a development that poses minimal impact on the environment. It includes any development that people may carry out without needing development consent. If the proposed works meet all development standards identified in the T&I SEPP, approval is not needed from Council.

What is allowed as exempt development in the Moorebank Precinct?

Development that could occur under this pathway includes uses such as car parks, driveways, minor building alterations, railway tracks, truck weighbridges, flagpoles, preloading works and bulk liquid storage tanks

[Click here to see exempt development in the T&I SEPP.](#)

T&I SEPP set out the complete list of development standards that must be fully satisfied before it can be considered exempt development. If it does not, then it is no longer exempt from development approval, and another approval pathway, such as a development application, must be used.

[Click here to see the relevant exempt development requirements in the T&I SEPP.](#)

What is complying development?

Complying development is a type of development that goes through a fast-track planning and building approval process. Complying development generally includes larger building works than exempt development. The developer/proponent needs to obtain approval from a certifier to ensure it meets acceptable standards before they can begin construction.

Who can assess and approve complying development?

A Complying Development Certificate application will be lodged with the certifying authority. Unlike a DA, the certifying authority that determines applications and issues complying development certificates can be the local council or a registered certifier.

The NSW Department of Fair Trading maintains an [online portal](#) of registered certifiers.

What is allowed as complying development in the Moorebank Precinct?

Development that could occur under the complying development pathway includes (but is not limited to) freight intermodal facilities and freight support facilities, warehouse or distribution centres, cranes, dry bulk storage silos and the placement of fill.

[Click here to see the complying development in the T&I SEPP.](#)

Like exempt development, complying development also has standards that must be fully satisfied. Development standards are criteria that manage the impacts of the installation.

What about the impacts of this development?

The T&I SEPP includes various provisions to manage the impacts of development, such as applying a maximum gross floor area within the Precinct of 850,000m² to limit traffic impacts

Certain complying development such as new warehouses and distribution centres, will need to meet additional requirements to ensure any impacts are acceptable, this includes:

- restricting the location of taller buildings within the site to limit visual impacts to surrounds.
- limitations to the hours of construction work
- 24/7 monitoring of heavy vehicle traffic at key intersections and requiring applicants to obtain a traffic certificate from the Planning Secretary to confirm there are no unacceptable impacts on the efficiency and safety of the surrounding road network

- independent road network performance audits as heavy vehicle movements increase beyond certain thresholds.

What is a Traffic Certificate?

The T&I SEPP requires proponents to obtain a Traffic Certificate from the Planning Secretary for certain developments. There are certain matters that the Secretary must be satisfied of before issuing a Traffic Certificate. The information that is required includes baseline traffic monitoring information, proposed vehicle movements for the development and an independent traffic audit in certain circumstances.

When will traffic audits take place?

The maximum number of heavy vehicle movements permitted in the Precinct per day is 10,789, under the current planning consents. Audits will occur when heavy vehicle movements pass key thresholds as they approach this maximum. An audit is triggered when a threshold has been breached consistently in the past 12 months. These thresholds are at:

- 25% - 2,700 heavy vehicle movements per day
- 50% - 5,400 heavy vehicle movements per day
- 75% - 8,100 heavy vehicle movements per day