Consolidated Consent

Moorebank Precinct West (SSD-7709)

SCHEDULE 1

Application Number:	SSD 7709
Applicant:	Sydney Intermodal Terminal Alliance (SIMTA) as Qube Holdings Limited
Consent Authority:	The Independent Planning Commission
Site:	Moorebank Avenue, Moorebank Lot 1 DP 1197707 Lot 100 DP 1049508 Lot 101 DP 1049508 Lot 2 DP 1197707 Part Lot 3 DP 1197707 s Part Anzac Road and Moorebank Avenue public road reserves
Development:	**Moorebank Precinct West Stage 2** (MPW Stage 2), comprising:

- Construction and 24/7 operation of an intermodal terminal (IMT) facility to support a container freight throughput volume of 500,000 twenty-foot equivalent units (TEUs) per annum, including:
  - a rail terminal with nine rail sidings and associated locomotive shifter
  - a rail link connection from the sidings to the rail link constructed under MPE Stage 1 (SSD 6766) to the Southern Sydney Freight Line (SSFL)
  - rail and truck container loading and unloading and container storage areas
  - truck waiting area and emergency truck storage area
  - container wash-down facilities and degassing area
  - mobile locomotive refuelling station
  - engineer's workshop, administration facility and associated car parking.

  Operation of the IMT facility includes operation of the rail link to the SSFL and container freight movements by truck to and from the Moorebank Precinct East (MPE) site.

- Construction and 24/7 operation of a warehousing estate on the northern part of the site servicing the IMT facility and including:
  - six warehouses with a total gross floor area (GFA) of 215,000 m^2 and, for each warehouse, associated offices, staff amenities, hardstands and truck and light vehicle parking
  - 800 m^2 freight village (operating from 7am to 6pm, 7 days/ week) including staff/ visitor amenities
  - internal roads, noise wall, landscaping, lighting and signage.

- Intersection upgrades on Moorebank Avenue at:
  - Anzac Road providing site access
  - Bapaume Road for left turn only out of the site.

- Construction and operation of on-site detention basins, bioretention/ biofiltration systems and trunk stormwater drainage for the entire site.

- Construction works and temporary ancillary facilities, including:
  - vegetation clearing, top soil stripping and stockpiling and site earthworks and temporary on site detention
  - importation of up to 1,600,000 m^3 of uncompacted fill, temporary stockpiling and placement over the entire site to raise existing ground levels by up to 3 m
  - materials screening, crushing and washing facilities
  - importation and placement of engineering fill and rail line ballast
  - installation and use of a concrete batching plant
  - utilities installation/ connection.

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DEFINITIONS

AEP	Annual Exceedance Probability
AHD	Australian Height Datum
ABB site	Lots 2 and 3 DP 32998 to the north-west of the site
Applicant	SIMTA, as Qube Holdings Limited, or any person carrying out any development to which this consent applies
ARI	Average Recurrence Interval
BCA	Building Code of Australia
BC Act	*Biodiversity Conservation Act 2016*
CCC	Community Consultative Committee
Certifying Authority	A person who is authorised by or under section 6.17 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
CFFMP	Construction Flora and Fauna Management Plan
CPESC	Certified Professional in Erosion and Sediment Control
Conditions of this consent	Conditions contained in Schedule 2 of this document
Consolidated Assessment Clarification Responses	"MPW Stage 2 – Consolidated assessment clarification responses", SIMTA memo dated 20 December 2018, and "Moorebank Precinct West (MPW) - Stage 2 Amended Proposal: Biodiversity Assessment Report — March 2019", prepared by Arcadis, dated 20 March 2019
Construction	Includes all works required to construct the development, including but not limited to demolition, importation of fill and fill placement, earthworks, removal of spoil, commissioning trials of equipment and temporary use of any part of the development. Notwithstanding the above, construction does not include the following **low impact work** which is completed prior to approval of the **CEMP**: (a) surveying including carrying out general alignment survey, installing survey controls (including installation of global positioning systems (GPS)), installing repeater stations, carrying out surveys of existing and future utilities and building and road dilapidation surveys; (b) investigations including investigative drilling, contamination investigations and excavation*;* (c) property acquisition adjustments including installation of property fencing, and relocation and adjustments of utilities to property including water supply and electricity; (d) relocation and connection of utilities where the relocation or connection has a minor impact to the environment and sensitive receivers as determined by the **ER**; (e) minor ancillary facilities established under **Condition A40**; (f) vegetation clearing required to conduct remediation, conducted following the approval of the Contamination Management Plan required under **Condition B164**, a Construction Flora and Fauna Management Plan under **Condition B154**, and Koala Management Plan under **Condition B152**; and (g) crushing and stockpiling of material generated from on-site remediation works and MPW Stage 1 works only, following the approval by the Planning Secretary of an environmental management plan for those crushing and stockpiling works inclusive of the requirements of **Conditions B29-B31** and **B134-B135**, and conducted in accordance with the version of that environmental management plan approved by the Planning Secretary; (h) maintenance of existing buildings and structures required to facilitate the carrying out of the development. However, where heritage items or threatened species or threatened ecological communities (within the meaning of the NSW *BC Act 2016* or Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*) are affected or potentially affected by any low impact work, other than work conducted in accordance with (f) above) that work is construction, unless otherwise determined by the Planning

	Secretary in consultation with OEH or DPI Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)
Council	Liverpool City Council unless otherwise stated
CTAMP	Construction Traffic and Access Plan
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Decommissioning	The controlled process of safely retiring a facility from service, including decontamination, dismantling and disposal after the cessation of operations.
DEC	Former NSW Department of Environment and Conservation
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department, the	NSW Department of Planning and Environment
Development	The development described in the EIS, Response to Submissions, and the Consolidated Assessment Clarification Responses
Development layout	The revised plans as required under **Condition** B2 of this consent
Development area	The area of the site outside the 40 m riparian corridor and any areas required for biodiversity offsets
DoP	Former Department of Planning
DPI	NSW Department of Primary Industries
Earthworks	Bulk earthworks, site levelling, use of imported fill material and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction of buildings, access and terminals.
EIS	The Environmental Impact Statement titled *Moorebank Precinct West - Stage 2 Proposal Environmental Impact Statement – (SSD16-7709)*, prepared by Arcadis, dated October 2016
ENM	Excavated Natural Material as defined in the POEO Act 1979
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
Environmental Representative Protocol	The document titled *Environmental Representative Protocol - October 2018*, or subsequent revisions as in force from time to time
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
EPL	Environment Protection Licence under the POEO Act 1979
ER	The Environmental Representative for the development
Estate Infrastructure	All infrastructure to support operation of warehouses including: (a) the intermodal terminal facility (including truck waiting area and emergency truck storage area), freight village, internal roads, noise wall, on-site detention basins, trunk stormwater drainage, water quality and drainage infrastructure, landscaping, lighting and signage; (b) warehouse truck and light vehicle parking, hardstands, offices, staff amenities and associated landscaping, lighting and signage; and (c) bushfire protection infrastructure
Evening	The period from 6 pm to 10 pm
Fibre ready facility	As defined in Section 372W of the *Telecommunications Act 1997* (Cth)
GANSW	Government Architect NSW
GFA	Gross Floor Area
Heavy vehicle	Has the same meaning as the *Heavy Vehicle National Law (NSW)*

Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the *Heritage Act 1977,* and assessed as being of local, State and/ or National heritage significance*,* and/ or an Aboriginal Object or Aboriginal Place as defined under the *National Parks and Wildlife Act 1974'*, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), or anything identified as a heritage item under the conditions of this consent
Highly noise intensive works	Works which are defined as annoying under the ICNG including: (a) use of power saws, such as used for cutting timber, rail lines, masonry, road pavement or steel work; (b) grinding metal, concrete or masonry; (c) rock drilling; (d) line drilling; (e) vibratory rolling; (f) rail tamping and regulating; (g) bitumen milling or profiling; (h) jackhammering, rock hammering or rock breaking; and (i) impact piling
ICNG	*Interim Construction Noise Guideline* (DECC, 2009)
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: "material harm" is defined in this consent
Intermodal Precinct area	Area inclusive of MPE site, MPW site, Moorebank offset area and the Wattle Grove offset area. See also, document titled 'Moorebank Intermodal Precinct West - MPW Stage 2 State Significant Development Application No. SSD 16_7709: Threatened Species Survey Results', prepared by Cumberland Ecology, dated 19 December 2018
IMT	Intermodal Terminal
NPI	Noise Policy for Industry (EPA, 2017)
Independent Reviewer	A suitably qualified and experienced person(s) who was not involved in the preparation of the EIS, Response to Submissions and any other supporting information submitted as part of the MPW Stage 2 or MPE Stage 2 applications, and is independent of the construction and design personnel for MPW and MPE and those involved in project delivery.
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that: (a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or (b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding $10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
MPE	Refers to the following developments: • Moorebank Intermodal Precinct East - Stage 1 (SSD 6766) • Moorebank Intermodal Precinct East - Stage 2 (SSD 7628) • any subsequent modifications associated with the above developments
MPW	Refers to the following developments: • Moorebank Intermodal Precinct West - Concept Proposal & Stage 1 Early Works (SSD 5066) • Moorebank Intermodal Precinct West – Stage 2 (SSD 7709) • any subsequent modifications associated with the above developments

Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
NML	Noise management level
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Occupation	**The commencement of the occupation or use of the whole or any part of the development** **[Inserted by SSD-7709-Mod-1]**
OEH	NSW Office of Environment and Heritage
OEMP	Operational Environmental Management Plan
Offset Area	Areas shown in Figure 5 of **Appendix 1**
Operation	Operation of any part of the development for its intended use
OSD	On-site detention
PA	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act
PAD	Potential archaeological deposit
PCA	Principal Certifying Authority in accordance with the EP&A Act
PFAS	Per- and poly-fluoroalkyl substances
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	*Protection of the Environment Operations Act 1997*
Rail link	Connection to the Southern Sydney Freight Line constructed under MPE Stage 1
Rail link connection	Connection from the intermodal terminal facility to the rail link constructed under MPE Stage 1
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
Response to submissions (RtS)	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act.
Riparian corridor	As defined in compliance with the requirements of **Condition B2**
RFS	Rural Fire Service
RMS	NSW Roads and Maritime Services
RNP	*NSW Road Noise Policy* (EPA, 2001)
SEL	Sound exposure level
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
Site	The land shown in Figure 1 of **Appendix 1**, marked with a red outline
Site Auditor	As defined in section 4 of the *Contaminated Land Management Act 1997*
Site Audit Report	As defined in section 4 of the *Contaminated Land Management Act 1997*
Site Audit Statement	As defined in section 4 of the *Contaminated Land Management Act 1997*
Southern fill area	Area south of where the 6 warehouses are to be built under this consent
Sub-stage	Development area within the overall Stage 2 development site

Suitably Qualified and Experienced Acoustic Engineer	An experienced acoustic engineer who possesses the qualifications to render them eligible for membership of both the Australian Acoustical Society and Institution of Engineers Australia at the grade of member or an experienced acoustic engineer who is employed by a member firm of the Association of Australasian Acoustic Consultants (AAAC).
SWMP	Soil and Water Management Plan
TEU	Twenty-foot equivalent unit container
TfNSW	Transport for New South Wales
Tree	Long lived woody perennial plant greater than (or usually greater than) 3 m in height with one or relatively few main stems or trunks
UHIM	Urban Heat Island Mitigation
VENM	Virgin Excavated Natural Material as defined in the POEO Act 1979
V:H	Vertical to Horizontal
Warehouse area	Northern part of site where 6 warehouses are to be constructed under this consent
Warehouse JN	**The warehouse known as Warehouse JN, identified as Warehouse 6 in the plan 'Precinct Modification Plan — Proposed' (Drawing No JR-SK-A-0-9402, Revision H), prepared by Bell Architecture and dated 26 November 2020)** **[Inserted by SSD-7709-Mod-1]**
Warehouse JR	The warehouse known as Warehouse JR, identified as Warehouse 5 in the plan titled **'Precinct Modification Plan — Proposed' (Drawing No JR-SK-A-0-9402, Revision H), prepared by Bell Architecture and dated 26 November 2020)** **[Inserted by SSD-7709-Mod-1]**
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
WSUD	Water Sensitive Urban Design
Work(s)	Any physical work for the purpose of the development including construction and low impact work (in relation to the definition of construction)
w/w	weight/weight
Year	A period of 12 consecutive months

SUMMARY OF REPORTING AND APPROVAL REQUIREMENTS

Reports and notifications that must be provided to the Planning Secretary/ the Department under the terms of this approval are listed in the Table below. Any appointments of persons requiring approval are also listed.

Condition	Report/ Notification/ Appointments	Timing	Purpose
Part A — Administrative Conditions			
A29	Community Consultative Committee (if a new CCC is proposed)	Prior to commencement of construction	Approval
A31	Community Communication Strategy	Prior to commencement of construction	Approval
A33	Environmental Representative	No later than one month before the commencement of works, or within another timeframe agreed with the Planning Secretary	Approval
A37(j)	Environmental Representative Monthly Report	Within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary	Information
A44	Staging Report	Prior to commencement of construction	Approval
A46	Notification of Commencement	At least two weeks before the commencement date	Information
A48	Pre-construction Dilapidation report	Prior to commencement of construction	Information
Part B — Specific Environmental Conditions			
Development Layout			
B2	Revised Development Layout Drawings	Prior to commencement of construction *Cannot be staged*	Approval
Soil and Water			
B4	Stormwater Design Development Report and Revised Stormwater System Design Drawings	Prior to commencement of construction (except to permit an initial stage comprising earthworks on land within 150m west of Moorebank Avenue along its alignment north of the overpass over the rail link) *Cannot be staged*	Approval
B7	Stormwater Design Independent Peer Review	Prior to commencement of construction With Stormwater Design Development Report and Revised Stormwater System Drawings	Information

Condition	Report/ Notification/ Appointments	Timing	Purpose
B29	Soil and Water Management Plan	Prior to commencement of construction **Part of the Construction Environmental Management Plan**	Approval
B32	Certified Professional in Erosion and Sediment Control (CPESC) reports	Monthly during construction, or as otherwise agreed by the Planning Secretary	Information
B36	Stormwater Infrastructure Operation and Maintenance Management Plan	Prior to commencement of operation **Part of the Operational Environmental Management Plan**	Approval
B38	Stormwater Quality Monitoring Program	Prior to commencement of operation **Part of the Operational Environmental Management Plan**	Approval
B39	Acid Sulfate Soils Management Plan	Prior to the commencement of construction **Part of the Construction Environmental Management Plan**	Approval
B47A	Operational Air Quality Management Plan	Prior to commencement of operation **Part of the Operational Environmental Management Plan**	Approval
Urban Design and Landscaping			
B52	Urban Design Development Report and Revised Landscape and Architectural Drawings	Prior to commencement of permanent built surface works	Approval
B55	Urban Design and Landscape Independent Peer Review	Prior to commencement of permanent built surface works With the Urban Design Development Report and Revised Landscape and Architectural Drawings	Information
B82	Landscape Vegetation Management Plan	Prior to commencement of operation **Part of the Operational Environmental Management Plan**	Approval
Traffic and Access			
B112	Road Safety Audit traffic management measures	Prior to the commencement of construction	Information
B112B	**Interim Operational Site Access Road Safety Audit traffic management measures**	**Prior to occupation of any warehouse on the site**	**Information** **[Inserted by SSD-7709-Mod-1]**

Condition	Report/ Notification/ Appointments	Timing	Purpose
B113	Construction Traffic and Access Management Plan	Prior to commencement of construction **Part of the Construction Environmental Management Plan**	Approval
B118	Operational Traffic and Access Management Plan	Prior to the commencement of operation **Part of the Operational Environmental Management Plan**	Approval
B120	Biannual Trip Origin and Destination Report	Within one month of its preparation, each six months following commencement of operation	Information
B120A	**Traffic auditor**	**Prior to the commencement of the Traffic Audit**	**Approval** **[Inserted by SSD-7709-Mod-1]**
B120B	**Traffic Audit report**	**Within 28 days of conducting the Traffic Audit**	**Information** **[Inserted by SSD-7709-Mod-1]**
B121	Workplace Travel Plan	Prior to the issue of any Occupation Certificate	Information
B122	Annual report on employee numbers	one year after commencement of operation of the IMT facility and for up to 5 years from occupation of the final warehouse	Information
B124	Driver Code of Conduct	Prior to commencement of construction	Information
Noise and Vibration			
B134	Construction Noise and Vibration Management Plan	Prior to commencement of construction **Part of the Construction Environmental Management Plan**	Approval
B135(g)	Out-Of-Hours Work Protocol	Prior to commencement of construction **Part of the Construction Environmental Management Plan**	Approval
B136	Operational Noise Management Plan	Prior to commencement of operation **Part of the Operation Environmental Management Plan**	Approval
B139	Monitoring Report for Mechanical Plant	Within two months of commencement of operation of the IMT facility and occupation of each tenancy	Information

Condition	Report/ Notification/ Appointments	Timing	Purpose
B140	Site Operational Noise Monitoring	Within 12 months of operation of the intermodal terminal facility; occupation of the first warehouse, 50% occupation of the site and 100% occupation of the site, or as otherwise agreed by the Planning Secretary	Information
B140	Site Operational Noise Report	Within 60 days of completion of noise monitoring	Information
B140A (e)	**Copy of the results of the noise survey**	Within one month of completion of the survey/s	Information
B140A (f) ix	**Residual Noise Impact Report**	Within three months of the attended noise survey/s	Information
B140A (g)	**Residual Noise Impact Mitigation Plan** (including **Proposal for At Property Noise Mitigation Plan** for each property)	Within 12 months of the Residual Noise Impact Report being completed	Information
B140A (i)	**Noise mitigation reports and plans, and summaries of the state of agreements reached with property owners, and the execution of at source, in transmission pathway and at receiver mitigation**	Every 6 months commencing from the completion of the Residual Noise Impact Mitigation Plan and Proposal for At Property Noise Mitigation Plans until all mitigations are completed	Information
B141	Rail Noise Monitoring System	Prior to commencement of operation	Publication
B142	Rail noise monitoring locations	Prior to commencement of operation	Approval
B143	Rail Noise Monitoring Report	Annually for a period of 5 years from commencement of operation, or as otherwise agreed by the Planning Secretary	Information
Heritage			
B144	Aboriginal Sites Salvage Strategy	Prior to impacts on Aboriginal objects and sites	Information
B147	Aboriginal Cultural Heritage Salvage Report	Within 12 months after completion of salvage works	Information
B148	Aboriginal Cultural Heritage Management Plan	Prior to recommencement of works in the vicinity of an Aboriginal object or Aboriginal Place	Approval
Biodiversity			

Condition	Report/ Notification/ Appointments	Timing	Purpose
B152	Koala Management Plan	Prior to vegetation clearing	Approval
B154	Construction Flora and Fauna Management Plan	Prior to vegetation clearing **Part of the Construction Environmental Management Plan**	Approval
B160	Operational Flora and Fauna Management Plan	Prior to commencement of operation **Part of the Operation Environmental Management Plan**	Approval
Contamination and Remediation			
B164	Contamination Management Plan (vegetated areas)	Prior to native vegetation clearing for the purposes of remediation under MPW Stage 1 (SSD 5066)	Approval
B167	Remediation Validation Report	Prior to commencement of construction (other than native vegetation clearing for the purposes of remediation under MPW Stage 1)	Information
B169	Site Audit Report and a Site Audit Statement A for the entire project site (completion of remediation under MPW Stage 1 SSD 5066)	Prior to commencement of construction (other than native vegetation clearing for the purposes of remediation under MPW Stage 1) *Cannot be staged*	Information
B171	Site Audit Report and a Site Audit Statement A for the entire project site area (completion of fill importation under this consent)	Prior to commencement of permanent built surface works	Information
B172	Long Term Environmental Management Plan Where remediation outcomes for the site require long term environmental management	Prior to commencement of construction (other than vegetation removal)	Information
Unexpected Finds			
B175	Unexpected Finds Protocol(s)	Prior to commencement of construction **Part of the Construction Environmental Management Plan**	Approval
Hazards and Risks			
B176B	**Fire Safety** **Final Hazards Analysis**	**Prior to commencement of construction**	**Information** **[Inserted by SSD-7709-Mod-1]**

Condition	Report/ Notification/ Appointments	Timing	Purpose
B176C	**Emergency Plan** **Safety Management System**	**Prior to commissioning**	**Information** **[Inserted by SSD-7709-Mod-1]**
B176D	**Hazard Audit**	**After commencement of operations, annually**	**Information** **[Inserted by SSD-7709-Mod-1]**
B179	Pre-Occupation Report (dangerous goods)	Prior to occupation of each premises and each new occupation	Information
Bushfire Management			
B191	Updated Bushfire Risk Management Plan	Prior to construction of permanent built surface works	Information
Emergency Response			
B194	Emergency Response Plan	Prior to construction and operation	Information
B195	Operational Bushfire Emergency and Evacuation Plan	Prior to occupation	Information
Freight Village and Warehouse Tenancy Activities			
B196	Tenant Activities	Prior to occupation and each new occupation	Information
Part C — Environmental Management, Reporting and Auditing			
C2	Construction Environmental Management Plan (CEMP)	Prior to commencement of construction	Approval
C5	Operational Environmental Management Plan (OEMP)	Prior to commencement of operation	Approval
C14	Compliance Monitoring and Reporting Program	Six weeks before the date notified for the commencement of construction and operation	Information
C14	Compliance Reports	At the frequency detailed in the Compliance Monitoring and Reporting Program, as derived in accordance with the requirements of the Department's *Compliance Reporting Post Approval Requirements* (2018)	Information
C16	Independent Audit Program	One month before the date notified for the commencement of construction and operation	Information

Condition	Report/ Notification/ Appointments	Timing	Purpose
C18	Independent Audits	At the frequency detailed in the Independent Audit Program, as derived in accordance with the requirements of the Department's *Independent Audit Post Approval Requirements* (2018)	Information

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

COMPLIANCE

A2. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

TERMS OF CONSENT

A3. The development may only be carried out:

(a) in compliance with the conditions of this consent;

(b) in accordance with all written directions of the Planning Secretary;

(c) in accordance with the EIS, Response to Submissions (RtS) and Consolidated assessment clarification responses; and

(d) in accordance with the management and mitigation measures in **Appendix 2**.

A4. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:

(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and

(b) the implementation of any actions or measures contained in any such document referred to in condition A4(a).

A5. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in **Conditions A3(c) – (d)**. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in **Conditions A3(c) – (d)**, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

***Note**: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.*

LIMITS OF CONSENT

Lapsing

A6. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

Construction Limits

A7. Only VENM, ENM, or other imported fill material approved in writing by EPA is to be placed on the site.

A8. The total volume of uncompacted fill to be imported must not exceed 1,600,000 m^3.

A9. Importation of imported fill must not exceed a total of **13,000 m^3** of material per day across this development and MPE Stage 2 (SSD 7628) on the same day.

[Amended by SSD-10431]

Note: Notice of Modification – SSD 7709 – Clause 97(1) of the Regulation

A10. No construction (including clearing and maintenance access) is permitted within the riparian corridor except for that identified on the revised drawings approved under **Condition B2** and activities associated with vegetation and stormwater management.

A11. No works in the riparian corridor outside the site are permitted under this approval.

***Note:** DPI (Lands) must be consulted on design, approvals and licencing for any works on Crown land for the purposes of discharging stormwater from the site (including scour protection/ erosion control).*

A12. No works are permitted by the Applicant within the RMS (M5 Motorway) land and no impact is permitted on Roads and Maritime drainage infrastructure system or on adjoining Roads and Maritime assets, without the consent of the RMS and M5 Motorway Operator (Interlink).

Operational Limits

A13. The container freight throughput for MPW must not exceed 500,000 TEU p.a.

A14. Containers that are transferred between the site and Port Botany must be transferred by rail, unless there is planned track maintenance or where unforeseen circumstances have occurred (e.g. an incident, breakdown, derailment or emergency maintenance on the rail line).

A15. The transfer of containers between Port Botany and the intermodal terminal facility must not commence until the rail connection to the Southern Sydney Freight Line is operational.

A15A. The development must not generate more than:

(a) 2,670 light vehicle movements a day during operation; and

(b) 1,654 heavy vehicle movements a day during operation.

A15B. The applicant must keep accurate records of the number of heavy and light vehicles entering and leaving the site each day. These records must be provided to the Planning Secretary upon request, and to the approved traffic auditor upon the trigger events in B120B occurring and prior to the commencement of the Traffic Audit required under condition B120A.

[Inserted by SSD-7709-Mod-1]

A16. The maximum GFAs for the following uses apply:

(a) 215,000m^2 for the warehousing and distribution facilities; and

(b) 800m^2 for the freight village.

A16A. Warehousing associated with the development is to be limited to the area identified in the plan titled 'Precinct Modification Plan — Proposed' (Drawing No JR-SK-A-0-9402, Revision H), prepared by Bell Architecture and dated 26 November 2020).

[Inserted by SSD-7709-Mod-1]

A17. The warehousing and distribution facilities must only be used for activities associated with freight using the either the MPE or MPW rail intermodal terminal.

A18. Notwithstanding **Condition A17**, movements of containers between a rail intermodal terminal on either MPE and MPW site, and a warehouse on either the MPE or MPW site, are permitted where those movements are also approved for MPE.

A19. For the avoidance of doubt, nothing in this consent permits:

(a) the occupation or use of a warehouse and/or distribution facility on the site before the commencement of operation of either the MPE or MPW rail intermodal terminal; or

(b) truck-to-truck movements.

A20. Freight village tenants and occupations are restricted to those activities that provide:

(a) ancillary support for the development, its tenants, worker population and visitors;

(b) a nexus with activities undertaken in relation to the warehouse, logistics functions of the IMT development and/ or;

(c) provide aligned services to the intermodal functions.

ACCESS FOR PEOPLE WITH A DISABILITY

A21. The siting, design and construction of premises available to the public are to ensure an appropriate level of accessibility so that all people can enter and use these premises. Access is to meet the requirements of the *Disability Discrimination Act 1992*, relevant Australian Standards and Building Code of Australia (BCA).

DEMOLITION

A22. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

A23. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be designed and constructed in accordance with the relevant requirements of the BCA.

***Note**:*

- *Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*

EXTERNAL WALLS AND CLADDING

A24. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A25. Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.

A26. The Applicant must provide a copy of the documentation given to the Certifying Authority under **Condition A25** to the Planning Secretary within seven days after the Certifying Authority accepts it.

APPLICABILITY OF GUIDELINES

A27. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

EVIDENCE OF CONSULTATION

A28. Where conditions of this consent require consultation with an identified party, the Applicant must:

(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and

(b) provide details of the consultation undertaken in the document submitted to the Planning Secretary including:

(i) the outcome of that consultation, matters resolved and unresolved (and the justification for matters remaining unresolved); and

(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

COMMUNITY CONSULTATIVE COMMITTEE

A29. Before the commencement of construction, a Community Consultative Committee (CCC) must be established for the development in accordance with the Department's *Community Consultative Committee Guidelines: State Significant Projects* (2019). The CCC must begin to exercise functions in accordance with such Guidelines before the commencement of construction and continue to do so for the duration of construction, upgrading and operation and for at least six months following the completion of decommissioning.

A30. The Planning Secretary may consider a request to expand an existing MPW or MPE CCC to cover the development and to satisfy **Condition A29**.

COMMUNITY COMMUNICATION

A31. A **Community Communication Strategy** must be prepared and submitted to the Planning Secretary for approval no later than one month before the commencement of construction. The Community Communication Strategy is to provide mechanisms to facilitate communication between the Applicant, the Council(s) and the community (including adjoining affected landowners and businesses, and others directly impacted by the development). The Community Communication Strategy must:

(a) assign a central contact person to keep the nearby sensitive receivers regularly informed throughout the development;

(b) detail the mechanisms for regularly consulting with the local community throughout the development, such as holding regular meetings to inform the community of the progress of the development and report on environmental monitoring results;

(c) detail a procedure for consulting with nearby sensitive receivers to schedule high noise generating works, vibration intensive activities or manage traffic disruptions;

(d) include contact details for key community groups, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders; and

(e) include a complaints procedure for recording, responding to and managing complaints, including:

(i) email, toll-free telephone number and postal addresses for receiving complaints,

(ii) advertising the contact details for complaints before and during operation, via the local newspaper and through on-site signage,

(iii) a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint, and

(iv) procedures for the resolution of any disputes that may arise during the course of the development.

A32. The Applicant must:

(a) not commence Construction until the Community Communication Strategy has been approved by the Planning Secretary.

(b) implement for the Community Communication Strategy for the duration of construction and for 12 months following the commencement of operation.

ENVIRONMENTAL REPRESENTATIVE

A33. Works must not commence until an Environmental Representative (ER) has been approved by the Planning Secretary and engaged by the Applicant.

A34. The Planning Secretary's approval of an ER must be sought no later than one month before the commencement of works, or within another timeframe agreed with the Planning Secretary.

A35. The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the EIS, Response to Submissions and any other supporting information submitted as part of applications for either MPW or MPE, and is independent of the construction and design personnel for the project and those involved in delivery of it.

***Note**: Should the requirements of the conditions of this consent be satisfied, an ER approved for MPE and MPW development may also be considered for approval for the development.*

A36. The Applicant may engage more than one ER for the development, in which case the functions to be exercised by an ER under the terms of this approval may be carried out by any ER that is approved by the Planning Secretary for the purposes of the development.

A37. For the duration of the works until 6 months after the commencement of operation (or staged operation), or as agreed with the Planning Secretary, the approved ER must:

(a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the development;

(b) consider and inform the Planning Secretary on matters specified in the terms of this consent;

(c) consider and recommend to the Applicant any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;

(d) review documents required under this consent and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this consent and if so:

(i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or

(ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/ Department for information or are not required to be submitted to the Planning Secretary/ Department);

(e) regularly monitor the implementation of the documents required under this consent to ensure implementation is being carried out in accordance with the document and the terms of this consent;

(f) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings, and site visits, but not Independent Audits required under **Condition C18** of this consent;

(g) as may be requested by the Planning Secretary, assist the Department in the resolution of community complaints; and

(h) assess the impacts of **minor ancillary facilities** comprising lunch sheds, office sheds and portable toilet facilities as required by **Condition A40** of this consent;

(i) consider any minor amendments to be made to the CEMP or CEMP sub-plans that require updating, or amendments of an administrative nature, and are consistent with the conditions of this consent and the most recent version of the CEMP or CEMP sub-plan approved by the Planning Secretary, and if satisfied that such an amendment is necessary, approve the minor amendment; and

(j) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an **Environmental Representative Monthly Report** providing the information set out in the Department's *Environmental Representative Protocol* (2018) under the heading "Environmental Representative Monthly

Reports." The Environmental Representative Monthly Report must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.

A38. The Applicant must provide all documentation requested by the ER in order for the ER to perform their functions specified in **Condition A37** (including preparation of the ER monthly report), as well as:

(a) the complaints register (to be provided on a monthly basis); and

(b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject work).

A39. The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under **Condition C20**. The Applicant must:

(a) facilitate and assist the Planning Secretary in any such audit; and

(b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.

MINOR FACILITIES

A40. **Minor ancillary facilities**, including lunch sheds, office sheds, portable toilet facilities, and the like, can be established where they satisfy the following criteria:

(a) are located within the construction boundary; and

(b) have been assessed by the ER to have:

(i) minimal amenity impacts to surrounding residences and businesses, after consideration of matters such as compliance with the *Interim Construction Noise Guideline (DECC, 2009)*, traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and

(ii) minimal environmental impact with respect to waste management and flooding, and

(iii) no impacts on biodiversity, soil and water, and heritage items beyond those already approved under other terms of this approval.

SUBMITTING, STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

A41. Unless stated otherwise, the Applicant must submit strategies, plans and programs required under this consent to the Planning Secretary at least one month prior to commencement of construction or operation.

A42. Unless stated otherwise in this consent, the Applicant with the approval of the Planning Secretary may:

(a) prepare and submit any strategy, plan or program required by this consent as part of the construction or operational environmental management plan on a staged basis;

(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and

(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

Note: Documents that cannot be staged include Development Layout Drawings required under **Condition B2**, and Stormwater Design Development Report and Revised Stormwater System Design Drawings and supporting documentation required under **Condition B4,** and Site Audit Statement required under **Condition B169**.

A43. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

STAGING OF CONSTRUCTION

A44. Prior to the commencement of construction, a **Staging Report** must be submitted to the Planning Secretary for approval where it is proposed to construct and operate warehousing in sub-stages. The Staging Report must include:

(a) the revised Development Layout Drawings required under **Condition B2**;

(b) detailed drawings showing warehouses, estate infrastructure and landscaping to be delivered in each sub-stage, and how each sub-stage of estate infrastructure and landscaping connects to other sub-stages including the intermodal terminal facility;

(c) details of how the development will relate to concurrent construction on MPE as described in the construction program included in the approved Construction Environmental Management Plan for MPE Stage 2 (SSD 7628);

(d) general timing of construction sub-stages that impact upon the timing of the development subject of this consent; and

(e) details of the relevant conditions of the Concept Approval (5066) and of this consent that would apply to each sub-stage.

Note*: The Staging Report will need to be amended with any approved version update of the MPE Stage 2 CEMP.*

A45. Prior to the commencement of operation of each warehousing sub-stage, evidence must be provided to the satisfaction of the Planning Secretary that all estate infrastructure, including internal estate roads, bushfire protection infrastructure, utilities, drainage and stormwater quality infrastructure, has been constructed to the extent required to service the sub-stage.

Note: *These conditions do not relate to staged development within the meaning of section 83B of the EP&A Act.*

NOTIFICATION OF COMMENCEMENT

A46. The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least 2 weeks before that date:

(a) any work;

(b) vegetation clearing required to conduct remediation;

(c) remediation;

(d) low impact works;

(e) construction;

(f) operation;

(g) cessation of operations; and

(h) decommissioning.

A47. If the construction, operation or decommissioning of the development is to be staged, the Department must be notified in writing at least 2 weeks before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

UTILITIES AND PUBLIC INFRASTRUCTURE

A48. The Applicant must engage a suitably qualified person to prepare a **Pre-construction Dilapidation Report** prior to the commencement of construction. This report must detail the structural condition of:

(a) local public roads likely to be used by the development's construction traffic;

(b) local public roads, cycleways, footpaths and utility services likely to be impacted by construction works; and

(c) off-site private land or access to off-site private land likely to be impacted by construction works.

The report must be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS, any affected private landowner, and the Planning Secretary.

A49. Before the commencement of construction, the Applicant must consult with the relevant owner and provider of utility services and public infrastructure that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, support or relocation of the affected utility services and infrastructure.

A50. Unless the Applicant and the applicable owner/ authority agree otherwise, the Applicant must:

(a) repair, or pay the full costs associated with repairing, any utility service or public infrastructure that is damaged by carrying out the development;

(b) relocate, or pay the full costs associated with relocating, any utility service or public infrastructure that needs to be relocated as a result of the development (including the road upgrades specified in **Table 1**); and

(c) provide for ongoing maintenance.

Note: *This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by conditions of this consent.*

A51. Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Telecommunications

A52. Before the issue of an Occupation Certificate for the development, the Applicant is to provide evidence, satisfactory to the Certifying Authority, that arrangements have been made for:

(a) the installation of fibre-ready facilities to all individual lots and/ or premises to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and

(b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/ or premises demonstrated through an agreement with a carrier.

A53. The Applicant must demonstrate that the carrier has confirmed in writing they are satisfied that the fibre ready facilities are fit for purpose.

METEOROLOGICAL MONITORING

A54. Prior to the commencement of any works, and for the life of the development, the Applicant must ensure that there is a suitable meteorological station operating on the site or within the vicinity of the site that:

(a) complies with the requirements in the latest version of EPA's *Approved Methods for Sampling of Air Pollutants in New South Wales* (DEC, 2016) (as may be updated or replaced from time to time); and

(b) is capable of continuous real-time measurement of atmospheric stability category determined by the sigma theta method in accordance with the *NSW Noise Policy for Industry* (NPI, EPA, 2017) (as may be updated or replaced from time to time).

WORKS AS EXECUTED PLANS

A55. All detailed design drawings required to be submitted under this consent must be at or above 50% design completion, with the percentage design stated on the drawings.

A56. Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor confirming that the stormwater drainage (water quality and detention infrastructure), road ways, parking and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.

DEVELOPMENT CONTRIBUTIONS

Council Contributions

A57. Prior to the issue of a Construction Certificate for any part of the development, the Applicant must pay a monetary levy of 1% of the development Capital Investment Value ($5,330,000) or other amount agreed to by Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 7.13(2) of the EP&A Act.

Road Upgrades

A58. The Applicant must provide all monetary contributions and/ or works-in kind as relevant to the site, in accordance with the Voluntary Planning Agreement entered into between RMS and Qube RE Services (No. 2) Pty Limited in its capacity as the trustee of the Moorebank Industrial Terminals Asset Trust, Moorebank Industrial Terminals Operations Trust and Moorebank Industrial Warehouse Trust and executed on 25 March 2019 (VPA).

ADVISORY NOTE

AN1 *All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.*

PART B KEY ENVIRONMENTAL ISSUES

DEVELOPMENT LAYOUT

B1. Notwithstanding the requirements of **Conditions B2 and B4**, the Applicant may import and stockpile 160,000m^3 of fill prior to finalisation of the **Development Layout Drawings, Stormwater Design Development Report, Revised Stormwater System Design Drawings** and **supporting documentation,** provided no vegetation removal is required and fill is stockpiled in previously cleared areas.

B2. Prior to commencement of construction, the Applicant must submit revised **Development Layout Drawings** to the Planning Secretary for approval. The revised Development Layout Drawings must be at a scale of approximately 1:2000 at A1 showing the key development elements including but not limited to estate infrastructure, internal roads, warehouse and associated carpark footprints, the freight village, intermodal terminal facility including the truck waiting area and emergency truck storage area, rail line and rail line vehicle access roads . The revised **Development Layout Drawings** must show the site, construction and operational boundaries and demonstrate:

(a) 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;

(b) the siting of biofiltration/ bioretention areas and OSD basins (with the exception of outlets to the Georges River and associated maintenance access) are outside the riparian corridor and outside the warehouse footprints;

(c) no construction or operation works would take place inside biodiversity offset areas;

(d) compliance with the landscaped setbacks specified in **Condition B63**;

(e) compliance with the percentage of landscaped area specified in **Condition B68(a)** within the warehouse and freight village area and truck waiting area and emergency truck storage area to be developed under MPW Stage 2;

(f) a setback of 8 to 12 m has been provided around the north, south and western perimeters of the development area to accommodate fill batter slopes of a maximum of 1V in 4H;

(g) a minimum 3 m wide maintenance access has been provided between the fill slopes and the riparian corridor, the ABB site and at the southern end of the development area, **where necessary to ensure ongoing maintenance works can be carried out without impacting on the riparian corridor or adjoining sites**;

[Amended by SSD-7709-Mod-2]

(h) provision of a controlled overland flow path through the MPW Stage 2 site as required under **Condition B11** for conveyance of the major stormwater discharge from the MPE site to the Georges River;

(i) identify habitat corridor/s, of adequate dimensions to provide an adequate Koala habitat corridor as supported by a Koala specialist, to provide connectivity both within the Intermodal Precinct area and with other core koala habitat areas, as required under **Condition B152**. The drawings are to show any required connectivity structures and fencing;

(j) provision of a corridor between Moorebank Avenue and the Georges River for a possible future pedestrian connection across the Georges River to Casula Railway Station, of a width that would allow the future construction of a shared path that complies with the relevant suggested width set out in the *Guide to Road Design Part 6A: Paths for Walking and Cycling* (Austroads, 2017);

(k) the bushfire asset protection requirements are within the development area; and

(l) setbacks from the surveyed boundary of Lot 2 DP 32998, Lot 3 DP 32998, and Lot 2 DP 547293.

B3. To ensure the site will be developed in an integrated manner and that the whole development will comply with the conditions of this consent, submission of the Development Layout Drawings required by **Condition B2** cannot be staged.

SOIL AND WATER

Revised Stormwater System Design

B4. Prior to the commencement of construction (except to permit an initial stage comprising earthworks on land within 150m west of Moorebank Avenue along its alignment north of the overpass over the rail link), the Applicant must submit a **Stormwater Design Development Report** and **Revised Stormwater System Design Drawings** and **supporting documentation** to the Planning Secretary for approval.

B5. The **Stormwater Design Development Report** must document how WSUD principles outlined in **Condition B9** have been incorporated into the design and operation of the development.

B6. To ensure the site will be developed in an integrated manner and that the whole development will comply with the conditions of this consent, submission of the **Stormwater Design Development Report** and **Revised Stormwater System Design Drawings** and **supporting documentation** required by **Condition B4** cannot be staged.

Note: *Condition B4 allows the Applicant to conduct earthworks on land within 150m west of Moorebank Avenue along its alignment north of the overpass over the rail link prior to submission of these documents.*

Stormwater Design Independent Peer Review

B7. An **Independent Peer Review report** must be submitted with the **Stormwater Design Development Report** and **Revised Stormwater System Design Drawings** and **supporting documentation**.

B8. The review must:

(a) include a review of the numerical models used to develop the revised stormwater design;

(b) be undertaken by a technical expert, approved by the Planning Secretary, with over 15 years of experience in stormwater, flooding and water quality in NSW, including Water Sensitive Urban Design (WSUD), and not previously involved in preparation of drainage, flooding or hydrological designs or assessments for either MPW or MPE, or construction of either MPW or MPE; and

(c) include an assessment of the Revised Stormwater System Design Drawings and supporting documentation against all relevant conditions, stating whether the condition has been satisfied, and comments justifying the position.

Note: *The revised Stormwater System Design Drawings and supporting documentation will not be accepted until all the conditions have been accepted to the satisfaction of, and justified by, the peer reviewer.*

Water Sensitive Urban Design

B9. The revised stormwater system design, to be detailed in the **Stormwater Design Development Report** and **Revised Stormwater System Design Drawings** and **supporting documentation**, must be consistent with the objectives and principles set out in the NSW Office of Water's Guidelines for Controlled Activities and incorporate water sensitive urban design principles outlined in relevant Council policies, plans, guidelines and specifications and RMS's Water Sensitive Urban Design Guideline 2017, including:

(a) treating stormwater as a resource;

(b) mimicking natural processes in the control of stormwater;

(c) integrating drainage infrastructure and landscaping;

(d) managing water in a sustainable manner through considering the complete water cycle; and

(e) considered design, construction and maintenance to minimise impacts on the natural water cycle.

B10. The Applicant must submit revised drawings and supporting documentation to the Planning Secretary for approval, in accordance with the design principles and design criteria listed in **Conditions B11 to B22**.

Piped Stormwater Drainage and Overland Flow Paths

B11. The stormwater system must be designed to:

(a) convey flows up to and including the 10% AEP event within the formal piped drainage system, with flows from the 10% AEP to the 1% AEP event conveyed in controlled overland flow paths; and

(b) provide adequate overland flow paths in the event of stormwater system blockages and flows in excess of the 1% ARI rainfall event.

On-site Detention

B12. On-site detention (OSD) must attenuate peak flows from the development such that both the:

(a) 1 in 1 year ARI event post development peak discharge rate is equivalent to the pre-development (un-developed catchment) 1 in 1 year ARI event; and

(b) 1 in 100 year ARI event post development peak discharge rate is equivalent to the pre-development (un-developed catchment) 1 in 100 year ARI event.

B13. OSD basins must:

(a) be visually unobtrusive and sit within the final landform and landscaping;

(b) ensure public safety by incorporation of 'safer by design' principles; and

(c) have all sides with a maximum batter slope of 1V:4H, except at the OSD outlets.

Stormwater Quality

B14. All stormwater quality elements are to be modelled in MUSIC as per the NSW MUSIC Modelling Guide.

B15. The stormwater quality infrastructure must comprise rainwater tanks, gross pollutant traps and biofiltration/ bioretention systems designed to meet the following criteria compared to a base case if there were no treatment systems in place:

(a) reduce the average annual load of total nitrogen by 45%;

(b) reduce the average annual load of total phosphorus by 65%; and

(c) reduce the average annual load of total suspended solids by 85%.

B16. All stormwater quality elements must be installed upstream of OSD basins, unless it can be demonstrated to the satisfaction of the Secretary that biofiltration/ bioretention systems within the OSD basins:

(a) will not suffer damage from design flows;

(b) can be maintained to achieve the water quality criteria; and

(c) will have adequate solar access ensuring that all bioretention systems are exposed to sunlight at midday on the winter solstice. This assessment is to include surrounding features of OSD basins, including but not limited to actual building heights and full mature height and size of proposed trees, as per the landscape plans.

B17. The area of biofiltration/ bioretention systems is to be at least 1% of the catchment draining to the system, to ensure there is no short-circuiting of the system.

B18. Bioretention systems which are greater than 1,000 m^2 in area, are to be divided into cells with no individual cell greater than1,000 m^2.

B19. All filter media used in stormwater treatment measures must:

(a) be loamy sand with an appropriately high permeability under compaction and must be free of rubbish, deleterious material, toxicants, declared plants and local weeds, and must not be hydrophobic;

(b) have an hydraulic conductivity = 100-300 mm/hr, as measured using the ASTM F1815-06 method;

(c) have an organic matter content less than 5% (w/w); and

(d) be provided adequate solar access, considering the design and orientation of OSD basins.

Stormwater Outlet Structures

B20. Discharge of stormwater from the development must not cause scour/ erosion of the banks or bed, or pollution of the Georges River or Anzac Creek.

Note: *Pollution of waters as defined under section 120 of the POEO Act.*

B21. Outlet structures for the discharge of site stormwater drainage to the Georges River, Anzac Creek, external drainage or natural drainage lines must be constructed of natural materials to minimise erosion, facilitate natural geomorphic processes and include vegetation as necessary (gabion baskets and gabion mattresses are not acceptable).

B22. Outlet structures must ensure habitat connectivity and wildlife movement is maintained along the Georges River riparian corridor.

Stormwater System Design Drawings

B23. The Revised Stormwater System Design Drawings and supporting information to be submitted under **Condition B4** must include the details specified in **Conditions B24 to B28**.

B24. Drawings must show:

(a) all information on a drainage catchment plans and a schedule of stormwater drainage elements (pipe lines and structures). Drainage drawing documentation is to be in accordance with the requirements detailed in Liverpool Council's Development Design Specification "D5 – Stormwater drainage design" clauses D5.22 and D5.24;

(b) location and width of controlled overland flow paths;

(c) maximum design flow levels to AHD;

(d) maintenance access to each on OSD basin; and

(e) the integration with MPE Stage 1 and MPE Stage 2 stormwater infrastructure including:

(i) stormwater infrastructure on the MPW site that is intended to convey (pipes or overland flow paths) or treat or detain stormwater from MPE Stage 1 and MPE Stage 2, and/ or

(ii) drawings demonstrating that stormwater detention and treatment infrastructure has been provided for and approved under MPE Stage 1 and MPE Stage 2 for western draining MPE catchments.

B25. All stormwater quality elements are to be detailed in the drawings including:

(a) general arrangement plans at 1:500 and detailed plans as required at 1:200, showing system layout with key features including pipe arrangement with pipe sizes, diversion structure, high flow bypass, pre-treatment system, inlets, outlets, underdrainage, and maintenance vehicular access. The plans must show how the bioretention system will achieve separate cells of a maximum area of 1000 m^2 with flow splitting;

(b) long and cross sections showing key features and levels including liner (base level of bioretention system), submerged zone level, drainage layer, transition layer, filter surface level, extended detention level, bund/ embankment level, and level of detention storage;

(c) pipe long sections, including invert levels, pipe sizes;

(d) details of key structures including diversion, pre-treatment system (make/ model), inlets, outlets;

(e) landscape plan including plant species;

(f) specification of filter media; and

(g) shadow diagrams, including surrounding features of OSD basins, actual building heights and full size of proposed trees, as per the landscape plans.

B26. Stormwater outlet drawings must show:

(a) material type, size, thickness, with accompanying hydraulic calculations demonstrating the achievement of relevant stability thresholds;

(b) design arrangement including longitudinal sections, cross sections and typical arrangements;

(c) typical arrangements including details of any liners, keying into bed/ banks and filter material; and

(d) the tie in with the receiving water normal water level and/ or seasonal low flow levels.

Stormwater System Design Supporting Documentation

B27. As part of the **supporting documentation** required under **Condition B4**, the Applicant must document the sequence of construction, including interim drainage solutions, for:

(a) the drainage line from MPE to the Georges River;

(b) the northern portion of MPW, including infilling, OSD basins, transition of sedimentation basins to OSD basins; and

(c) the southern portion of MPW, including infilling, OSD basins, transition of sedimentation basins to OSD basins.

B28. As part of the **supporting documentation** required under **Condition B4**, outlet structure investigations and design inputs must be submitted to the Planning Secretary, including:

(a) subsurface/ geotechnical assessment identifying underlying foundation conditions;

(b) hydraulic modelling;

(c) hydraulic calculations for stormwater outlet structures demonstrating achievement of relevant stability thresholds; and

(d) design specifications including schedule of drainage elements (eg. rock sizes, and structures).

Construction Erosion and Sediment Control

B29. Prior to commencement of construction, the Applicant must prepare a **Soil and Water Management Plan** (SWMP) in accordance with the requirements of *Managing Urban Stormwater - Soils and Construction Volume 1 (Landcom 2004)* and submit it to the Planning Secretary for approval. The SWMP must be certified by a Certified Professional in Erosion and Sediment Control (CPESC) that it is fit for purpose, addresses the constraints posed by site conditions and complies with statutory requirements. The CPESC must have demonstrated experience in the identification, management and mitigation of erosion and sedimentation in dispersive and non-cohesive soils and be approved by the Planning Secretary.

B30. The **SWMP** must form part of the **CEMP** required by **Condition C2** and, in addition to the general management plan requirements listed in **Condition C1**, the SWMP must include, but not be limited to:

(a) erosion and sediment control hazard assessment that includes:

(i) monthly rainfall erosivity,

(ii) flooding liability,

(iii) topography,

(iv) physical and chemical properties of in-situ and imported soil,

(v) sensitivity of the receiving environment;

(b) management strategies to address the identified erosion and sediment control hazard that consider:

(i) statutory and environmental management requirements including:

- minimising the extent and duration of land disturbance,

- controlling water movement through and from site,
- locating sediment basins in areas not subject to local stormwater flooding,
- minimising soil erosion,
- maximising sediment retention on site,
- prompt and progressive stabilisation of disturbed areas,

(ii) maintenance of drainage, erosion and sediment control measures,

(iii) monitoring and adjusting drainage, erosion and sediment control measures to achieve necessary performance standards,

(iv) planning for predicted rainfall and winds events and shut down periods;

(c) a schedule of construction activities for the development, installation and removal of control measures and temporary and permanent stabilisation works,

(d) Erosion and Sediment Control Plans, including:

(i) existing and proposed contours and drainage path,

(ii) all access points and facilities associated with the development,

(iii) limits of disturbance including protected areas and features,

(iv) extent of earthworks,

(v) areas of cut and fill,

(vi) location of all drainage, erosion and sediment control measures including numbering for identification, and

(vii) surface water monitoring locations;

(e) specific operating procedures such as dewatering and the treatment of water and sediment collected in basins; and

(f) details on methods of temporary and permanent slope stabilisation to adjacent lands (including the riparian corridor).

B31. Erosion and Sediment Control Plans must be updated as construction progresses and site conditions change.

B32. The CPESC must undertake monthly inspections during construction, report on implementation of the SWMP and recommend any improvements to the SWMP and site control measures. The CPESC's report must be provided to the Planning Secretary monthly for the duration of construction or another time period as agreed by the Planning Secretary.

B33. All temporary construction stage erosion and sediment control infrastructure that is intended to be converted to permanent stormwater quality or on-site detention infrastructure must be constructed in accordance with the revised stormwater design drawings approved by the Planning Secretary under **Condition B4**.

B34. Conversion of construction stage erosion and sediment control infrastructure into permanent stormwater quality or on-site detention infrastructure must only occur once the civil works (roads and drainage) have been completed for the associated site subcatchment.

B35. Where construction of sediment basins and stormwater outlet works (including clearing, scour protection/ erosion control) are to be undertaken outside the site on Crown land (being the banks and bed of the Georges River), design those works must be prepared with the input of an aquatic ecologist, and evidence of DPI (Crown Lands) approval is to be provided to the Planning Secretary prior to commencement of construction. Details of finished works are to be submitted to DPI (Crown Lands) for information.

Stormwater Infrastructure Operation and Maintenance Plan

B36. Prior to commencement of operation, the Applicant must prepare a **Stormwater Infrastructure Operation and Maintenance Plan** to manage the operation and maintenance of stormwater infrastructure on-site and off-site, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required under **Condition C5** and must be implemented for the life of the assets and must include provision for:

(a) the management and maintenance of the assets, including evidence that a maintenance contract is in place with a reputable and experienced maintenance contractor;

(b) quarterly inspections, and inspections after major rainfall events including scour/ bank protection structures;

(c) schedule for routine checking (at least quarterly), cleaning and servicing of all water quality devices/ systems in accordance with the manufacturer's and/ or designer's recommendations;

(d) maintenance of records of all maintenance activities undertaken;

(e) preparing quarterly maintenance reports, detailing the results of quarterly inspections, inspections after major rainfall events, and maintenance activities;

(f) recording results of water quality monitoring required under **Condition B38**;

(g) investigation, management and mitigation of water quality target exceedances;

(h) requiring annual independent auditing; and

(i) procedures for submission of the quarterly maintenance reports and annual independent audit reports to the Planning Secretary, including the results of inspections, management and maintenance actions and water quality monitoring.

B37. In addition to the requirements for independent environmental audits under **Conditions C16** to **C18**, the annual audit of the stormwater quality system must be undertaken by a suitably qualified professional with demonstrable experience in WSUD. The audit is to verify the condition of the treatment system(s), verify and document that the system(s) is working as intended, verify the system(s) has been cleaned adequately, verify there is no excessive build-up of material in the system(s) and identify any issues with the treatment system(s) which require rectification for the system(s) to adequately perform its intended function.

Stormwater Quality Monitoring

B38. Prior to commencement of operation, the Applicant must prepare a **Stormwater Quality Monitoring Program** in consultation with Council and the EPA. The program must form part of the OEMP required under **Condition C5**, be implemented for the life of the development and include the following:

(a) base line water quality data;

(b) monitoring parameters;

(c) water quality assessment criteria;

(d) receiving water quality monitoring sites in Anzac Creek and upstream and downstream of the site in the Georges River;

(e) monitoring of water quality at sediment basin/ on-site detention/ bioretention basin outlet channels and piped outlets discharging to the Georges River;

(f) frequency of sampling, including wet weather sampling;

(g) method of sampling and analysis;

(h) assess water quality and quantity performance for construction discharges and ongoing stormwater discharges from the development to ensure protection of the desired ecological values of Anzac Creek; and

(i) include sampling locations and the frequency of sampling including wet weather sampling.

Acid Sulfate Soils Management

B39. An **Acid Sulfate Soils Management Plan** must be developed consistent with the Acid Sulfate Soils Manual and must:

(a) deal with the unexpected discovery of actual or potential acid sulfate soils; and

(b) include procedures for the investigation, handling, treatment and management of such soils and water seepage.

The Plan is to form part of the **CEMP** required by **Condition C2**.

Land Disturbance, Earthworks and Importation of Fill

B40. The Applicant must:

(a) keep accurate records of the source, volume and type of fill imported to, and material removed from, the site; and

(b) make these records available to the Department or EPA upon request.

B41. Land disturbance and land filling activities must be undertaken:

(a) in a phased manner, impacting a maximum contiguous area of 65 hectares at any one time; and

(b) with no disturbance (including vegetation clearing) of another area (other than the construction of erosion and sediment control measures and associated drainage for the separation of clean and dirty water) until:

(i) a C-factor of 0.05 has been achieved on the previous phase, and

(ii) at least 75% of the permanent stabilisation works have been implemented for the previous phase, and

(iii) at least 95% all of the permanent stabilisation works on any other previously disturbed area have been implemented.

Note: For the purposes of this condition, permanent stabilisation works include established grass cover and for the southern fill area where future warehousing is proposed, must be in accordance with Condition B65.

B42. Stockpiling of imported fill is not permitted for longer than 6 months before placement

B43. Stockpiles must:

(a) not exceed 10 m in height;

(b) be benched over 4 m in height;

(c) have maximum of 1V:3H slopes **or a steeper slope where certified by a suitably qualified geotechnical specialist**; and

[Amended by SSD-7709-Mod-2]

(d) be stabilised if not worked on for more than 10 days.

B44. Placed fill must be stabilised if construction does not commence within 10 days.

B45. The design of fill batters must ensure stability, mitigate visual impacts, provide for maintenance activities and demonstrate that there are no impacts on adjacent lands, including biodiversity offset areas and the riparian corridor.

AIR QUALITY

Dust Minimisation

B46. The Applicant must ensure dust emissions generated by the development do not cause exceedances of the following criteria at private property not associated with the development:

(a) 2 g/m^2/month maximum increase in deposited dust level; and

(b) 4 g/m^2/month maximum deposited dust level.

Prevention of Odours

B47. The Applicant must ensure the development does not cause or permit the emission of any odour, which may be offensive odour (as defined in the POEO Act) outside of the premises (as defined in the POEO Act).

Operational Air Quality Management Plan

B47A. Prior to commencement of operation of the MPW development, the Applicant must prepare an Operational AQMP (AQMP) for the entire precinct (MPE + MPW) and submit for the approval of the Planning Secretary. The Applicant may submit a plan approved under an approval for the MPE site, provided it is amended to apply to and address air quality impacts of the MPW development. The AQMP must be prepared by a suitably qualified and experienced person(s) and must form part of the OEMP required by condition C5. The AQMP must demonstrate how the development would comply with the conditions of this consent, and include:

(a) identification of sources and quantify airborne pollutants;

(b) best practice reactive and proactive control measures that will be implemented for each emission source;

(c) provisions for the implementation of additional mitigation measures in response to issues identified during monitoring and reporting;

(d) for all emission sources associated with site operations:

(i) key performance indicator(s);

(ii) monitoring method(s);

(iii) location, frequency and duration of monitoring;

(iv) record keeping;

(v) complaints register;

(vi) response procedures; and

(vii) compliance monitoring

(e) phased conversion to reach stackers of Tier 4 standard for particle emissions (or equivalent standard that is satisfactory to the Secretary) at the MPW Site within ten years of first operation of the Site.

B47B. The Applicant must:

(a) not commence operation until the AQMP is approved by the Planning Secretary; and

(b) operate the development in accordance with the AQMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

URBAN HEAT ISLAND MITIGATION (UHIM)

B48. The Development must be designed and operated to meet Urban Heat Island Mitigation principles and to achieve a 4°C degree decrease in temperature compared to neighbouring industrial developments by including measures such as:

(a) WSUD elements such as wetlands;

(b) shade tree planting;

(c) vegetation ground cover;

(d) use of 'cool' building and pavement materials (i.e. those with high reflectivity in the infrared spectrum); and

(e) green roofs.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)

B49. The Development must be designed and operated to meet ESD principles and include measures such as the following:

(a) passive solar design;

(b) use of energy efficient plant and equipment;

(c) use of renewable energy sources;

(d) cross-ventilation

(e) selection of materials with lower energy manufacturing requirements;

(f) use of locally sourced materials to reduce impacts associate with transport;

(g) rainwater capture and reuse;

(h) water efficient fixtures and fittings; and

(i) waste minimisation and recycling.

B50. The Development must register for a 'design' and 'as built' rating under the Infrastructure Council of Australia (ISCA) rating tool for development infrastructure.

B51. The Development must be designed and operated to meet minimum 4 star Green Star certification by the Green Building Council of Australia for warehouse design, construction and operation

URBAN DESIGN AND LANDSCAPING

Urban Design Development Report, Revised Landscape Design Drawings and Revised Architectural Drawings

B52. Prior to commencement of relevant permanent built surface works and/ or landscaping, an **Urban Design Development Report**, **Revised Landscape Design Drawings** and **Revised Architectural Drawings** including plans, sections and details and supporting documentation must be submitted to the Planning Secretary for approval.

Note: For the purposes of this condition, earthworks including placement of fill are not considered permanent built surface works.

B53. The **Urban Design Development Report** must be developed in consultation with the Government Architect NSW (GANSW) and provide detailed objectives for design and operation of the development and define place specific urban design principles incorporating those outlined in **Conditions B48, B49 and B57**. Details of the consultation are to be submitted as part of the **Urban Design Development Report.**

B54. The revised landscape and architectural drawings and design details must be at a suitable scale (minimum plan view scale of 1:1000 at A1 with sections and details at a minimum scale of 1:200 at A1) to demonstrate:

(a) how the objectives and principles developed in the **Urban Design Development Report** required under **Condition B53** have been incorporated into the design;

(b) the revised warehouse layout in accordance with **Condition B2**; and

(c) compliance with the criteria specified in **Conditions B59** to **B74**.

Urban Design and Landscape Independent Peer Review

B55. An independent peer review report must be submitted with the **Urban Design Development Report** and **Revised Landscape Design Drawings** and **Revised Architectural Drawings** and supporting documentation.

B56. The review must:

(a) be undertaken by an expert(s) in urban design and landscaping (for example, a member of the State Design Review Panel);

(b) include an assessment of the **Revised Landscape Design Drawings, Revised Architectural Drawings** and supporting documentation against the objectives and urban design principles established in the Urban Design Development Report and all relevant conditions, stating whether the drawings demonstrate achievement of the objectives and urban design principles and that all relevant conditions of this consent have been satisfied; and

(c) include comments justifying conclusions reached in the assessment.

Note: *The revised landscape drawings, architectural drawings and supporting documentation will not be accepted until they meet the objectives and design principles and all relevant conditions to the satisfaction of, with justification provided by, the peer reviewer.*

Landscape Design

B57. The **Revised Landscape Design Drawings** must demonstrate a design that generally incorporates the principles outlined in *Better Placed, Greener Places* and the *Green Grid* documents by the NSW Government Architect and the *Western Sydney District Plan* (March 2018) by the Greater Sydney Commission, and:

(a) provide for visitor and worker amenity;

(b) incorporate 'safer by design' principles;

(c) use locally indigenous species;

(d) be integrated with the stormwater system design set out in the **Revised Stormwater Design Drawings** required under **Condition B4**; and

(e) mitigate the visual impacts of buildings and infrastructure particularly when viewed from Casula.

Design Criteria

B58. The **Revised Landscape Design Drawings** and **Revised Architectural Drawings** and associated elements must must demonstrate a design that meets the design criteria and other requirements listed in **Conditions B59** to **B74**.

Staff and Visitor Facilities

B59. Pedestrian and cycle paths must:

(a) be provided through the site to provide connections to Moorebank Avenue, the rail terminal office and between warehouses and the freight village; and

(b) integrate with existing and planned footpaths or cycleways in the locality.

B60. Paths must be integrated with landscaping and include meanders to allow for canopy tree clusters and a more varied walking/ riding experience.

B61. The rail terminal office, freight village and each warehouse must include an outdoor meal break area with shade, seating, lighting and landscaping including shrubs and groundcover and canopy trees where reasonable. In addition, the freight village outdoor area(s) must include a water fountain(s) or other fresh drinking water provision.

B62. Secure bicycle parking and end-of-trip facilities must provide:

(a) a minimum 1 staff bicycle parking per 10 staff (or 1 per 10 car spaces if staff numbers are undetermined);

(b) compliance with the minimum requirements of AS 2890.3:2015 Parking facilities - Bicycle parking for the layout, design and security of bicycle facilities, and be located in easy to access, well-lit areas that incorporate passive surveillance; and

(c) under cover bike storage, showers and change facilities at each warehouse sufficient to accommodate the needs of the forecast number of employees.

Landscaping

B63. The following minimum setbacks apply:

(a) 18 m from Moorebank Avenue with minimum soft landscaped width of 10 m, subject to any variation agreed to by the Planning Secretary at the site entrance for the purpose of facilitating the primary access driveway into the site; and

(b) 5 m setback from the western internal road to warehouse carparks.

Note: *See also Condition B2.*

B64. Canopy tree planting must be provided around the perimeter of the site, including the southern fill area where future warehousing is proposed.

B65. The southern fill area where future warehousing is proposed must be topsoiled and hydroseeded with native grasses.

B66. Perimeter fill batters must be stabilised with vegetation.

B67. Landscaping within the warehouse area must include dense canopy tree planting, shrubs, sedges, herbs, ground covers and tufted native grasses primarily derived from OEH lists of Cumberland Plain Woodland. The canopy tree mix must include some or all of the following species: *Eucalyptus crebra, Eucalyptus moluccana Eucalyptus amplifolia, Eucalyptus bosistoana, Eucalyptus eugenioides, Eucalyptus tereticornis, Eucalyptus punctate, Eucalyptus baueriana, Corymbia maculata, Angophora floribunda* and *Angophora bakeri*.

B68. The following minimum landscaping requirements apply:

(a) 15% of the warehouse area landscaped at ground level, 10% of which must be soft landscaping, excluding the OSD basins unless they are accepted as contributing to soft landscaping in the peer review report required under **Condition B55**;

(b) 1 canopy tree per 30 m^2 of landscaped area; and

(c) a 2.5 m wide landscaped bay every 6-8 car spaces to provide shade within carpark areas, or alternative carpark landscaping (such as linear planting of vegetation of a minimum width of 2 m between rows of carparking) accepted as providing adequate shade in the peer review report required under **Condition B55**.

Note: *For the purposes of this condition, canopy trees are not required to be planted on or immediately adjacent to vehicle paths between the intermodal terminal and the eastern elevation of each warehouse.*

Noise Walls, Retaining Walls and Fencing

B69. Perimeter and on-site detention and biofiltration/ bioretention basin fences higher than 1.2m must be transparent and dark in colour but not constructed of chain wire, to provide visual amenity.

B70. Boundary fencing design must allow for fauna movement where required under **Condition B152(b)**.

B71. Screen fencing and planting must be provided around waste bins or other outside storage areas.

B72. Screen planting must be provided on both sides of noise walls.

B73. Retaining wall materials and colours must be of a natural appearance and incorporate landscaping.

B74. Noise barriers must minimise visual and amenity impacts and be designed in accordance with the *Noise wall design guideline – Design guideline to improve the appearance of noise walls in NSW* (RMS, March 2016).

Urban Design and Landscaping Supporting Information

B75. The following must be included on, or provided with the **Revised Landscape Design Drawings** required under **Condition B52**:

(a) irrigation systems;

(b) planting schedule including tree and shrub species, expected mature height, planting densities and pot sizes;

(c) soil specification and depth for landscaped areas in relation to pot sizes and species to ensure the viability of shrubs and trees;

(d) landscaping around the southern and northern boundaries of the site; and

(e) noise wall, retaining wall and fencing graphics and material details.

Lighting

B76. Operational lighting must:

(a) comply with the latest version of *AS 4282-1997 - Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and

(b) be designed to reduce light spill and be mounted, screened and directed in such a manner that it does not create a nuisance and minimises visual impacts to surrounding properties, the public road network, the Georges River riparian corridor and the Boot Land.

Signage

B77. The following signage is not permitted:

(a) general advertising or moving or flashing signs;

(b) west facing illuminated building signage visible from residences; and

(c) internally illuminated signs that are visible from residences.

B78. Signage must not occupy more than 10% of any façade or wall of a building.

Building Floor Levels

B79. Building floor levels must be a minimum of 150 mm above the maximum design stormwater overland flow path levels. Building floor levels and associated maximum design stormwater overland flow path levels to AHD must be indicated on the architectural cross-section drawings.

Rainwater Re-use

B80. A rainwater tank(s) must be included on each warehouse, the freight village and rail terminal buildings.

B81. Rainwater must be used for irrigation, all internal non-potable uses, the container washdown facility and be considered for cooling towers; heating, ventilation, and air conditioning; and ground source heat exchange.

Landscape Maintenance

B82. Prior to commencement of operation, the Applicant must prepare a **Landscape Vegetation Management Plan** (LVMP) and submit it to the Planning Secretary for approval. The LVMP must be prepared by a suitably qualified and experienced person(s) and form part of the OEMP required under **Condition C5**. The LVMP must include:

(a) an inspection and maintenance schedule and require replacement plantings for shrubs and trees which fail at an equivalent pot size or larger; and

(b) graffiti management.

PEST AND WEED CONTROL

B83. The Applicant must:

(a) implement measures to manage pests, vermin and declared noxious weeds on the site; and

(b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area.

Note: *For the purposes of this condition, noxious weeds are those species subject to an order declared under the Biosecurity Act 2015.*

TRAFFIC AND ACCESS

B84. The Applicant is to undertake the following road infrastructure upgrades, in accordance with the specified timing requirements as set out in **Table 1**.

Table 1: Required Upgrades and Specified Timing Requirements

Upgrade	Specified Timing Requirements		
	Upgrade requirements	**Required timing for 100% design approval by RMS**	**Required timing for completion of upgrade**
Moorebank Avenue and Anzac Road intersection upgrades, road widening and road upgrade works, and associated civil works	Indicative layout plans (RIUW-ARC-CV-SKC-2003-P1 and RIUW-ARC-CV-SKC-1005-P2) included in **Appendix 1**, subject to design development and approval by RMS, and incorporating a bicycle/ pedestrian share path	To be obtained within 12 months of the date of this consent, or prior to the issue of the first Occupation Certificate for warehousing, whichever is the sooner.	Prior to issue of an Occupation Certificate for warehousing in excess of 100,000 m^2 of gross floor area

B85. The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, must be in accordance with Austroads requirements. Prior to commencement of construction of permanent built surface works, a plan must be submitted to the Planning Secretary and RMS for approval, which shows that the proposed development complies with this requirement.

B86. The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements in relation to landscaping and/ or fencing, aisle widths, aisle lengths, and parking bay dimensions) must be in accordance with *AS2890.1-2004 Parking facilities Off-street car parking*, *AS2890.6-2009 Parking facilities Off-street parking for people with disabilities* and *AS2890.2-2002 Parking facilities Off-street commercial vehicle facilities for heavy vehicle usage*.

B87. **The Applicant is to locate any drainage infrastructure to support the Stage 2 development entirely within the development site and not within the roadway, unless agreed by TfNSW and / or Liverpool City Council.**

The location of other existing and future utility and service infrastructure must be located outside the roadway being upgraded unless provision within the roadway is agreed by TfNSW and / or Liverpool City Council with relevant Roads Act 1993 approval.

[Inserted by SSD-7709-Mod-2]

B88. Road design must incorporate **any** structures for fauna movement between the Georges River riparian corridor and the Boot Land, either under or below the road**, that have been identified by the Management Plan as required under Condition B152**.

Note*: See also Condition B2(i) and B152(d)*

[Amended by SSD-7709-Mod-2]

B89. Heavy vehicles used for haulage of imported fill or freight must not use Cambridge Avenue during construction and operation of the development.

B90. Access to the ABB site must be maintained throughout construction and operation of the development.

B91. The Applicant must:

(a) consult with the owners/occupiers of the ABB site throughout construction and operation;

(b) provide details of construction works adjacent to the ABB site prior those works occurring; and

(c) ensure the proposal does not adversely impact overland flow paths or existing stormwater infrastructure on the ABB site.

B92. The Applicant must ensure that the construction and operation of the proposed development will not prevent the public use of Moorebank Avenue to a standard commensurate to its use prior to the development.

Note: *Temporary closures or part closures and changes to the operation of Moorebank Avenue may occur for limited periods during construction as detailed in the Construction Traffic and Access Management Plan.*

B93. The development is to be designed and operated so that:

(a) all vehicles are wholly contained on site before being required to stop;

(b) adequate parking for heavy vehicles is provided on-site to accommodate any potential delays in schedule time;

(c) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;

(d) all loading and unloading of materials is carried out on-site; and

(e) site roads accommodate buses, bus infrastructure and cyclist use for employees.

RMS supplementary requirements

B94. The civil design and Traffic Control Signal (TCS) plans for the upgrades identified in **Table 1** of **Condition B84** must be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner.

The designs must be in accordance with Austroads Guide to Road Design in association with relevant RMS supplements (available on www.rms.nsw.gov.au). The certified copies of the TCS design and civil design plans must be submitted to RMS for approval before the issue of a Construction Certificate and commencement of road works.

RMS fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.

B95. All documentation required under **Condition B94** must be sent to development.sydney@rms.nsw.gov.au.

B96. RMS fees for administration, plan checking, civil works inspections and project management must be paid by the applicant before the commencement of road upgrades identified in **Table 1** of **Condition B84**.

B97. The applicant must enter into a Works Authorisation Deed (WAD) with RMS for the works identified in Table 1 of **Condition B84**. The applicant must also dedicate as public road under the *Roads Act 1993* the parts of Lot 2 DP 1197707 (incorporating existing Moorebank Avenue) and any other land required to accommodate the road and intersection upgrade works (including associated pathways and services) identified in Table 1 of **Condition B84**. The WAD must provide for the dedication of the required land as public road under the *Roads Act 1993* as a pre-condition to practical completion of the road and intersection upgrade works being achieved under the WAD. A Construction Certificate cannot be issued for any part of the road and intersection upgrade works unless a WAD has been entered into in compliance with this condition. The road and intersection works identified in Table 1 of **Condition B84** cannot be opened for use by traffic unless all required land has been dedicated as public road in accordance with this condition.

B98. The Applicant is required to dedicate land as public road for the maintenance of the Traffic Control Signals and associated infrastructure; further details will be included as part of the WAD process.

B99. Prior to any installation of temporary portable traffic signals and other traffic management measures on Moorebank Avenue or Anzac Road, the Applicant must obtain the relevant approvals from RMS.

B100. All works associated with signposting along Moorebank Avenue must be approved by RMS.

B101. The works associated with traffic signals and road upgrade works are to be designed and delivered at no cost to TfNSW or RMS.

B102. The Applicant must pay all costs incurred by Council and/ or RMS in relation to public road dedication of Commonwealth owned land.

B103. The Applicant is required to negotiate and execute an Interface and Access Deed with RMS and the M5 Operator (Interlink Roads Pty Ltd) prior to road construction works commencing, to address matters including interface between the parties, access provisions, compensation arrangements, and traffic management for the road upgrade works carried out on Lots 3 and 4 in Deposited Plan 1063765.

B104. The Applicant is to ensure that the construction and operation of the proposed development will not prevent the ongoing use of Moorebank Avenue as a public road to a standard commensurate to its current use prior to the development. A staging plan should be submitted to RMS for approval, as part of the WAD package, to ensure adequate capacity is provided along Moorebank Avenue at all times, including a requirement to maintain two lanes open to traffic.

The staging plan should provide details of how the road and intersection upgrade works tie into other road upgrades works approved under the MPE Stage1 and 2 SSD applications. Any temporary diversion works not located within the Moorebank Avenue roadway will require separate planning approval.

B105. There are to be no works undertaken by the Applicant within the RMS (M5 Motorway) land and no impact on RMS drainage infrastructure system or on adjoining Roads and Maritime assets, without the consent of the RMS and M5 Motorway Operator (Interlink).

B106. The Applicant is to liaise with and obtain relevant approvals from RMS in relation to any proposed drainage and excavation works, erection of new and/ or maintenance of existing fencing on the M5 Motorway boundary, erection of new noise attenuation infrastructure, and any other construction works that may impact the M5 Motorway corridor.

***Note**: Contact is to be made to Matthew Messina, Commercial Manager Motorway Partnerships and Planning on 02 8588 4119*

B107. To ensure that Environment, Work Health and Safety laws are fully implemented within and near the M5 Motorway corridor, the Applicant's staff/ contractors must be inducted into the M5 Motorway operator's (Interlink) corridor and fill out a Motorway Access Permit for site activities on or immediately adjoining M5 Motorway land, if work has to be undertaken from the M5 Motorway side. The Applicant may be required to complete a commercial agreement or bank undertaking that sufficiently mitigates the M5 Operator's (Interlink) risk.

B108. A Road Occupancy Licence is to be obtained from the Transport Management Centre for any works that may impact on traffic flows on Moorebank Avenue or the adjoining State road network during construction activities.

B109. A construction zone will not be permitted on Moorebank Avenue without the express approval of RMS.

B110. Access is denied across the M5 Motorway corridor boundary and all buildings and structures are to be located wholly within the freehold property.

Interim Operational Site Access

B110A. Until operational access to the site is provided (that is, as part of the Moorebank Avenue and Anzac Road intersection upgrades required under condition B84), the Applicant must ensure that the operational access point to the site is via the Chatham Avenue/Moorebank Avenue intersection, or any other alternative as agreed by Transport for NSW in writing.

Note: Prior to the occupation of any warehouse on the site, the Applicant must undertake a pre-opening road safety audit of its interim operation site access, and incorporate the corrective actions outlined in that Road Safety Audit, under conditions B112A and B112B.

[Inserted by SSD-7709-Mod-1]

Road Safety Audit

B111. Prior to commencement of any works, the Applicant must undertake a **Road Safety Audit** for heavy vehicle movements associated with the importation of fill, for construction vehicle swept paths in and out of the development site via the proposed construction access points along Moorebank Avenue, and for motorists and construction vehicle movements along Moorebank Avenue during the staged road upgrade works identified in **Table 1**.

The **Road Safety Audit** must be prepared by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines to identify any safety issues. The **Road Safety Audit** must consider road safety issues for the proposed construction access arrangements and affected vehicle movements.

B112. The Applicant must recommend corrective actions for the identified safety issues and propose appropriate traffic management measures outlined in the **Road Safety Audit** (i.e. temporary traffic signals and other traffic management measures) in consultation and with the approval of the relevant road authority. Details on the proposed traffic management measures must be submitted to the Planning Secretary, TfNSW and RMS.

B112A. Prior to occupation of any warehouse on the site, the Applicant must undertake a pre-opening Road Safety Audit for heavy vehicle movements associated with operation in and out of the development site via the operational access point to the site, and for motorists and construction vehicle movements along Moorebank Avenue.

The Road Safety Audit must be prepared by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines and TfNSW's Guidelines for Road Safety Audit Practices to identify any safety issues. The Road Safety Audit must consider road safety issues for the proposed operational access arrangements and affected vehicle movements.

Note: In accordance with condition B110A, the operational access point to the site is via the Chatham Avenue/Moorebank Avenue intersection, or any other alternative as agreed by Transport for NSW in writing.

B112B. Prior to occupation of any warehouse on the site, the Applicant must incorporate the corrective actions outlined in the pre-opening Road Safety Audit required under condition B112A in consultation with and with the prior approval of the relevant road authority. Details on the proposed corrective actions must be submitted to the Planning Secretary and TfNSW.

B112C. The Road Safety Audit required by condition B112A is not required if the applicant has completed the Moorebank Avenue and Anzac Road intersection upgrades required under condition B84 prior to occupation of any warehouse on the site.

[Inserted by SSD-7709-Mod-1]

Construction Traffic and Access Management Plan

B113. Prior to commencement of construction, the Applicant must prepare a Construction Traffic and Access Plan (CTAMP) and submit it to the Planning Secretary for approval. The CTAMP must be prepared by a suitably qualified and experienced person(s) in consultation with Council, and must be endorsed by TfNSW and RMS.

B114. The CTAMP must form part of the CEMP required by **Condition C2** and, in addition to the general management plan requirements listed in **Condition C1**, the CEMP must:

(a) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;

(b) include a Heavy Vehicle Route Plan detailing:

(i) origin of imported fill,

(ii) destination of demolition material and spoil,

(iii) heavy vehicle routes to and from the site within the Campbelltown and Liverpool Local Government Areas (LGAs), including compliance with the conditions of this consent including **Condition B89**, and

(iv) management system for over sized vehicles;

(c) access and parking arrangements; and

(d) detail procedures for notifying residents and the community of any potential traffic disruptions.

B115. Two lanes (one in each direction) of traffic on Moorebank Avenue must be available at all times during construction, unless otherwise approved by RMS.

B116. All construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping.

B117. All vehicles must enter and leave the site in a forward direction.

Operational Traffic and Access Management Plan

B118. Prior to commencement of operation, the Applicant must prepare an Operational Traffic and Access Management Plan (OTAMP) and submit it to the Planning Secretary for approval. The OTAMP must be prepared by a suitably qualified and experienced person(s) in consultation with Council(s), TfNSW and RMS.

B119. The OTAMP must form part of the OEMP and, in addition to the general management plan requirements listed in **Conditions C5** and **C6**, the OTAMP must:

(a) detail numbers and frequency of truck movements, sizes of trucks, vehicle routes and hours of operation;

(b) detail access arrangements for the site to ensure road and site safety, and demonstrate there will be no queuing on the road network;

(c) detail measures to ensure turning areas and internal access roads are kept clear of any obstacles, including parked cars, at all times; and

(d) set out a framework and procedures for data collection required to prepare the **Biannual Trip Origin and Destination Report** required under **Condition B120** including a main gate monitoring system (e.g. CCTV) to identify heavy vehicles turning right from the terminal site onto Moorebank Avenue, or turning left from Moorebank Avenue to the terminal site.

Biannual Trip Origin and Destination Report

B120. Each six months following commencement of operation, the Applicant must prepare a Biannual Trip Origin and Destination Report (in a format agreed with TfNSW and RMS) that advises:

(a) the total number of actual and standard twenty foot equivalent shipping containers despatched and received during the period;

(b) the number of actual and standard twenty foot equivalent shipping containers transported to and from the site by rail during the period;

(c) actual hours of operation for the truck gate listing days and hours of operation;

(d) records of vehicle numbers accessing the site including a record of heavy vehicle entry by date and approximate time;

(e) direction of travel into and out of the site for light vehicle on a representative day; and

(f) representative vehicle origins and destinations of all classes of vehicles and covering the intermodal terminal, the warehousing facility and any other uses such as the freight village.

A copy of the report required under **Condition B120** is to be submitted to the Planning Secretary, TfNSW and RMS within one month of its preparation.

Traffic Audit

B120A. A Traffic Audit of the development must be undertaken within 90 days of each of the trigger events identified in B120B, by an independent qualified person(s) approved by the Planning Secretary prior to the commencement of the Traffic Audit. The Traffic Audit must include, but not necessarily be limited to:

(a) verification of actual traffic movements against condition A15A;

(b) assessment of the traffic performance of the project against the predictions made in EIS, RtS and consolidated assessment clarification responses;

(c) consideration of the results of the traffic monitoring during a representative period nominated by the auditor;

(d) review of compliance with the approved access routes and performance measures prescribed under this consent;

(e) consideration of any traffic-related issues raised by TfNSW and Council; and

(f) findings and recommendations with respect to the traffic performance of the project and any additional measures that may be required to manage traffic associated with the project.

Note: In accordance with condition B110A, the operational access point to the site is via the Chatham Avenue/Moorebank Avenue intersection, or any other alternative as agreed by Transport for NSW in writing.

B120B. Traffic Audits under condition B120A are required to be undertaken within 90 days of the following trigger events:

(a) the MPW Stage 2 daily heavy vehicle movements reaching 1,000 heavy vehicle movements for the first time,

(b) annual container freight throughput on the MPW Stage 2 site reaching each of the following: 50,000 TEU, 250,000 TEU and 500,000 TEU,

(c) as may be directed by the Planning Secretary from time-to-time.

B120C. Within 28 days of conducting the Traffic Audit referred to under condition B120A of this consent, the Applicant must provide the Planning Secretary with a copy of the Traffic Audit report. If the Traffic Audit report identifies non-compliance with condition A15A, or with traffic predictions, approved access routes, or performance measures, the Applicant must detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Planning Secretary.

Notwithstanding the above, nothing permits the Applicant to exceed the traffic movements specified in condition A15A at any time and any non-compliance with condition A15A is a breach of this consent.

B120D. Following consideration of the outcomes of the Traffic Audit and the Traffic Audit report referred to under conditions B120A and B120C of this consent, the Planning Secretary may require the Applicant to implement additional traffic mitigation, monitoring or management measures to address traffic impacts associated with the project. The Planning Secretary may require any or all of the measures identified in the Traffic Audit report, or other measures considered appropriate by the Planning Secretary (including additional local area traffic management measures or on-site traffic management controls) to be implemented. The Applicant must implement the measures required by the Planning Secretary within such period as the Planning Secretary may specify.

[Inserted by SSD-7709-Mod-1]

Workplace Travel

B121. Prior to the issue of any Occupation Certificate, the Applicant must prepare a specific **Workplace Travel Plan** and submit it to the Planning Secretary for information. The Workplace Travel Plan must be developed in consultation with TfNSW and outline facilities and measures to promote public transport usage, including:

(a) peak period and shift work responsive express buses to/ from the site and Liverpool Station via Moorebank Avenue and Newbridge Roads with frequency dependent on the development of the site;

(b) peak period express buses to/ from the site and Holsworthy rail station via Anzac Road, Wattle Grove Drive and Heathcote Road with frequency dependent on the development of the site; and

(c) consideration of extension of the 901 bus service and new bus stop locations if required.

B122. The Applicant must provide an **annual report on employee numbers** to the Department, TfNSW and RMS, commencing one year after commencement of operation of the IMT facility and for up to 5 years from occupation of the final warehouse building.

B123. The Applicant and each occupant/operator must implement the most recent version of the Workplace Travel Plan for the duration of the development.

Driver Code of Conduct

B124. The Applicant must prepare and submit a Driver Code of Conduct to the Secretary which includes the following measures to minimise impacts:

(a) adherence to specified transport routes, including no heavy vehicle access to and from Cambridge Avenue;

(b) acceptable delivery hours;

(c) no extended periods of engine idling;

(d) avoiding queuing in or around the site;

(e) compliance with site speed limits;

(f) limiting the need for reversing on site; and

(g) consideration of the use of non-tonal movement alarms in place of reversing beepers or alternatives such as reversing cameras and proximity alarms, or a combination of these, where tonal alarms are not mandated by legislation.

NOISE AND VIBRATION

Construction Hours of Work

B125. The Applicant must comply with the hours detailed in **Table 2**.

Table 2: Hours of Work

Activity	Day	Time
Construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm

B126. Except as permitted by an EPL, activities resulting in highly noise intensive works (including impulsive or tonal noise emissions) must only be undertaken:

(a) between the hours of 8:00 am to 5:00 pm Monday to Friday;

(b) between the hours of 8:00 am to 1:00 pm Saturday; and

(c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block.

***Note 1**: For the purposes of this condition, 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work that is the subject of this condition.*

***Note 2**: Section 4.42(1)(e) of the EP&A Act requires that an EPL be substantially consistent with this approval. Out-of-hours works considered under **Condition B127** must be justified and include an assessment of mitigation measures.*

B127. Construction outside of the hours identified in **Condition B125** may be undertaken in any of the following circumstances:

(a) works that are inaudible at the nearest sensitive receivers;

(b) where a negotiated agreement has been arranged with affected receivers;

[Amended by SSD-7709-Mod-2]

(c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons;

(d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm; or

(e) **works associated with:**

(i) the Moorebank Avenue/Anzac Road upgrade, the delivery of the rail link connection, and works required to be undertaken during rail corridor possession where they are undertaken in accordance with an Out-Of-Hours Work Protocol under Condition B135**; or**

[Amended by SSD-7709-Mod-2]

(i) **any other construction works on the site where they are undertaken Out-of-Hours must be in accordance with the approved Out-of-Hours Work Protocol (OOWP) required under condition B135.**

[Inserted by SSD-7709-Mod-2]

B128. Blasting is not permitted on the site.

Noise Wall

B129. Prior to the commencement of operation of any part of the development, the Applicant must construct a 5 m high noise wall along the entire length of the western internal road as shown in **Appendix 1** (as detailed in the EIS and RtS Noise and Vibration Impact Assessment modelling).

Hours of Operation

B130. The permitted hours of operation are detailed in **Table 3**.

Table 3: Hours of Operation

Activity	Day	Time
Intermodal terminal facility including rail link connection	Monday – Sunday	24 hours
Warehouses	Monday – Sunday	24 hours
Freight village	Monday – Sunday	7 am to 6 pm

Intermodal Terminal Operational Noise Limits

B131. **The noise generated by the development must not exceed the noise limits in Table 4 which are generated by the overall precinct operations (defined as all activities approved for MPW and MPE).**

Table 4: Operational Noise Limits dB(A)

Location (residential receivers)	Day $L_{Aeq,15\ minute}$	Evening $L_{Aeq,15\ minute}$	Night $L_{Aeq,15\ minute}$	Night LAFmax Sleep Arousal Screening Level
Casula	46 dB	44 dB	39 dB	52 dB
Glenfield	49 dB	46 dB	42 dB	52 dB
Wattle Grove	44 dB	42 dB	42 dB	52 dB
Wattle Grove North	41 dB	41 dB	41 dB	52 dB

Notes: ***To determine compliance with the $L_{Aeq,15\ minute}$ noise limits, noise from the development is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 m of a dwelling where the dwelling is more than 30 m from the boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, the EPA may accept alternative means of determining compliance (see Chapter 7 of the NPI). The modification factors in Fact Sheet C of NPI must also be applied to the measured noise levels where applicable.***

To determine compliance with the LAFmax Sleep Arousal Screening Level in Table 4 above, noise from the project is to be measured at 1 m from the dwelling façade. Where it can be demonstrated that direct measurement of noise from the project is impractical, the EPA may accept alternative means of determining compliance (see Chapter 7 of the NPI).

The noise emission limits identified above apply under meteorological conditions of:

(i) wind speeds of up to 3 m/s at 10 m above ground level; or

(ii) 'F' atmospheric stability class.

[Amended by SSD-7709-Mod-1]

Operation of Rail Terminal, Locomotives and Wagons

B132. Terminal and rail port shuttle operations must comply with the following:

(a) best practice plant for the intermodal terminal facility, including electronic automated container handling equipment or equipment with equivalent sound power levels;

(b) locomotives using the development must meet the air emissions standards and noise requirements as specified in the *Moorebank Precinct East – Stage 1 Project: Best Practice Review (SSD 14-6766)*, prepared by Arcadis dated 20 September 2017);

(c) wagons using the development must incorporate available best practice noise technologies, such as "one-piece" freight bogies or three-piece freight bogies fitted with cross-bracing or steering arms; and permanently coupled 'multi-pack' steering wagons using Electronically Controlled Pneumatic (ECP) braking with a wire based distributed power system (or better practice technology);

(d) automatic rail lubrication equipment must be used in accordance with *ASA Standard T HR TR 00111 ST Rail Lubrication* and top of rail friction modifiers, where required; and

(e) the rail cross sectional profile must be maintained in accordance with *ETN–01-02 Rail Grinding Manual for Plain Track* to ensure the correct wheel/ rail contact position and hence to encourage proper rolling stock steering.

B133. For all terminal and rail operations, a monitoring and performance management regime is to be established in accordance with the conditions of this consent, including but not limited to the requirements of **conditions B140-B143**, with the objective of ensuring there is no deterioration in noise performance and continual improvement in rail noise outcomes from rail operations throughout the life of the development.

Construction Noise and Vibration Management Plan

B134. Prior to commencement of construction, the Applicant must prepare a Construction Noise and Vibration Management Plan (CNVMP) and submit it to the Planning Secretary for approval. The CNVMP must be consistent with the guidelines contained in the ICNG (DECC, 2009).

B135. The CNVMP must form part of the CEMP required by **Condition C2** and, in addition to the general management plan requirements listed in **Condition C1**, the CNVMP must include:

(a) identification of the work areas, site compounds and internal access routes;

(b) identification of the type and number of plant and equipment expected on site at the same time;

(c) details of construction activities and a construction program, including the identification of key noise and/ or vibration generating construction activities (based on representative construction scenarios) that have the potential to generate noise and/ or vibration impacts on surrounding sensitive receivers, particularly residential areas;

(d) identification of sensitive receivers (including heritage structures if relevant) and relevant construction noise management levels (NMLs) using the ICNG, vibration criteria using the *Assessing Vibration: a Technical Guide* (DECC 2006) (for human exposure) and vibration limits set out in the *German Standard DIN 4150-3: Structural Vibration effects of vibration on structures* (for structural damage);

(e) Identification of any construction activities predicted to exceed NMLs;

***Note**: The ICNG identifies 'particularly annoying' activities that require the addition of 5dB(A) to the predicted level before comparing to the construction NML.*

(f) identification of feasible and reasonable measures to be implemented to minimise and manage construction noise impacts, including, but not limited to, acoustic enclosures, erection of noise walls (hoardings), respite periods; and

(g) an **Out-of-hours Work Protocol** for the assessment, management and approval of works, outside of the hours identified in **Condition B125**. The **Out-of-hours Work Protocol** must:

(i) detail an assessment of out-of-hours works against the relevant NMLs and vibration criteria,

(ii) provide detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at-receiver treatments, and

(iii) include proposed notification arrangements.

[Amended by SSD-7709-Mod-2]

Operational Noise Management Plan

B136. Prior to commencement of operation, the Applicant must prepare an Operational Noise Management Plan (ONMP) and submit it to the Planning Secretary for approval. The ONMP must be prepared by a suitably qualified and experienced person(s).

B137. The ONMP must for part of the OEMP and, in addition to the general management plan requirements listed in **Conditions C5** and **C6**, the ONMP must include monitoring and reporting as required under **Conditions B139**, **B140** and **B141**.

Mechanical Plant and Other Noisy Equipment Monitoring

B138. Prior to construction of the freight terminal, freight village and each warehouse, the Applicant must submit to the Secretary a Noise Assessment for Mechanical Plant and other noisy equipment to demonstrate that plant and equipment has been selected to meet the overall noise limits specified in **Table 4**.

B139. The Applicant must carry out noise monitoring of mechanical plant and other noisy equipment for a minimum period of one week where valid data is collected following operation/ occupation of the freight terminal, freight village and each warehouse. The monitoring program must be carried out by a suitably qualified and experienced person(s) and a **Monitoring Report for Mechanical Plant** must be submitted to the Planning Secretary within two months of operation of the freight terminal and occupation of each tenancy to verify predicted mechanical plant and equipment noise levels.

Site Noise Monitoring and Reporting

B140. Within 12 months of operation of the intermodal terminal facility; occupation of the first warehouse, 50% occupation of the site and 100% occupation of the site, or as otherwise agreed by the Planning Secretary, the Applicant must undertake **Operational Noise Monitoring** to compare actual noise performance of the project against predicted noise performance and prepare an **Operational Noise Report** to document this monitoring. The Report must include, but not necessarily be limited to:

(a) noise monitoring to assess compliance with the predicted operational noise levels and the noise limits specified in **Table 4**;

(b) a validation by predictive modelling of the operational noise levels in terms of criteria and noise goals established in the Road Noise Policy (RNP, EPA, 2001);

(c) sleep disturbance impacts compared to those determined in documents specified under **Condition A3**;

(d) impacts associated with annoying characteristics such as prominent tonal components, impulsiveness, intermittency, irregularity and dominant low-frequency content;

(e) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers;

(f) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and heavy vehicle proportions;

(g) an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of all feasible and reasonable mitigation measures;

(h) identification of additional measures to those predicted in the documents specified under **Condition A3**, that would be implemented with the objective of meeting the criteria outlined in the RNP and NPI (EPA, 2017), including timing of implementation;

(i) details of any complaints and enquiries received in relation to operational noise generated by the project between the date of commencement of operation and the date the report was prepared; and

(j) procedures for the management of operational noise and vibration complaints.

The Operational Noise Report is to be verified by a suitably qualified and experienced noise and vibration expert.

The Operational Noise Report must be submitted to the Planning Secretary and the EPA within 60 days of completing the operational noise monitoring referred to in (a) above or as otherwise agreed by the Planning Secretary.

Noise Impact Monitoring and Residual Noise Impact Mitigation Plan

B140A. The Applicant is to conduct noise impact monitoring and residual noise impact mitigation in accordance with the following requirements:

(a) the Applicant is to engage a Suitably Qualified and Experienced Acoustic Engineer to undertake a noise survey at R1 No. 9 Casula Road, Casula (or an equivalent location if access is denied). Evidence of access being sought and access being denied must be provided to the Planning Secretary before surveying is undertaken at an equivalent location;

(b) the noise survey must be undertaken not less than three months and not more than six months from commencement of operation;

(c) the noise survey is to be conducted in accordance with the Noise Policy for Industry ((NPfI) EPA 2017) to determine:

i. the LAeq, 15min noise level arising from use of the Precinct in the EPA-defined day, evening and night-time periods (excluding rail operations on the rail link); and

ii. the LAFmax noise level arising from use of the Precinct in the EPA-defined night-time period;

(d) the noise survey must be both attended and unattended. The attended survey must be for a period of 4 contiguous hours in a single day, evening and night-time period conducted on days when the Precinct is likely to be operating at maximum capacity at the time. The unattended survey must be conducted for a period of 7 contiguous days not adversely affected by weather and must include the days of the attended surveys;

(e) a copy of the results of the noise survey must be provided to the Planning Secretary for information within one month of completion of the survey;

(f) if the noise survey identifies an exceedance arising from use of the Precinct of the LAeq, 15min and the LAFmax noise limits specified in condition B140A (the residual noise impacts), the Applicant is to conduct an assessment as follows:

i. outlining and justifying the application of the approach to “sustained” exceedance having regard to the number of observed exceedances;

ii. the identification of the likely source(s) of the residual noise impact;

iii. an assessment of the significance of the LAFmax noise level events in accordance with Section 2.5 of the NPfI;

iv. an assessment of the significance of the residual noise impacts in accordance with Table 4.1 of Section 4 of the NPfI;

v. the feasible and reasonable source and pathway noise mitigation measures that have been implemented in respect of the source(s) of the residual noise impacts;

vi. any further feasible and reasonable transmission pathway noise mitigation measures which are capable of being adopted to reduce residual noise impacts;

vii. feasible and reasonable receiver based treatments which can be offered to affected property owners in accordance with Table 4.2 of Section 4 of the NPfI;

viii. an assessment of whether there are additional residential properties in Casula other than R1 which are considered to also be affected by residual noise impacts and the preparation of a list of property addresses of those properties likely to be affected;

ix. within 3 months of the attended noise survey, the preparation of a **Preliminary Residual Noise Impact Report** summarising the findings including a draft Proposal for At Property Noise Mitigation Plan for R1 and submit a copy of the report to the Planning Secretary for information;

(g) in respect of the properties identified in (f) above, and within 12 months of the Residual Noise Impact Report being completed (or as otherwise agreed by the Planning Secretary), the Applicant is to complete a **Residual Noise Impact Mitigation Plan** to investigate and assess feasible and reasonable receiver based treatments for those properties and detail a **Proposal for At Property Noise Mitigation Plan** for each property in accordance with subclauses (a)-(d), and provide a copy of these plans to the Planning Secretary for information.

(h) for all properties identified in the Residual Noise Impact Mitigation Plan as requiring feasible and reasonable receiver based treatments, the Applicant must:

i. liaise with identified owners of properties;

ii. provide the owners with a copy of the Proposal for At Property Noise Mitigation Plan for their respective property;

iii. within 3 months of the Plan being completed, make an offer to the respective owners to affect the receiver based treatments specified in the Proposal for At Property Noise Mitigation Plan within an agreed time line;

iv. if an agreement is reached with the property owner, execute the recommended mitigation treatment at no cost to the property owner, within an agreed time.

(i) the Applicant must provide to the Planning Secretary **a copy of the reports and plans identified in this condition with a summary of the state of agreements reached with property owners, and a summary of the execution of at source, in transmission pathway and at receiver mitigation** every 6 months commencing from the completion of the Plans required at (g) until all mitigations are completed;

(j) at 12 monthly intervals, until a date which is 12 months after the Site has become fully operational (as determined with the Planning Secretary's agreement), commencing 12 months after the completion of the first noise survey, the Applicant must engage a Suitably Qualified and Experienced Acoustic Engineer to undertake a further noise survey, assessment and report at R1 No. 9 Casula Road, Casula (or an equivalent location if access is denied) following the process in clauses (a)-(e) to determine whether there has been a substantial change in the noise levels specified in (c). Where such a substantial change has occurred, the plans referred to in (g) must be updated and the requirements in (h)-(i) must be implemented in respect of properties which have not been offered noise mitigation treatment to date; and

(k) a copy of all reports and plans required under (j) are to be provided to the Planning Secretary within the relevant timelines prescribed under sub clauses (e), (f) ix, (g) and (i).

***Note**: In respect of requirements in this condition being in common with those in condition B140, the information that is common may be used to satisfy the requirements of both conditions.*

***Note**: In this condition, 'feasible and reasonable' has the meaning given in Fact Sheet F of the Noise Policy for Industry 2017.*

Rail Noise Monitoring and Reporting

B141. The Applicant must install and maintain a rail noise monitoring system on the rail link at the commencement of operation to continuously monitor the noise from rail operations on the rail link. The system must capture the noise from each individual train passby noise generation event, and include information to identify:

(a) time and date of freight train passbys;

(b) imagery or video to enable identification of the rolling stock during the day and night;

(c) $LAeq(_{15hour})$ and $LAeq(_{9hour})$ from rail operations; and

(d) LAF(max) and SEL of individual train passbys, measured in accordance with ISO3095; or

(e) other alternative information as agreed with, or required by, the Planning Secretary.

The results from the noise monitoring system, must be publicly accessible from a website maintained by the Applicant. The noise results from each train must be available as live data on the website, unless unforeseen circumstances (i.e. a system malfunction) have occurred. The $L_{Aeq(15hour)}$ and $L_{Aeq(9hr)}$ results from each day must be available on the website within 1 hour of the period ending.

B142. Prior to the commencement of operation, the Applicant must submit to the Planning Secretary for approval, **justification supporting the appropriateness of the location for rail noise monitoring**, including details of any alternative options considered and reasons for these being dismissed. The noise monitoring location(s) must be west of the MPW Stage 2 connection to the rail link constructed under MPE Stage 1.

B143. From the commencement of operation, the Applicant must provide an annual **Rail Noise Monitoring Report** to the Planning Secretary for a period of 5 years, or as otherwise agreed with the Planning Secretary. The Planning Secretary shall consider the need for further reporting following a review of the results for year 5.

***Note**: the above rail noise monitoring and reporting conditions may be satisfied by the implementation of relevant monitoring and reporting conditions under the MPE Stage 1 consent.*

HERITAGE

Aboriginal Sites

B144. A **Salvage Strategy** must be developed in consultation with OEH and with relevant Registered Aboriginal Parties prior to any impacts on Aboriginal objects and sites.

B145. The scar tree portions of Aboriginal sites MA6 & MA7 are to be removed by a qualified arborist and relocated to a suitable area identified in consultation with Registered Aboriginal Parties.

B146. Staged salvage excavation of selected areas should be conducted in consultation with Registered Aboriginal Parties. These stages include:

(a) dispersed pits placed along transects within the Terrace PAD and the tertiary terrace (between MA10 and MA14 – refer to Figure 16-2 of the EIS); and

(b) open area salvage excavation, targeting the artefact concentrations at MA10 and MA14, as well as any additional artefact concentrations identified during (a) above.

B147. Following completion of salvage, the Applicant must prepare an **Aboriginal Cultural Heritage Salvage Report** in accordance with any guidelines and standards or OEH requirements. The report must include details of any archival recording, further archaeological research either undertaken or to be carried out, and archaeological excavations (with artefact analysis and identification of a final repository for finds) and be submitted to the Planning Secretary, OEH, relevant Council(s) and Registered Aboriginal Parties, where relevant, for information within 12 months after the completion of salvage works.

Aboriginal Items or Objects

B148. If any Aboriginal object of Aboriginal place is identified on site, or suspected to be on site (other than those identified in the EIS):

(a) all work in the immediate vicinity of the object or place must cease immediately;

(b) a 10 m wide buffer area around the object or place must be cordoned off; and

(c) OEH must be contacted immediately.

B149. Work in the immediate vicinity may only recommence if:

(a) the object or place is confirmed by OEH upon consultation with the Registered Aboriginal Parties, not to be an Aboriginal object or Aboriginal place; or

(b) an **Aboriginal Cultural Heritage Management Plan** is prepared in consultation with the Registered Aboriginal Parities and OEH to include the object or place and appropriate measures in respect of it, and the Plan is approved by the Planning Secretary; or

(c) OEH is satisfied as to the measures to be implemented in respect of the object or place and makes a written direction in that regard.

Non-indigenous Heritage

B150. If any unexpected archaeological relics are uncovered:

(a) all work in the immediate vicinity of the find must cease immediately;

(b) OEH Heritage Division must be notified;

(c) a suitably qualified and experienced archaeologist (e.g. project archaeologist) must record and assess the significance of the find with the results reported to the Planning Secretary, OEH Heritage Division, Council and the local Historical Society; and

(d) where required, a Management Strategy is to be developed and implemented in consultation with the OEH Heritage Division.

B151. Work in the immediate vicinity of the find may only recommence on the advice of the project archaeologist.

BIODIVERSITY

B152. Prior to clearing of native vegetation, a **Koala Management Plan** (KMP) must be prepared by a suitably qualified person in consultation with OEH and be submitted to the Planning Secretary for approval. The KMP must:

(a) make reference to *A review of koala tree use across New South Wales* (OEH 2018);

(b) identify habitat corridors, of adequate dimensions to provide an adequate Koala habitat corridor as supported by a Koala specialist, to provide connectivity both within the Intermodal Precinct area and with other core koala habitat areas (i.e. to the south and to the west along Georges River);

(c) include commitment to retain Koala use trees on site in line with phased earthworks (see eg. **Condition B40**);

(d) include details of structures to eliminate barriers to movement (presented by fences, roads, drainage culverts or pits, rail lines and the like) for koalas and other native fauna likely to use the site or habitat corridor;

(e) include details on koala habitat rehabilitation/ restoration within the identified habitat corridors; and

(f) include other measures to minimise the risk of harm to koalas.

Construction Flora and Fauna Management

B153. The Applicant must:

(a) ensure that no more than 42.89 hectares of native vegetation is cleared for the development; and

(b) before any work commences, install and maintain exclusion fencing along the riparian corridor and around any native vegetation not being removed as part of the development.

B154. Prior to clearing of native vegetation, the Applicant must prepare a **Construction Flora and Fauna Management Plan** (CFFMP) and submit it to the Planning Secretary for approval. The CFFMP must be developed in consultation with OEH.

B155. The CFFMP must form part of the CEMP required by **Condition C2** and, in addition to the general management plan requirements listed in **Condition C1**, the CFFMP must include the following:

(a) measures to minimise the loss of key fauna habitat including tree hollows and koala feed trees;

(b) measures to minimise the impacts on fauna on site; and

(c) measures to ensure biodiversity values not intended to be impacted are protected including mapping of protected/ 'no-go' areas.

Note: *A version of the CFFMP is to be submitted prior to any clearing required to conduct remediation. In accordance with the definition of construction, that version of the CFFMP can be prepared and submitted for approval as a standalone document prior to any clearing required to conduct remediation, and a full CEMP does not need to be submitted at that point in time.*

B156. Prior to removing/ clearing any vegetation or any demolition, pre-clearing surveys and inspections for threatened species, populations and ecological communities must be undertaken. The surveys and inspections, and any subsequent relocation of species and associated management measures, must be undertaken under the guidance of a suitably qualified and experienced ecologist.

B157. Prior to any impact on the species to be offset, the Applicant must retire biodiversity credits specified in **Table 5** and **Table 6**. The retirement of credits must be carried out in accordance with the *NSW Biodiversity Offsets Policy for Major Projects (OEH 2014)*.

Table 5: Ecosystem credit requirements

Site	Plant community type	Area to be impacted	Credits required
MPW Stage 2 (excluding Moorebank Avenue site)	**Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)**	9.81 ha	371
MPE Stage 2 (excluding Moorebank Avenue site)	**Parramatta Red Gum woodland on moist alluvium of the Cumberland Plain, Sydney Basin (ME005)**	0.46 ha	15
MPE Stage 2 (excluding Moorebank Avenue site)	**Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin (ME018)**	27.88 ha	1,290
Moorebank Avenue site	**Hard-leaved Scribbly Gum - Parramatta Red Gum heathy woodland of the Cumberland Plain, Sydney Basin (ME003)**	3.75 ha	140
Moorebank Avenue site	**Parramatta Red Gum woodland on moist alluvium of the Cumberland Plain, Sydney Basin (ME005)**	0.22 ha	7
Moorebank Avenue site	**Forest Red Gum – Rough-barked Apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney (ME018)**	0.59 ha	19

Table 6: **Species credit requirements**

Species	Impacted individuals/ area to be impacted	Credits required
Nodding Geebung (*Persoonia nutans*)	16	1,232
Hibbertia puberula* subsp. *puberula	2 ha	80*
Small-flower Grevillia (*Grevillea parviflora* subsp. *parviflora*)	333	4,662
Koala (*Phascolarctos cinereus*)	42.69 ha	1,110

Note*: * only whole numbers can be entered into the credit calculator. It is known that the calculator applies an offset requirement of 40 credits per hectare therefore this rate has been used to calculate the requirement for decimals of a hectare.*

B158. The Applicant:

(a) may elect to retire biodiversity credits in conjunction with the retirement of biodiversity credits for other developments on the MPE or MPW developments, prior to the commencement of construction of this development, provided it is not inconsistent with **Condition B157**; and

(b) is not required to retire credits for biodiversity impacts that it has already offset under another development consent, pending the provision of evidence of what credits were retired to offset which development.

B159. If any native flora or fauna is identified on site that has not been previously identified in the documents listed in **Condition A3**:

(a) work must cease in the vicinity;

(b) a buffer zone must be established in consultation with the project ecologist;

(c) OEH must be notified;

(d) appropriate mitigation measures must be determined in consultation with OEH (including relevant re-location measures); and

(e) ecological monitoring and/ or biodiversity offset requirements must be updated, where required.

Operational Flora and Fauna Management

B160. Prior to commencement of operation an **Operational Flora and Fauna Management Plan** (OFFMP) must be prepared by a suitably qualified person in consultation with OEH and be submitted to the Planning Secretary for approval. The OFFMP must include:

(a) monitoring, management and maintenance procedures for koala habitat corridors; and

(b) management and maintenance of other measures and site operations to minimise the risk of harm to koalas and other native fauna.

CONTAMINATION AND REMEDIATION

Site Auditor

B161. Prior to the commencement of any works, the Applicant must engage a Site Auditor accredited under the *Contaminated Land Management Act 1997* NSW Site Auditor Scheme.

Per- and Polyfluoroalkyl Substances (PFAS) Contamination

B162. Prior to construction, the Applicant must provide the EPA with a copy of all reports to date relating to the assessment of per- and poly-fluoroalkyl substances (PFAS) undertaken for the development and in relation to contamination from the development.

B163. Should the Applicant identify a potential risk to off-site receptors due to PFAS contamination, the Applicant must contact the EPA as soon as practicable to discuss requirements for community consultation.

Contamination in Vegetated Areas

B164. Prior to vegetation clearing:

(a) the Applicant must identify contamination within vegetated areas and prepare options for remediation in those areas, with the objectives to:

(i) retain vegetation to the greatest extent possible beyond the completion of remediation;

(ii) minimise land disturbance in accordance with **Condition B41**; and

(iii) not reduce the ability to provide connectivity and habitat corridors in accordance with **Conditions B2** and **B152**;

(b) where remediation requires prior vegetation clearing, an appropriate assessment of the impact of clearing on contaminated land must be prepared by a suitably qualified and experienced consultant; and

(c) where contamination is identified as occurring within those areas where vegetation is proposed to be cleared, a **Contamination Management Plan** must be prepared in consultation with the Site Auditor detailing the location and nature of the contamination and the proposed remediation and/ or management measures that will be undertaken to address the on-site and potential off-site impacts.

B165. A copy of the assessment required by **Condition B164** above and any associated update of the CEMP required must be provided to the Planning Secretary for approval one month before commencement of vegetation clearing. Evidence of consultation with the Site Auditor must be included.

Remediation

B166. Following vegetation clearing and prior to the commencement of other construction activities, the Applicant must complete remediation of the site in accordance with any relevant Remediation Action Plan (RAP) to the satisfaction of the Planning Secretary. The RAP must include options to remediate and/or manage PFAS impacted areas across the site, including the conservation area. The RAP must be submitted to the accredited site auditor and the NSW EPA for comment prior to implementation. If any amendments are required to the RAP, the amendments must be approved by an EPA accredited Site Auditor.

Validation Report

B167. The Applicant must prepare a Validation Report for the Stage 1 development. The Validation Report must:

(a) be reviewed by an EPA accredited Site Auditor;

(b) be prepared in accordance with the RAP and the *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites* (OEH, 2011);

(c) include, but not be limited to:

(i) comment on the extent and nature of the remediation undertaken,

(ii) describe the location, nature and extent of any remaining contamination on site,

(iii) sampling and analysis plan and sampling methodology,

(iv) details of the volume of treated material emplaced within any remaining containment cell,

(v) results of any validation sampling, compared to relevant guidelines/ criteria, and

(vi) discussion of the suitability of the remediated areas for the intended future land uses described under SSD 5066 and SSD 7709 – Stage 2 (including for the raised landform and imported fill characteristics and the drainage outlet structures in the riparian corridor).

B168. A copy of the Validation Report must be provided to the Planning Secretary, EPA and the Certifying Authority prior to commencement of construction (other than the vegetation clearing required for remediation).

Site Audit Statements

B169. Upon completion of the remediation required in relation to Stage 1 (SSD 5066) and this development and prior to the commencement of construction (other than the vegetation clearing required for remediation) in relation to this approval (i.e. Stage 2 SSD 7709), the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the *NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017*, which demonstrates the site is suitable for its intended land uses under Stage 2 SSD 7709 including for the:

(a) importation and placement of fill,

(b) construction of a warehouse estate including warehouse buildings,

(c) development of an intermodal terminal, and

(d) protection of the conservation area including riparian corridor and biodiversity offset sites.

B170. To ensure that no residual contaminated land on site is impacted by this approval, the requirements of Site Audit Statement A required by **Condition B169** cannot be staged.

B171. Upon completion of importation and placement of fill and prior to construction of permanent built surface works, the Applicant must submit to the Planning Secretary, a Site Audit Report and a Site Audit Statement A for the whole site, prepared in accordance with the *NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017*, which demonstrates the site is suitable for its intended land uses under MPW Stage 2 SSD 7709.

Long Term Environmental Management Plan

B172. Where remediation outcomes for the site require long term environmental management, a suitably qualified and experienced person must prepare a Long Term Environmental Management Plan (LTEMP), to the satisfaction of the Site Auditor. The plan must:

(a) be submitted to the Planning Secretary and EPA prior to commencement of construction (other than vegetation clearing); and

(b) include, but not be limited to:

(i) a description of the nature and location of any contamination remaining on site,

(ii) provisions to manage and monitor any remaining contamination, including details of any restrictions placed on the land to prevent development over the containment cell,

(iii) a description of the procedures for managing any leachate generated from the containment cell, including any requirements for testing, pumping, treatment and/ or disposal,

(iv) a description of the procedures for monitoring the integrity of the containment cell,

(v) a surface and groundwater monitoring program,

(vi) mechanisms to report results to relevant agencies,

(vii) triggers that would indicate if further remediation is required, and

(viii) details of any contingency measures that the Applicant is to carry out to address any ongoing contamination.

B173. The LTEMP must be registered on the title to the land.

Unexpected Ordnance

B174. Unexpected Ordnance (UXO), Exploded Ordnance (EO) and Exploded Ordnance Waste (EOW) protocols must be prepared by an UXO contractor listed on the Defence Panel of suitably qualified UXO consultants and contractors.

UNEXPECTED FINDS PROTOCOL

B175. The CEMP required under **Condition C2** must include an Unexpected Finds Protocol(s) for, but not limited to, contamination, ordnances, Aboriginal sites, non-indigenous heritage and flora and fauna.

HAZARDS AND RISKS

B176. **The total quantities of dangerous goods present at any time within the development and transport movements to and from the development must be kept below the screening threshold quantities and movements listed in the Department's *Hazardous and Offensive Development Guidelines Applying SEPP 33* (January 2011), with the exception of dangerous goods storage for Warehouses JR and JN.**

[Amended by SSD-7709-Mod-1]

B176A. The storage of dangerous goods and combustible materials within Warehouses JR and JN must not exceed the maximum storage quantities listed in Table 7 at all times:

Table 7: Storage of dangerous goods within Warehouses JR and JN

Location	Dangerous Goods Class	Packing Group	Description	Maximum Storage Quantity (Kg)
JR Warehouse	2.1	n/a	Liquified Petroleum Gas (LPG) in bulk tank	3,080
	2.1	n/a	Aerosols with LPG propellent	40,000
	n/a	n/a	Diesel fuel (C1 combustible material)	60,000
JN Warehouse	1.4s	n/a	Explosives (i.e. party poppers)	200
	2.1	n/a	LPG in bulk tank	3,080
	3	II	Flammable liquids (i.e. paints)	32,700
	3	III	Flammable liquids (i.e. paints)	44,100
	4.1	III	Flammable solids (i.e. matches)	4,200
	5.1	III	Oxidising agents (i.e. hair dyes)	1,300
	8	II	Corrosive substances (i.e. cleaners)	12,000
	8	III	Corrosive substances (i.e. cleaners)	33,000

B176B. Prior to the commencement of construction, the pre-construction studies set out below must be completed:

(a) **a Fire Safety Study for Warehouse JR and/or Warehouse JN, covering the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines' and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems. The study must be prepared in consultation with Fire and Rescue NSW.**

(b) **a Final Hazards Analysis for Warehouse JR and/or Warehouse JN, consistent with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'.**

Construction of Warehouse JR or Warehouse JN, other than of preliminary works that are outside the scope of the hazards studies, must not commence until the relevant study recommendations for the subject warehouse have been considered and, where appropriate, acted upon. The studies must be submitted to the Planning Secretary no later than one month prior to the commencement of construction of relevant warehouse to which they apply (other than preliminary works), or within such further period as the Planning Secretary may agree.

B176C. Prior to the commissioning of Warehouse JR and Warehouse JN (or prior to the commissioning of the relevant warehouse, should the development be staged), the pre-commissioning plans and systems set out below must be completed:

(a) **a comprehensive Emergency Plan and detailed emergency procedures for the safety of all people outside Warehouse JR and/or Warehouse JN, who may be at risk from the warehouse/s. The plan must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'.**

(b) **a document setting out a comprehensive Safety Management System covering all on-site operations and associated transport activities involving hazardous materials for Warehouse JR and/or Warehouse JN. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. The Safety Management System shall be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'. Records shall be kept on-site at all times and must be available for inspection by the Secretary upon request.**

Documentation must be submitted to the Planning Secretary no later than two months prior to the commencement of commissioning of the proposed development, or within such further period as the Planning Secretary may agree.

B176D. Twelve months after the commencement of operations of Warehouse JR and/or Warehouse JN, should the development be staged, and every five years thereafter, or at such intervals as Council may agree, a comprehensive Hazard Audit of the warehouse/s must be carried out and a report submitted to the Planning Secretary within one month of each audit. The audits must be carried out at the Applicant's expense by a qualified person or team, independent of the development, approved by the Planning Secretary prior to commencement of each audit. Hazard Audits must be consistent with the Department's

Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the deferral of the implementation of a recommendation is intended, reasons must be documented.

B176E. The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B176B to B176D, within such time as the Planning Secretary may agree.

[Inserted by SSD-7709-Mod-1]

B177. The Applicant (the operator/ occupant of each premises) must store and handle all chemicals, fuels and oils, including Dangerous Goods as defined in the *Australian Code for the Transport of Dangerous Goods by Road & Rail*, in accordance with:

(a) the requirements of all relevant Australian Standards; and

(b) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participant's Manual* if the chemicals are liquids.

In the event of an inconsistency between the requirements listed above in (a) and (b), the most stringent requirement must prevail to the extent of the inconsistency.

B178. Fuel stored on the site must only be used for the purposes of refuelling IMT facility plant and equipment and locomotives.

B179. Prior to the occupation of each premises and in each instance of occupation by a new occupant, a statement must be submitted to the Planning Secretary confirming that the premises will be operated so as to comply with the requirements of **Conditions B176** and **B177**.

WASTE MANAGEMENT

B180. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.

B181. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.

B182. The Applicant must obtain agreement from Council for the design of the waste storage area for each warehouse where the waste collection service will be provided by Council.

B183. The OEMP required under **Condition C5** must include measures for waste management in accordance with the waste hierarchy set out in the EPA's NSW Waste Avoidance and Resource Recovery Strategy 2014-2021.

CONSTRUCTION AND OPERATIONAL FACILITIES

Concrete Batching Plant

B184. The concrete batching plants must comply with the following criteria:

(a) have a total production capacity less than 150 tonnes per day or 30,000 tonnes per year;

(b) only one concrete batching plant is to operate at any one time; and

(c) the first concrete batching plant must be disassembled immediately following commencement of operation of the second concrete batching plant.

B185. The **CEMP** required under **Condition C2** must include:

(a) a drawing showing the location and layout of the two concrete batching plants including facilities for cementitious water treatment and connections to construction site water management and erosion and sediment control structures;

(b) mitigation, monitoring and management procedures specific to the concrete batching plants that would be implemented to minimise environmental and amenity impacts during both facility establishment and operation; and

(c) timeframes for establishment of each of the batching plants.

Crushing Plant

B186. The CEMP required under **Condition C2** must include mitigation, monitoring and management procedures specific to the crushing plant that would be implemented to minimise environmental and amenity impacts.

Container Wash Down Facility

B187. The container wash down facility must:

(a) include bunding to exclude wash area waste from the stormwater system;

(b) be designed and operated to avoid overspray from foams, detergents, mud or fugitive emissions outside wash down bays;

(c) include oily water separation, water treatment and recycling; and

(d) comply with Sydney Water trade waste requirements for discharge to the sewer.

OPERATION OF PLANT AND EQUIPMENT

B188. All plant and equipment used on site, or to monitor the performance of the development must be:

(a) maintained in a proper and efficient condition; and

(b) operated in a proper and efficient manner.

BUSHFIRE RISK MANAGEMENT

B189. Bushfire asset protection zones must not be within the riparian corridor as defined in **Condition** B2 other than within areas greater than 40m from top of bank as determined in accordance with condition B2 where evidence is provided to the satisfaction of the Planning Secretary that riparian vegetation, and any trees over 3 m in height, will be retained.

B190. The entire site must be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of the *Planning for Bush Fire Protection* (RFS, 2006) and the NSW Rural Fire Service's document *Standards for asset protection zones*.

B191. An updated **Bushfire Risk Management Plan** must be prepared by a suitably qualified person(s) demonstrating that the bushfire asset protection zones can be contained wholly within the development area and that management of the inner protection zone will not impact on the proposed Biodiversity Offset Area. The Bushfire Risk Management Plan must be submitted to the Planning Secretary prior to construction of permanent built surface works.

B192. Public road access must comply with section 4.1.3(1) of *Planning for Bush Fire Protection* (RFS, 2006) except for the requirement for through-access.

B193. The provision of water, electricity and gas must comply with section 4.1.3 of *Planning for Bush Fire Protection* (RFS, 2006).

EMERGENCY RESPONSE

B194. Prior to the commencement of construction and operation, the Applicant must prepare an **Emergency Response Plan**(s) covering, but not limited to, flooding and bushfire. The Emergency Response Plan(s) must be consistent with *Australian Standard AS3745 2010 Planning for Emergencies in Facilities* and include details of:

(a) assembly points and evacuation routes;

(b) evacuation and refuge protocols; and

(c) awareness training for employees and contractors.

B195. The **Bushfire Emergency and Evacuation Management Plan** must:

(i) be prepared by a suitably qualified and experienced person(s),

(ii) be consistent with the *Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan* (RFS, 2014); and

(iii) a copy of the **Operational Bushfire Emergency Evacuation Management Plan** must be submitted to the Planning Secretary, NSW Rural Fire Service, Council and the Certifying Authority prior to occupation.

TENANCY ACTIVITIES

B196. Prior to occupancy of any freight village or warehouse tenancy, and every subsequent occupation of these tenancies, details of the tenant and occupation activity is to be submitted to the Planning Secretary demonstrating that the proposed activity complies with **Conditions A17** and **A20**.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:

(a) detailed baseline data;

(b) details of:

(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);

(ii) any relevant limits or performance measures and criteria; and

(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;

(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;

(d) a program to monitor and report on the:

(i) impacts and environmental performance of the development;

(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;

(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;

(f) a program to investigate and implement ways to improve the environmental performance of the development over time;

(g) a protocol for managing and reporting any:

(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);

(ii) complaint;

(iii) failure to comply with statutory requirements;

(h) roles and responsibilities for implementing the plan; and

(i) a protocol for periodic review of the plan.

Note: *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans*

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

C2. The Applicant must prepare a **Construction Environmental Management Plan (CEMP)** in accordance with the requirements of **condition C1** and submit it to the Planning Secretary for approval.

C3. As part of the CEMP required under **Condition C2** of this consent, the Applicant must include the following:

(a) **Soil and Water Management Plan** (see **Condition B29**);

(b) **Acid Sulfate Soils Management Plan** (see **Condition B39**);

(c) **Construction Traffic and Access Management Plan** (see **Condition B113**);

(d) **Construction Noise and Vibration Management Plan** (see **Condition B134**);

(e) **Out-of-hours Work Protocol** (see **Condition B135(g)**);

(f) **Construction Flora and Fauna Management Plan** (see **Condition B154**); and

(g) **Unexpected Finds Protocol(s)** (**see Condition B175**).

C4. The Applicant must:

(a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and

(b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

C5. The Applicant must prepare an **Operational Environmental Management Plan (OEMP)** in accordance with the requirements of **condition C1** and submit it to the Planning Secretary for approval.

C6. As part of the OEMP required under **Condition C5** of this consent, the Applicant must include the following:

(a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;

(b) describe the procedures that would be implemented to:

(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;

(ii) receive, handle, respond to, and record complaints;

(iii) resolve any disputes that may arise;

(iv) respond to any non-compliance;

(v) respond to emergencies; and

(c) include the following environmental management plans:

(i) **Operational Traffic and Access Management Plan** (see **Condition B118**);

(ii) **Stormwater Infrastructure Operation and Maintenance Plan** (see **Condition B36**);

(iii) **Stormwater Quality Monitoring Program** (see **Condition B38**);

(iv) **Landscape Vegetation Management Plan** (see **Condition B82**);

(v) **Operational Traffic and Access Management Plan** (see **Condition B118**);

(vi) **Operational Noise Management Plan** (see **Condition B136**); and

(vii) **Operational Flora and Fauna Management Plan** (see **Condition B160**).

C7. The Applicant must:

(a) not commence operation until the OEMP is approved by the Planning Secretary; and

(b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

REVISION OF STRATEGIES, PLANS AND PROGRAMS

C8. Within three months of:

(a) the submission of an incident report under **Condition C10**;

(b) the submission of an Independent Audit under **Condition C17**;

(c) the approval of any modification of the conditions of this consent; or

(d) the issue of a direction of the Planning Secretary under **Condition A3(b)** which requires a review,

the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

C9. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

Note: *This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.:*

REPORTING AND AUDITING

Incident Notification, Reporting and Response

C10. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development), and set out the location and nature of the incident. Subsequent notification requirements must be given and reports submitted in accordance with the requirements set out in **Appendix 3**.

Non-Compliance Notification

C11. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.

C12. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

C13. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

C14. No later than six weeks before the date notified for the commencement of construction and operation, a **Construction Compliance Monitoring and Reporting Program** and **Operational Compliance Monitoring and Reporting Program** respectively, prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.

Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).

The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.

C15. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

Independent Environmental Audit

C16. No later one month before the date notified for the commencement of construction and operation, an **Independent Audit Program** prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.

C17. Independent Audits of the development must be carried out in accordance with:

(a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C16 of this consent; and

(b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).

C18. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:

(a) review and respond to each Independent Audit Report prepared under **Condition C17** of this consent;

(b) submit the response to the Department and the Certifying Authority; and

(c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.

C19. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.

Monitoring and Environmental Audits

C20. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

Note: *For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

ACCESS TO INFORMATION

C21. At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must:

(a) make the following information and documents (as they are obtained or approved) publicly available on its website:

(i) the documents referred to in **Condition A3** of this consent and the final, approved **revised Development Layout Drawings**, **Stormwater Design Drawings**, **Landscape Drawings** and **Architectural Drawings** for the development;

(ii) all current statutory approvals for the development;

(iii) all approved strategies, plans and programs required under the conditions of this consent;

(iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;

(v) minutes of CCC meetings;

(vi) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;

(vii) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;

(viii) a summary of the current stage and progress of the development;

(ix) contact details to enquire about the development or to make a complaint;

(x) a complaints register, updated monthly;

(xi) the Compliance Reporting of the development;

(xii) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;

(xiii) any other matter required by the Planning Secretary; and

(b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 SITE PLAN AND DRAWINGS REFERRED TO IN THE CONSENT

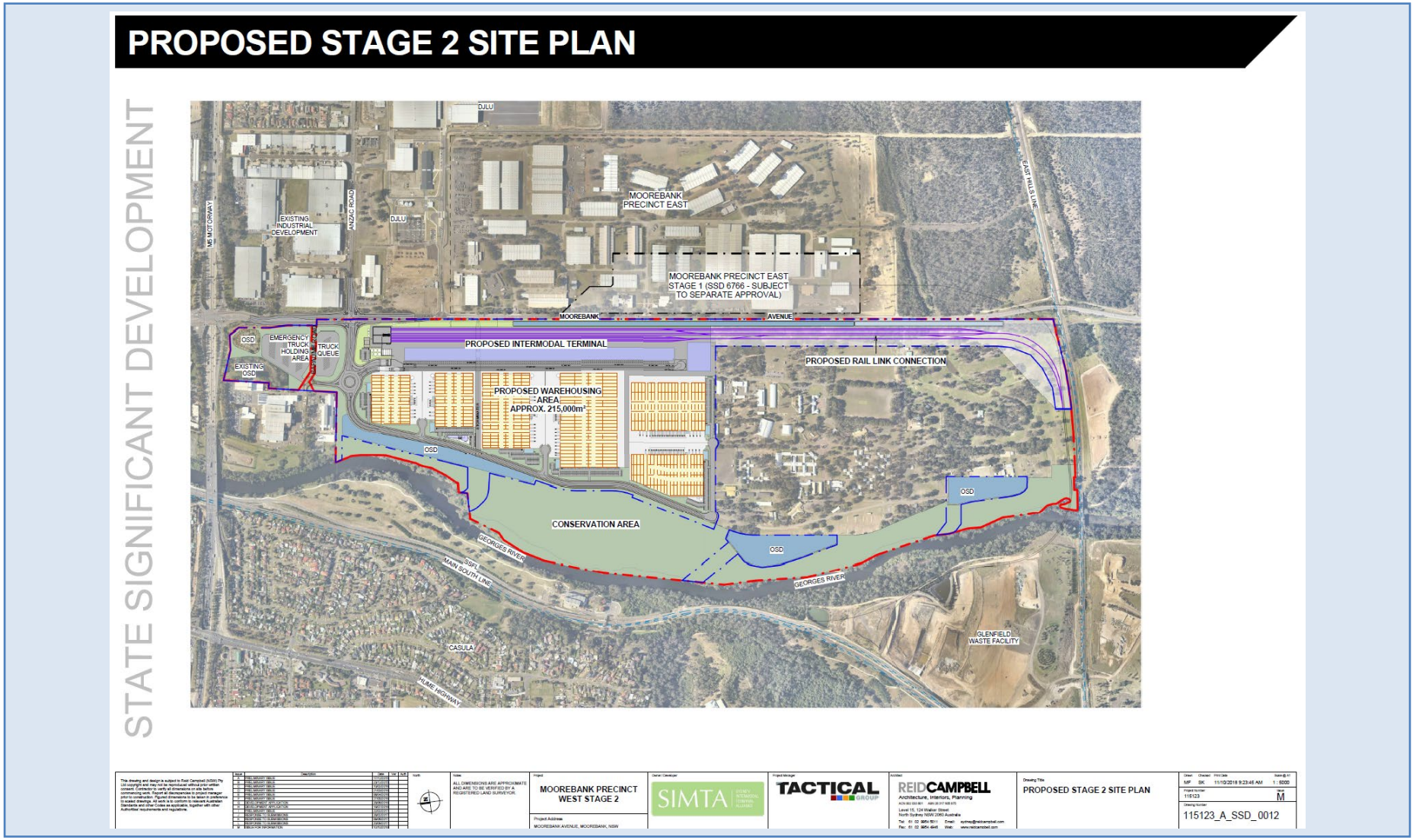

Figure 1: The Site

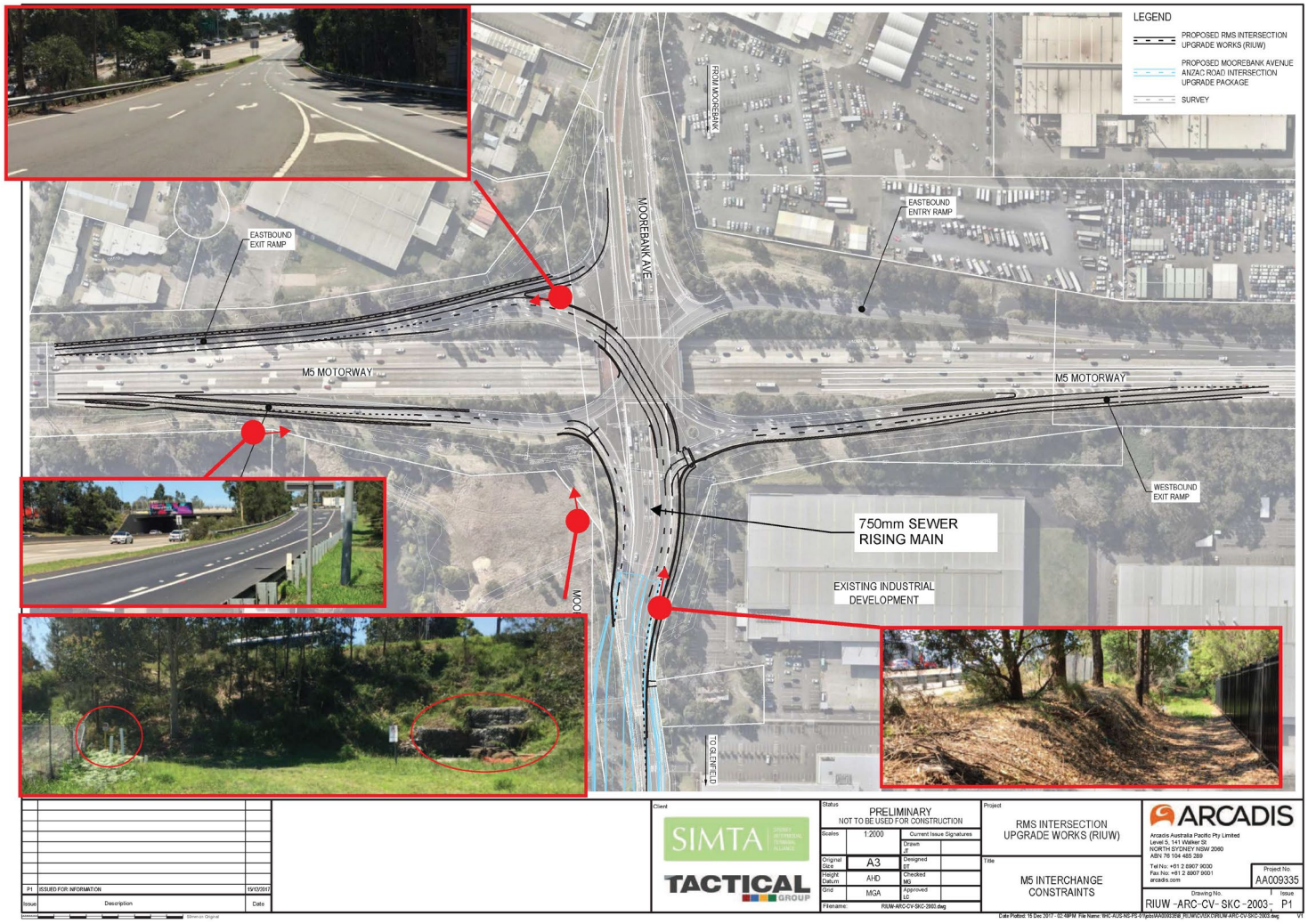

Figure 2: Indicative Layout Plan - Moorebank Avenue Road Upgrade near M5

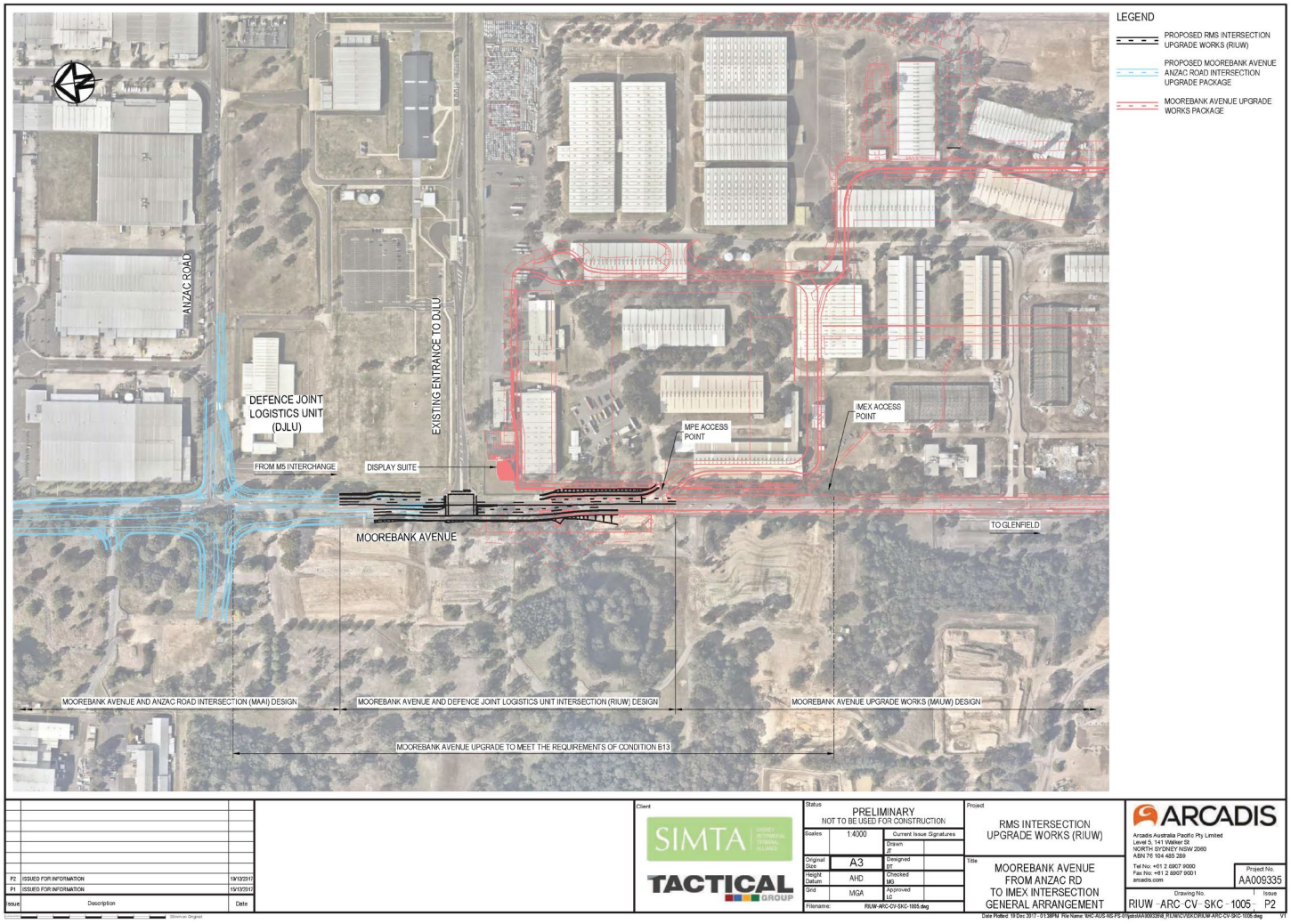

Figure 3: Indicative Layout Plan – Moorebank Avenue/ Anzac Road Intersection Upgrade

Figure 7-1 Noise Wall and Buildings included in Noise Model

WILKINSON MURRAY

Figure 4: Figure from EIS Noise and Vibration Impact Assessment

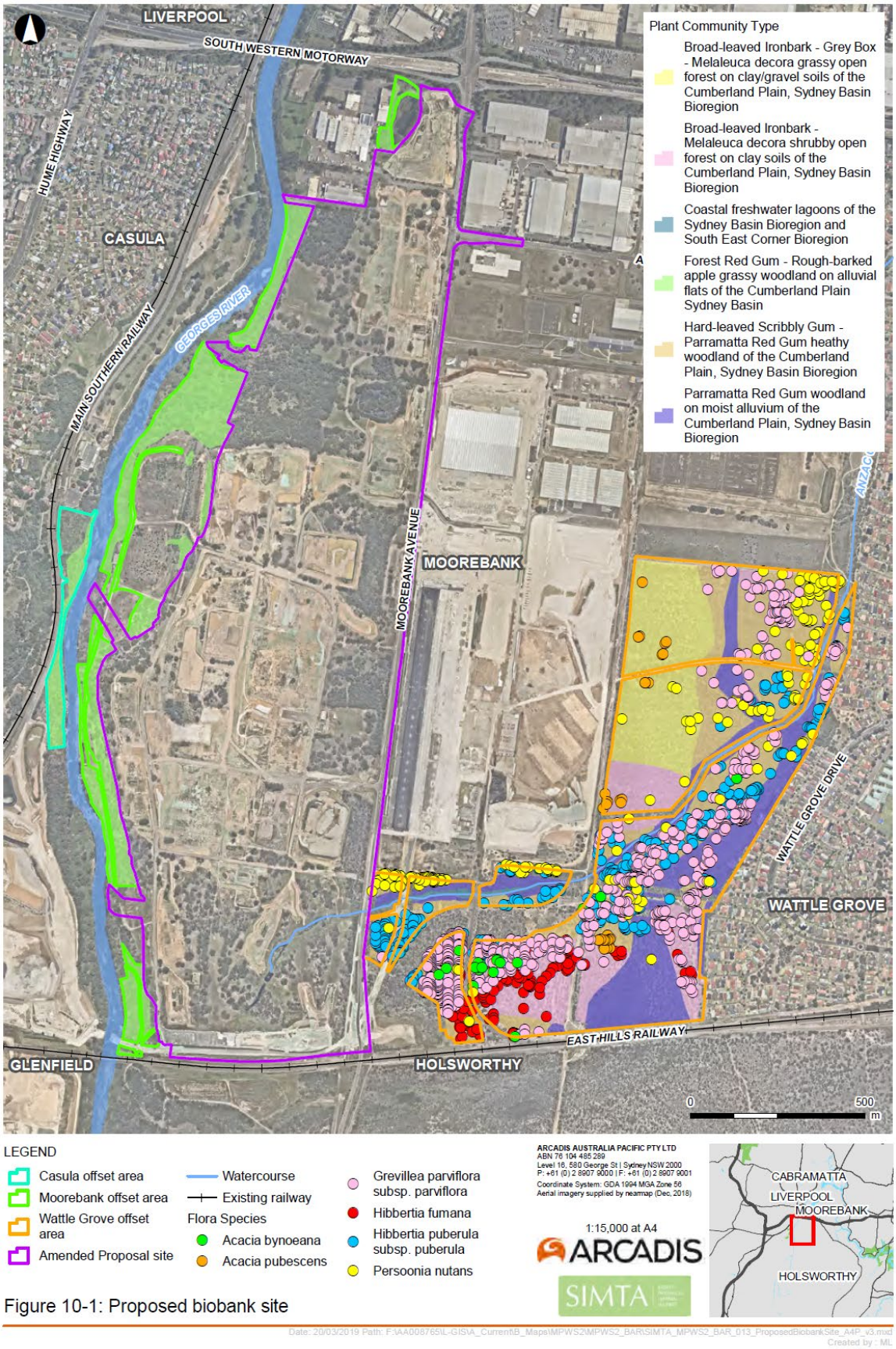

Figure 10-1: Proposed biobank site

Date: 20/03/2019 Path: F:\AA008765\IL-GIS\A_Current\B_Maps\MPWS2\MPWS2_BAR\SIMTA_MPWS2_BAR_013_ProposedBiobankSite_A4P_v3.mxd
Created by : ML
QA by : EM

Figure 5: Offset areas

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES SUBMITTED 2/11/2018

FINAL COMPILATION OF MITIGATION MEASURES

The MPW Stage 2 Environmental Impact Statement ((MPW Stage 2 EIS) Arcadis, 2016) identified a range of environmental impacts and recommended management and mitigation measures to avoid, remedy or mitigate these impacts (refer to Section 22 of the MPW Stage 2 EIS).

These mitigation measures were revised as part of the MPW Stage 2 Response to Submissions Report ((MPW Stage 2 RtS), Arcadis, 2017) in response to the following:

- Submissions received during the public exhibition period
- To address the amendments to the Proposal
- To incorporate additional mitigation measures from the MPW Concept RtS where necessary.

Subsequent to the submission of the MPW Stage 2 RtS to the NSW Department of Planning and the Environment (DP&E), DP&E have requested that we provide a consolidated list of mitigation measures, including measures in the response to DP&E issues (as requested in the *Moorebank Precinct West – Response to Submissions and outstanding information* letter (DP&E request), issued on 28 August 2017). In response to the DP&E request, a review of the following documentation has been undertaken:

- *Preliminary Construction Environmental Management Plan* (Arcadis, 2016), provided as Appendix I of the MPW Stage 2 EIS
- *Preliminary Construction Traffic Management Plan* (Arcadis, 2016), provided at Appendix M of the MPW Stage 2 EIS
- *Preliminary Operational Traffic Management Plan* (Arcadis, 2016), provided at Appendix M of the MPW Stage 2 EIS
- *Noise and Vibration Impact Assessment* (Wilkinson Murray, 2016), provided at Appendix N of the MPW Stage 2 EIS
- *Preliminary Construction Air Quality Management Plan* (Ramboll Environ, 2016), provided at Appendix O of the MPW Stage 2 EIS
- Revised mitigation measures provided in Section 8 of the MPW Stage 2 RtS
- *Stockpile Management Protocol,* provided at Appendix L of the MPW Stage 2 RtS
- *Environmental Works Method Statement*, provided at Appendix M of the MPW Stage 2
- *Moorebank Precinct West (MPW) Stage 2 (SSD 7709) Response to Submissions* letter, issued to NSW DP&E (dated 31 August 2017).

As part of this review, the mitigation measures have been updated to include information that was previously presented within these management plans, appended to both the MPW Stage 2 EIS and RtS. No additional information, that was not previously submitted to DP&E, has been included in these mitigation measures.

This cumulative presentation of mitigation measures supersede those previously provided in Section 8 of the MPW Stage 2 RtS.

For ease of reference, words deleted as part of this review are shown in ~~*italic strike through*~~ and words inserted are shown in *underlined italics*.

The revised mitigation measures represent the Final Compilation of Mitigation Measures (FCMM) for the MPW Stage 2 Proposal and are provided in Table 1 below.

Pre-construction activities for the Amended Proposal would be undertaken in the areas shown in Figure 1 and is relevant to mitigation measure No. 0A only (refer to Table 1).

The construction and operational activities included within the Amended Proposal have been separated into components based on their functional relationship and include the following:

- IMT – IMT and associated development including, but not limited to, container handling and storage, truck access, processing and holding areas, rail sidings and associated infrastructure, administration area and ancillary components (container washdown and de-gassing area and main site road and roundabout).
- Rail link connection – including, but not limited to, the rail sidings and access tracks.
- Warehousing – including, but not limited to, warehousing and attached offices, container storage areas, car parking, truck loading/unloading areas and vehicle manoeuvring, access roads and the freight village.
- Moorebank Avenue intersection -including, but not limited to, Moorebank Avenue/Anzac Road and Moorebank Avenue/Bapaume Road intersection works.
- Site infrastructure – including but not limited to, construction works such as tree clearing, earthworks, construction and operation of the perimeter road, east west channel, OSDs, utilities.

Figure 2 and Figure 3 outlines these components of the Amended Proposal provided in Table 1.

The 'implementation stage' column of Table 1 indicates the timing as to when the specific mitigation measures would be implemented. For example, a CEMP might be prepared prior to construction, but would not be 'implemented' until the construction phase.

For this Final Compilation of Mitigations Measures, the following definitions apply to the terms used in the implementation phase column:

- Detailed design - works and design progression prior to construction of the associated permanent physical works for the Amended Proposal
- Pre-construction phase – initial stage of physical works for the Amended Proposal, which are not included within the definition of construction and within Works period A
- Construction phase – during construction of all permanent physical works for the Proposal (Works periods B - G)
- Operation phase - either prior to, or during, operation of the Amended Proposal.

Figure 1 Pre-construction activities

Figure 2 Site infrastructure

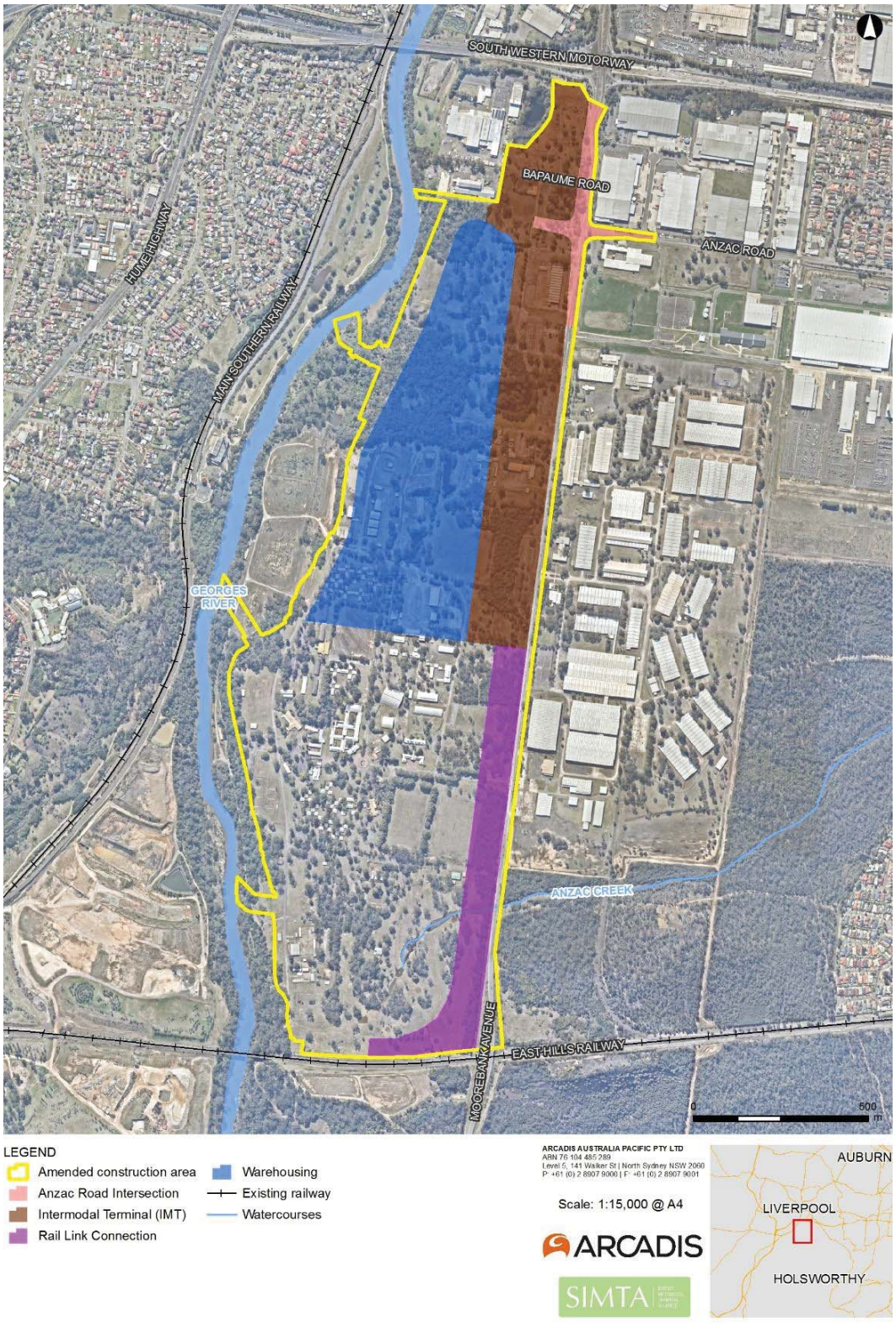

Figure 3 Key operational components

Table 1 Final Compilation of Mitigation Measures – MPW Stage 2 Proposal

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
0.	**General environmental management**						
0A	Pre-construction works would be undertaken subject to the preparation of an Environmental Work Method Statement (EWMS) or equivalent. Pre-construction works include the following: ▪ survey; acquisitions; or building/ road dilapidation surveys; fencing; investigative drilling, excavation or salvage ▪ minor clearing or translocation of native vegetation that does not comprise any EECs ▪ establishment of site compounds and construction facilities ▪ installation of environmental mitigation measures ▪ utilities adjustment and relocation that do not present a significant risk to the environment, as determined by the Environmental Representative ▪ other activities determined by the Environmental Representative to have minimal environmental impact ▪ All works as described in Works period A in section 4 of this EIS ▪ Stockpiling within the areas denoted for pre-construction stockpiling within Figure 1 of this document, in accordance with the stockpile management protocol.	Pre-Construction	Y	Y	Y	Y	Y
0B	The Construction Environmental Management Plan (CEMP), or equivalent, for the Proposal would be based on the PCEMP (Appendix I of this EIS), and include the following preliminary management plans: ▪ Preliminary Construction Traffic Management Plan (PCTMP) (Appendix M of the EIS)	Construction	Y	Y	Y	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Air Quality Management Plan (Appendix O of the EIS) ▪ Erosion and Sediment Control Plans (ESCPs) and Bulk Earthworks Plans, within the Stormwater Drainage Design Drawings (Appendix R of the EIS) As a minimum, the CEMP would include the following sub-plans: ▪ Construction Traffic Management Plan (CTMP) ▪ Construction Noise and Vibration Management Plan (CNVMP), prepared in accordance with the Interim Construction Noise Guideline ▪ Cultural Heritage Assessment Report/Management Plan ▪ Construction Air Quality Management Plan ▪ Construction Soil and Water Management Plan (SWMP), prepared in accordance with Managing Urban Stormwater, 4th Edition, Volume 1, (2004). ▪ Erosion and Sediment Control Plan ▪ Flood Emergency Response and Evacuation Plan ▪ UXO, EO, and EOW Management Plan ▪ Acid Sulfate Soils Management Plan ▪ Bushfire Management Strategy ▪ Community Information and Awareness Strategy. ▪ Flora and Fauna Management Plan (FFMP) ▪ Groundwater Monitoring Program (GMP) ▪ Stockpile Management Protocol						
0C	The Operational Environmental Management Plan (OEMP), or equivalent, for the Proposal would be based on the following preliminary management plans	Operation	Y	Y	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Preliminary Operational Traffic Management Plan (POTMP) (Appendix M of the EIS) ▪ Air Quality Management Plan (Appendix O of the EIS) ▪ Erosion and Sediment Control Plans (ESCPs) and Bulk Earthworks Plans, within the Stormwater Drainage Design Drawings (Appendix R of the EIS) As a minimum, the OEMP would include the following sub-plans ▪ Operational Traffic Management Plan (OTMP) ▪ Operational Noise and Vibration Management plan (ONVMP) ▪ Air Quality Management Plan ▪ Flooding and Emergency Response Plan (FERP) ▪ Groundwater Monitoring Program ▪ Long term Environmental Management Plan (LTEMP) ▪ Pollution Incident Response Management Plan (PIRMP), including Spill Management Procedure, prepared under the EPA's Environmental Guidelines: Preparation of Pollution Incident Response Management Plans (EPA, 2012) ▪ Fire Safety and Evacuation Plan ▪ Community Information and Awareness Strategy. ▪ Flora and Fauna Management Plan ▪ Emergency Vehicle Response Plan						
0D	The construction and/or operation of the Proposal may be delivered in a number of stages. If construction and/or operation is to be delivered in stages a Staging Report would be provided to the Secretary prior to commencement of the initial stage of construction and updated prior to the commencement of each stage as that stage is identified. The Staging Report would identify the progressive installation of site	Construction and operation	Y	Y	Y	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	infrastructure and services, as appropriate to the progressive development of the Proposal.						
0E	*The Proposal is not anticipated to include any works within the Georges River. Should works be required within the Georges River consultation with the Department of Primary Industries (Crown Lands) would be undertaken.*	*Construction*	*N*	*N*	*N*	*N*	*Y*
1.	**Traffic and Transport**						
1A	A Construction Traffic Management Plan (CTMP) would be prepared based on the Preliminary Construction Traffic Management Plan (Appendix M of the EIS), detailing management controls to be implemented to avoid or minimise impacts to traffic, pedestrian and cyclist access, and the amenity of the surrounding environment. The following key initiatives would be included in the CTMP: ▪ Review of speed restrictions along Moorebank Avenue and additional signposting of speed limitations ▪ Restriction of haulage routes through signage and education to ensure, where possible, that construction vehicles do not travel through nearby residential areas to access the Proposal site, in particular Moorebank (Anzac Road) or the Wattle Grove residential areas ▪ Inform local residents (in conjunction with the Community Information and Awareness Strategy) of the proposed construction activities and road access restrictions that the construction traffic must adhere to and establish communication protocols for community feedback on issues relating to construction vehicle driver behaviour and construction related matters ▪ Installation of specific warning signs at entrances to the construction area to warn existing road users of entering and exiting construction traffic	Construction	Y	Y	Y	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Establishing pedestrian walking routes and crossing points ▪ Distribution of day warning notices to advise local road users of scheduled construction activities ▪ Installation of appropriate traffic control and warning signs for areas identified where potential safety risk issues exist ▪ The promotion of car-pooling for construction staff and other shared transport initiatives during the pre-construction phase ▪ Facilitating emergency vehicle access to the site ▪ Management of the transportation of materials to maximise vehicle loads and therefore minimise vehicle movements ▪ Minimising the volumes of construction vehicles travelling during peak periods ▪ Maintaining access to neighbouring properties, in particular the ABB site ▪ Monitoring of traffic on Moorebank Avenue during peak construction periods to ensure that queuing at intersections does not unreasonably impact on other road users.						
1B	A Road Safety Audit would be undertaken on Cambridge Avenue to identify potential traffic safety risks from the Proposal (in consideration of background traffic) and determine appropriate mitigation.	Construction	N	N	N	N	Y
1C	Moorebank Avenue/Anzac Road/Proposal site intersection would be upgraded to include a four-leg intersection as shown in Appendix G of the EIS. The funding of this intersection upgrade would be clarified through discussions with SIMTA and Roads and Maritime.	Operation	Y	Y	Y	Y	*N*
1D	The Operational Traffic Management Plan would be prepared based on the Preliminary Operational Traffic Management Plan (Appendix M of the EIS) and include the following key initiatives: ▪ Heavy vehicle route management	Operation	Y	Y	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Safety and amenity of road users and public ▪ Congestion management on Moorebank Avenue ▪ Road user delay management ▪ Information signage, distance information and advance warning systems ▪ Driver code of conduct ▪ Incident management ▪ Traffic monitoring.						
1E	Consultation with TfNSW would be conducted regarding the provision for active transport to/from the Proposal site and along the internal perimeter road, as part of detailed design for the Proposal.	Operation	N	N	N	Y	*N*
1F	Bicycle and end of trip facilities would be provided in accordance with the City of Sydney Section 3 – General Provisions.	Operation	Y	N	Y	N	N
1G	Consultation would be undertaken with relevant bus provider(s) regarding the potential to extend the 901 bus service (or equivalent) and additional bus stops with the aim of maximising public transport accessibility to and within the Proposal site.	Operation	Y	Y	Y	N	*N*
1H	Importation of fill to site during construction of the Proposal is to not exceed a total of 22,000 m^3 of material per day. This limit is to be further reduced by an amount equivalent to any fill being imported to the MPE Stage 2 Proposal (SSD 7628) on the same day such that the combined importation of fill to the Proposal site and MPE site does not exceed 22,000 m^3 on any given day.	Construction	N	N	N	N	Y
1I	During operation, emergency vehicle access would be managed through an Emergency Vehicle Response Plan developed for the Proposal in consultation with the NSW Police Force, NSW Fire Brigade, NSW Rural Fire Service and the Ambulance Service of NSW, where appropriate.	Operation	Y	Y	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
2.	**Noise and Vibration**						
2A	A Construction Noise and Vibration Management Plan (CNVMP), or equivalent, would be prepared for the Proposal in accordance with the Interim Construction Noise Guideline (or equivalent), and would give consideration to Revised Environmental Mitigation Measures (REMMs) 5A – 5B (of the MPW Concept Plan Approval (SSD 5066)).	Construction	Y	Y	Y	Y	Y
2B	The ambient noise monitoring surveys undertaken within Casula, Wattle Grove and Glenfield would be continued throughout the construction and operation of the Proposal (with annual reporting of noise results up to two years beyond the completion of the Proposal).	Construction and operation	Y	Y	Y	Y	Y
2C	In the event of any noise or vibration related complaint or adverse comment from the community, noise and ground vibration levels would be investigated. Remedial action would be implemented where feasible and reasonable.	Construction and operation	Y	Y	Y	Y	Y
2D	~~*A noise wall would be installed along a portion of the western boundary of the Proposal site in the general location identified in Figure 7-1 of the Noise Impact Assessment (Appendix N of the EIS). The height, extent, and staged implementation of the noise wall would be confirmed, based on further noise modelling undertaken during detailed design.*~~ ~~*Should the detailed design solution require a staggered noise wall, the final noise wall would be designed to provide the appropriate level of noise attenuation to minimise operational noise impacts on nearby noise- sensitive receivers, where practicable.*~~ *Noise mitigation measures would be implemented to affected residential receivers at Casula which are subject to noise impacts above the established noise criteria. These mitigation measures could include (but are not limited to) attenuation at the receiver (i.e. treatment of dwellings) and/or attenuation at the source (i.e installation*	*Construction and* operation	Y	N	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	of a noise wall on the Proposal site). The need for the selection of noise mitigation measures, and timing for implementation, would be subject to noise monitoring during operations and further modelling to be undertaken following the commencement of operations. Provision has been made for a noise wall in the event that it is deemed necessary during operations.						
2E	Best practice noise mitigation measures would be implemented for the operational phase of the Proposal including: ▪ Noise monitoring (refer to mitigation measures 2B and 2C above) ▪ A gate appointment system would be implemented to minimise truck loading/unloading wait times and resultant queueing. Trucks would be turned away from facility if arriving too early ▪ Truck marshalling lanes would be included to minimise congestion and queueing ▪ The provision of information signs and communication of MPW idle reduction policy.	Operation	Y	Y	Y	N	N
2F	Management of vibration impacts to Kitchener House. In the event that plant items to be used for construction identified in Table 12 of the Noise Technical Memorandum (refer to Appendix D of this RtS) are proposed to be operated within their respective "Cosmetic Damage" safe working distances from Kitchener House, then attended vibration monitoring would be conducted at Kitchener House to verify that the 'safe' vibration level is not exceeded. If exceedances are approached, the work should cease immediately, and alternative construction methods should be used.	Construction	Y	N	N	Y	Y
2G	*SIMTA would restrict port shuttle locomotives that do not meet the noise requirements of Environment Protection Licences (EPLs) 3142 and 12208 from entering the MPW Stage 2 rail link.*	*Operation*	*N*	*Y*	*N*	*N*	*N*

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
3.	**Air Quality**						
3A	A Construction Air Quality Management Plan would be prepared based on the Air Quality Management Plan (Appendix O of the EIS) and include the following key initiatives: Procedures for controlling/managing dust: ▪ Clearing, site preparation and excavation: – Deploy water carts periodically during construction to ensure exposure areas and topsoils/subsoil are kept moist. – Work practices would be modified to manage/control dust by limiting clearing, stripping and spoil handling during periods ofadverse weather (hot, dry and windy conditions) and when dust is seen leaving the site. – The extent of clearing of vegetation and topsoil would be limited to the designated footprint required for construction and appropriate staging of any clearing. ▪ Demolition of existing structures – Where possible, materials and structures would be dampened using water sprays prior to demolition. During adverse weather (hot, dry and windy conditions), consideration would be given to modify demolition activities when dust is seen leaving the site. Special consideration, including boundary monitoring would need to be given to the demolition of buildings containing asbestos in accordance with relevant guidelines and legislation. ▪ Haulage and heavy plant and equipment movements – Water carts would be operated on all unsealed internal roadways and travel routes. – All vehicles on-site would be confined to a designated route with a speed limit of 30km/hr enforced.	Construction	Y	Y	Y	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	– Trips and trip distances should be controlled and reduced where possible, for example by coordinating delivery and removal of materials to avoid unnecessary trips. – Dirt track-out should be managed using shaker grids and / or wheel cleaning. Dirt that has been tracked onto public roads would be cleaned as soon as practicable. – All trucks delivering fill or leaving the site with spoil material would have their load covered. ▪ Wind erosion – Wind erosion from exposed ground would be limited by avoiding unnecessary vegetation and topsoil clearing and limiting to the minimum footprint required. – Wind erosion from temporary stockpiles would be limited by minimising the number of work faces on stockpiles and through temporary stabilisation (compaction of surface, water sprays, seeding, veneering). Roles, responsibilities and reporting requirements: ▪ During construction, environmental management would be the responsibility of the construction contractor. The Construction Manager (CM) would be responsible for the day to day construction activities of the Proposal site, including the implementation of dust controls. Construction dust monitoring: ▪ Visual checks would be made daily and reported on an environmental inspection report. The visual checks would: – Inspect and report on excessive dust being generated at source (wheel generated dust, scrapers/graders, dozers, excavators, wind erosion). – Inspect and report on water cart activity and effectiveness. – Inspect and report on dust leaving the site.						

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	– Non-conformance (dust leaving the site) would be reported immediately to the CM or management. ▪ Contingency measures for dust control where standard measures are deemed ineffective.						
3B	Vehicle movements would be limited to designated entries and exits, haulage routes and parking areas.	Construction	Y	Y	Y	Y	Y
3C	Best practice air quality mitigation measures would be implemented for the operational phase of the Proposal including: Locomotives ▪ Ensure locomotives are well maintained in accordance with the manufacturer's specification or relevant operational plan. Update maintenance plans to include a requirement to consider air emissions and where possible improve air emission performance at next overhaul/upgrade (for SIMTA operational fleet) ▪ Ultra Low Emitting Switch Locomotives would be considered during the procurement process, having regard to technical, logistical and financial considerations ▪ Anti-idle policy and communication / training for locomotive operators ▪ Unnecessary idling avoided through driver training and site anti-idle policy ▪ Driver training for fuel efficiency.	Operation	Y	Y	N	N	N
	Container Handling ▪ New reach stackers to achieve emissions performance equivalent to US EPA Tier 3 / Euro Stage IIIA standards ▪ Unnecessary idling avoided through driver training and site anti-idle policy		Y	N	N	N	N

<table>
<tr><th>No.</th><th>Mitigation measures</th><th>Implementation stage</th><th colspan="5">Applicability</th></tr>
<tr><th></th><th></th><th></th><th>IMT</th><th>Rail link connection</th><th>Warehousing</th><th>Moorebank Ave intersection</th><th>Site infrastructure</th></tr>
<tr><td></td><td>▪ Equipment with smoky exhausts (more than 10 seconds) should be stood down for maintenance.</td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td></td><td>Trucks
▪ Gate appointment system, truck marshalling lanes and rejection of trucks that arrive early to minimise wait times and queuing
▪ Development of an anti-idle policy and communication through the provision of information signs
▪ Unnecessary idling avoided through driver training and site anti-idle policy
▪ Loading and unloading coordinated to minimise truck trip distances as they travel through site.</td><td></td><td>Y</td><td>Y</td><td>Y</td><td>N</td><td>N</td></tr>
<tr><td>3F</td><td>The Air Quality Management Plan (Appendix O of the EIS), would be further progressed and incorporated into the OEMP for the Proposal. In accordance with the AQMP the following key aspects would be addressed in the OEMP:
▪ Implementation and communication of anti-idling policy for trucks and locomotives
▪ Complaints line for the community to report on excessive idling and smoky vehicles
▪ Procedures to reject excessively smoky trucks visiting the site based on visual inspection.</td><td>Operation</td><td>Y</td><td>Y</td><td>Y</td><td>N</td><td>N</td></tr>
<tr><td>3G</td><td>SIMTA would restrict port shuttle locomotives from entering the MPW Stage 2 rail link, that do not meet the following air emissions standards:
<table>
<tr><th>Locomotive Type</th><th>Standard</th><th>Periodic Improvements</th><th>Ultimate Outcome</th></tr>
<tr><td>Existing locomotives</td><td>Operated with diesel particulate emissions less</td><td>Any overhauls of existing locomotives after the</td><td>All existing locomotives to comply with 7</td></tr>
</table></td><td>Operations</td><td>Y</td><td>Y</td><td>N</td><td>N</td><td>N</td></tr>
</table>

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	<table><tr><td></td><td>*than 0.30 grams per kilowatt hour*</td><td>*commencement of operations*</td><td>*years of operation*</td></tr><tr><td>*New locomotives*</td><td>*Operated with diesel particulate emissions less than 0.27 and NOx emissions of less than 7.37 grams per kilowatt hour.*</td><td>*Any new locomotives ordered after the commencement of operations*</td><td>*N/A*</td></tr><tr><td></td><td>*Operated with diesel particulate emissions less than 0.13 and NOx emissions of less than 7.37 grams per kilowatt hour.*</td><td>*Any new locomotives ordered after 5 years of the commencement of operations*</td><td>*N/A*</td></tr></table>						
4.	**Biodiversity**						
4A	Following detailed design and before construction, detailed flora and fauna mitigation measures would be developed and presented as part of the CEMP. These detailed measures would incorporate the measures listed below. The CEMP would address: ▪ general impact mitigation ▪ staff/contractor inductions ▪ vegetation clearing protocols including identification of exclusion zones ▪ pre-clearing surveys and fauna salvage/translocation ▪ rehabilitation and restitution of adjoining habitat ▪ weed control ▪ pest management	Construction	Y	Y	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ monitoring. The CEMP would include clear objectives and actions for the Proposal including how to: ▪ minimise human interferences to flora and fauna ▪ minimise vegetation clearing/disturbance ▪ minimise impact to threatened species and communities ▪ minimise impacts to aquatic habitats and species ▪ undertake flora and fauna monitoring at regular intervals.						
4B	Vegetation clearing would be restricted to the construction footprint with sensitive areas, outside of this footprint, clearly identified as vegetation exclusion zones.	Pre-construction and Construction	Y	Y	Y	Y	Y
4C	The vegetation exclusion zones would be marked on maps, which would be prepared by the contractor/s, and would also be marked on the ground using high visibility fencing (such as barrier mesh).	Pre-construction and Construction	Y	Y	Y	Y	Y
4D	A suitably qualified ecologist would accompany clearing crews to ensure disturbance is minimised and to assist in relocating any native fauna to adjacent habitat.	Construction	Y	Y	Y	N	Y
4E	The following procedures would be implemented to minimise fauna impacts from vegetation clearance: ▪ A staged habitat removal process would be developed and would include the identification and marking of all habitat trees in the area ▪ Where reasonable and feasible, clearing of hollow-bearing trees would be undertaken in March and April when most microbats are likely to be active (not in torpor) but are unlikely to be breeding or caring for young, and when threatened hollow-bearing tree dependent birds in the locality are also unlikely to be breeding	Construction	Y	Y	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Pre-clearing surveys would be conducted 12 to 48 hours before vegetation clearing to search for native wildlife (e.g. reptiles, frogs, Cumberland Land Snail) that can be captured and relocated to the retained riparian vegetation of the Georges River corridor ▪ Vegetation would be cleared from a 10 m radius around habitat trees to encourage animals roosting in hollows to leave the tree. A minimum 48 hour waiting period would allow animals to leave ▪ After the waiting period, standing habitat trees would be shaken (where safe and practicable) under the supervision of an ecologist to encourage animals roosting in hollows to leave the trees, which may then be felled, commencing with the most distant trees from secure habitat ▪ Felled habitat trees would either be immediately moved to the edge of retained vegetation, or left on the ground for a further 24 hours before being removed from the construction area, at the discretion of the supervising ecologist ▪ All contractors would have the contact numbers of wildlife rescue groups and would be instructed to coordinate with these groups in relation to any animal injured or orphaned during clearing.						
4F	Within areas of high quality intact native vegetation proposed to be removed: ▪ Topsoil (and seedbank) would be collected from native vegetation that are to be permanently cleared and used in the revegetation of riparian areas ▪ Where feasible and reasonable native plants in areas that are to be permanently cleared would be relocated and transplanted in riparian areas identified for rehabilitation	Construction	Y	Y	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
4G	Relocation of fauna to adjacent retained habitat would be undertaken by a suitably qualified ecologist during the supervision of vegetation removal.	Construction	Y	Y	Y	Y	Y
4H	An ecologist would supervise the drainage of any waterbodies on the Proposal site and would relocate tortoises and frogs to the edge of the Georges River and/or the existing pond at the northern end of the Proposal site. Native fish (e.g. eels) that are endemic to the Sydney area would be translocated from drained ponds/dams on the site to natural waterways and pest fish would be euthanised on ice. If non-endemic native species are encountered on site, DPI Fisheries would be consulted to determine the best location to translocate this species.	Construction	Y	Y	Y	N	Y
4I	The design of temporary site fencing and any overhead powerlines would consider the potential for collision by birds and bats and minimise this risk where practicable.	Detailed design & Pre-construction, construction	Y	Y	Y	Y	Y
4J	The potential for translocation of threatened plant species as individuals or as part of a soil translocation process would be considered during the detailed development of the EWMS and CEMP.	Detailed design, construction and construction	Y	Y	Y	N	Y
4K	Important habitat elements (e.g. large woody debris) would be moved from the construction area to locations within the conservation area which would not be cleared during the Proposal, or to stockpiles for later use in vegetation/habitat restoration.	Pre-construction and Construction	Y	Y	Y	N	Y
4L	Winter-flowering trees would be preferentially planted in landscaped areas of the Proposal site to provide a winter foraging resource for migratory and nomadic nectar-feeding birds and the Grey-headed Flying-fox.	Detailed design, Pre-construction and Construction	Y	Y	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
4M	Erosion and sediment control measures such as silt fencing and hay bales would be used to minimise sedimentation of streams and resultant impacts on aquatic habitats and water quality. The erosion and sediment controls to be included to avoid, minimise and mitigate against the potential for construction of the Proposal to result in erosion and sedimentation impacts will be determined in consideration of the erosive potential of locally occurring soils, and the characteristics of the clean general fill to be imported as part of construction of the Proposal.	Pre-construction and Construction	Y	Y	Y	Y	Y
4N	Opportunities for planting of detention basins with native aquatic emergent plants and fringing trees would be explored in the detailed design of the Proposal and, if practicable, implemented so that they would provide similar habitat in the medium term to that lost through the removal of existing basins.	Detailed design and construction	Y	Y	N	N	Y
4O	The CEMP (or equivalent) would include detailed measures for minimising the risk of introducing weeds and pathogens for construction related vehicles and equipment.	Construction	Y	Y	Y	Y	Y
4P	The CEMP and OEMP for the Proposal would consider and have reference to the weed removal and riparian vegetation restoration undertaken within parts of the Georges River corridor under the MPW Concept Approval (identified within the Biodiversity Offset Package for the MPW Project).	Construction and operation	N	N	N	N	Y
4Q	The detailed design process would consider the potential groundwater impacts on groundwater-dependent ecosystems. In most cases, these impacts, if evident, would be mitigated at the design phase.	Detailed design and construction	Y	Y	Y	N	Y
4R	The OEMP would include a biodiversity monitoring program designed to detect operational impacts of the Georges River riparian corridor (within the offset site).	Operation	Y	Y	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
4S	Ongoing monitoring of macroinvertebrate communities would be undertaken prior to, during and following construction upstream and downstream of the potential impacts at the proposed basin outlets in the Georges River and reference locations to assist in identifying any changes in aquatic communities.	Pre-construction, construction and operation	Y	Y	Y	N	Y
4T	The proposed stormwater basin outlets would be designed to minimise biodiversity impacts by incorporating native revegetation and fauna habitat features as far as possible.	Detailed design	Y	Y	Y	N	Y
4U	The native vegetation and connectivity values in the proposed basin outlets would be monitored to ensure that fauna passage is maintained.	Construction and operation	Y	Y	Y	N	Y
4V	During operation, both threatened and non-threatened species of frogs and reptiles may be at risk of injury or mortality. Controls such as fencing would be put in place to keep land-based fauna away from the operating terminals.	Operation	Y	Y	Y	N	Y
4W	A monitoring program would be developed and implemented to measure the performance of revegetation activities in the Georges River riparian zone and associated conservation area.	Construction and operation	Y	Y	Y	N	Y
5.	**Stormwater and Flooding**						
5A	A Soil and Water Management Plan (SWMP) and Erosion and Sediment Control Plan (ESCP), or equivalent, would be prepared for the Proposal. The SWMP and ESCPs would be prepared in accordance with the principles and requirements of the Blue Book and based on the Preliminary ESCPs provided in the Stormwater and Flooding Assessment Report (refer to Appendix R of the EIS). The following aspects would be addressed within the SWMP and ESCPs: ▪ Minimise the area of soil disturbed and exposed to erosion	Construction	Y	Y	Y	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Priority should be given to management practices that minimise erosion, rather than to those that capture sediment downslope or at the catchment outlet ▪ Divert clean water around the construction site or control the flow of clean water at non-erodible velocities through the construction area ▪ Provision of boundary treatments around the perimeter of construction areas to minimise the migration of sediment offsite ▪ Permanent or temporary drainage works (in particular OSDs) would be installed as early as practical in the construction program to minimise uncontrolled drainage and associated erosion ▪ Stockpiles would be located away from flow paths on appropriate impermeable surfaces, to minimise potential sediment transportation. Where practicable, stockpiles would be stabilised if the exposed face of the stockpile is inactive more than ten days, and would be formed with sediment filters in place immediately downslope ▪ Disturbed land would be rehabilitated as soon practicable ▪ The wheels of all vehicles would be cleaned prior to exiting the construction site where excavation occurs to prevent the tracking of mud. Where this is not practical, or excessive soil transfer occurs onto paved areas, street cleaning would be undertaken when necessary. ▪ A requirement to inspect all permanent and temporary erosion and sedimentation control works prior to and post rainfall events and prior to closure of the construction area. Erosion and sediment control structures must be cleaned, repaired and augmented as required. ▪ Where required, sediment basins and their outlets would be designed to be stable in the peak flow from at least the 10-year						

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	ARI time of concentration event. Sediment basins should be sized to accommodate the 5 day, 80th percentile storm event, with sufficient size and capacity to manage Type F soils. Sediment basins must be regularly cleaned to maintain the design capacity. Prior to discharge from sediment basins, water would be tested for the following parameters to identify construction impacts: – pH – Turbidity / TSS – Oil and grease. ▪ Sediment fences are to be provided around the perimeter of the site to ensure no untreated runoff leaves the site, and around the existing and proposed drainage channels to minimise sediment migration into waterways and sediment basins ▪ The following management measures would be implemented during works in and adjacent to Georges River to mitigate potential impacts on water quality during OSD channel construction: – All reasonable efforts would be taken to program construction activities during periods when flood flows are not likely to occur – The construction site, on completion of construction works, would be left in a condition that promotes native revegetation – The management principles outlined in Managing Urban Stormwater (Landcom 2004) for sites with high erosion potential would be implemented.						
5B	Proposal site exits would be fitted with hardstand material, rumble grids or other appropriate measures to limit the amount of material transported offsite.	Construction	Y	Y	Y	Y	Y
5C	The following measures would be considered during the development of construction methodology for the Proposal to mitigate flooding impacts:	Construction	N	N	Y	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ For all site works, provide temporary diversion channels around temporary work obstructions to allow low and normal flows to safely bypass the work areas ▪ Locate site compounds, stockpiling areas and storage areas for sensitive plant, equipment and hazardous materials above an appropriate design flood level, outside of the PMF extent at the northern section of the construction area, to be determined based on the duration of the construction work.						
5D	To minimise potential flood impacts during construction of the Proposal, the following measures would be implemented and documented in the SWMP: ▪ The existing site catchment and sub-catchment boundaries would be maintained as far as practicable ▪ To the extent practicable, site imperviousness and grades should be limited to the extent of existing imperviousness and grades under existing development conditions ▪ Smaller detention storages that provide adequate rainfall runoff mitigation during partial construction/site development would be considered. ▪ Temporary structures used to convey on site run-off during construction would be designed to accommodate flows during prolonged or intense rainfalls. The existing stormwater conduit conveying flows from Moorebank Avenue to the Georges River would be assessed to ensure it is adequate to accommodate run-off from the construction area.	Construction	N	N	Y	Y	Y
5E	A Flood Emergency Response and Evacuation Plan, or equivalent, would be prepared and implemented for the construction phase of the Proposal to allow work sites to be safely evacuated and secured in	Construction	N	N	Y	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	advance of flooding occurring at the Proposal site. The plan would be prepared in consultation with the State Emergency Service.						
5F	Stormwater quality improvement devices would be designed to meet the performance targets identified in the Stormwater and Flooding Environmental Assessment (Appendix R of the EIS), and civil design drawings. Maintenance of the bio-retention structures would be in accordance with the maintenance requirements set out in Gold Coast City Council's Water Sensitive Urban Design Guidelines 2007 and would be included in the OEMP.	Operation	Y	Y	Y	N	Y
5G	Operational water quality monitoring is to be carried out and included in the OEMP with the objective of maintaining or improving existing water quality.	Operation	Y	Y	Y	N	Y
5H	A Flood Emergency Response Plan (FERP) would be prepared and implemented for the operational phase of the Proposal. The FERP would take into consideration, site flooding and broader flood emergency response plans for the Georges River floodplains and Moorebank area. The FERP would also include the identification of an area of safe refuge within the Proposal site that would allow people to wait until hazardous flows have receded and safe evacuation is possible. The FERP would be prepared in consultation with the State Emergency Service.	Operation	Y	Y	Y	Y	Y
5I	Stockpile sites established during construction are to be managed in accordance with stockpile management principles set out in Appendix L of this RtS. Mitigation measures within the Stockpile Management Protocol include: ▪ In order to accept fill material onto site, material characterisation reports/certification showing that the material being supplied is VENM/ENM must be provided.	Construction	Y	Y	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Each truck entering the MPE Stage 2 Proposal site will be visually checked and documented to confirm that only approved materials that are consistent with the environmental approvals are allowed to enter the site. ▪ Only fully tarped loads are to be accepted by the gatekeeper. ▪ Environmental Assurance of imported fill material will be conducted to confirm that the materials comply with the NSW EPA Waste Classification Guidelines and the Earthworks Specification for the MPW site. The frequency of assurance testing will be as nominated by the Environmental assuror/auditor. ▪ All trucks accessing the site for the purpose of clean general fill importation would enter and exit via the existing main MPE Stage 2 site access located in the North-west of the MPE site from Moorebank Avenue. ▪ Ingress and egress to the stockpiling areas would be arranged so that the reversing of trucks within the site is minimised. ▪ Stockpiles would not exceed ten-metres in height from the final site levels, with battered walls at gradients of 1V:3H For any stockpile heights greater than 4 m, benching would be implemented. ▪ For any stockpile heights greater than 4 m, benching would be implemented. ▪ Where reasonable and feasible, and to minimise the potential for erosion and sedimentation of stockpile(s), stockpile profiles would typically be at angle of repose (the steepest angle at which a sloping surface formed of loose material is stable) with a slight concave slope to limit the loss of sediments off the slope, or through the profile and the formation of a toe drain. ▪ The top surface of the stockpile(s) would be slightly sloped to avoid ponding and increase run off.						

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Topsoil stockpiles would be vegetated to minimise erosion. ▪ Stockpiles would be protected from upslope stormwater surface flow through the use of catch drains, berms, or similar feature(s) to divert water around the stockpile(s). ▪ A sediment control device, such as a sediment fence, berm, or similar, would be positioned downslope of the stockpile to minimise sediment migration. ▪ Any water seepage from stockpiles would be directed by toe drains at the base of the stockpiles toward the sediment basins or check dams and away from the emplacement or extraction working face. ▪ Newly formed stockpiles would be compacted (sealed off) using a smooth drum roller at the end of each working day to minimise water infiltration. ▪ Haul roads would be located alongside the stockpile to the work/tipping area. As per best practice, the catchment area of haul roads for surface water runoff would be approximately 2530 m lengths, facilitated by the provision of spine drains which would convey water from the haul road to toe drains at the base of the stockpile, and then to sediment basins. ▪ Temporary sediment basins would be established in accordance with the ESCP prepared for the site. ▪ Stockpiling of clean fill material is to be carried out during Works Period A (pre-construction) and Works Period D (bulk earthworks). ▪ Any imported clean general fill material that would be subject to stockpiling within the Proposal site for more than a 10-day period without being worked on, would be subject to stabilisation works, to minimise the potential for erosion. ▪ Where the material being stockpiled is less coarse or has a significant component of fines then surface and slope stabilisation						

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	would be undertaken. Methods for slope stabilisation may include one or a combination of the following: – Application of a polymer to bind material together – Application of hydro-seed or hydromulch – Covering batters with mulch to provide ground cover. – Covering batters with geofabric – Use of a simple sprinkler system for temporary stockpiles, including use of radiating sprinkler nozzles to maintain fine spray over exposes surfaces. – Other options identified by the Contractor. ▪ Topsoil stockpiles would be seeded with a grass/legume or nitrogen fixing species (such as acacia) to assist in erosion control and reduce loss of beneficial soil nutrients and micro-organisms.						
5J	Gross pollutant traps would be provided at basin inlets for all permanent basins during operation.	Construction	N	N	N	N	Y
5K	Hydraulic modelling of OSD outlet channels (using HEC-RAS software) would be undertaken during detailed design, to facilitate the design of the channels and demonstrate their effectiveness with respect to energy dissipation and scour protection elements	Detailed Design	N	N	N	N	Y
6.	**Geology, Soils and Land Contamination**						
6A	The CEMP would identify the actions to be taken should additional contamination be identified during the development of the site (i.e. an unexpected finds protocol), and will address REMM items 8H, 8T, 8U, 8V and 8W (of the MPW Concept Plan Approval (SSD 5066)).	Construction	N	N	N	Y	Y
6B	A site specific Remediation Action Plan (RAP) is not considered to be required for the Proposal. The following documentation would be utilised for the purposes of remediating the site:	Construction	N	N	N	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ The Preliminary Remediation Action Plan (PB, 2014a) ▪ The Validation Plan – Principles (Golder, 2015b) ▪ The Demolition and Remediation Specification (Golder 2015c) ▪ Any other contamination documentation prepared for the remediation activities undertaken for MPW Early Works (Stage 1).						
6C	The CEMP would include the preparation of a site-wide UXO, EO, and EOW management plan (or equivalent) based on the UXO Risk Review and Management Plan (G-Tek, 2016). This plan would be implemented to address the discovery of UXO or EOW during construction, to ensure a safe environment for all staff, visitors and contractors.	Construction	N	N	N	N	Y
6D	An Asbestos in Soils Management Plan (AMP) is to be implemented as part of the CEMP in accordance with the Safe Work NSW requirements, including but not limited to: ▪ the Guidelines for Managing asbestos in or on soil (2014), and ▪ Codes of Practice - How to Safely Remove Asbestos (2011) and How to Manage and Control Asbestos in the Workplace (2011).	Construction	N	N	N	Y	Y
6E	An Acid Sulfate Soils Management Plan (or equivalent) would be prepared as part of the CEMP in accordance with the ASSMAC Assessment Guidelines (1998), for areas identified as being of low or high risk i.e. works within close vicinity of the Georges River (Figure 13-2 of this EIS). In addition, a risk assessment quantifying the risks associated with the volumes of soil to be disturbed, the laboratory results from ASS testing undertaken, the end use of the materials and the proximity to sensitive environments is to be undertaken. All offsite disposal would be in accordance with the NSW Waste Classification Guidelines Part 4: Acid Sulfate Soils (2009).	Construction	N	N	N	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
6F	The existing groundwater monitoring undertaken for the Proposal would continue. A groundwater monitoring program (GMP) would be developed at the conclusion of remediation activities for the Proposal and included as part a Long Term Environmental Management Plan (LTEMP) (to be prepared for approval by the Accredited Site Auditor and in association with the OEMP). The main purpose of the GMP would be to assist in the management of groundwater contamination (particularly PFAS impacts) at the site, and to minimise potential harm to human health and the environment. The GMP would achieve the following objectives: ▪ Establish whether the residual groundwater contamination plume is shrinking, stable, or increasing, and whether natural attenuation and/or migration is occurring according to expectations through line-of-evidence collection ▪ Provide appropriate groundwater investigation levels (GILs) for groundwater contaminants, in accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999 (ASC NEPM). Should exceedances be identified, contingency plans for further investigations or remediation would be prepared. ▪ Provide appropriate trigger levels for key contaminants (where available), based on the receptor of interest and identified contaminants ▪ Serve as a compliance program, so that potential impacts to down-gradient receptors are identified before adverse effect occurs (relative to above objectives) ▪ Detect changes in environmental conditions (e.g. hydrogeologic, geochemical or other changes) that may reduce the efficacy of any natural attenuation processes or that could lead to a change in the nature of impact	Pre-construction, construction and operation	Y	Y	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Establish groundwater conditions (i.e. concentrations and/or trends) which indicated that groundwater monitoring could be reduced or ceased and the requirements of the GMP absolved. The monitoring program is to be undertaken for two years post operation of the Proposal to ensure a range of seasonal and river flow variations is assessed. At the completion of the two year period, subject to analysis of results, consideration would be given to whether this monitoring is required to continue. *The approach to PFAS management will be confirmed following further monitoring in consultation with, and the approval of, the NSW EPA Accredited Site Auditor.*						
6G	Findings within the Geotechnical Interpretive Report (Golder, 2016 – Appendix S of the EIS) regarding excavations, earthworks, pavements and structural footings are to be considered during detailed design.	Detailed design	N	N	N	N	Y
6H	At the conclusion of remediation works, a Remediation and Validation Report (RVR) is to be prepared for the Proposal to facilitate the Auditor's review of remediation and validation activities. The RVR is to document the remediation and validation activities completed within specific areas of the Proposal, including: ▪ Information relating to the materials used in the separation layers such as the soil types, geotextile materials, and sealant types etc. (if required) ▪ An as-constructed plan of the site showing the locations, depths and materials of the separation layers installed at the site.	Operation	N	N	N	N	Y
6I	The existing site-wide Long-Term Environmental Management Plan (LTEMP), such as the one established at the completion of Early Works, is to be revised at the completion of the Proposal remediation activities to include protocols for ongoing maintenance and/or	Operation	N	N	N	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	monitoring or any long term remedial/mitigation measures to be implemented following completion of the Site Audit Statement.						
6J	In order to accept fill material onto site, the following will be undertaken: • Material characterisation reports/certification showing that the material being supplied is VENM/ENM must be provided. • Each truck entry will be visually checked and documented to confirm that only approved materials that are consistent with the environmental approvals are allowed to enter the site. Only fully tarped loads are to be accepted by the gatekeeper. Environmental Assurance of imported fill material will be conducted to confirm that the materials comply with the NSW EPA Waste Classification Guidelines and the Earthworks Specification for the MPW site. The frequency of assurance testing will be as nominated by the Environmental assuror/auditor.	Construction	N	N	N	N	Y
6K	The CEMP would include an Earthworks Specification, which would include details on earthworks material criteria, handling and placement requirements, embankment and cutting formation (including foundation, batter and benching requirements), unsuitable material and bridging layer requirements, conformance testing methods and acceptance criteria (e.g. for material acceptance and compaction control).	Construction	N	N	N	N	Y
6L	In areas where placement of fill would occur to final site levels, but hardstand and warehousing is not currently proposed, exposed surfaces would be stabilised using hydroseeding, or the application of a bitumen emulsion or a similar stabilisation method.	Construction	N	N	N	N	Y
7.	**Hazard and risk**						
7A	The following measures would be included in the CEMP (or equivalent) to minimise hazards and risks: ▪ Procedures for safe removal of asbestos	Construction	Y	Y	Y	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Provision for safe operational access and egress for emergency service personnel and workers would be provided at all times ▪ An Incident Response Plan that would include a Spill Management Procedure.						
7B	To minimise the risk of leakages involving natural gas, LNG and flammable and combustible liquids to the atmosphere: ▪ Appropriate standards for a gas reticulation network, including AS 2944-1 (2007) and AS 2944-2 (2007), would be applied ▪ Correct schedule pipes would be used ▪ Fire protection systems would be installed as required ▪ Access to the Proposal site would be restricted to authorised personnel.	Operation	Y	Y	Y	N	N
7C	To minimise the risks of leakage of LNG and flammable liquids during transport: ▪ The transport of dangerous goods by road would comply with the Dangerous Goods (Road and Rail Transport) Act 2008 and the Dangerous Goods (Road and Rail Transport) Regulation 2014 ▪ Contractors delivering the gas would be trained, competent and certified by the relevant authorities.	Operation	Y	Y	Y	N	N
7D	To minimise hazards associated with venting of LNG: ▪ LNG storage would be designed to AS/NZS 1596-2008 standards ▪ Access to the Proposal site would be restricted to authorised personnel ▪ Adequate separation distances to residencies and other assets would be maintained.	Operation	Y	Y	Y	N	N

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
7E	Storage of flammable/combustible liquids would be undertaken in accordance with AS 1940, with secondary containment in place in a location away from drainage paths.	Operation	Y	Y	Y	N	N
7F	Intermodal terminal facility and warehousing staff involved in the transport and handling of dangerous goods would receive training in the contents of the dangerous goods provisions commensurate with their roles and responsibilities. Training is to be provided and records maintained in accordance with the appropriate competent authority (WorkCover NSW).	Operation	Y	Y	Y	N	N
7G	The 190 KL of diesel fuel (combustible liquids of class C) would be stored on site in a separate 97 KL self-bunded container and would be stored away from other flammable materials of class 3PGI, II or III. The manifest threshold quantity under this circumstance is 100 KL for each tank. Refuelling of locomotives is likely to occur on the locomotive shifter, which would catch any spills during the refuelling process. Spill kits would be located in the vicinity of the refuelling location and staff would be trained in the use.	Operation	Y	N	N	N	N
7H	A preliminary risk screening assessment would be undertaken prior to any refuelling activities being undertaken onsite using LPG to ensure compliance with storage requirements (location, tank size and separation distances) under SEPP 33 (specific to the type of fuel to be stored) to maintain acceptable risk levels associated with refuelling procedures.	Operation	Y	N	Y	N	N
7I	The storage and handling of any LPG or LNG stored within warehouses onsite as part of the Proposal must demonstrate compliance with storage requirements in accordance with the Applying SEPP 33 guideline.	Operation	N	N	Y	N	N
8.	**Visual Amenity, urban design and landscape**						

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
8A	The following mitigation measures would be implemented, where reasonable and feasible, to minimise the visual impacts of the Proposal: ▪ Existing vegetation around the perimeter of construction sites would be retained where feasible and reasonable ▪ The early implementation of landscape planting would be considered in order to provide visual screening during the construction of the Proposal ▪ Elements within construction sites would be located to minimise visual impacts as far as feasible and reasonable, e.g. setting back large equipment from site boundaries ▪ Construction lighting, on both ancillary facilities and plant and equipment, would be designed and located to minimise the effects of light spill on surrounding sensitive receivers, including residential areas and the proposed conservation area ▪ Design of site hoardings would consider the use of artwork or project information ▪ Regular maintenance would be undertaken of site hoardings and perimeter areas including the prompt removal of graffiti ▪ Re-vegetation/landscaping would be undertaken progressively ▪ Where required for construction works, cut-off and directed lighting would be used and lighting location considered to ensure glare and light spill are minimised.	Construction	Y	Y	Y	Y	Y
8B	The following mitigation measures would be implemented, where reasonable and feasible, for the landscaping of the Proposal: ▪ Use of species that are local to the area ▪ Use of trees to provide a uniform canopy cover within vegetated areas	Operation	Y	Y	Y	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Use of local species as understory planting to support and enhance local habitat values ▪ Use of seeds collected within the local area for planting to reinforce the genetic integrity of the region, where possible.						
8C	The following initiatives would be implemented for mitigation of light spill: ▪ Lighting would be designed to minimise impacts on surrounding existing and future residents and the proposed conservation zone ▪ The use of shields on luminaire lighting to minimise brightness effects would be considered ▪ Asymmetric light distribution-type floodlights would be selected as part of the proposed lighting design (i.e. the light is directed specifically to the task with minimal direct light spill to the surrounding area) ▪ Low reflection pavement surfaces would be considered to reduce brightness ▪ The quantity of light and energy consumption in parts of the Proposal site that are not active would be minimised, while retaining safe operation.	Detailed design and operation	Y	Y	Y	N	Y
9.	**Indigenous Heritage**						
9A	The scar portions of MA6 & MA7 would be removed by a qualified arborist and relocated to the TLALC property at Thirlmere, or a suitable area identified in consultation with Registered Aboriginal Parties (RAPs). The trees should be mounted and housed in a weather protected structure. All costs associated with the removal, relocation and housing of the trees would be covered by the Proponent. The relevant RAP would be responsible for the maintenance of the housing once established.	Construction	N	N	N	N	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
9B	Staged salvage excavation of selected areas should be conducted as part of the Proposal, in consultation with RAPs. These stages include: ▪ Part 1 would involve dispersed pits placed along transects within the Terrace PAD and the tertiary terrace (between MA10 and MA14 – refer to Figure 16-2 of this EIS). ▪ Part 2 would involve open area salvage excavation, targeting the artefact concentrations identified by NOHC at MA10 and MA14, as well as any additional artefact concentrations identified during Part 1.	Construction	N	N	N	N	Y
9C	Where changes are made to the Proposal and areas not assessed by this report or previous reports (NOHC 2014, NOHC Sept 2014, AHMS 2015) are to be impacted, further Aboriginal heritage investigation and consultation should take place.	Construction	Y	Y	Y	Y	Y
9D	An Aboriginal Cultural Heritage Assessment Report (ACHAR) (also known as a Cultural Heritage Management Plan) would be prepared as part of the CEMP for the Proposal and would outline ongoing management/ mitigation measures relating to MA6 and MA7.	Construction	N	N	N	N	Y
9E	An unexpected finds procedure would be included in the ACHAR and in place for the construction phase of the Proposal.	Construction	N	N	N	Y	Y
9F	If suspected human remains are located during any stage of the construction works, work would stop immediately and the NSW Police and the Coroner's Office should be notified. The Office of Environment and Heritage, RAPs and an archaeologist would be contacted if the remains are found to be Aboriginal.	Construction	N	N	N	Y	Y
9G	Consultation with RAPs would continue throughout the life of the Proposal, as necessary. Ongoing consultation with RAPs would take place throughout the reburial of retrieved artefacts and in the event of the discovery of any unexpected Aboriginal objects.	Pre-Construction, construction and operation	N	N	N	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
10.	**Non-Indigenous Heritage**						
10A	Naming of roads would consider previous School of Military Engineering (SME) street names.	Detailed Design	Y	Y	Y	N	Y
10B	Naming of buildings and roads (in addition to above) would consider commemoration of significant events and individuals related to the Moorebank Cultural Landscape.	Detailed Design	Y	Y	Y	N	Y
10C	An unexpected finds protocol (or equivalent), including a stop works procedure, would be included within the CEMP. If unexpected finds are identified during works, the stop works procedure would be followed and a suitably qualified archaeological consultant would be engaged to assess the significance of the finds and the NSW Heritage Council notified. In this instance, further archaeological work or recording may be required.	Construction	Y	Y	Y	Y	Y
11.	**Greenhouse Gas**						
11A	The following mitigation measures would be implemented, where reasonable and feasible, for management of GHG emissions as part the operation of the Proposal: ▪ Energy efficiency design aspects would be incorporated wherever practicable to reduce energy demand ▪ Fuel efficiency of the operation plant/equipment would be assessed prior to selection, and where practical, equipment with the highest fuel efficiency and which uses lower GHG intensive fuel (e.g. biodiesel) would be used ▪ Energy-efficient guidelines for operational work would be considered and implemented where appropriate and regular maintenance of equipment would be undertaken to maintain fuel efficiency	Detailed design	Y	Y	Y	N	N

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Methods to reduce losses from industrial processes (refrigerants and SF6) would be investigated during detailed design ▪ Consideration would be given to undertake further investigation and implementation of cost negative abatement opportunities ▪ Investigate and, where possible, implement key performance indicators (KPIs) for plant efficiency and GHG intensity. The mitigation measures, management strategies and abatement opportunities presented in this report would be reviewed and considered where appropriate for incorporation into the OEMP.						
11B	The following initiatives would be implemented, where reasonable and feasible, for mitigation of GHG emissions during construction: ▪ Construction works would be planned to minimise double handling of materials ▪ Construction/transport plans would be incorporated within the CEMP to minimise the use of fuel during construction ▪ Fuel efficiency of the construction plant/equipment would be assessed prior to selection, and where practical, equipment with the highest fuel efficiency and which uses lower GHG intensive fuel (e.g. biodiesel) would be used ▪ On-site vehicles would be fitted with exhaust controls in accordance with the Protection of the Environment Operations (Clean Air) Regulation 2010, as required and appropriate. ▪ Regular maintenance of equipment would be undertaken to maintain good operations and fuel efficiency ▪ Where practicable, trucks removing waste from the site or bringing materials to the site would be filled to the maximum amount allowable, depending on the truck size and load weight, to reduce the number of traffic movements required	Construction	Y	Y	Y	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ The mitigation measures, management strategies and abatement opportunities (Section 18 of this EIS) would be reviewed and considered where appropriate for incorporation into the CEMP.						
12.	**Waste**						
12A	The following mitigation measures would be implemented as part of the CEMP (or equivalent) for waste management: ▪ Characterisation of construction waste streams in accordance with the NSW Waste Classification Guidelines ▪ Management of any identified hazardous waste streams ▪ Procedures to manage construction waste streams, including handling, storage, classification, quantification, identification and tracking ▪ Mitigation measures for avoidance and minimisation of waste materials ▪ Procedures and targets for re-use and recycling of waste materials.	Construction	Y	Y	Y	Y	Y
12B	The following mitigation measures would be implemented as part of the OEMP (or equivalent) for waste management: ▪ Addressing waste management requirements and goals in staff inductions ▪ Providing staff access to documentation outlining the facility's waste management requirements ▪ Locating recycling bins in kitchen areas beside general waste bins to prevent contamination of recycling ▪ Positioning paper recycling bins close to printer / photocopying equipment	Detailed design and operation	Y	Y	Y	N	N

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ Establishing bays or containers for recyclable waste generated through de-stuffing ▪ Minimising general waste bins at desks but providing adequate container and paper recycling to encourage sorting of recyclables ▪ Providing adequate bin storage for the expected quantity of waste. ▪ Waste management planning incorporating principles of the waste hierarchy ▪ Selection of materials used in operations with recycled content, low embodied energy and durability ▪ Appropriate areas shall be provided for the storage of waste and recyclable material ▪ Standard signage on how to use the waste management system and what materials are acceptable in the recycling would be posted in all waste collection and storage areas ▪ All waste shall be collected regularly and disposed of at licensed facilities ▪ An education programme and on-going monitoring for training personnel to properly sort and transport waste into the right components and destinations.						
12C	Container disposal units would be provided in the area around the diesel re-fuelling station to dispose of used spills kits. These containers would be taken for disposal at an appropriately licensed facility.	Operation	Y	N	Y	N	N
13.	**Bushfire**						
13A	The following actions would be considered for implementation, where reasonable and feasible, for mitigation of bushfire risk during construction:	Construction	Y	Y	Y	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
	▪ A bushfire management strategy, or equivalent, would be prepared as part of the CEMP for the construction phase. The strategy would include: – Emergency response plans and procedures – All site offices and temporary buildings would have a minimum setback of 10 m to bushfire prone areas – All site offices would be accessible via access roads suitable for firefighting appliances similar to NSW Rural Fire Service category 1 tankers.						
13B	The following mitigation measures would be implemented during the operation of the Proposal: ▪ A bushfire management strategy, (including a fire safety and evacuation plan) or equivalent, would be prepared as part of the OEMP ▪ Management of the landscaped areas within the Proposal site would be undertaken to maintain minimum dry fuels loads ▪ The width, as required, of the Rail link connection would be maintained in a low fuel state ▪ Protocols would be developed for the monitoring of train access/egress during high – catastrophic fire weather days, if required and in accordance with the bushfire management strategy.	Operation	Y	Y	Y	N	Y
14.	**Socio-economic**						
14A	A community information and awareness strategy would be included in the CEMP and would outline measures to maintain communication with the community and all relevant stakeholders throughout the construction process of the Proposal.	Construction	Y	Y	Y	Y	Y

No.	Mitigation measures	Implementation stage	Applicability				
			IMT	Rail link connection	Warehousing	Moorebank Ave intersection	Site infrastructure
14B	The Operational Environmental Management Plan (OEMP) would include measures to engage with stakeholders and to manage and respond to feedback received during the operation of the Proposal.	Operation	Y	Y	Y	N	Y
14C	Security at the Proposal site would include: ▪ Fencing around the perimeter of the Proposal site, and potentially the Rail link connection, which is envisaged to include palisade fencing and chain-link fencing along the Moorebank Avenue boundary and chain-link at other location ▪ A controlled site access system including electronic truck processing ▪ A controlled circuit television (CCTV) security system at key locations including site entrances and along boundaries ▪ An integrated telecommunications system which involves connection to all main buildings and structures.	Operation	Y	Y	Y	N	N
14D	Written notification would be provided to potentially affected and adjoining land owners prior to commencement of site operations. The manner of notification would be confirmed in the final OEMP for the Proposal.	Operation	Y	Y	Y	N	Y
14E	Measures to engage with stakeholders and to manage and respond to feedback received during operation of the Proposal, including via a complaints register would be provided in the OEMP for the Proposal	Operation	Y	Y	Y	N	Y
15.	***Urban Heat Island Effect***						
15A	*In addition to features included in the current design, the following mitigation measures (where feasible and reasonable) would be implemented to reduce the potential for urban heat island effects:* ▪ *Solar panels on roofs of warehousing.* ▪ *Cool roofs (selection of materials higher albedo ratings (ratio of irradiance reflected to the irradiance received)).*	*Operation*	*N*	*N*	*Y*	*N*	*Y*

APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under **condition C10** or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
   a. identify the development and application number;
   b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
   c. identify how the incident was detected;
   d. identify when the Applicant became aware of the incident;
   e. identify any actual or potential non-compliance with conditions of consent;
   f. describe what immediate steps were taken in relation to the incident;
   g. identify further action(s) that will be taken in relation to the incident; and
   h. identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
   a. a summary of the incident;
   b. outcomes of an incident investigation, including identification of the cause of the incident;
   c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
   d. details of any communication with other stakeholders regarding the incident.