

# MOOREBANK PRECINCT EAST

Stage 1: 6-Monthly Compliance Report - #04

January 2019 – June 2019

25 SEPTEMBER 2019

Incorporating





## CONTACT

**[REDACTED]**  
**Senior Environmental Consultant**

T [REDACTED]  
M [REDACTED]  
E [REDACTED]

Arcadis  
Level 16/580 George Street  
Sydney NSW 2000

# Moorebank Precinct East

## STAGE 1: 6-MONTHLY COMPLIANCE REPORT - #04

January 2019 – June 2019

<b>Author</b>	[REDACTED]	[REDACTED]
<b>Checker</b>	[REDACTED]	[REDACTED]
<b>Approver</b>	[REDACTED]	[REDACTED]

**Report No** SSS1-ARC-EN-RPT-00004  
**Date** 25/09/2019  
**Revision Text** 03

This report has been prepared for Tactical Group in accordance with the terms and conditions of appointment for Moorebank Precinct East Early Works dated 7 October 2016. Arcadis Australia Pacific Pty Limited (ABN 76 104 485 289) cannot accept any responsibility for any use of or reliance on the contents of this report by any third party.

### REVISIONS

Revision	Date	Description	Prepared by	Approved by
01	31/07/2019	Submission to Tactical Group	[REDACTED]	[REDACTED]
002	20/08/2019	Updates following Client comments	[REDACTED]	[REDACTED]
003	25/09/2019	Updates following ER comments	[REDACTED]	[REDACTED]



# CONTENTS

<b>1 INTRODUCTION</b> .....	<b>1</b>
1.1 Precinct Overview .....	1
1.2 Scope and Purpose.....	4
1.3 Structure of this Six-monthly Compliance Report .....	6
1.4 Periodic Review.....	6
<b>2 PROJECT DESCRIPTION</b> .....	<b>7</b>
2.2.1 Works Packages .....	7
2.3 Works Undertaken: January 2019 – June 2019.....	8
<b>3 PROJECT COMPLIANCE</b> .....	<b>9</b>
3.1 Inspections .....	9
3.1.1 Internal Inspections .....	9
3.1.2 Environmental Representative Inspections .....	9
3.2 Other Regulator Inspections .....	9
3.3 Audits .....	10
3.3.1 Internal Audits .....	10
3.3.2 External Audits .....	10
3.4 Environmental Monitoring.....	10
3.4.1 Noise Monitoring .....	10
3.4.2 Air Quality Monitoring .....	11
3.4.3 Water Quality Monitoring.....	12
3.5 Environmental Incidents.....	13
3.6 Previous Report Actions .....	16
3.7 Conditions of Consent Compliance Tracking.....	16
3.7.1 Non-Compliance.....	16
3.8 Additional Approvals .....	17
3.9 Complaints Management.....	18
3.10 Newly Identified Environmental Risks.....	19
3.10.1 Unexpected Contamination Finds .....	19
<b>4 COMPLIANCE SUMMARY</b> .....	<b>20</b>
4.1 Conclusion.....	20

# APPENDICES

**APPENDIX A COMPLIANCE TABLE – MINISTERS CONDITIONS OF CONSENT**

**APPENDIX B COMPLIANCE TABLE – REVISED ENVIRONMENTAL MITIGATION MEASURES**

## Definitions

Acronym	Meaning
AA	Accordance Assessment
ACM	Asbestos Containing Materials
ARTC	Australian Rail Track Corporation
CBD	Central Business District
CEMP	Construction Environmental Management Plan
CES	Community Engagement Strategy
CDWMP	Construction Demolition and Waste Management Plan
CFFMP	Construction Flora and Fauna Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CoC	Conditions of Consent
CSR	Combined services route
CTAMP	Construction Traffic and Access Management Plan
CTP	Compliance Tracking Programme
DP&E	Department of Planning and Environment (now DPIE)
DPIE	Department of Planning, Industry and Environment (formerly DP&E)
EM	Environmental Manager
EPA	Environmental Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPL	Environmental Protection Licence
ER	Environmental Representative
ERSED	Erosion and Sediment Controls
EWMS	Environmental Work Method Statement
FCMM's	Final Compilation of Mitigation Measures
GWS	Glenfield Waste Services
HEIC	High Energy Impact Compaction
IMEX	Import-Export
LGA	Local Government Area
MPE	Moorebank Precinct East
MPW	Moorebank Precinct West
NCA	Noise Catchment Area
OOH	Out of Hours
ONRSR	Office of the National Safety Regulator
PCCR	Pre-Construction Compliance Report
PSP	Project Specific Procedure
RALP	Rail Access Land Preparation



6-Monthly Compliance Report #04: January - June 2019

Acronym	Meaning
RAP	Remediation Action Plan
PIRMP	Pollution Incident Response Management Plan
RfMA	Request for Minor Amendment
Secretary	Secretary under the EP&A Act, or nominee
SIMTA	Sydney Intermodal Terminal Alliance
Site Auditor	Contaminated land accredited auditor
SSD	State Significant Development
SSFL	Southern Sydney Freight Line
the Moorebank Precinct	Moorebank Intermodal Precinct

# 1 INTRODUCTION

## 1.1 Precinct Overview

The Sydney Intermodal Terminal Alliance (SIMTA) and Moorebank Intermodal Company have entered into an agreement to develop the Moorebank Precinct East (MPE) Project and Moorebank Precinct West (MPW) Project into the Moorebank Intermodal Precinct (the Moorebank Precinct).

When completed, the Moorebank Precinct will move 1.5 million shipping containers annually by rail instead of road. It will also feature Australia's largest purpose-built warehouse and distribution precinct serviced by the latest automated technology which will see driverless shuttle carriers collect and transport containers around the precinct to be processed, unpacked and stored on site or distributed in smaller consignments

Contractors have been appointed to undertake three packages of works under the current approvals across both the MPW and MPE Projects. Figure 1-1 describes the approvals and the relevant contractors appointed under each; Figure 1-2 shows the extent of the sites of each appointed contractor.

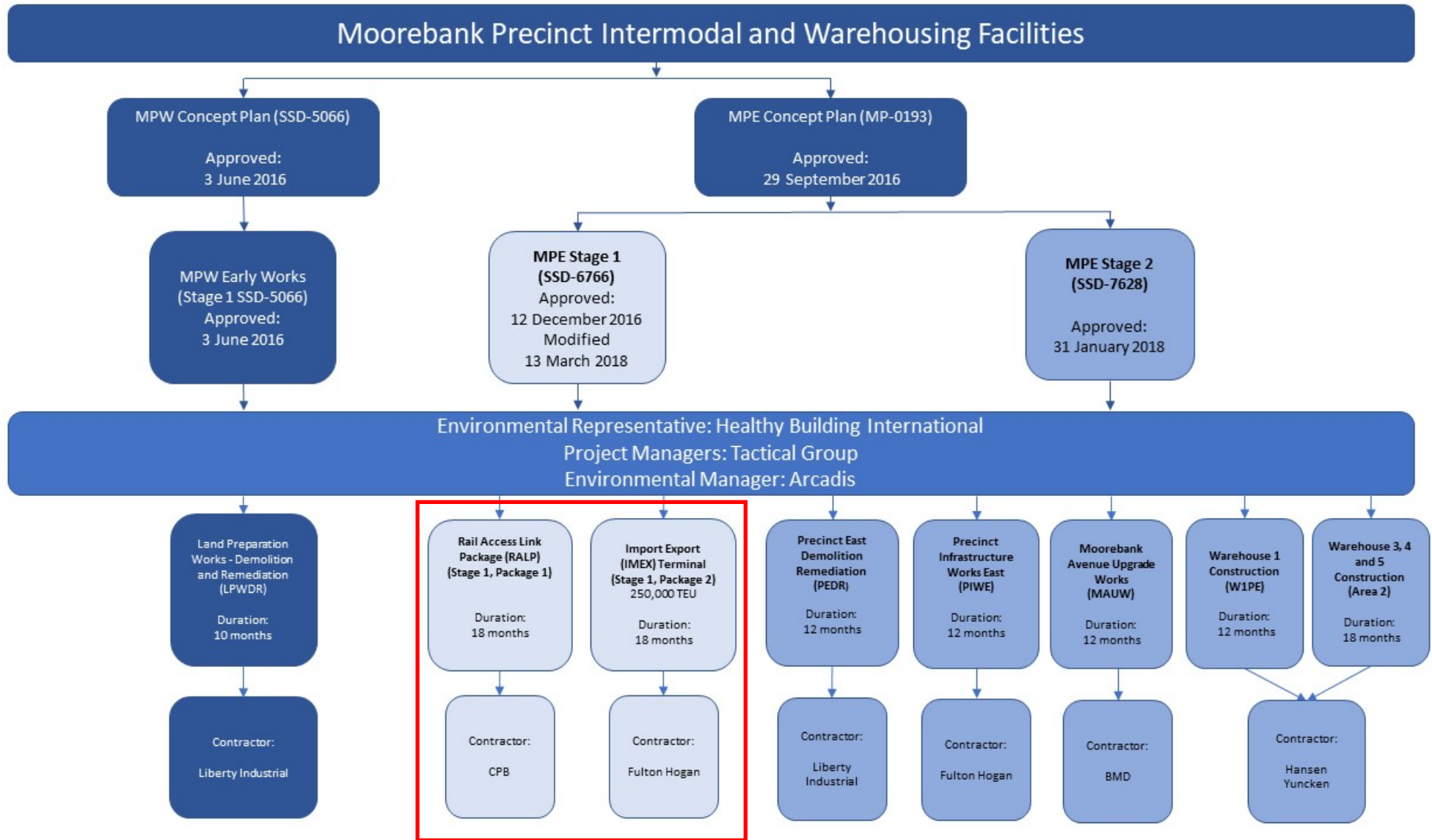
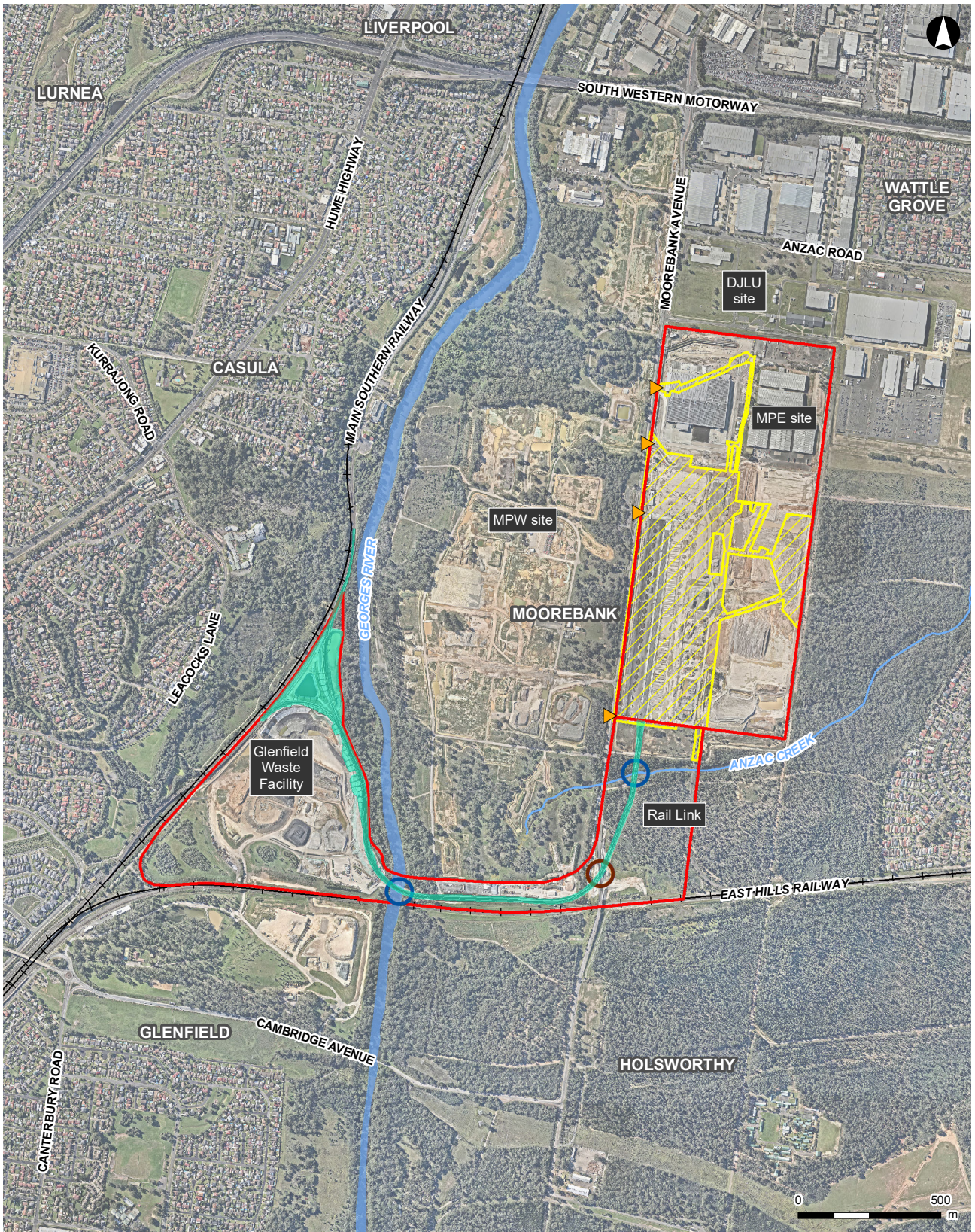


Figure 1-1 Overview of Moorebank Intermodal Precinct Contract Structure

# MPE Stage 1 Six-Monthly Compliance Report



## LEGEND

- MPE Stage 1 Project Site
- Construction footprint
- MPE Stage 1 Package 1 (Rail Link)
- MPE Stage 1 Package 2 (IMEX)
- ▶ Construction access
- Creek/river crossing
- Road crossing
- Existing railway
- Rail link
- Watercourse

ARCADIS AUSTRALIA PACIFIC PTY LTD  
 ABN 76 104 485 289  
 Level 16, 500 George St | Sydney NSW 2000  
 P: +61 (0) 2 8907 9000 | F: +61 (0) 2 8907 9001  
 Coordinate System: GDA 1994 MGA Zone 56  
 Aerial imagery supplied by nearmap (March, 2019)

1:20,000 at A4

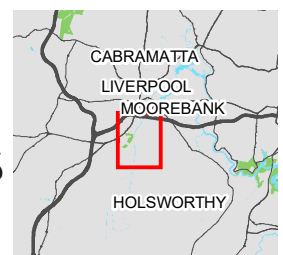


Figure 1-2: The extent of the sites for each appointed contractor

## 1.2 Scope and Purpose

The MPE Stage 1 approval (SSD 6766) was granted on 12 December 2016 for the construction and operation of an Intermodal Terminal and associated Rail link under Part 4, Division 4.1 (now Division 4.7 as of 1 March 2018) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Compliance tracking and reporting requirements for MPE Stage 1 are specified in Condition of Consent (CoC) C4 *Compliance Monitoring and Tracking*, which is detailed in Table 1-1. In addition, the Final Compilation of Mitigation Measures (FCMMs) from the MPE Stage 1 Response to Submissions (RtS) are addressed for compliance tracking purposes (Appendix B). The Compliance Tracking Program (CTP) developed by SIMTA was approved by the Secretary on 4 May 2017.

As a result of court proceedings on 6 March 2018 and the associated orders handed down on the 13 March 2018, amendments to the CoC were made. The amended conditions in relation to SSD 6766 are addressed herein. Compliance with these conditions is addressed in Appendix A.

A Pre-Construction Compliance Report (PCCR (CoC C4 c) (i)) outlining progress of compliance against the approval for all pre-construction requirements was initially submitted for demolition and remediation works (RALP-ARC-EN-PLN-00003). This original PCCR was submitted to the Department of Planning, Industry and Environment (DPIE) (formally the Department of Planning and Environment (DP&E)) prior to the commencement of construction and was approved on 23 June 2017.

Two further PCCRs, in addition to the original PCCR were prepared and submitted to the DPIE to address the following areas:

- Glenfield Waste Services (GWS) Early Works – Submitted to DPIE on 25 April 2018
- IMEX to RailCorp Land and RailCorp Land – Submitted to DPIE on 21 June 2018.

Ongoing compliance reporting is required under CoC C4. Six-monthly, Construction Compliance Reports (CCR) are required for the duration of construction (CoC C4 c) (ii)). The first six-monthly compliance report was provided the DP&E in December 2017.

This report represents the fourth 6-monthly report under CoC C4 c) (ii), and outlines progress of compliance against the relevant construction requirements and covers the period January 2019 to June 2019.

This report has been prepared by Arcadis with input from SIMTA and construction contractors. The report integrates information collated from regular compliance activities, such as progress meetings, inspections, client surveillance, internal audit and monitoring, undertaken in accordance with the Construction Environmental Management Plan (CEMP) and the associated sub-plans.

Table 1-1 – Requirements for Compliance Reporting.

MPE Stage 1 Approval	Condition No.	Condition
Conditions of Approval SSD 6766	C4	<p>The Applicant shall prepare and implement a Compliance Tracking Program, to track compliance with the requirements of this approval. The Program shall be submitted to the Secretary for approval prior to the commencement of construction and operate for the duration of construction. The Program shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>a) provision for the notification to the Secretary prior to the commencement of construction;</li> <li>b) provision for periodic review of the compliance status of the SSD against the requirements of this approval;</li> <li>c) provision for periodic reporting of compliance status to the Secretary, including but not limited to: <ul style="list-style-type: none"> <li>i. a Pre-Construction Compliance Report prior to the commencement of construction,</li> <li>ii. Six-monthly, or other timing as agreed by the Secretary, Construction Compliance Reports, for the duration of construction, and</li> <li>iii. a Completion Compliance Report within one month of completion of the construction;</li> </ul> </li> <li>d) a program for independent environmental auditing in accordance with AS/NZS ISO 19011:2014 - Guidelines for Auditing Management Systems;</li> <li>e) mechanisms for recording environmental incidents during construction and actions taken in response to those incidents;</li> <li>f) provision for reporting environmental incidents to the Secretary during construction, in accordance with conditions C6 and C7;<sup>1</sup></li> <li>g) procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and</li> <li>h) Provision for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.</li> </ul>

---

<sup>1</sup> CoC E10 and E11 relate to incident reporting and management.

### 1.3 Structure of this Six-monthly Compliance Report

The structure of this six-monthly compliance report is as follows:

- **Section 1 – Introduction:** Provides a brief overview of the Moorebank Precinct, and the purpose of this report.
- **Section 2 – Project Description:** Provides a brief summary of the MPE Stage 1 Project and describes the works undertaken during the reporting period, both completed and ongoing.
- **Section 3 – Project Compliance:** Provides a summary of results of the various inspections, audits and environmental monitoring undertaken during the reporting period. It discusses environmental incidents that have occurred, changes to approved documentation, complaints and enquiries received and newly identified environmental risks to the Project Site.
- **Section 4 – Compliance Summary:** Provides a conclusion of the report.

Appendix A and Appendix B contain the compliance tracking spreadsheets for this reporting period.

### 1.4 Periodic Review

Regular compliance activities, such as progress meetings, inspections, client surveillance and monitoring have been undertaken in accordance with the relevant CEMP and sub-plans. Environmental controls are inspected regularly to ensure their ongoing suitability and effectiveness as detailed in Section 3 of this report.

## 2 PROJECT DESCRIPTION

### 2.1 Site Location

Moorebank Precinct is located approximately 27 km south-west of the Sydney Central Business District (CBD) and approximately 26 km west of Port Botany within the Liverpool Local Government Area (LGA) in Sydney's South West Sub-Region, approximately 2.5 km from the Liverpool City Centre.

The MPE Stage 1 site is generally bounded to the west by Moorebank Avenue, the East Hills Railway Line to the south, and the former Defence National Storage and Distribution Centre to the north and east. The site was previously developed and comprised low-rise buildings, including warehouses and administrative offices with direct frontage to Moorebank Avenue. The site is situated on relatively flat topography, however a low hill is present to the east of the MPE Stage 1 site.

### 2.2 MPE Stage 1 Scope of Works

#### 2.2.1 Works Packages

Stage 1 of the MPE Project comprises, and will be constructed across, two packages:

**Package 1: The Rail Link (RALP No.1)** includes the following works:

- A northbound connection and a southbound connection to the Southern Sydney Freight Line (SSFL)
- Civil and earthworks, including remediation works and benching
- A viaduct over a section of the Glenfield Waste Services (GWS) landfill site
- A bridge over the Georges River
- A culvert crossing over Anzac Creek
- Installation of new Moorebank Avenue overbridge
- Service relocation and protection
- Track work and possessions through the Australian Rail Track Corporation (ARTC)
- Signalling systems
- Security fencing.

**Package 2: IMEX No.1** includes the following key components:

- Truck processing, holding and loading areas – entrance and exit from Moorebank Avenue
- Rail loading and container storage areas including installation of four rail sidings with adjacent container storage area serviced by manual handling equipment initially and overhead gantry cranes progressively
- Administration facility and associated car parking – light vehicle access from Moorebank Avenue.

This compliance report covers both Package 1 and 2.



## 2.3 Works Undertaken: January 2019 – June 2019

The following construction activities have been carried out as part of MPE Stage 1, Package 1 and 2 during this reporting period:

### **Package 1 (RALP No. 1):**

- Ongoing works in GWS Site including construction of Cell.X/X1
- Completion of Georges River Bridge Piles and deck
- Completed surcharge of area
- Earthworks ongoing for preparation of the soil nail wall
- Constructed parapet walls at Moorebank Avenue
- Tunnelling under Moorebank Ave completed
- Parapet walls constructed at Anzac Creek Culverts.
- Subbase placement along rail corridor completed and laying of rail commenced.

### **Package 2 (IMEX No. 1):**

- Installation of internal and lead-in services
- Placement of heavily bound pavement
- Placement of asphalt pavement
- Hydromulching of the bioswale on the western boundary
- Completion of the administration building
- Auto phase earthworks ongoing.

## 3 PROJECT COMPLIANCE

### 3.1 Inspections

#### 3.1.1 Internal Inspections

Internal inspections are undertaken by Fulton Hogan and CPB's Environmental Advisor on a regular basis. These are interspersed by inspections undertaken by the Environmental Representative (ER) as detailed in the following section.

Internal inspections found no significant non-compliance issues during this reporting period.

Soil Conservationist inspections also took place to update erosion and sediment control plans (ESCPs).

#### 3.1.2 Environmental Representative Inspections

The ER undertook 25 inspections across both the RALP and IMEX sites. Quarterly reports were submitted to DPIE by the ER in March 2019 and June 2019 within 7 days of the end of the reporting period, in accordance with CoC D2. The dates on which these inspections took place are listed below:

##### IMEX

- IMEX ER Inspection 41 – 10/01/2019
- IMEX ER Inspection 42 – 24/01/2019
- IMEX ER Inspection 43 – 7/02/2019
- IMEX ER Inspection 44 – 21/02/2019
- IMEX ER Inspection 45 – 7/03/2019
- IMEX ER Inspection 46 – 21/03/2019
- IMEX ER Inspection 47 – 4/04/2019
- IMEX ER Inspection 48 – 17/04/2019
- IMEX ER Inspection 49 – 2/05/2019
- IMEX ER Inspection 50 – 16/05/2019
- IMEX ER Inspection 51 – 30/05/2019
- IMEX ER Inspection 52 – 13/06/2019
- IMEX ER Inspection 53 – 27/06/2019

##### RALP

- RALP ER Inspection 41 – 10/01/2019
- RALP ER Inspection 42 - 24/01/2019
- RALP ER Inspection 43 – 21/02/2019
- RALP ER Inspection 44 – 7/03/2019
- RALP ER Inspection 45 – 21/03/2019
- RALP ER Inspection 46 – 4/04/2019
- RALP ER Inspection 47 – 17/04/2019
- RALP ER Inspection 48 – 2/05/2019
- RALP ER Inspection 49 – 16/05/2019
- RALP ER Inspection 50 – 30/05/2019
- RALP ER Inspection 51 – 13/06/2019
- RALP ER Inspection 52 – 27/06/2019

Minor erosion and sediment controls issues were raised as part of the ER Inspections. This includes two non-conformances which are outlined in Table 3-1. These are continuously rectified on an as needs basis.

### 3.2 Other Regulator Inspections

The Department of Planning, Industry and Environment (DPIE) undertook inspections of the site on 7 March 2019 and 15 May 2019. Concerns were expressed over the state of temporary drainage controls on the Georges River Bridge. These controls were rectified on the day of the inspection. No other issues were raised.

The NSW Environment Protection Agency (EPA) undertook an Environmental Risk Assessment on 29 May 2019. This included a site visit of the licensed premise associated with Environment Protection Licence (EPL) 21054.

## 3.3 Audits

### 3.3.1 Internal Audits

Internal Audits for this reporting period were completed on 6 – 8 February 2019 and focused on the requirements of the CEMP and subplans. These audits were undertaken by Arcadis in accordance with *ISO 19011:2011 Guidelines for auditing management systems and the Compliance Audit Handbook* (EPA 2006) and involved a line-by-line assessment of compliance with pre-determined elements of the CEMP and subplans.

This audit found that all site Contractors were operating in compliance with the relevant requirements and identified no issues likely to cause significant environmental harm or increased risk across the MPE Stage 1 site.

### 3.3.2 External Audits

An Independent Environmental Audit of the MPE Stage 1 site was undertaken by WolfPeak on 26 June 2019 in accordance with CoC C18. The final audit report was issued in August 2019.

Two non-compliances were identified against the CoC and two non-compliances were identified against the commitments of the Community Consultation Strategy (CCS). These are discussed in Section 3.7.1 of this report. An additional seven observations were made in relation to the CoCs and mitigation measures outlined in the CEMP and subplans.

The audit concluded that the overall outcome was indicative of a high level of compliance and environmental performance by SIMTA and Contractors (CPB and Fulton Hogan) in carrying out the construction of the RALP and IMEX sites.

## 3.4 Environmental Monitoring

In accordance with the CoC and CEMP environmental monitoring activities are required to be undertaken for the construction phase of the MPE Stage 1 project. These include noise monitoring, air quality monitoring and water quality monitoring. Results of the monitoring is detailed in the sections below.

### 3.4.1 Noise Monitoring

#### 3.4.1.1 IMEX No.1

Fulton Hogan conducted attended noise compliance monitoring at the nearest four residential NCAs during various activities occurring on site.

Results during this reporting period are as follows:

- Noise monitoring results<sup>2</sup> demonstrated that works were inaudible above background noise and compliant with established noise criteria established in the CNVMP
- No noise monitoring was undertaken during January 2019 and April 2019 due to extended construction shut down periods and due to no Out of Hours Works (OOHW) being undertaken (respectively).
- Two noise complaints were received during the reporting period and are detailed below:
  - A complaint was received on 22 February 2019 regarding noisy OOHW during the week of the 14 February 2019. This complaint was investigated and was found to be related to the night works undertaken by SIMTA for the delivery of rail to the Project site. Delivery crews were reminded by

---

<sup>2</sup> Noise monitoring data excludes June data, which was still being analysed at the time of writing the report. Quarterly noise monitoring reporting periods are February to April, May to July, August to October and November to January.

SIMTA to minimise noise during any OOHW, and to ensure that only vehicles with reverse squawkers (not beepers) were used. The matter was closed out on 22 February 2019.

- A complaint was received on 20 May 2019 in regard to the testing of loud emergency evacuation sirens emanating from the project site on 24 April 2019. The complaint was investigated and it was determined that no emergency drills or actual emergency evacuations occurred on site on the specified date. It is understood that the nearby Holsworthy Army base undertakes emergency evacuation drills on a regular basis and could have been the source of the excessive noise heard on this date. The matter was closed out on 29 May 2019.

### 3.4.1.2 RALP No.1

CPB has carried out noise monitoring on construction works since commencement of site establishment works in July 2017 and monthly thereafter in accordance with the project CEMP.

Results during this reporting period are as follows:

- Noise monitoring was completed on a routine basis in line with the Project's EPL, CEMP, Project Approval and the Community Strategy. Noise monitoring was undertaken during site establishment works, earthworks, out of hours works and works relating to possessions of the SSFL for the turnouts associated with the Rail Link. Noise impacts were monitored at the nearest receiver(s) to the works including receivers in Glenfield, Casula, and Wattle Grove
- Most monitoring events confirmed works were carried out within predicted values and in accordance with the project's CNVMP
- Within the six month monitoring period, 10 noise monitoring events were found to exceed the predicted values outlined in the CNVMP. These exceedances were largely attributed to non-construction noise sources including passing traffic, trains and aircraft and birds during the recording period.

## 3.4.2 Air Quality Monitoring

### 3.4.2.1 IMEX No.1

#### Dust Monitoring

Fulton Hogan took over the dust monitoring requirements on the 27 November 2017 from Liberty Industrial. Monitoring was undertaken at six boundary locations using dust deposition gauges installed in November 2017. Dust monitoring<sup>3</sup> results during this reporting period are as follows:

- Total deposited dust results below the 4g/m<sup>2</sup>/month limit<sup>4</sup>
- Elevated levels were recorded at the stockpile gauge during February 2019; however, the monthly average was still below specified limit.

#### PM10 Monitoring

Particulate matter (PM<sub>10</sub>) monitoring was undertaken at two boundary locations consistent with the previously installed gauges (Moorebank Ave and Stockpile Site) using the 'The DustTrak™ II Aerosol Monitor' system, which were sited in accordance with AS3580.1.1:2016 *Method for sampling and analysis of ambient air. Part 1.1: Guide to siting air monitoring equipment*. Monitors are connected to a solar array and battery storage system. Real time results are available via a Cloud Data Management System. PM<sub>10</sub> monitoring results for this reporting period are as follows:

- PM<sub>10</sub> levels were generally compliant with the 50µg/m<sup>3</sup>/day PM<sub>10</sub> limit
- Exceedances of the 50µg/m<sup>3</sup>/day PM<sub>10</sub> limit were recorded on five occasions in May 2019 and two occasions in June 2019

---

<sup>3</sup> Dust monitoring data excludes June 2019 data, which was still being analysed at the time of writing the report.

<sup>4</sup> Dust limit indicates the maximum limit of 4g/m<sup>2</sup>/month over a 12-month recording period and hence only applies to the annual average.

- Exceedances in May 2019 were attributed to elevated PM<sub>10</sub> levels within the region due to backburning activities. This is consistent with other monitoring in results from the surrounding area. PM<sub>10</sub> levels on boundary locations of the Moorebank Precinct were recorded at 20.1 µg/m<sup>3</sup> on 24 May 2019 at 3:05:00 PM, while at a local monitoring station, PM<sub>10</sub> levels as a 24-hour maximum derived from 1 hour average were recorded at 248.9 µg/m<sup>3</sup>. This data can be viewed at <https://www.environment.nsw.gov.au/AQMS/search.html>
- The Department of Environment, Industry and Environment was notified of the exceedances on 20 and 21 May 2019 via email on 23 May 2019. Notification of exceedances 24 and 25 May 2019 was sent via email on 28 May 2019
- The cause of the exceedances in June 2019 could not be established. Due to high rainfall events on the identified days, minimal construction works were being undertaken at the time of exceedances in June 2019.

### 3.4.2.2 RALP No.1

Visual inspections were undertaken by the CPB site supervisor following commencement of construction activities during this reporting period. This was also supported by weekly environmental inspections undertaken on the project. No issues were identified during the reporting period.

## 3.4.3 Water Quality Monitoring

### 3.4.3.1 IMEX No.1

Prior to discharge, the quality of discharge water is to be tested and characterised to demonstrate compliance. Criteria include total suspended solids (TSS) of 50 mg/L, turbidity of 25 nephelometric turbidity units (NTU), pH of 6.5-8.5 and oil and grease (visible sheen). Fulton Hogan use the water quality monitoring form: *Fulton Hogan Dewatering Permit*.

Results during this reporting period are as follows:

#### Discharge Monitoring

- Six water discharges were undertaken during this reporting period. All monitoring results were compliant with discharge criteria

#### Anzac Creek Water Quality Monitoring

- Water monitoring at Anzac Creek is undertaken when water is observed to be pooling after rainfall events. Monitoring was undertaken in March 2019, April 2019 and June 2019.
  - Exceedances of turbidity and TSS criteria at both upstream and downstream locations were recorded during the March 2019 water monitoring event. The downstream sampling location was later identified to be incorrect, with monitoring being undertaken at the basin overflow channel, likely causing the exceedances. The monitoring records show that 120mm of rain had occurred in the previous 2-3 days which could potentially also have caused the exceedances at the upstream monitoring site.

### 3.4.3.2 RALP No.1

The project has a commitment to undertake monthly surface water quality monitoring upstream and downstream of works where it traverses the Georges River and Anzac Creek during both dry periods and following rainfall (10mm rain event) as per the project's Soil and Water Management Plan (SWMP).

Results during this reporting period are as follows:

- pH levels in the Georges River were observed to fluctuate throughout the reporting period
- On 26 June 2019, a pH level of 8.63 was recorded in the downstream location of Anzac Creek. As no construction works were undertaken at this time, this result is not attributable to construction activities
- Anzac Creek experienced significant amounts of weed growth

- No visual differences between upstream and downstream locations of Anzac Creek were observed
- Monitoring was not undertaken in Anzac Creek in May 2019 due to lack of rainfall

Additional water quality and macroinvertebrate monitoring was undertaken in May 2019 in accordance with MPE Stage 1 Final Mitigation Measure (FCMM) 8F. The results for the Autumn surveys in the Georges River and Anzac Creek are as follows:

- Sufficient aquatic habitat was found to be present in the upstream site on Anzac Creek
- Turbidity levels in upstream and downstream locations of the Georges River were observed to be within default trigger values (DFT)
- Aquatic macroinvertebrate fauna identified was similar to those observed in previous surveys.

### **3.5 Environmental Incidents**

Five environmental incidents occurred during the reporting period as outlined below (Table 3-1 – ). IMEX incidents 2 to 5 are also identified in the MPE Stage 2 Quarterly Compliance Report (April – June 2019), dated August 2019, as these incidents were attributed to both MPE Stage 1 and Stage 2 projects.

Most incidents during this reporting period were minor in nature and were rectified as soon as practically possible.

Table 3-1 – Summary of Environmental Incidents

Incident Number	Date	Incident Description	Immediate Action	Cause	Corrective Actions
<b>RALP</b>					
1	19/03/19	Overtopping event of the temporary causeway structure within the Georges River. No pollution of water was observed.	Silt curtains were anchored back into position.	High rainfall event on 14-19 March 2019. No flood warning for Georges River catchment was issued by Bureau of Meteorology during this rainfall event.	Notification of post-rainfall inspection submitted to DPIE and the EPA on 19 March 2019. Scour rock on causeway's western boundary was replaced. Roadside rubbish that had collected on the side of the causeway structure was removed. Site erosion and sediment controls were progressively reinstated.
<b>IMEX</b>					
1	18/03/19	Incorrect water sampling location used on Anzac Creek	Non-conformance report prepared	Human error as a result of personnel change on the Project	Correct sampling point marked to clearly identify location.
2	7/04/19	Area 5 including southern side of Moorebank Avenue access - Dirty construction water was not retained in OSD9 as specified in the approved ESCP and was pumped offsite to MPW stormwater structures (related to site water management in MPE Stage 2). These MPW structures were not approved to receive water from MPE Stage 1 or Stage 2.	Issue raised by ER and non-conformance report was requested	Incorrect implementation of ESCP	Installation of additional geofabric and earth bunds were installed to improve capacity of clean water and to ensure that dirty water is diverted into an OSD. Additional stabilisation activities were conducted around Outlet C to prevent dirty water entering outlet. The ESCP for Warehouse 1 and other sites were re-issued by CPESC on 14/06/19 An NCR was prepared and issued to the ER on 11/07/19.

6-Monthly Compliance Report #04: January - June 2019

Incident Number	Date	Incident Description	Immediate Action	Cause	Corrective Actions
3	17/04/19	Vehicles were observed as parking within non designated parking areas and using designated Piccolo Café parking areas to access the lead in services work zone.  Parking by site vehicles within the Piccolo Café site is prohibited and access to the site is to only occur within designated areas	Car owners told to move vehicles into an approved parking location	Site team not aware of parking restrictions	A site wide toolbox will be conducted to educate the workforce on this requirement to prevent recurrence.  'No parking' established within the non-designated parking areas
4	17/04/19	Significant mud accumulation was evident on Moorebank Avenue, which has the potential to contaminate stormwater.	Issue raised by ER	Inadequate road cleaning procedures	Dedicated street sweepers deployed to the identified areas.  Wheel wash installed to limit offsite movement of material.  Turf reinforcement matting applied to lead-in works access points to minimise potential for tracking.
5	17/04/19	A vehicle exited the site using a left-hand turn, which is not permitted under the CTAMP	-	Drivers not fully aware of requirements of CTAMP	Site wide toolbox to be conducted to ensure all FH staff and subcontractors are aware of site vehicle access requirements.  Pre-start for works supplied to ER on 5/06/19 noting requirements for vehicle turning on site.



### 3.6 Previous Report Actions

Actions identified in the previous MPE Stage 1 6-monthly Compliance Report #03 (July – December 2018) are outlined in Table 3-2 below.

Table 3-2 Previous Report Actions

Section	Actions	Outcome
	No actions listed.	

### 3.7 Conditions of Consent Compliance Tracking

Compliance with the CoC and FCMMs are provided in Appendix A and Appendix B, respectively. It is noted that only the FCMMs applicable to construction have been included within Appendix B.

As evident from the tables, the project is generally compliant with the relevant conditions, or is progressing actions to ensure compliance. Four non-compliances were identified during this reporting period and are detailed in Section 3.7.1 below.

#### 3.7.1 Non-Compliance

##### Non-compliance against SSD 6766 CoC C20 – Biodiversity

A non-compliance against CoC C20 was identified in May 2019 during an as built survey of the Anzac Creek culvert. This was also identified by WolfPeak in the June 2019 Independent Environmental Audit.

CoC C20 limits the rail link construction boundary to no more than 20 metres within the Anzac Creek riparian corridor. The survey identified the potential placement of gabion rock within the creek line approximately 0.9 – 1.2 metres beyond the 20 metre rail link construction boundary.

Gabion rock within the creek line is a necessary design requirement that protects the integrity of the above lying structure as well as providing adequate scour protection to mitigate erosion risks and environmental harm to the downstream environment.

Review of the site found that the placed gabion rock consisted of no fines quarried material. The area where the gabion was placed was also void of vegetation due to an extensive bushfire through the site in April 2018. Due to these factors, it is considered that the placement of gabion rock beyond the construction boundary represents a minor impact to the riparian corridor.

The non-compliance was reported to the Department of Planning, Industry and Environment on 15 June 2019, via email, in accordance with CoC E10. The proposed corrective action is to leave the structure in place as demolition and re-construction of the structure would likely result in additional environmental harm due to the increase in construction activity in the area.

The WolfPeak auditor observed during the site inspection on 26 June 2019 that rehabilitation measures had been implemented.

##### Non-compliance against SSD 6766 CoC E2

A non-compliance against CoC E2 was identified in the Independent Environmental Audit undertaken by WolfPeak in June 2019. CoC E2 requires a site notice(s) to be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Contractor, Certifying Authority and Structural Engineer. The notice(s) must satisfy the specifications prescribed by the condition. During the audit site inspection, a site notice was not able to be sighted.

##### Response

Signage that complies with CoC E2 will be erected by 9 October 2019, as actioned in Section 4.0 – *Audit Actions* of the audit report.

### **Non-compliance against Section 6.3 of the IMEX Community Communications Strategy**

Section 6.3 – *Tools and Strategies* of the IMEX CCS states that, where relevant all communication tools will reference access to the information via a community language Information Line in the five most commonly spoken languages in the Liverpool region – Fijian, Arabic, Vietnamese, Hindi and Filipino.

The Independent Environmental Audit identified that the project website includes only one reference to accessing information in a language other than English and project newsletters do not include any information relating information in other languages.

#### Response

This is considered a non-conformance against the management plans. Communications material to be updated with appropriate referencing to access information in languages other than English by 9 December 2019, as actioned in Section 4.0 – *Audit Actions* of the audit report.

### **Non-compliance against Section 7.1 of the IMEX Community Communications Strategy**

Section 7.1 – *Notifications Timeframes* of the IMEX CCS provides benchmark criteria for responding to complaints and enquiries, including: acknowledgement of complaint within 4 hours, acknowledgement of enquiry within 8 hours, written and/or verbal response to complainant within 24 hours and other prescribed timeframes for written responses, recording and reporting complaints and enquiries in the database.

The Independent Environmental Audit identified that the complaints register (managed by Elton Consulting) provided no evidence of notification timeframes being met.

#### Response

This is considered a non-conformance against the management plans. A response process is to be developed and implemented by 9 September 2019, as actioned in Section 4.0 – *Audit Actions* of the audit report.

## **3.8 Additional Approvals**

This section discusses instances where Request for Minor Amendments (RfMA) changes to approved documentation under the CoC have been made and submitted to the ER for review and approval:

### **IMEX**

- EPL 21054 variation was issued by the EPA on 18 April 2019 under section 58(5) of the POEO Act 1997
- EPL 21054 variation application sent to the EPA for review on 12 June 2019. Variation requests additional discharge points to be added to the EPL to accommodate construction logistics
- ER approval of RfMA-014: *Compliance and non-conformance definitions* received on 6 February 2019
- ER approval of RfMA-015: *Nest box post-survey advice* received on 19 May 2019
- ER approval of RfMA-011: *Remove disused northern rail spur* received on 22 May 2019
- RfMA-016 to update CEMP and sub-plans with EPL variation updates submitted to ER on 7 June 2019.

### **RALP**

- Stage 4 EPL variation sent to the EPA for review and approval on 22 January 2019. Variation includes the full extent of the Rail Link from SSFL to IMEX terminal
- ER approval of RfMA-023: *Correction of GWF northern construction boundary* received on 4 June 2019
- ER approval of RfMA-021: *CEMP six-monthly review* received on 5 June 2019
- ER approval of RfMA-022: *Nest box post-survey advice* received on 19 June 2019
- Site auditor approval of lead remediation plan received in January 2019
- Track possession applications for dates in February, May and June 2019 received. Track possession applications for August and September 2019 currently pending approval with ARTC and Sydney Trains.

### 3.8.1.1 Out of Hours

19 out of hours' (OOH) works requests were submitted and endorsed by the ER as outlined in Table 3-3 during this reporting period.

Table 3-3 – Summary of Out of Hours requests

OOH Number	Works to be Undertaken	Date
1	Sunday works	16 Dec 19 – 24 Feb 19
2	Float of large vehicles onsite	11 Jan 19 – 12 Jan 19
3	Saturday afternoon-works	12 Jan 19 – 23 Jan 19
4	Moorebank Avenue Traffic Switch	30 Jan 19 – 2 Feb 19
5	Super T Deliveries	30 Jan 19 – 9 Feb 19
6	Saturday afternoon Super-T placement	2 Feb 19
7	February track possession	8 Feb 19 – 11 Feb 19
8	DN750 sewer shutdown	11 Feb 19 – 15 Feb 19
9	Saturday afternoon and Sunday works	2 Mar 19 – 31 Mar 19
10	Concreting works	3 Apr 10 - ongoing
11	Saturday afternoon and Sunday works	6 Apr 19 – 28 Apr 19
12	Moorebank Avenue road closure	3 May 19 – 6 May 19
13	Saturday afternoon and Sunday works	4 May 19 – 26 May 19
14	May track possession	10 May 19 – 13 May 19
15	Asphalting	12 May 19 – 14 May 19
16	Saturday afternoon-works and Sunday works	1 Jun 19 – 30 Jun 19
17	Tamping works	11 Jun 19 – 14 Jun 19
18	Heavily bound pavement placement works	12 June 19
19	Weekend track works	15 Jun 19

## 3.9 Complaints Management

Eight complaints were recorded during this reporting period. All complaints and enquiries were managed in accordance with the Community Communication Strategy Section 7.6 *Complaints and Enquiry Handling Flowchart*. The details of these complaints and enquires and the subsequent responses are recorded in a community complaint register which operates across entire MPE Project site and does not differentiate between work stages. Due to this, some complaints may be duplicated within the MPE Stage 1 and Stage 2 compliance reporting documentation.

All complaints have been closed out within this reporting period. Table 3-4 – Table 3-4 summarises the nature of the complaints, the reporting mechanism and the total number of complaints.

Table 3-4 – Complaints summary

Issue	Reporting mechanism	Number of complaints
Flooding Complaint	Email	2
Road Conditions Complaint	Email	2
Noise Complaint	Email	2
Water Usage Complaint	Email	1
<b>Total</b>		<b>7</b>

### 3.10 Newly Identified Environmental Risks

#### 3.10.1 Unexpected Contamination Finds

No unexpected finds were recorded during this reporting period.

## 4 COMPLIANCE SUMMARY

### 4.1 Conclusion

At the completion of this compliance reporting period, it has been deemed that works have generally been undertaken in compliance with the CoC, approved CEMP and FCMMs.

A non-compliance against CoC 20 was identified during an as built survey of the Anzac Creek culvert in May 2019 and in the Independent Environmental Audit undertaken by WolfPeak in June 2019. The survey identified the potential placement of gabion rock within the creek line beyond the 20 metre rail link construction boundary. The non-compliance was reported via email to the Department of Planning, Industry and Environment on 15 June 2019. A response to this notification is yet to be received at the time of writing this report.

An additional non-compliance against CoC E2 was identified in the Independent Environmental Audit undertaken by WolfPeak in June 2019, relating to a site notice not being visibly display during the audit inspection. Signage complying with the requirements of CoC E2 will be established by 9 October 2019.

Further, two non-compliances against the IMEX Community Consultation Strategy were identified during the Independent Audit. These are considered to be non-conformances against the Project's management plans. Corrective actions for both non-conformances have been identified and will be implemented in the coming months.

Regular review of compliance against the CoC and the FCMMs will continue to be undertaken.

## **APPENDIX A COMPLIANCE TABLE – MINISTERS CONDITIONS OF CONSENT**

MPES1 Conditions of Consent - SSD 6766 Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
A1	Administrative	The Applicant shall carry out the development generally in accordance with the: a. State Significant Development Application SSD 6766; b. SIMTA Intermodal Terminal Facility – Stage 1 – Environmental Impact Statement (Hyder Consulting Pty Ltd, May 2014); c. SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions (Hyder Consulting Pty Ltd, September 2015); and d. The conditions of this consent.	All	Compliant	To the extent it relates to MPE Stage 1, Package 2 (RALP).  All sources referred to are included in the CTP. Including those following the court case judgement dated 13 March 2018	Compliant	To the extent it relates to MPE Stage 1, Package 2 (IMEX).  All sources referred to are included in the project obligations register and CEMP.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
A2	Administrative	In the event of an inconsistency between: a. the conditions of this approval and any document listed from condition A1(a) to A1(c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and b. any document listed from condition A1(a) to A1(c) inclusive, and any other document listed from condition A1(a) to A1(c) inclusive, the most recent document shall prevail to the extent of the inconsistency.	All	Compliant	Noted.	Compliant	Noted.	N/A
A3	Administrative	The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of: a. any reports, plans or correspondence that are submitted in accordance with this consent; and b. the implementation of any actions or measures contained within these documents.	All	Compliant	Noted. None requested during this reporting period.	Compliant	Noted.	N/A
A4	Administrative	This approval will lapse ten years from the date of this approval unless works the subject of this approval are physically commenced, on or before that lapse date.	All	Compliant	Noted. Construction RALP-1 commenced on 10/7/2017 Preconstruction works include heritage salvage of MA14.  Approval has not lapsed.	Compliant	Noted. Pre-construction works have commenced and approval has not lapsed.	N/A
A5	Administrative	In the event of a dispute between the Applicant and a public authority, in relation to this approval, either party may refer the matter to the Secretary for resolution. The Secretary's resolution of the matter shall be binding on the parties.	All	Compliant	No disputes to date.	Compliant	No disputes to date.	N/A
A6	Administrative	Any advice or notice to the consent authority shall be served on the Secretary	All	Not triggered	No notices or advice during this reporting period.	Not triggered	No notices or advice during this reporting period.	N/A
A7	Administrative	The applicant shall ensure that all licences, permits, consents and approvals are obtained and maintained as required throughout the life of the development. No condition of this consent removes the obligation of the Applicant to obtain, renew or comply with such licences, permits or approvals. The Applicant shall ensure that a copy of this consent and all relevant environmental licences, permits, consents and approvals are available on the site that all times during the development and made available on the Project Website.	All	Compliant	Required licences, permits, consents and approvals required prior to construction are being progressively obtained and uploaded on the website on a regular basis.	Compliant	Required licences, permits, consents and approvals required prior to construction are being progressively obtained. E25 Report to be uploaded to Website once complete.  MPE EPL to be uploaded to Website	Monitor the implementation of permits and licences during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
B1	Prior To The Issue Of A Construction Certificate	Access for people with disabilities shall be provided for offices and amenities for the development in accordance with the Disability Discrimination Act 1992 (Commonwealth). Prior to the issue of a Construction Certificate, verification of compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority.	pre-operation	Not triggered	Condition not applicable to RALP 1 works.	Compliant	The IMEX facility has been designed in accordance with the BCA and Disability Discrimination Act 1992. In particular, disabled parking bays and toilets have been included within the design, and the administration building is a one level building only.  Drawings were issued to the PCA on 12/5/17 and construction certificate for demolition issued 16/5/17. IMEX earthworks CC issued on 28/07/17. Final CC (remainder of scope) to be issued to satisfy this condition.	N/A
B2	Prior To The Issue Of A Construction Certificate	Details shall be provided to the satisfaction of the Certifying Authority, with the application for a Construction Certificate, which demonstrate that the proposal complies with the prescribed conditions of approval under Clause 98 of the Environmental Planning and Assessment Regulation in relation to the requirements of the Building Code of Australia (BCA).	pre-operation	Not triggered	Not applicable to RALP 1 as part of the pre-construction compliance review.  Only applicable for CPB if any new buildings trigger the need for BCA compliance.	Compliant	A BCA report and Deemed to Satisfy report has been obtained stating that the building design (Administration Building, Switch room & Pump house) is compliant with BCA requirements. The assessment was undertaken by AED Group.  CC 17-124050-1 for demolition issued 16/5/17. IMEX earthworks CC 17-124050-4 issued on 28/07/17. Civil works and pavements CC17-124050-5 issued on 16/11/17. Admin building CC 18-124050-6 issued 23/2/18.	N/A
B3	Prior To The Issue of a Construction Certificate	Prior to the issue of a Construction Certificate, the Applicant shall pay a monetary levy of \$643,027.27 to Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 94B(2) of the Environmental Planning and Assessment Act 1979.	pre-operation	Compliant	QUBE issued a cheque to LCC on 15/5/17.  Construction certificate for demolition, tree clearing, and site establishment was issued by PCA on 16/5/17.	Compliant	QUBE issued a cheque to LCC on 15/5/17.  IMEX Demolition Certificate (17/124050-1) issued 16/5/17	N/A
B4	Prior To The Issue Of A Construction Certificate	The design of the main access gate shall preclude heavy road freight vehicles from using Moorebank Avenue south (no left turn from the terminal site onto Moorebank Avenue, and no right turn from Moorebank Avenue into the terminal site). Detailed plans are to be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	pre-operation	Not triggered	Condition not applicable to RALP 1	Compliant	Drawings issued to PCA on 12/5/17 and approved on 26/5/17. Plans forwarded to DPIE (previously DP&E) for information on 9/6/17.	N/A
B5	Prior To The Issue Of A Construction Certificate	The Applicant shall ensure that: a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest versions of AS 2890.1 – 2004, AS 2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage; b) the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, is in accordance with AUSTRROADS; the, as well as manoeuvrability through the site, is in accordance with AUSTRROADS; c) the layout of the site shall be designed to ensure heavy vehicles associated with the operation of the intermodal terminal can be accommodated on site in the event of an incident blocking access to the M5 Motorway/ Moorebank Avenue to avoid queuing on public roads. d) the layout of the site shall be designed so that heavy vehicles are not required to select reverse gear. e) heavy vehicles and bins associated with the SSD do not park or stand on local roads or footpaths in the vicinity of the site; f) all vehicles are wholly contained on site before being required to stop; g) all loading and unloading of materials is carried out on site; and h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times. Detailed plans demonstrating compliance with a)-h) shall be prepared in consultation with RMS and to the satisfaction of the Certifying Authority.	pre-operation	Not triggered	Condition not applicable to RALP 1	Compliant	Addressed in detailed design.  Drawings and Basis of Design Report were approved by the Principal Certifying Authority (PCA) on 23/2/2018.	N/A
B6	Prior To The Issue Of A Construction Certificate	The Applicant shall include provision for emergency access to the site. Plans demonstrating compliance shall be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	pre-operation	Compliant	Information provided to Certifying Authority and approval provided on 13/6/17. Forwarded to DPIE (previously DP&E) for information via email on 15/5/17.	Compliant	Plans submitted to Certifying Authority for approval on 12/5/17 and approved on 26/5/17. Plans forwarded to DPIE (previously DP&E) for information on 10/6/17.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
B7	Prior To The Issue Of A Construction Certificate	A detailed plan prepared by a suitably qualified lighting engineer must be submitted to the Certifying Authority for approval prior the issue of a Construction Certificate, and include, but not be limited to: a) Adequate lighting of pedestrian thoroughfares; b) All lighting in public domain areas is to comply with the relevant Council requirements and Australian Standard AS1158 for Street Lighting Applications; c) The lighting plan should include lighting designs, supported by luminance calculations and luminance plots, and is to be of a high standard and Energy Australia compatible; and d) All outdoor lighting (excluding street lighting) shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.	pre-operation	Not triggered	Condition not applicable to RALP 1	Compliant	Addressed within the IMEX Basis of Design Report (Rev 3 dated 22/2/18). Section 16 and Appendix F details the lighting design.  The IMEX Basis of Design Report was issued to the PCA on 12/5/17 and construction certificate issued 5/6/17.	N/A
B8	Prior To The Issue Of A Construction Certificate	The SSD shall be designed to ensure a bus stop on Moorebank Avenue (including direct pedestrian access from the terminal site to the bus stop), and associated turnaround facility suitable for a 14.5 metre long non-rear steer bus is not precluded.	pre-operation	Not triggered	Condition not applicable to RALP 1	Compliant	The MPE Stage 1 design has not precluded the ability to install a bus stop and associated turnaround facility in the future. Consultation with relevant bus provider(s) and Transport for NSW (TfNSW) will be undertaken with regards to the potential to extend the 901 bus service (limited bus service along Moorebank Avenue), particularly along Moorebank Avenue fronting the site, and additional bus stops to ensure adequate accessibility to and within the site.	
C1	Prior to Construction	Demolition, excavation, clearing (other than minor clearing), construction, subdivision or associated activities must not commence until a Construction Certificate has been issued for the project pursuant to the Environmental Planning and Assessment Act 1979.	Prior to Construction	Compliant	It was agreed with the PCA that a staged Construction Certificate (CC) would be issued for demolition, excavation, clearing and construction. The CC's were issued as follows: 1 - RALP demolition, tree clearing and site establishment CC issued on 16 May 2017 2 - RALP earthworks and structures CC was issued by the PCA on 6 July 2017	Compliant	It was agreed with the PCA that a staged Construction Certificate (CC) would be issued for demolition, earthworks and remaining scope items as follows: IMEX Demolition CC IMEX Earthworks CC IMEX Remaining scope CC  CC 17-124050-1 for demolition issued 16/5/17. IMEX earthworks CC 17-124050-4 issued on 28/07/17. Civil works and pavements CC17-124050-5 issued on 16/11/17. Admin building CC 18-124050-6 issued 23/2/18	N/A
C2	Prior to Construction	The Applicant shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures, or its latest version.	pre-construction	Not triggered	Condition not applicable to RALP 1	Compliant	Demolition specification has been developed in accordance with the AS2601:2001: The Demolition of Structures	N/A
C3	Prior to Construction	The Applicant shall prepare and implement an Urban Design and Landscape Plan for the project. The Plan shall present an integrated urban design for the project. The Plan shall include, but not necessarily be limited to: a) final design details of the proposed external materials and finishes; b) location of existing vegetation and proposed landscaping (including use of indigenous and endemic species where possible) and design features; c) strategies for progressive landscaping of other environmental controls such as erosion and sedimentation controls, drainage and noise mitigation; and d) location and design treatments for any associated footpaths and cyclist elements, and other features such as seating, lighting (in accordance with AS 4282-1997 Control of the Obtrusive Effect of Outdoor Lighting), fencing, and signs; The Plan shall be submitted for the approval of the Secretary prior to the commencement of permanent built works and/ or landscaping, unless otherwise agreed by the Secretary.	pre-construction and pre-operation	Compliant	The MPE Stage 1 UDLP was formerly approved by DPIE on 26/07/2019 to allow for the commencement of permanent built works.  The approval for C3 (b-d) was delayed until prior to the commencement of landscaping and was approved on 14/02/2018.	Compliant	The MPE Stage 1 UDLP was formerly approved by DPIE on 26/07/2019 to allow for the commencement of permanent built works.  The approval for C3 (b-d) was delayed until prior to the commencement of landscaping and was approved on 14/02/2018.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
C4	Prior to Construction	The Applicant shall prepare and implement a Compliance Tracking Program, to track compliance with the requirements of this approval. The Program shall be submitted to the Secretary for approval prior to the commencement of construction and operate for the duration of construction. The Program shall include, but not be limited to: a) provision for the notification to the Secretary prior to the commencement of construction; b) provision for periodic review of the compliance status of the SSD against the requirements of this approval; c) provision for periodic reporting of compliance status to the Secretary, including but not limited to: (i) a <b>Pre-Construction Compliance Report prior to the commencement of construction</b> , (ii) Six-monthly, or other timing as agreed by the Secretary, Construction Compliance Reports, for the duration of construction, and (iii) a Completion Compliance Report within one month of completion of the construction; d) a program for independent environmental auditing in accordance with AS/NZS ISO 19011:2014 - Guidelines for Auditing Management Systems; e) mechanisms for recording environmental incidents during construction and actions taken in response to those incidents; f) provision for reporting environmental incidents to the Secretary during construction, in accordance with conditions C6 and C7; g) procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and h) provision for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.	pre-construction	Compliant	A Compliance Tracking Programme was updated and submitted to DPIE (previously DP&E) on 30/04/2018 following the updated court case conditions. This document forms the basis of the PCCR. During this compliance reporting period the PCCR for GWS was submitted on 20/4/2018. The PCCR for the Bootland was submitted on 18/05/2018.  The previous 6 monthly compliance report was submitted in January 2019.	Compliant	A Compliance Tracking Programme was developed and submitted to DPIE (previously DP&E) on 27/2/17 with approval received on 4/5/17. CTP revised to meet EDO conditions submitted to DPIE (previously DP&E) 27/4/18.  The previous 6 monthly compliance report was submitted in January 2019.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
C5	Prior to Construction	Prior to the commencement of construction of the rail link within the Glenfield Waste Facility licenced premises, the Applicant shall prepare an assessment report of the proposed impacts of construction on the Glenfield Waste Facility licenced premises. The assessment must address: a) Targeted intrusive investigations to determine contamination pathways and to develop mitigation, management and/or remediation options based on those investigations; b) details of the quantity of landfilled waste to be removed, the location from where it will be removed, the methodology to be utilised and the estimated timeframe for the removal and reburial; c) proposed measures to mitigate odour impacts on sensitive receivers, including an undertaking to apply daily cover to any exposed waste in accordance with benchmark technique 33 of the document Environmental Guidelines: Solid Waste Landfills, NSW EPA 1996; d) details of impacts on pollution control and monitoring systems including existing groundwater and landfill gas bores and their subsequent repair/ replacement; e) the methodology proposed to ensure that the landfill barrier system disturbed in the removal process is replaced/ repaired to ensure its ongoing performance. The Applicant shall detail matters such as sub grade preparation and specifications, liner installation/ reinstatement procedures and construction quality assurance (CQA) procedures; f) a commitment to providing the EPA with a construction quality assurance report within 60 days of the completion of the works referred to in (d) above; and g) an overview of any access and/or materials/ equipment storage arrangements with Glenfield Waste Facility in relation to the construction of the project, and operation and maintenance of the rail link. h) details of any other expected or potential impacts to the licenced area and options for management and mitigation of those impacts (i.e. leachate management and surface water runoff, potential impacts on the Georges River during works, dust etc.); and i) details of and proposed mitigation measures for the long term management of the rail link (e.g., subsidence or gas issues). The Applicant must provide the assessment report to the EPA for review and approval at least 6 weeks prior to the commencement of construction. A copy must also be submitted to the Secretary for information. No works are permitted to commence within the Glenfield Waste Facility licenced premises without the EPA's written approval, unless otherwise agreed by the Secretary.	pre-construction	Compliant	Correspondence relating to GWS early works was sent to DPIE (previously DP&E) on 18/04/2018. This included a letter from the EPA and the landowner to conditionally satisfy CoC C5 requirements. Therefore, this PCCR relates to the commencement of Early Works activities in GWS. Works outside this will be documented with the 6 Monthly Construction Compliance Report going forward.	Not triggered	RALP only, see RALP PCCR.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
C6	Prior to Construction	The Applicant shall prepare construction design plans for the section of the rail link within the Glenfield Waste Facility licenced premises in consultation with the EPA, and submit for the approval of the Certifying Authority prior to the commencement of construction, unless otherwise agreed by the Secretary. A copy must be provided to the Secretary for information.	pre-construction	Compliant	Designs were submitted to the EPA on 2/2/17. EPA advised on 3/2/17 that they did not wish to comment. Certifying Authority advised on 11/4/17 that the condition had been satisfied. Subsequent redesign will be forwarded to the certifying authority when complete. No works will be completed for this section of the design until approved is granted.	Not triggered	RALP only, see RALP PCCR	Monitor implementation of the sub-plan during regular weekly inspections



MPES1 Conditions of Consent - SSD 6766 Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
C6	Prior to Construction	The Applicant shall prepare construction design plans for the section of the rail link within the Glenfield Waste Facility licenced premises in consultation with the EPA, and submit for the approval of the Certifying Authority prior to the commencement of construction, unless otherwise agreed by the Secretary. A copy must be provided to the Secretary for information.	pre-construction	Compliant	Designs were submitted to the EPA on 2/2/17. EPA advised on 3/2/17 that they did not wish to comment. Certifying Authority advised on 11/4/17 that the condition had been satisfied. Subsequent redesign will be forwarded to the certifying authority when complete. No works will be completed for this section of the design until approved is granted.	Compliant	Noted	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
C8	Prior to Construction	The subject site is to be remediated in accordance with: a) The approved Remedial Action Plan; b) State Environmental Planning Policy No. 55 – Remediation of Land; and c) The guidelines in force under the Contaminated Land Management Act. Amendments to the approved Remedial Action Plan required as a result of further site investigations must be approved by the site auditor, in consultation with the EPA.  Within 3 months after the completion of the remediation works, a notice of completion, including a validation and/or monitoring report is to be provided to the Secretary. This notice must be consistent with State Environmental Planning Policy No. 55 – Remediation of Land. The validation and/or monitoring report is to be independently audited and a Site Audit Statement issued. The audit is to be carried out by an independent auditor accredited by the EPA. Any conditions recorded on the Site Audit Statement are to be complied with.	pre-construction	Compliant	No remediation is being undertaken during pre-construction works. However, the project Remediation Action Plan (RAP) was developed in compliance with this condition, consulted on with stakeholders and provided to the site Auditor on 10/4/17. The Remediation Action Plan was approved by the Site Auditor on 08/11/2017. RAP is being updated for GWS works due to design changes.	Compliant	Remediation of disused fuelling area under Site Audit Statement Part B for 12 month monitoring (Hydrocarbons). Part A Site Audit Statement issued post 12 month monitoring period. Remediation completed 17/10/17.	Remediation activities addressed in the site audit statement.
C9	Prior to Construction	The design of any new stormwater outlets to the Georges River or Anzac Creek must include scour protection works.	design	Compliant	Section 6 of the Drainage Design Report outlines environmental considerations and requirements for the project design including this condition. Table 6.1 specifies that "all drainage outlets have been provided with scour protection designed for the 50 year ARI".	Not triggered	RALP only	N/A
C10	Prior to Construction	Prior to the commencement of construction the Applicant shall consider the staging of in-water works for the bridge construction across the Georges River to avoid the impact on the migration season of Australian Bass.	pre-construction	Compliant	A single causeway has been designed to be constructed from the eastern embankment of Georges River so as to facilitate the migration of Australian Bass.	Not triggered	RALP only	N/A
C11	Prior to Construction	Prior to the commencement of the bridge construction works across the Georges River, the Applicant must consider if possible, restricting the use of the temporary platform to only one, and be designed to maintain fish passage. The Applicant must consult with DPI Fisheries NSW with regard to the platform and its design prior to constructing the platform in the Georges River.	pre-construction	Compliant	A single temporary causeway is proposed to be constructed from the eastern embankment of Georges River, and a 18 metre channel will be maintained for flow and to facilitate the movement of fish beyond the project boundary. The PSP for Georges River was consulted on with DPI Fisheries and this plan contained the platform and its design as per the condition.	Not triggered	RALP only	N/A
C12	Prior to Construction	The Applicant is to ensure that a daily visual inspection for dead or distressed fish in the Georges River is undertaken. Fish distress is indicated by fish gasping at the water surface, or crowding at the creek's banks. Should dead or distressed fish be observed, all works are to cease and NSW DPI Fisheries is to be contacted immediately. Works can proceed following approval by NSW DPI Fisheries	Construction	Not triggered	Noted, monitoring for dead or distressed fish is detailed in the Monitoring section of the PSP - Georges River Bridge. This plan and monitoring requirement is to be detailed in the construction work plans for implementation prior to commencement of works. No dead fish observed during this reporting period. Daily diary records fish inspections	Not triggered	RALP only	N/A
C13	Prior to Construction	Prior to the commencement of construction activities affecting the WWII store buildings, the Applicant shall complete all archival recordings. This work shall be undertaken by an experienced heritage consultant, in accordance with the guidelines issued by the Heritage Council of NSW. Within 6 months of completing this work, the Applicant shall submit a report containing archival recordings to the Secretary, Certifying Authority, the Heritage Council of NSW, Liverpool Council and the local Historical Society.	pre-construction	Not triggered	Not applicable to RALP 1 works.	Compliant	Photographic archival recording was undertaken on the 18 and 19 January 2017. Archival reporting submitted to parties listed in CoC C13 and the Secretary by end of June 2017.	N/A
C14	Prior to Construction	Prior to the commencement of construction activities affecting the WWII store buildings, the Applicant shall prepare a Heritage Interpretation Strategy, in consultation with the Heritage Division. The Strategy shall be submitted for the approval of the Secretary with a copy provided to the Certifying Authority.	pre-construction	Compliant	The Heritage Interpretation Strategy was submitted to DPIE (previously DP&E) on 13/3/17. This was approved on 11/4/17.	Compliant	The Heritage Interpretation Strategy was submitted to DPIE (previously DP&E) on 13/3/17. This was approved on 11/4/17.	Monitor implementation of the strategy during regular weekly inspections
C15	Prior to Construction	Prior to the commencement of pre-construction and construction activities affecting Aboriginal site MA14, the Applicant shall: a) develop a detailed salvage strategy, prepared in consultation with OEH (Aboriginal heritage) and the Aboriginal stakeholders. The investigation program shall be prepared to the satisfaction of the Secretary; and b) undertake any further archaeological excavation works recommended by the results of the Aboriginal archaeological investigation program. Within twelve months of completing the above work, unless otherwise agreed by the Secretary, the Applicant shall submit a report containing the findings of the excavations, including artefact analysis and Aboriginal Site Impacts Recording Forms (ASIR), and the identification of final storage location for all Aboriginal objects recovered (testing and salvage), prepared in consultation with the Aboriginal stakeholders, the OEH (Aboriginal heritage) and to the satisfaction of the Secretary. Note: where archaeological testing has occurred as part of the Environmental Assessment and the results are included in the documents listed in condition A1 the sites tested must still form part of the final report prepared under C16(b).	pre-construction	Compliant	A detailed Salvage Strategy has been developed in consultation with registered Aboriginal parties and OEH (Aboriginal heritage). This Strategy was prepared to the satisfaction of the Secretary as noted by DPIE (previously DP&E) approval on the 9/03/2017.  Salvage commenced on 20/3/17 and was completed on 28/03/2017.	Not triggered	RALP only	Monitor implementation of the strategy during regular weekly inspections
C16	Prior to Construction	Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the construction shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Applicant, or as otherwise agreed between the parties.	pre-construction	Compliant	Section 6 of the Services & Utilities Design Report outlines requirements to engage utility and service providers in accordance with this condition. As a result consultation with relevant land and asset owner or service provider was undertaken during detailed design to determine appropriate upgrades to the existing infrastructure. Access requirements and further engagement with owners and providers will be undertaken during construction phase of the project.	Compliant	Section 6 of the Services & Utilities Design Report outlines requirements to engage utility and service providers in accordance with this condition. As a result consultation with relevant land and asset owner or service provider was undertaken during detailed design to determine appropriate upgrades to the existing infrastructure. Access requirements and further engagement with owners and providers will be undertaken during construction phase of the project.	N/A
C17	Prior to Construction	The Applicant shall engage a suitably qualified person to prepare a pre-construction dilapidation report prior to the commencement of construction. This report to ascertain the structural condition of: a) local public roads likely to be used by the project's construction traffic identified in the Construction Traffic and Access Management Sub-plan required under condition E35(a). b) local public roads, cycle ways, footpaths and other utilities identified in the Construction Traffic and Access Management Sub-Plan required under condition E35(a). c) The report shall be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS and the Secretary.	pre-construction	Compliant	Dilapidation surveys have been undertaken by CPB. The reports have been submitted to the PCA on 6 April 2017 and approved by the PCA on 11 April 2017.  The reports have been submitted to RMS, the Secretary, LCC and CCC on 16/5/17.	Compliant	Dilapidation surveys have been undertaken by CPB. The reports have been submitted to the PCA on 6 April 2017 and approved by the PCA on 11 April 2017.  The reports have been submitted to RMS, LCC, DPIE (previously DP&E) and CCC on 16/5/17.	N/A
C18	Prior to Construction	The Applicant shall undertake road pavement deflection testing of the construction truck routes at 20 metre intervals along all wheel paths where feasible and reasonable to the extent required by Condition E35 (a), prior to commencement of construction.	pre-construction	Compliant	Road Pavement Deflecting Testing was undertaken on 29-30 April 2017.	Compliant	Road Pavement Deflection testing was completed by CPB on 7 April 2017.	N/A
C19	Prior to Construction	The Applicant shall ensure that the construction and operation of the proposed development will not prevent the existing use of Moorebank Avenue as a public road to a standard commensurate to its current 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 Management Plan	All	Not triggered	Addressed within the CTAMP. CTAMP Approved by DPIE (previously DP&E) 11/5/2017. CTAMP outlines commitment to ensure Moorebank Ave can be used as a public road.	Compliant	Table 11, TR4 and TR8 of the CTAMP addresses this condition. The CTAMP was submitted to DPIE (previously DP&E) on 24/03/2017 and approved on 9/05/17	N/A

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
C20	Biodiversity	The Applicant shall ensure the width of the rail link corridor is no greater than 20 metres in the Riparian corridor of the Georges River and Anzac Creek.	pre-construction	Non-compliant	<p>Section 7 of both the Georges River Bridge Design Report and Anzac Creek Culvert Design report had outlined all environmental considerations relating to the project and requirements for design consideration including this condition.</p> <p>One non-compliance against CoC C20 was identified in May 2019 during an as built survey of the Anzac Creek culvert. CoC C20 limits the rail link construction boundary to no more than 20 metres within the Anzac Creek riparian corridor. The survey identified the potential placement of gabion rock within the creek line approximately 0.9 – 1.2 metres beyond the 20 metre rail link construction boundary.</p> <p>Gabion rock within the creek line is a necessary design requirement that protects the integrity of the above lying structure as well as providing adequate scour protection to mitigate erosion risks and environmental harm to the downstream environment.</p> <p>Review of the site found that the placed gabion rock consisted of no fines quarried material. The area where the gabion was placed was also void of vegetation due to an extensive bushfire through the site in April 2018. Due to these factors, it is considered that the placement of gabion rock beyond the construction boundary represents a minor impact to the riparian corridor.</p> <p>The non-compliance was reported to the Department of Planning, Industry and Environment on 15 June 2019, via email, in accordance with CoC E10. The proposed corrective action is to leave the structure as is as demolition and re-construction would likely result in additional environmental harm due to the increase in construction activity in the area.</p> <p>This non-compliance was also identified in the Independent Environmental Audit undertaken by WolfPeak in June 2019.</p>	Not triggered	RALP only	N/A
C21	Biodiversity	The Georges River Bridge shall be designed to ensure fauna movement within the riparian corridor is maintained. The bridge shall be designed in consultation with DPI Water and DPI Fisheries and approved by the Certifying Authority. A copy of the final design shall be submitted to the Secretary for information and made available on the website.	pre-construction	Compliant	<p>The Georges River Bridge Design and PSP for Georges River Bridge were both consulted on with DPI Water and DPI Fisheries on 31/1/17. Comments have been received from both agencies and project documents updated where required as detailed in relevant comment sheets inserted in the appendices of both documents.</p> <p>The Certifying Authority advised on 29/3/17 that the condition had been satisfied.</p> <p>The design was submitted to DPIE (previously DP&amp;E) for information on 6/4/17</p>	Not triggered	RALP only	N/A
C22	Biodiversity	The Applicant shall prepare and implement a <b>Threatened Dragonfly Species Survey Plan</b> to determine the presence or absence of threatened dragonfly species listed under the Fisheries Management Act 1994 on the Georges River, adjacent to the development site. The plan, including survey methodology, shall be prepared in consultation with DPI Fisheries prior to the commencement of construction. On implementing the plan, the survey results are to be forwarded onto DPI Fisheries. Should threatened dragonfly species be found at this site, DPI Fisheries should be contacted to agree on possible mitigation measures to avoid impacts in accordance with NSW DPI Policy and Guidelines for Fish Habitat Conservation and Management (2013).	pre-construction	Compliant	A Threatened Dragonfly Species Survey Plan (TDSSP) was completed on 26/09/2016 as part of Condition D19 of SSD 5066 for Moorebank Precinct West. DPI Fisheries approved the TDSSP on 10 October 2016. Subsequent correspondence with DPI Fisheries confirms that this TDSSP also applies to Condition C22 for SSD 6766 Moorebank Precinct East. The TDSSP is included within Appendix B to the CFFMP.	Compliant	A Threatened Dragonfly Species Survey Plan (TDSSP) was completed on 26/09/2016 as part of Condition D19 of SSD 5066 for Moorebank Precinct West. DPI Fisheries approved the TDSSP on 10 October 2016. Subsequent correspondence with DPI Fisheries confirms that this TDSSP also applies to Condition C22 for SSD 6766 Moorebank Precinct East. The TDSSP is included within Appendix B to the CFFMP.	Monitor implementation of the strategy during regular weekly inspections
C23	Biodiversity	Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant must prepare and implement a Hibbertia Species Survey Plan to determine the number of individual plants of each Hibbertia species present within the corridor and confirm that the required quantum of biodiversity offset credits needed to provide an offset for the surveyed number of individual plants of each Hibbertia species can be achieved. The survey plan, including the survey method, must be prepared in consultation with OEH to the satisfaction of the Secretary. Results of the survey must be included in the Biodiversity Offset Package required by C23A.	pre-construction	Compliant	<p>Hibbertia Species Survey Plan and technical review memo issued to DPIE (previously DP&amp;E) 14/04/2018.</p> <p>HSSP Approved 08/06/2018.</p>	Not triggered	RALP only	Monitor implementation of the strategy during regular weekly inspections
C23A	Biodiversity	Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant shall develop and implement a <b>Biodiversity Offset Package</b> to the satisfaction of the Secretary. The Package shall detail how the ecological values lost as a result of the SSD will be offset. The Package shall be consistent with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014), unless otherwise agreed by the Secretary. The Package shall include, but not necessarily be limited to: (a) the identification of the extent and types of habitat that would be lost or degraded as a result of the final design of the SSD; (b) the objectives and biodiversity outcomes to be achieved; (c) the final suite of the biodiversity offset measures selected and secured in consultation with OEH; (d) the management and monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure the outcomes of the package are achieved, including: (e) the monitoring of the condition of species and ecological communities at offset (including translocation) locations; (f) the method for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites; (g) provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the OEH; and (h) timing and responsibilities for the implementation of the provisions of the Package. The Approved Biodiversity Offset Package shall be published on the Project Website within 7 days of its approval. Where land offsets cannot solely achieve compensation for the loss of habitat, additional measures shall be provided to collectively deliver an improved or maintained biodiversity outcome for the region. Where monitoring referred to in (e) above indicates that biodiversity outcomes are not being achieved, remedial actions shall be undertaken to ensure that the objectives of the Biodiversity Offset Package are achieved to the satisfaction of the Secretary. Such remedial actions shall be documented under an addendum to the Biodiversity Offset Package and the addendum be submitted to the satisfaction of the Secretary, prior to the implementation of that addendum. If the applicant can demonstrate to the satisfaction of the Secretary that the proposed offset land for between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge has been secured, the Applicant shall within 12 months of the commencement of construction develop and implement the Biodiversity Offset Package to the satisfaction of the Secretary in accordance with items (a)-(h) above. Note: Where the Applicant has opted to develop a consolidated Biodiversity Offset Package covering both the Moorebank Intermodal Terminal (SSD 5066) and SIMTA sites, this must be submitted to the Secretary within 12 months of submitting the initial Biodiversity Offset Package in accordance with this condition unless otherwise agreed by the Secretary.	pre-construction	Compliant	<p>A hold point has been inserted into the Permit to Clear Land or Vegetation (Attachment H of CFFMP) stating clearing is not to commence in this area until the biodiversity offset package has been accepted to the satisfaction of the Secretary.</p> <p>A report titled "Securing Biodiversity Offset Land" has been submitted to and approved by the Secretary on 14 December 2017.</p> <p>The report outlines how biodiversity offset lands have been secured and that the Biodiversity Offset Strategy will be submitted to DPIE (previously DP&amp;E) within 12 months from the commencement of construction.</p> <p>Letter of approval from DPIE (previously DP&amp;E) to commence clearing was received on 14 December 2017.</p> <p>HSSP Approved 08/06/2018 and included in Appendix B of the MPE Stage 1 BOP (dated 19/11/18)</p>	Not triggered	RALP only	Monitor implementation of the strategy during regular weekly inspections
C23B	Biodiversity	The Applicant shall: (a) remove the disused rail spur traversing the Southern Boot Land and remediate and rehabilitate the land containing the disused rail spur traversing the Southern Boot Land, which is identified in blue dotted outline on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area"; and (b) once remediation of the disused rail spur is complete, apply within 2 months of completion of the remediation to amend the biobanking agreement to incorporate the land shaded yellow on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area"; and (c) apply within 2 months of the issue of the biobanking agreement to amend the biobanking agreement to incorporate the land shaded red on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area". Nothing in this condition requires the Applicant to amend the biobanking agreement application lodged with OEH in February 2017.	Construction	Compliant	<p>Requirements of C23A satisfied. The BOP has been prepared to address the requirements of condition C23, C23A and E31A of the revised Conditions of Consent.</p> <p>Removal of southern rail spur has not yet been approved by ER. Northern rail spur removal approved by ER (through IMEX approval on 19 May 2019) and will be undertaken upon approval of CEMP and sub-plan revisions associated with this.</p>	Not triggered	RALP only	Monitor implementation of the strategy during regular weekly inspections
C24	Transport and Access	Prior to the commencement of construction, the Applicant shall undertake a Road Safety Audit in consultation with TfNSW and the relevant Council for the proposed construction vehicle access points on public roads. The audit shall be undertaken by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines to identify any safety issues for the proposed construction vehicle access. The audit shall recommend corrective actions for any identified safety issues and propose appropriate traffic management measures (i.e. temporary traffic signals).	pre-construction	Compliant	A road safety audit was undertaken on 4/4/17 and consultation with LCC and TfNSW concluded on 15/5/17. A subsequent RSA is being undertaken in the Moorebank Ave Rail Bridge and shoulder widening	Compliant	A road safety audit was undertaken on 11/5/17. Consultation was undertaken with LCC, CCC and TfNSW. Combined comments were received from TfNSW and RMS on 27 June 2017. A response was submitted to RMS and TfNSW on 11 August 2017. Consultation is now considered closed.	N/A

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
C25	Transport and Access	The design of new traffic signals (including modification of existing traffic signals) along Moorebank Avenue shall be designed to meet RMS requirements, Austroads Guide to Road Design and relevant RMS supplements (available on www.rms.nsw.gov.au). Plans shall be and prepared in consultation with RMS, be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	pre-construction	Not triggered	Condition not applicable to RALP 1	Compliant	The design was submitted to the PCA on 31 March 2017. PCA approval is pending.	N/A
C26	<b>NOTE THIS IS A DUPLICATE OF C25</b>	<b>The design of new traffic signals (including modification of existing traffic signals) along Moorebank Avenue shall be designed to meet RMS requirements, Austroads Guide to Road Design and relevant RMS supplements (available on www.rms.nsw.gov.au). Plans shall be and prepared in consultation with RMS, be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.</b>	<b>NOTE THIS IS A DUPLICATE OF C25</b>	Not triggered	Condition not applicable to RALP 2	Not triggered	Moorebank Avenue upgrade occurring as part of MPE Stage 2	N/A
C27	Rail link noise barrier design contingency	The Applicant shall design the rail link to accommodate the installation of trackside noise barriers for the full length of the rail link in the event they may be required at some future time to comply with the project specific noise levels.	pre-construction	Compliant	Noise walls has been incorporated into the design along the entirety of the Rail Link  Addressed in Appendix H - Rail Link Earthworks drawings of the MPE Stage 1 UDLP which indicate areas set a side for the provision of future trackside noise barriers.  Also addressed in Section 7.5 of the MPE Stage 1 UDLP.	Not triggered	Not applicable to IMEX. RALP only.	N/A
D1	Community Information and Reporting	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Community Communication Strategy to the satisfaction of the Secretary. The Strategy shall provide mechanisms to facilitate communication between the Applicant (and its contractor(s)), the Environmental Representative (see condition E4), the relevant Council and community stakeholders (particularly adjoining landowners) on the design and environmental management of construction. The Strategy shall include, but not be limited to: a) identification of stakeholders to be consulted as part of the Strategy, including affected and adjoining landowners, key community and business groups, and community and social service organisations; b) procedures and mechanisms for the regular distribution of accessible information to community stakeholders on construction progress and matters associated with environmental management, including provision of information in appropriate community languages; c) procedures and mechanisms through which the community stakeholders can discuss or provide feedback to the Applicant and/or Environmental Representative in relation to the environmental management and delivery of the SSD; d) procedures and mechanisms through which the Applicant can respond to enquiries or feedback from the community stakeholders in relation to the environmental management and delivery of the SSD; and e) procedures and mechanisms that would be implemented to resolve issues/disputes that may arise between parties on the matters relating to environmental management and the delivery of the SSD, including but not limited to disputes regarding rectification or compensation for impacts to third party property and infrastructure. These procedures and mechanisms may include the use of a suitably qualified and experienced independent mediator.	pre-construction	Compliant	Elton Consulting has been appointed as the Community Consultant and manages all complaints and enquiries. Elton have prepared a Precinct wide Community Engagement Strategy (CES), whilst an MPE Stage 1 -specific Community Communication Strategy (CCS) has also been developed. Both strategies have been developed in line with the requirements of these conditions. Stakeholders have been identified and listed in section 4 of the CCS. The CCS was approved by the Secretary on 11/5/17. An updated CCS was submitted on 19/02/2018 to DPIE (previously DP&E)  Procedures and mechanisms used for distribution of project information include: SIMTA website, letterbox drops, newsletters, and media advertising. See CCS section 6.  A website, project email address and 1800 number have also been established.  Enquiries and complaints management are detailed in Section 7 of the CCS. Note that no third party disputes have occurred during this reporting period.	Compliant	Elton Consulting has been appointed as the Community Consultant and manages all complaints and enquiries. Elton have prepared a Precinct wide Community Engagement Strategy (CES), whilst an MPE Stage 1 -specific Community Communication Strategy (CCS) has also been developed. Both strategies have been developed in line with the requirements of these conditions. Stakeholders have been identified and listed in section 4 of the CCS. The CCS was approved by the Secretary on 11/5/17.  Procedures and mechanisms used for distribution of project information include: SIMTA website, letterbox drops, newsletters, and media advertising. See CCS section 6.  A website, project email address and 1800 number have also been established.  Enquiries and complaints management are detailed in Section 7 of the CCS. Note that no third party disputes have occurred during this reporting period.  Update to CCS issued to DPIE (previously DP&E) on 19/02/18.  June 2019 Independent Environmental Audit noted the following: - Project website includes reference to only one language other than English which was a non-conformance with the CCS - Complaints register (managed by Elton) did not appropriately demonstrate that benchmark timeframes for written responses, recording and reporting which was a non-conformance with the CCS.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
D2	Community Information and Reporting	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall ensure that the following are available for community enquiries and complaints for the duration of construction: a) a 24 hour telephone number(s) on which complaints and enquiries about the SSD may be registered; b) a postal address to which written complaints and enquiries may be sent; c) an email address to which electronic complaints and enquiries may be transmitted; and d) a mediation system for complaints unable to be resolved. The telephone number, the postal address and the email address shall be published in newspaper(s) circulating in the local area prior to the commencement of construction and prior to the commencement of operation. This information shall also be provided on the website (or dedicated pages) required by this approval.	pre-construction	Compliant	Elton Consulting has been appointed as the Community Consultant and handles all complaints and enquiries. 24hr info line 1800 986 465 www.simta.com.au simta@elton.com.au PO Box 1488 Bondi Junction NSW 2022 A SIMTA community update newsletter was distributed outlining the current status of the Moorebank Precinct. the newsletters include project contact details.	Compliant	Elton Consulting has been appointed as the Community Consultant and handles all complaints and enquiries.  24hr info line 1800 986 465 www.simta.com.au simta@elton.com.au PO Box 1488 Bondi Junction NSW 2022  A SIMTA community update newsletter was distributed to 10000 residents in July, September and November 2016 outlining the current status of the Moorebank Precinct. the newsletters include project contact details.  The SIMTA Communications and Engagement Strategy and Consultation Manager Section 8.16, Liberty Industrial CCS Section 7 detail management procedures for enquiries and complaints.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
D3	Community Information and Reporting	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Construction Complaints Management System consistent with AS ISO 10002-2006 Customer satisfaction – Guidelines for complaints handling in organisations (ISO 10002:2004, MOD) and maintain the System for the duration of construction and up to 12 months following completion of construction. Information on all complaints received, including the means by which they were addressed and whether resolution was reached, with or without mediation, shall be maintained in a complaints register and included in the construction compliance reports required by this approval. The information contained within the System shall be made available to the Secretary on request.	pre-construction	Compliant	The CCS (Section 7) outlines the complaints handling process and 'Consultation Manager database' has been adopted as the complaints management system for the recording of all communication including complaints from stakeholders for the duration of project construction works.	Compliant	All complaints and enquiries are managed by Elton Consulting in line with Section 8.16 of the Communications and Engagement Strategy and Section 7 of the CCS.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
D4	Community Information and Reporting	Prior to commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall establish and maintain a new website, or dedicated pages within an existing website, for the provision of electronic information associated with the SSD, for the duration of construction. The Applicant shall, subject to confidentiality, publish and maintain up-to-date information on the website or dedicated pages including, but not necessarily limited to: a) information on the current implementation status of the SSD; b) a copy of the documents listed in condition A1, and any documentation supporting modifications to this approval that may be granted from time to time; c) a copy of this approval and any future modification to this approval; d) a copy of each relevant environmental approval, licence or permit required and obtained in relation to the SSD; <b>e) the outcomes of compliance tracking in accordance with condition C4 of this approval; and</b> e) details of contact point(s) to which community complaints and enquiries may be directed, including a telephone number, a postal address and an email address <b>real time noise, dust and water data, where such data is collected under this consent.</b>	pre-construction	Compliant	SIMTA have a webpage that is used to store all relevant publicly available information.	Compliant	SIMTA have a dedicated webpage which will be used to store all relevant publicly available documentation.  The following will be uploaded onto the website when complete: * MPE EPL * E2S Report	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E1	Construction Environmental Management	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, relevant Council or the Certifying Authority.	Construction	Compliant	A copy of all plans, specifications and documents referred to by this condition shall be kept on site and readily available to those as outlined in this condition.	Compliant	Noted	Monitor document control procedures during daily inspections by Contractor's EM
E2	Construction Environmental Management	A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Contractor, Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements: a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size; b) The notice is to be durable and weatherproof and is to be displayed throughout the works period; c) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and d) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.	pre-construction	Compliant	Template signage has been developed, this will be erected upon commencement of works.	Non-compliant	Signage details are as follows: Material: Ultra-violet and water resistant polyurethane. Size: 1500x1200mm font size variable with minimum at 30 point.  During the June 2019 Independent Environmental Audit (IEA), it was noted that a site notice was not able to be sighted. This was reported as a non-compliance within the IEA report dated 7 August 2019.  Signage that complies with the requirements of CoC E2 is to be erected by 9/10/19.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.

MPES1 Conditions of Consent - SSD 6766 Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
E3	Construction Environmental Management	The Applicant shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.	pre-construction	Compliant	A single project information line will be utilised for the project (including all subcontractors) - 1800 986 465.  This project line will be managed by the SIMTA and information filtered down to contractor(s) as relevant.	Compliant	Noted. This is detailed within the CCS.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E4	Construction Environmental Management	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall appoint a suitably qualified and experienced Environmental Representative(s) that is independent of the design and construction personnel, and that has been approved by the Secretary. The Applicant shall employ the Environmental Representative(s) for the duration of construction of this stage, or as otherwise agreed by the Secretary. The Environment Representative(s) shall: a) be the principal point of advice in relation to the environmental performance of construction; b) monitor the implementation of environmental management plans and monitoring programs required under this approval and advise the Applicant upon the achievement of these plans/programs; c) have responsibility for considering, and advising the Applicant on, matters specified in the conditions of this approval, and other licences and approvals related to the environmental performance and impacts of construction; d) ensure that environmental auditing is undertaken in accordance with the Applicant's Environmental Management System(s); e) be given the authority to approve/reject minor amendments to the Construction Environment Management Plan. What constitutes a "minor" amendment shall be clearly explained in the Construction Environment Management Plan; f) be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts; and g) be consulted in responding to the community concerning the environmental performance of construction where the resolution of points of conflict between the Applicant and the community is required.	pre-construction	Compliant	The appointment of Mr George Kollias and Mr Rui Henriques as the nominated Environmental Representative(s) was accepted by DPIE (previously DP&E) on 21/12/2016 to satisfy condition E4.  Roles and responsibilities of the ER will be discussed in the CEMP.	Compliant	The nominated ER was approved by DPIE (previously DP&E) on 21/12/16. George Kollias of Healthy Buildings International appointed as ER, approved by the Secretary.	N/A
E5	Construction Environmental Management	The Environmental Representative shall prepare and submit to the Secretary a quarterly report on the Environmental Representative's actions and decisions on matters specified in condition E4. The reports shall be submitted within seven (7) days for the end of each quarter for the duration of construction, or as otherwise agreed by the Secretary. Notwithstanding, the Environmental Representative shall be given the independence to report to the Secretary at any time and/or at the request of the Secretary.	Construction	Compliant	Quarterly reports were submitted to DPIE (previously DP&E) on 07/03/2018, 07/06/2018, September 2018, December 2018, March 2019 and June 2019	Compliant	Quarterly reports were submitted to DPIE (previously DP&E) on 07/03/2018, 07/06/2018, September 2018, December 2018, March 2019 and June 2019	N/A
E6	Construction Environmental Management	Soil and water management measures consistent with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004) shall be employed during construction to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.	Construction	Compliant	The Managing Urban Stormwater - Soils and Construction Vols 1 & 2, 4th Edition (Landcom, 2004) (Bluebook) has been integrated into the project Construction Soil & Water Management Plan (CSWMP) as a mitigation measure for managing site activities. In addition, progressive sediment & erosion control plans (PESCP) are developed to comply with the Bluebook and is the primary project tool to be implemented on site to minimise runoff of sediment and other pollutants offsite.	Compliant	A Soil and Water Management Plan (SWMP) was submitted to DPIE (previously DP&E) on 9/2/17. The SWMP outlines the management measures for erosion and sediment control in line with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004) including measures to minimise the potential for pollution of controlled waters. During pre-construction, requirements for erosion and sediment control have been included within the EWMS and an erosion and sediment control plan has been included within this document, and endorsed by the ER.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E7	Construction Environmental Management	Construction shall be undertaken to comply with section 120 of the Protection of the Environment Operations Act 1997, which prohibits the pollution of waters.	Construction	Compliant	The project is applying for an Environmental Protection Licence with the NSW EPA to regulate its activities. Further, a Soil and Water Management Plan (SWMP) was submitted to DPIE (previously DP&E). The SWMP outlines the management measures for erosion and sediment control in line with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004) including measures to minimise the potential for pollution of controlled waters. Construction works to have an implemented PESCP to comply with this condition. Pre-construction works (salvage) have been undertaken in compliance with this condition.	Compliant	A Soil and Water Management Plan (SWMP) was submitted to DPIE (previously DP&E) on 9/2/17. The SWMP outlines the management measures for erosion and sediment control in line with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004) including measures to minimise the potential for pollution of controlled waters. During pre-construction, requirements for erosion and sediment control have been included within the EWMS and an erosion and sediment control plan has been included within this document, and endorsed by the ER.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E8	Construction Environmental Management	The Applicant shall store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's Storing and Handling Liquids: Environmental Protection – Participants Handbook.	Construction	Compliant	The requirements for chemical storage is detailed in the project CSWMP and is to be provided in accordance with this condition. A review of the storage facility(s) will be undertaken following its installation during construction of the project to ensure compliance with this condition. Pre-construction works have been undertaken in compliance with this condition.	Compliant	All hazardous materials are to be appropriately stored within chemical containers and sheds, or on bunding with 110% of the capacity of the largest container. The requirements are detailed in the CSWMP.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E9	Construction Environmental Management	All activities taking place in, on or under waterfront land, as defined in the Water Management Act 2000 should be conducted generally in accordance with the NSW Office of Water's Guidelines for Controlled Activities.	Construction	Compliant	Design consists of a bridge over Georges River and culvert over Anzac Creek in line with the requirements of the Guideline as required by Section 6 of the Drainage Design Report and discharge restrictions from site in Riparian zones to be managed by the site PESCPs. No pre-construction works undertaken within areas of influence.	Not triggered	No works are to be undertaken on Waterfront Land.	N/A
E10	Construction Environmental Management	The Applicant shall notify the Secretary and relevant public authorities of any incident with actual or potential significant on-site or off-site impacts on human health or the biophysical environment within 24 hours of becoming aware of the incident. The Applicant shall provide full written details of the incident to the Secretary within seven days of the date on which the incident occurred. <i>Note: Where an incident also requires reporting to the EPA and/or OEHL, the incident report prepared for the purposes of notifying the EPA and/or OEHL would meet this requirement.</i>	Construction	Compliant	This requirement has been addressed in the CEMP and reproduced into the project's Incident & Emergency Management Plan for implementation as required. 01/02/2018 turbid water was observed in Georges River both upstream and downstream of the project. No material harm occurred. Reported to planning 6/03/2018. DPIE (previously DP&E) compliance team inspected the site on 14/03/2018. No further correspondence has occurred on this matter. A bushfire event on the 14/04/2018 occurred offsite and travelled through a portion of the site. CPB enacted the Project Incident Response Management Plan in accordance with their project EPL. A report was sent to the EPA and DPIE (previously DP&E) on 23/04/2018.	Compliant	No incidents have occurred within this reporting period. Should an incident occur, it will be managed as outlined within the CEMP Sections 8 and 9.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E11	Construction Environmental Management	The Applicant shall meet the requirements of the Secretary or relevant public authority (as determined by the Secretary) to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition E11, within such period as the Secretary may require.	Construction	Compliant	See above	Compliant	No incidents have occurred within this reporting period. Should an incident occur, it will be managed as outlined within the CEMP Sections 8 and 9.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
E12	Construction Environmental Management	The Applicant shall not harm, modify or otherwise impact any heritage items outside the subject site.	Construction	Compliant	This requirement has been added as a mitigation measure in the project Heritage Management Plan and their locations in proximity to the project are shown on sensitive area maps as 'no go zones' to construction personnel and requirement included in the project induction.  No works have occurred outside of the project boundary.	Compliant	No works outside of the construction boundary have been undertaken during this reporting period	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E13	Construction Environmental Management	Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with: a) all relevant Australian Standards; b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (Environment Protection Authority, 1997). In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.	Construction	Compliant	This condition has been included in the CEMP for implementation during construction. Any dangerous goods to be stored on the project will be reviewed against the requirements of this condition. Pre-construction works (salvage) have been undertaken in compliance with this condition.	Compliant	All hazardous materials will be stored in accordance with the relevant codes, standards and legislation. No hazardous good have been stored on site to date. The requirements are detailed in the CSWMP.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E14	Construction Environmental Management	The Applicant shall carry out all feasible and reasonable measures to minimise dust generated by the Development.	Construction	Compliant	The project Air Quality Management Plan (AQMP) identifies the potential for dust generation from construction activities and outlines a set of measures to be implemented during construction activities to minimise dust generation onto nearby sensitive receivers. Pre-construction works (salvage) have been undertaken in compliance with this condition.	Compliant	No dust generating activities have occurred on site during this reporting period. However, management of dusty activities is outlined in Section 5 of the CAQMP.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E15	Construction Environmental Management	During construction, the Applicant shall ensure that all loaded vehicles entering or leaving the site have their loads covered; and all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.	Construction	Compliant	Requirement has been included in the project AQMP for implementation during construction. Enforcement will be monitored during site inspections.	Compliant	This has been managed as per the CEMP. Caras and FH are managing.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E16	Construction Environmental Management	The reuse and/or recycling of waste materials generated on site shall be maximised as far as practicable, to minimise the need for treatment or disposal of those materials off site.	Construction	Compliant	A project Waste Management Plan (WMP) has been developed to manage project construction waste and this condition has been addressed in this plan.	Compliant	Reuse and recycling of construction waste will be undertaken as per the Project EPL	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project
E17	Construction Environmental Management	All liquid and/or non-liquid waste generated on the site shall be assessed and classified in accordance with Waste Classification Guidelines (Department of Environment, Climate Change and Water 2009).	Construction	Compliant	A project Waste Management Plan (WMP) has been developed to manage project construction waste and this condition has been addressed in this plan.	Compliant	All liquid and/or non-liquid waste will be undertaken as per the Project EPL	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E18	Construction Environmental Management	All waste materials removed from the subject site shall only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Construction	Compliant	A project Waste Management Plan (WMP) has been developed to manage project construction waste and this condition has been addressed in this plan.	Compliant	All waste deposited to waste management facilities.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project
E19	Construction Environmental Management	Construction shall be undertaken during the following standard construction hours: a) 7:00am to 6:00pm Mondays to Fridays, inclusive; and b) 8:00am to 1:00pm Saturdays; c) at no time on Sundays or public holidays.	Construction	Compliant	The project Construction Noise & Vibration Management Plan (NVMP) has been developed to manage this condition. Approved construction hours is being communicated to construction personnel via the project Induction, construction work packs, and sensitive area plans.	Compliant	Standard construction hours adhered to.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E20	Construction Environmental Management	Activities resulting in a high noise impact shall 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. 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 the subject of this condition.	Construction	Compliant	The project Construction Noise & Vibration Management Plan (NVMP) has been developed to manage this condition. Approved construction hours is being communicated to construction personnel via the project Induction, construction work packs, and sensitive area plans. Pre-construction works (salvage) have been undertaken in compliance with this condition. No high noise impact works to date	Compliant	No works which have resulted in high impact noise has occurred within this reporting period.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E21	Construction Environmental Management	Notwithstanding conditions E20 and E21, works may be undertaken outside the hours specified under those conditions in the following circumstances: a) construction works that cause LAeq (15 minute) noise levels that are: (i) No more than 5 dB above rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and (ii) No more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses; or b) for the delivery of materials required by the police or other authorities for safety reasons; or c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or d) construction works approved through an Out-Of-Hours Work Protocol prepared as part of the Construction Noise and Vibration Management Plan required by condition E35(b), provided the relevant Council, local residents and other affected stakeholders and sensitive receivers are informed of the timing and duration at least 48 hours prior to the commencement of the works; or e) identified works approved by the Secretary.	Construction	Compliant	An out of hours works protocol has been developed and included in the project CNVMP for the review and approval of any proposed activities carried outside of construction hours in accordance with this condition. OOHW's occurred under rail possessions during Feb and May 2018	Compliant	No works which have resulted in high impact noise has occurred within this reporting period.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E22	Construction Environmental Management	The Applicant shall implement all feasible and reasonable noise mitigation measures with the aim of achieving the following construction noise management levels and vibration criteria: a) construction noise management levels established using the Interim Construction Noise Guideline (DECC 2009); b) vibration criteria established using the Assessing Vibration: a Technical Guide (DECC 2006) (for human exposure); and c) the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage). Any construction activities identified as exceeding the construction noise management levels and/or vibration criteria shall be managed in accordance with the Construction Noise and Vibration Management Plan required by condition E35(b). Note: The Interim Construction Noise Guideline identifies 'particularly annoying' activities that require the addition of 5dB (A) to the predicted level before comparing to the construction Noise Management Level.	Construction	Compliant	A project Construction Noise & Vibration Management Plan (CNVMP) has been developed and contains mitigation measures to comply with this condition.	Compliant	Section 7 of the CNVMP outlines the management measures to be employed to minimise noise from construction activities.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
E23	Construction Environmental Management	The Applicant is to ensure that construction vehicles operate so as to minimise any construction noise impacts from the construction site. Measures that could be used include toolbox talks, contracts that include provisions to deal with unsatisfactory noise performance for the vehicle and/or the operator, and specifying 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.	Construction	Compliant	Mitigation measures to address this condition have been included in the project NVMP for implementation during construction activities.	Compliant	All site personnel have been advised of noise requirements during pre-start meetings and induction.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E24	Construction Environmental Management	No use of compression brakes shall be permitted for construction vehicles associated with construction in the vicinity of the subject site.	Construction	Compliant	Restriction on compression braking has been included in the project NVMP so as to comply with this condition.	Compliant	Truck drivers have been advised of noise requirements during pre-start meetings and induction.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E25	Construction Environmental Management	The Applicant shall prepare a review of sleep disturbance impacts based on detailed design, including: a) An assessment of how often noise events occur, the time of day they occur and whether there are any times of day when there is a clear change in the noise environment; b) Confirm the operational sleep disturbance predictions identified in the documents listed under Condition A1; and c) Consider appropriate noise mitigation measures where required. The report shall be prepared in consultation with the EPA and be submitted to the satisfaction of the Secretary within 6 months of commencement of construction, unless otherwise agreed by the Secretary.	pre-construction	Not triggered	Does not apply to RALP	Compliant	This will be undertaken once detailed design has been completed and submitted to the Secretary within 6 months of the commencement of construction. Report initially approved on 23/3/18. Resubmission follow EDO Court Case. E25 Report to be uploaded on website upon approval.  Review of Operational Sleep Disturbance Impacts (Rev H, dated May 2018) approved by DPIE on 13/7/18	N/A
E26	Construction Environmental Management	A Road Occupancy Licence (ROL) must be obtained from the Transport Management Centre (TMC) for any activity likely to impact on the operational efficiency of the road network, allowing the use of specified public road space at approved times. The Applicant must allow a minimum of 10 working days for processing from date of receipt and include a Traffic Control Plan with any application.	Construction	Compliant	Requirement has been included in the project TAMP. ROL not required for current works	Compliant	ROL rolls over monthly for access on Moorebank Ave between Anzac Rd and Cambridge Ave	N/A
E27	Construction Environmental Management	Construction shall be carried out, where feasible and reasonable, to avoid the use of local roads (through residential streets) by heavy vehicles to gain access to the site and/or ancillary facilities.	Construction	Compliant	Requirement has been included in the project TAMP and shown on the Heavy Vehicle Route map to be included on Site Environmental Plans attached to Construction Work Plans.	Compliant	Truck drivers have been advised of noise requirements during pre-start meetings and induction.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E28	Construction Environmental Management	Construction vehicles (including staff vehicles) shall be managed to: a) minimise parking or queuing on public roads; b) minimise idling and queuing in local residential streets where practicable; c) adhere to the nominated haulage routes identified in the Construction Traffic and Access Management Plan required under condition E35(a); and d) ensure access and egress from construction compounds is undertaken in a safe and lawful manner.	Construction	Compliant	Requirement has been included in the project TAMP.	Compliant	Drivers have been advised of noise requirements during pre-start meetings and induction.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E29	Construction Environmental Management	Safe pedestrian and cyclist access through or around worksites shall be maintained during construction. In circumstances where pedestrian and cyclist access is restricted due to construction activities, a satisfactory alternate route shall be provided and signposted, including provision of temporary footpaths where pedestrian access is reliant on grassed verges.	Construction	Compliant	Requirement has been included in the project TAMP.	Compliant	Safe access is maintained for pedestrians and cyclist along Moorebank Ave. Internal site movements are maintained following and internal Vehicle Management Plan (VMP)	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
E30	Construction Environmental Management	Access to all properties affected by the carrying out of construction shall be maintained, where feasible and reasonable, unless otherwise agreed by the relevant property owner or occupier. Any access physically affected by construction shall be reinstated to at least an equivalent standard, unless agreed with by the property owner.	Construction	Compliant	Requirement has been included in the project TAMP.	Compliant	No properties affected during this reporting period.	N/A
E31	Construction Environmental Management	No threatened species or communities can be cleared other than that required for construction.	Construction	Compliant	Requirement has been included in the project Flora & Fauna Management Plan (FFMP) for implementation during construction. All clearing to date required for construction.	Compliant	Not applicable to IMEX. No threatened species.	N/A
E31A	Construction Environmental Management	Where any threatened flora species are to be cleared, individual plants of species suitable for translocation shall be considered for translocation into areas that have been identified as requiring rehabilitation within the Biodiversity Offset Package.	pre-construction	Compliant	Addressed in Section 3.5 and Appendix C - Condition of Consent E31A Translocation Advice of the MPE Stage 1 Biodiversity Offset Package.  Any translocation of threatened species within the Boot Land will occur into areas that have been identified as requiring rehabilitation within the Biodiversity Offset Package.  Applicable licences and permits issued under the TSC Act shall be obtained prior to the commencement of any translocation activities, and any translocation required will occur prior to mainline clearing of the Rail Link through the Boot land.	Compliant	Not applicable to IMEX. No threatened species.	N/A
E32	Construction Environmental Management	The existing mature trees located on the eastern side of Moorebank Avenue shown on Drawing LA01 (Landscape Master plan) dated 30.3.2015 shall be retained, unless where required to be removed for construction of a permanent access point to the terminal site. Trees to be retained shall be protected and maintained during preconstruction and construction activities in accordance with AS4970-2009 Protection of trees on development sites. Details of tree protection must be provided to the Certifying Authority prior to the commencement of construction.	pre-construction	Not triggered	Not applicable to RALP - outside the construction footprint.	Compliant	Tree protection has been placed for any trees overhanging the MPE Stage 1 site. Tree protection Report issued to PCA on 11/5/17 defining the type of tree protection that will be implemented.  The trees on Moorebank Ave required for permanent access to site have been removed in April 2018. The approved trees aligned with the approved Landscape Master Plan of the MPE Stage 1 UDLP.  It is noted that one tree on Moorebank Avenue was uprooted during a storm over the weekend of the 18/19 March 2017. As the tree fell into the MPE Stage 1 site damaging the fence creating a safety risk for intruders and also the verge of the road, the tree was removed.	N/A

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
E33	Construction Environmental Management	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a <b>Construction Environmental Management Plan (CEMP)</b>. The CEMP is to be prepared in consultation with the EPA, OEH, DPI Water, DPI Fisheries, and the relevant Council, for the approval of the Secretary. The CEMP shall outline the environmental management practices and procedures that are to be followed during construction. The CEMP is to be prepared in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). <del>The Secretary shall consider the comments of the office of Strategic Lands in its consideration of the CEMP.</del> The CEMP shall include, but not necessarily be limited to:</p> <p>a) a description of activities to be undertaken during construction;</p> <p>b) statutory and other obligations that the Applicant is required to fulfil during construction, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and policies;</p> <p>c) a description of the roles and responsibilities for relevant employees involved in construction, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors, are aware of their environmental and compliance obligations under these conditions of approval;</p> <p>d) an environmental risk analysis to identify the key environmental performance issues associated with construction; and</p> <p>e) details of how environmental performance would be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the CEMP:</p> <p>(i) measures to monitor and manage dust emissions including dust from stockpiles, traffic on unsealed internal roads and materials tracking from construction sites onto public roads;</p> <p>(ii) measures for the handling, treatment and management of hazardous and contaminated materials (including asbestos);</p> <p>(iii) measures to monitor and manage waste generated during construction including but not necessarily limited to: general procedures for waste classification, handling, reuse, and disposal; use of secondary waste material in construction wherever feasible and reasonable; procedures or dealing with green waste including timber and mulch from clearing activities; and measures for reducing demand on water resources (including potential for reuse of treated water from sediment control basins);</p> <p>(iv) measures to monitor and manage hazard and risks;</p> <p>(v) measures to monitor and rectify any impacts to third party property and infrastructure, including details of the process for rectification or compensation of affected landowners, and timeframes for rectification works or compensation processes; and</p> <p>(vi) the issues identified in condition E34.</p> <p>The CEMP shall include procedures for its periodic review and update (including the sub-plans required under condition E35, as necessary (including where minor changes can be approved by the Environmental Representative)).</p> <p>The CEMP shall be submitted for the approval of the Secretary no later than one month prior to the commencement of construction, or as otherwise agreed by the Secretary. The CEMP may be prepared in stages; however, construction shall not commence until written approval of the relevant stage has been received from the Secretary. The approval of a CEMP does not relieve the Applicant of any requirement associated with this approval. If there is an inconsistency with an approved CEMP and the conditions of this approval, the requirements of this approval shall prevail.</p>	pre-construction	Compliant	<p>The project Construction Environment Management Plan (CEMP) was developed and in consultation with stakeholders as specified by this condition. CEMP was sent to DPIE (previously DP&amp;E) on the 9/02/2017 for review and approval. Comments were provided by DPIE (previously DP&amp;E) on 3/3/17 and 13/3/17. Updated CEMP re-submitted to DPIE (previously DP&amp;E) on 8/3/17, 13/3/17, 29/3/17, 6/4/17, 21/4/17 &amp; 27/4/17. No comments from DPIE (previously DP&amp;E) in teleconference on 21/4/17. Approval of CEMP provided by DPIE (previously DP&amp;E) on 11/5/17. CEMP updated following updated court case to be approved by DPIE (previously DP&amp;E).</p>	Compliant	<p>The CEMP was submitted to DPIE (previously DP&amp;E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CEMP was issued by DPIE (previously DP&amp;E) on 09/05/17</p> <p>Pre-construction works are being undertaken in accordance with the EWMS. The CEMP has been updated following the EDO Court Case and approved by DPIE (previously DP&amp;E) on 18/06/2018</p>	<p>Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.</p> <p>The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.</p>
E34 (a)	Construction Environmental Management	<p>As part of the CEMP for the SSD, the Applicant shall prepare and implement:</p> <p>a) a <b>Construction Traffic and Access Management Plan</b> to ensure traffic and access controls are implemented to avoid or minimise impacts on traffic, pedestrian and cyclist access, and the amenity of the surrounding environment. The Plan shall be developed in consultation with the relevant Council, emergency services, road user groups, and relevant pedestrian and bicycle user groups, and include, but not necessarily be limited to:</p> <p>(i) identification of construction traffic routes and construction traffic volumes (including heavy vehicle/spoil haulage) on these routes;</p> <p>(ii) details of vehicle movements for construction sites and ancillary facilities including parking, dedicated vehicle turning areas, and ingress and egress points; discussion of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, access to public land, property access, including details of oversized load movements, and the nature and duration of those impacts;</p> <p>(iii) discussion of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, access to public land, property access, including details of oversized load movements, and the nature and duration of those impacts;</p> <p>(iv) details of management measures to minimise traffic impacts, including temporary road work traffic control measures, onsite vehicle queuing and parking areas and management measures to minimise peak time congestion and measures to ensure safe pedestrian and cycle access;</p> <p>(v) details of measures to maintain or provide alternative safe and accessible routes for pedestrians throughout the duration of construction;</p> <p>(vi) details of measures to maintain connectivity for cyclists, with particular emphasis on providing adequate access between key existing cycle routes for commuter cyclists;</p> <p>(vii) details of measures to manage traffic movements, parking, loading and unloading at ancillary facilities during out-of-hours work;</p> <p>(viii) details of methods to be used to communicate proposed future traffic changes to affected road users, pedestrians and cyclists, consistent with the Community Communication Strategy required under condition D1;</p> <p>(ix) an adaptive response plan which sets out a process for response to any traffic, construction or other incident; and</p> <p>(x) mechanisms for the monitoring, review and amendment of this plan.</p>	pre-construction	Compliant	<p>The project Construction Traffic &amp; Access Management Plan (TAMP) was developed and in consultation with stakeholders as specified by this condition. TAMP was sent to DPIE (previously DP&amp;E) on the 9/02/2017 for review and approval. Comments were provided by DPIE (previously DP&amp;E) on 16/3/17. Updated TAMP re-submitted to DPIE (previously DP&amp;E) on 17/3/17, 29/3/17 and 3/4/17. SIMTA provided to DPIE (previously DP&amp;E) on 19/4/17. No comments from DPIE (previously DP&amp;E) in teleconference on 21/4/17. Approval of CEMP provided by DPIE (previously DP&amp;E) on 11/5/17. Current version now on project website.</p>	Compliant	<p>The CTAMP was submitted to DPIE (previously DP&amp;E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CTAMP was issued by DPIE (previously DP&amp;E) on 09/05/17 . Pre-construction works are being undertaken in accordance with the EWMS. CTAMP been updated and approved by DPIE (previously DP&amp;E) on 18/06/2018</p>	<p>Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.</p> <p>The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.</p>
E34 (b)	Construction Environmental Management	<p>b) a <b>Construction Noise and Vibration Management Plan</b> to detail how construction noise and vibration impacts will be minimised and managed. The Plan shall be consistent with the guidelines contained in the Interim Construction Noise Guidelines (Department of Environment and Climate Change 2009). The plan shall be developed in consultation with the EPA and shall include, but not be limited to:</p> <p>(i) identification of the work areas, site compounds and access points;</p> <p>(ii) identification of sensitive receivers and relevant construction noise and vibration goals applicable to the SSD and stipulated in the conditions above;</p> <p>(iii) details of construction activities and an indicative schedule for works, including the identification of key noise and/or vibration generating construction activities (based on representative construction scenarios, including at ancillary facilities) that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers, particularly residential areas;</p> <p>(iv) an <b>Out-of-Hours Work Protocol</b> for the assessment, management and approval of works outside of standard construction hours as defined in condition E19 of this approval, for the Secretary's approval. The Out-of-Hours Work Protocol must detail:</p> <p>a) assessment of out-of-hours works against the relevant noise and vibration criteria;</p> <p>b) detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at receiver treatments; and</p> <p>c) proposed notification arrangements.</p> <p>(v) identification of feasible and reasonable measures proposed to be implemented to minimise and manage noise impacts (including construction traffic noise impacts), including, but not limited to, acoustic enclosures, erection of noise walls (hoardings) and respite periods;</p> <p>(vi) identification of feasible and reasonable procedures and mitigation measures to ensure relevant vibration criteria are achieved, including applicable buffer distances for vibration intensive works, use of low vibration generating equipment/ vibration dampeners or alternative construction methodology, and pre- and post- construction dilapidation surveys of sensitive structures where blasting and/ or vibration is likely to result in damage to buildings and structures (including surveys being undertaken immediately following a monitored exceedance of the criteria);</p> <p>(vii) a description of how the effectiveness of mitigation and management measures would be monitored during construction, clearly indicating how often this monitoring would be conducted, the locations where monitoring would take place, how the results of this monitoring would be recorded and reported, and, if any exceedance is detected, how any noncompliance would be rectified; and</p> <p>(viii) mechanisms for the monitoring, review and amendment of this plan.</p>	pre-construction	Compliant	<p>The project Construction Noise &amp; Vibration Management Plan (NVMP) was developed and in consultation with stakeholders as specified by this condition. NVMP submitted to DPIE (previously DP&amp;E) on the 8/02/2017 for review and approval. Comments were provided by DPIE (previously DP&amp;E) on 24/3/17. Updated NVMP re-submitted to DPIE (previously DP&amp;E) on 28/3/17 and 6/4/17. SIMTA provided to DPIE (previously DP&amp;E) on 13/4/17. Further updates made on 21/4/17 following teleconference with DPIE (previously DP&amp;E) on same day. Approval of CEMP provided by DPIE (previously DP&amp;E) on 11/5/17. Current version now on project website.</p>	Compliant	<p>The CTAMP was submitted to DPIE (previously DP&amp;E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CTAMP was issued by DPIE (previously DP&amp;E) on 09/05/17 . Pre-construction works are being undertaken in accordance with the EWMS. Will be updated following the EDO Court Case and approved by DPIE (previously DP&amp;E) on 18/06/2018</p>	<p>Monitor implementation of the sub-plan during regular weekly inspections</p>
						Compliant	<p>The CHMP was submitted to DPIE (previously DP&amp;E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CHMP was issued by DPIE (previously DP&amp;E) on 09/05/17 . Pre-construction works are being undertaken in accordance with the EWMS. Will be updated following the EDO Court Case approved by DPIE (previously DP&amp;E) 18/06/2018</p>	<p>Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.</p>

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
E34 (c)	Construction Environmental Management	<p>c) a <b>Construction Heritage Management Plan</b> to ensure construction impacts on Aboriginal and non-Aboriginal heritage will be appropriately avoided minimised and managed. The Plan shall be developed in consultation with OEH, the relevant Council, the NSW Heritage Council (for non-Aboriginal State heritage items) and the relevant Local Aboriginal Land Councils (for Aboriginal heritage), and include, but not necessarily be limited to:</p> <p>(i) in relation to Aboriginal Heritage:</p> <p>a) details of management measures to be carried out in relation to Aboriginal heritage, including a detailed methodology and strategies for protection, monitoring, and conservation of sites and items;</p> <p>b) procedures for dealing with previously unidentified Aboriginal objects (excluding human remains), including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures, including when works can re-commence, by a suitably qualified and experienced archaeologist in consultation with the Secretary and Aboriginal stakeholders, assessment of the consistency of any Aboriginal heritage impacts against the approved impacts of the SSD, and, where relevant, registration in the OEH's Aboriginal Heritage Information Management System (AHIMS) register;</p> <p>c) procedures for dealing with human remains, including cessation of works in the vicinity, notification of Secretary, NSW Police Force, OEH and Aboriginal stakeholders, and commitment to cease recommending any works in the area unless authorised by the OEH and/or the NSW Police Force;</p> <p>d) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this approval including site identification, protection and conservation of Aboriginal cultural heritage; and</p> <p>e) procedures for ongoing Aboriginal consultation and involvement for the duration of construction; and</p> <p>(ii) in relation to non-Aboriginal Heritage:</p> <p>a) identification of heritage items directly and indirectly affected by construction;</p> <p>b) consideration of methods to prevent damage to any retained heritage items, including:</p> <p>I. procedures for identifying minimum working distances to retained heritage items (including, at minimum, vibration testing and monitoring),</p> <p>II. detailed options for alteration of construction methodology should preferred values for vibration be exceeded, and</p> <p>III. commitment to implementing those options if preferred values for vibration are likely to be exceeded.</p>	pre-construction	Compliant	<p>The project Construction Heritage Management Plan (CHMP) was developed and in consultation with stakeholders as specified by this condition.</p> <p>CHMP was submitted to DPIE (previously DP&amp;E) on the 8/02/2017 for review and approval.</p> <p>Comments were provided by DPIE (previously DP&amp;E) on 27/3/17.</p> <p>Updated CHMP re-submitted to DPIE (previously DP&amp;E) on 29/3/17 and 6/4/17.</p> <p>No comments from DPIE (previously DP&amp;E) in teleconference on 21/4/17.</p> <p>Approval of CEMP provided by DPIE (previously DP&amp;E) on 11/5/17</p> <p>Current version now on project website.</p>	Compliant	<p>The CHMP was submitted to DPIE (previously DP&amp;E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CHMP was issued by DPIE (previously DP&amp;E) on 09/05/17.</p>	<p>Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.</p> <p>The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.</p>
		<p>c) details of management measures to be implemented to prevent and minimise impacts on heritage items (including further heritage investigations, archival recordings and/or measures to protect unaffected sites during construction works in the vicinity);</p> <p>d) details of monitoring and reporting requirements for impacts on heritage items;</p> <p>e) procedures for dealing with previously unidentified heritage objects, (including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified and experienced archaeologist in consultation with the OEH, NSW Heritage Council and the Secretary, assessment of the consistency of any heritage impacts against the approved impacts of the SSD, and, where relevant, notification of the Heritage Council of NSW in accordance with section 146 of the Heritage Act 1977; and</p> <p>f) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions and obligations under this approval including site identification, protection and conservation of non-Aboriginal cultural heritage; and</p> <p>(iii) mechanisms for the monitoring, review and amendment of this plan.</p>						
E34 (d)	Construction Environmental Management	<p>d) a <b>Construction Flora and Fauna Management Plan</b> to detail how impacts on ecology (as detailed in the most recent mapping endorsed by OEH) will be minimised and managed. The Plan shall be developed by a suitably qualified and experienced ecologist and in consultation with the OEH, and shall include, but not necessarily be limited to:</p> <p>(i) plans for impacted and adjoining areas showing vegetation communities; important flora and fauna habitat areas; locations where threatened species, populations or ecological communities have been recorded; including pre-clearing surveys to confirm the location of threatened flora and fauna species and associated habitat features;</p> <p>(ii) the identification of areas to be cleared and details of management measures to avoid residual habitat damage or loss and to minimise or eliminate time lags between the removal and subsequent replacement of habitat such as:</p> <p>a) clearing minimisation procedures (including fencing),</p> <p>b) clearing procedures (including nest box plan),</p> <p>c) removal and relocation of fauna during clearing,</p> <p>d) habitat tree management, and</p> <p>e) construction worker education;</p> <p>f) installation of exclusion fencing prior to commencement of construction</p> <p>(iii) rehabilitation details, including identification of flora species and sources, and measures for the management and maintenance of rehabilitated areas;</p> <p>(iv) a Weed Management Strategy, incorporating weed management measures focusing on early identification of invasive weeds and effective management controls (including for those related to aquatic and riparian zones);</p> <p>(v) a description of how the effectiveness of these management measures would be monitored;</p> <p>(vi) a procedure for dealing with unexpected EEC/ threatened species identified during construction, including cessation of work and notification of the OEH and DPI Fisheries, determination of appropriate mitigation measures in consultation with the OEH and DPI Fisheries (including relevant re-location measures) and updating of ecological monitoring and/ or biodiversity offset requirements; and</p> <p>(vii) mechanisms for the monitoring, review and amendment of this plan.</p>	pre-construction	Compliant	<p>The project Construction Flora &amp; Fauna Management Plan (FFMP) was developed and in consultation with stakeholders as specified by this condition.</p> <p>FFMP was sent to DPIE (previously DP&amp;E) on the 9/02/2017 for review and approval. Comments were provided by DPIE (previously DP&amp;E) on 17/3/17.</p> <p>Updated FFMP re-submitted to DPIE (previously DP&amp;E) on 22/3/17 and 6/4/17.</p> <p>Updated following internal comments on 21/4/17 and provided to DPIE (previously DP&amp;E) on 24/4/17.</p> <p>Updated following DotEE comments on 26/4/17 and provided to DPIE (previously DP&amp;E) on 27/4/17</p> <p>Approval of CEMP provided by DPIE (previously DP&amp;E) on 11/5/17</p>	Compliant	<p>The CSWMP was submitted to DPIE (previously DP&amp;E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CAQMP was issued by DPIE (previously DP&amp;E) on 09/05/17.</p>	<p>Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.</p> <p>The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.</p>
E34 (e)	Construction Environmental Management	<p>e) a <b>Construction Air Quality Management Plan</b> to detail how impacts on local air quality will be minimised and managed. The Plan shall be developed in consultation with the EPA, and shall include, but not necessarily be limited to:</p> <p>(i) identification of sources (including stockpiles and open work areas) and quantification of airborne pollutants;</p> <p>(ii) key performance indicators for local air quality during construction;</p> <p>(iii) details of monitoring methods, including location, frequency and duration of monitoring;</p> <p>(iv) mitigation measures to minimise impacts on local air quality;</p> <p>(v) procedures for record keeping and reporting against key performance indicators;</p> <p>(vi) provisions for implementation of additional mitigation measures in response to issues identified during monitoring and reporting; and</p> <p>(vii) mechanisms for the monitoring, review and amendment of this plan.</p>	pre-construction	Compliant	<p>The project Construction Air Quality Management Plan (AQMP) was developed and in consultation with stakeholders as specified by this condition.</p> <p>CAQMP was sent to DPIE (previously DP&amp;E) on the 9/02/2017 for review and approval. Comments were provided by DPIE (previously DP&amp;E) on 27/3/17.</p> <p>Updated CAQMP re-submitted to DPIE (previously DP&amp;E) on 29/3/17 and 6/4/17.</p> <p>No comments from DPIE (previously DP&amp;E) in teleconference on 21/4/17.</p> <p>Approval of CEMP provided by DPIE (previously DP&amp;E) on 11/5/17.</p> <p>Current version now on project website.</p>	Compliant	<p>The CAQMP was submitted to DPIE (previously DP&amp;E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CAQMP was issued by DPIE (previously DP&amp;E) on 09/05/17.</p>	<p>Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.</p> <p>The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.</p>
E34 (f)	Construction Environmental Management	<p>f) a <b>Construction Soil and Water Management Plan</b> to manage surface and groundwater impacts during construction. The plan shall be developed in consultation with, EPA, NSW Office of Water, and relevant Councils, and include, but not necessarily be limited to:</p> <p>(i) details of construction activities and their locations, which have the potential to impact on water courses, storage facilities, stormwater flows, and groundwater, including identification of all pollutants that may be introduced into the water cycle;</p> <p>(ii) potential impacts on watercourse bank stability and the development of appropriate mitigation measures as required;</p> <p>(iii) emergency response procedures addressing potential flood impacts or spill incidents;</p> <p>(iv) an <b>Erosion and Sediment Control Plan</b>, detailing measures to manage any erosion and sedimentation impacts into the Georges River or Anzac Creek;</p> <p>(v) an Acid Sulphate Soils Management Plan, if required, including measures for the management, handling, treatment and disposal of acid sulphate soils, including monitoring of water quality at acid sulphate soils treatment areas, should construction activities impact on acid sulphate soils;</p> <p>(vi) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be undertaken, the locations where monitoring would take place, how the results of the monitoring would be recorded and reported, and, if any exceedance of the criteria is detected how any noncompliance can be rectified; and</p> <p>(vii) mechanisms for the monitoring, review and amendment of this plan.</p>	pre-construction	Compliant	<p>The project Construction Soil &amp; Water Management Plan (SWMP) was developed and in consultation with stakeholders as specified by this condition.</p> <p>CSWMP was sent to DPIE (previously DP&amp;E) on the 8/02/2017 and 23/2/17 for review and approval.</p> <p>Comments were provided by DPIE (previously DP&amp;E) via SIMTA on 30/3/17.</p> <p>Updated CSWMP re-submitted to DPIE (previously DP&amp;E) on 3/4/17 and 6/4/17.</p> <p>SIMTA provided to DPIE (previously DP&amp;E) on 13/4/17.</p> <p>Further updates made on 21/4/17 following teleconference with DPIE (previously DP&amp;E) on same day.</p> <p>Approval of CEMP provided by DPIE (previously DP&amp;E) on 11/5/17</p>	Compliant	<p>The CSWMP was submitted to DPIE (previously DP&amp;E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CSWMP was issued by DPIE (previously DP&amp;E) on 09/05/17.</p>	Monitor implementation of the sub-plan during regular weekly inspections



No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
F1	Prior To Operations	The Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works: a) This report is to ascertain whether the construction works created any structural damage to footpaths, roads, buildings and other utilities in the vicinity of the development. b) The report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Certifying Authority must: (i) compare the post-construction dilapidation report with the pre-construction dilapidation report; and (ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads as a result of construction. c) The report shall be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS and the Secretary.	pre-operation	Compliant	A number of pre-construction dilapidation reports have been completed for both RALP and IMEX: - Cambridge Ave and Causeway at Glenfield (4/4/17) - Moorebank Ave Glenfield (4/4/17) - Cambridge Ave Glenfield (4/4/17) - Roundabout and Roadways at Glenfield (4/4/17)	Compliant	A number of pre-construction dilapidation reports have been completed for both RALP and IMEX: - Cambridge Ave and Causeway at Glenfield (4/4/17) - Moorebank Ave Glenfield (4/4/17) - Cambridge Ave Glenfield (4/4/17) - Roundabout and Roadways at Glenfield (4/4/17)  Post-dilapidation reports submitted to certifying authority for review and approval on 12/07/19.	N/A
F2	Prior To Operations	Prior to the commencement of operation, the Applicant shall submit the final draft section 88B instrument, if relevant to the Certifying Authority and the Secretary for information.	pre-operation	Compliant	Relevant 88B's have been submitted to DPIE for information on 3/3/19. These instruments were not provided to the Certifying Authority as it is considered that the instrument is not relevant to their jurisdiction.	Compliant	Relevant 88B's have been submitted to DPIE for information on 3/3/19. These instruments were not provided to the Certifying Authority as it is considered that the instrument is not relevant to their jurisdiction.	N/A
F3	Prior To Operations	External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to the Certifying Authority, in consultation with the relevant Council and RMS, evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.	pre-operation	Compliant	Lighting requirements are addressed within Section 6.7 of the MPES1 UDLP (approved by DPIE on 14/2/18).  There are no lighting provision for the rail corridor.	Compliant	Lighting requirements are included with the MPES1 UDLP (approved by DPIE on 14/2/18).	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
F4	Prior To Operations	The Applicant shall prepare and implement (following approval) an <b>Operation Environmental Management Plan (OEMP)</b> . The Plan shall outline the environmental management practices and procedures that are to be followed during operation, and shall be prepared in consultation with relevant agencies and in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to: a) a description of activities to be undertaken during operation (including staging and scheduling); b) statutory and other obligations that the Applicant is required to fulfil during operation, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and policies; c) overall environmental policies, guidelines and principles to be applied to the operation of the project; d) a description of the roles and responsibilities for relevant employees involved in the operation of the project, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under these conditions of approval; e) an environmental risk analysis to identify the key environmental performance issues associated with the operation phase; f) details of management and monitoring of environmental performance, including the actions to be taken to address identified potential adverse environmental impacts (and any impacts arising from staging of the project construction). In particular, the following environmental performance issues shall be addressed in the Plan: (i) noise emissions including measures for regular performance monitoring of noise generated by the project and measures to proactively respond to and deal with noise complaints; (ii) a description of the proposed and/or implemented measures to minimise visual impact project components, such as landscaping and design considerations; (iii) procedures for the monitoring and maintenance of the watercourse crossings to achieve stable creek bed and banks; (iv) air emissions including measures for regular performance monitoring of air quality generated by the Project and measures to proactively respond to and deal with air quality complaints. The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation, or as otherwise agreed by the Secretary. Operation shall not commence until written approval has been received from the Secretary.  The approval of an <b>Operation Environmental Management Plan</b> does not relieve the Applicant of any requirement associated with this project approval. If there is an inconsistency with an approved Operation Environmental Management Plan and the conditions of this approval, the requirements of this approval prevail.	pre-operation	Compliant	An Operational Environmental Management Plan (OEMP) was submitted to DPIE for review and approval on 19/04/19. Resubmitted to DPIE on 6/06/19.  CNVMP submitted to DPIE for review and approval on 28/06/19. Resubmitted to DPIE on 10/07/19 addressing comments.  OEMP approval received from DPIE on 9/09/2019.  OEMP approval received from DPIE on 9/09/2019.  ONVMP approval received from DPIE on 9/09/2019.  OFFMP approval received from DPIE on 9/09/2019.  OWRMP approval received from DPIE on 9/09/2019.  SIOMP approval received from DPIE on 9/09/2019.	Compliant	An Operational Environmental Management Plan (OEMP) was submitted to DPIE for review and approval on 19/04/19. Resubmitted to DPIE on 6/06/19.  CNVMP submitted to DPIE for review and approval on 28/06/19. Resubmitted to DPIE on 10/07/19 addressing comments.  OEMP approval received from DPIE on 9/09/2019.  OEMP approval received from DPIE on 9/09/2019.  ONVMP approval received from DPIE on 9/09/2019.  OFFMP approval received from DPIE on 9/09/2019.  OWRMP approval received from DPIE on 9/09/2019.  SIOMP approval received from DPIE on 9/09/2019.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
F5	Prior To Operations	Prior to the commencement of operation, the Applicant shall prepare a <b>Brake Squeal Report</b> on brake squeal identifying the following: a) The extent of brake squeals across the fleet of rail vehicles that will frequently use the terminals. This should identify the number of occurrences of brake squeal, the typical noise levels associated with brake squeal (including the frequency content), and the operational conditions under which brake squeal occurs (e.g. under light braking, hard braking, low / medium / high speed, effects of temperature and weather, etc.); b) The root cause of brake squeal, including the influence of the design, set-up and maintenance of both brake shoes and brake rigging; c) Possible solutions to mitigate or eliminate brake squeal, including modifications to brake rigging and alternative brake shoe designs and compounds; and d) Any monitoring system proposed to capture brake squeal.	pre-operation	Compliant	Addressed in Operational Noise and Vibration Management Plan (ONVMP) which was submitted to the DPIE for review and approval on 28/6/19. Resubmitted to DPIE on 10/07/19 addressing comments.  ONVMP approved by DPIE on 9/09/2019.  Brake Squeal Report submitted to DPIE for information on 30/06/19. Resubmitted to DPIE on 3/07/19 addressing TfNSW comments.	Compliant	Addressed in Operational Noise and Vibration Management Plan (ONVMP) which was submitted to the DPIE for review and approval on 28/6/19. Resubmitted to DPIE on 10/07/19 addressing comments. Awaiting response.  Brake Squeal Report submitted to DPIE for information on 30/06/19. Resubmitted to DPIE on 3/07/19 addressing TfNSW comments.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
F5A	Prior To Operations	The Applicant shall prepare and implement (following approval) a <b>Container Noise Barrier Management Plan (CNBMP)</b> . The plan shall be prepared by a suitably experienced and qualified acoustics consultant and shall outline the management practices and procedures that are to be followed during night-time operation of the site and for the stacking of containers to be used as noise barriers. The plan shall include, but not necessarily be limited to: a) the preparation of a specification for the stacking of containers to achieve the required level of noise reduction so as to comply with the project specific noise levels** and the sleep disturbance trigger levels*** for the night-time period* at the nearest affected residential receivers and which is to include such details as the minimum numbers of containers, their locations, stacking heights, orientation and maximum gap between containers. The Plan shall include any restrictions on stacking of containers above two high if this is found necessary. b) the measurement of noise from operation of the site and an assessment of compliance with the project specific noise levels and the sleep disturbance trigger levels at the nearest affected residential receivers at the following times: i. not less than 3 months and not more than 6 months after commencement of operation, noise surveys shall be conducted on three separate nights for a period of not less than 2 hours whilst train wagons are being loaded with containers; ii. thereafter for 6 months on one night per month for a period of not less than 2 hours whilst train wagons are being loaded with containers. Noise measurements shall be conducted in accordance with the EPA's Industrial Noise Policy. c) the details of each noise survey shall be documented in a report with a drawing showing the observed location of containers which are subject to the Plan, the measurement equipment used, its calibration status, environmental conditions, receiver locations, methodology, a detailed description of the activities on site, the results obtained and whether or not compliance has been achieved with the project specific noise levels and the sleep disturbance trigger levels at the nearest affected residential receivers. d) If the report concludes that the project specific noise levels and the sleep disturbance trigger levels for the night-time period at the nearest affected residential receivers are not being complied with, then recommendations shall be made by the acoustic consultant to amend the Plan accordingly and the Applicant shall implement those recommendations as soon as practical provided they are feasible and reasonable. e) The Plan shall include a description of the roles and responsibilities for relevant employees involved in the operation of the CNBMP, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under the Plan. The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation. Copies of the detailed reports and the Plan (as amended) shall be provided to the Secretary and made available on the Project Website.	pre-operation	Compliant	Addressed in Container Noise Barrier Management Plan (CNBMP) which was submitted to the DPIE for review and approval on 24/04/19. Resubmitted to DPIE on 30/05/19 addressing comments.  CNBMP approved by DPIE on 16/08/2019.	Compliant	Addressed in Container Noise Barrier Management Plan (CNBMP) which was submitted to the DPIE for review and approval on 24/04/19. Resubmitted to DPIE on 30/05/19 addressing comments.  CNBMP approved by DPIE on 16/08/2019.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
F5B	During Operations	Industrial noise (excluding activities covered by the NSW Rail Infrastructure Noise Guideline) generated by the development is to be measured and evaluated for compliance generally in accordance with the relevant requirements of the NSW Industrial Noise Policy (as may be updated from time to time). Table A: See table in Conditions doc for Noise Criteria.  <i>Note: References to sensitive receivers should be read in conjunction with the description of sensitive receivers in the EIS noting that Casula includes Glenfield Farm.</i>	pre-operation	Compliant	Addressed in Container Noise Barrier Management Plan (CNBMP) which was submitted to the DPIE for review and approval on 24/04/19. Resubmitted to DPIE on 30/05/19 addressing comments.  Approval received from DPIE on 16/08/2019.	Compliant	Addressed in Container Noise Barrier Management Plan (CNBMP) which was submitted to the DPIE for review and approval on 24/04/19. Resubmitted to DPIE on 30/05/19 addressing comments.  Approval received from DPIE on 16/08/2019.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
F5C	During Operations	The noise criteria in Table A of condition F5B are to apply under all meteorological conditions except the following: a) wind speeds greater than 3 m/s at 10 metres above ground level; or b) stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level; or c) stability category G temperature inversion conditions.	pre-operation	Compliant	Addressed in Container Noise Barrier Management Plan (CNBMP) which was submitted to the DPIE for review and approval on 24/04/19. Resubmitted to DPIE on 30/05/19 addressing comments.  Approval received from DPIE on 16/08/2019.	Compliant	Addressed in Container Noise Barrier Management Plan (CNBMP) which was submitted to the DPIE for review and approval on 24/04/19. Resubmitted to DPIE on 30/05/19 addressing comments.  Approval received from DPIE on 16/08/2019.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.

MPES1 Conditions of Consent - SSD 6766 Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
F6	Prior To Operations	The Applicant shall prepare and implement (following approval) an <b>Operational Traffic Management Plan</b> to for the proposed vehicle booking system. The plan shall be prepared in consultation with the Cargo Movement Coordination Centre and include details on container turnaround times and interoperable technology (such as Port Botany RFID tags). The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation, or as otherwise agreed by the Secretary.	pre-operation	Not triggered	An Operational Traffic and Access Management Plan (OTAMP) has been prepared in consultation with the TfNSW and RMS. This was submitted to the DPIE for review and approval on 30/05/19 and resubmitted on 17/09/19. Awaiting response.	Not triggered	An Operational Traffic and Access Management Plan (OTAMP) has been prepared in consultation with the TfNSW and RMS. This was submitted to the DPIE for review and approval on 30/05/19 and resubmitted on 17/09/19. Awaiting response.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
F7	Prior To Operations	The Applicant shall undertake signal decommissioning (where required) in consultation with RMS prior to the commencement of operation. The Applicant shall bear the full cost associated with the decommissioning/removal/disposal of the traffic signals and associated equipment.	pre-operation	Not triggered	An Operational Traffic and Access Management Plan (OTAMP) has been prepared in consultation with the TfNSW and RMS. This was submitted to the DPIE for review and approval on 30/05/19 and resubmitted on 17/09/19. Awaiting response.  Compliance with these conditions will be addressed in a future update to this plan, upon completion of the Moorebank Avenue upgrade works, as per the proposing staging in Section 1.3 of the OTAMP.  As per the correspondence sent to DPIE (previously DP&E), titled 'Moorebank Precinct East Stage 1 (SSD 6766) – Interaction with Moorebank Precinct East Stage 2 (SS 7628) Conditions of Consent' on 21 February 2019, traffic signals would be located within land that is to be dedicated to RMS, as part of the dedication of Moorebank Avenue and to defer these works for MPE Stage 1 to after the completion of MPE Stage 2. This is requested in accordance with CoC G2 (of MPE Stage 1) which allows for the Secretary to alter timing of rectification works.	Not triggered	An Operational Traffic and Access Management Plan (OTAMP) has been prepared in consultation with the TfNSW and RMS. This was submitted to the DPIE for review and approval on 30/05/19 and resubmitted on 17/09/19. Awaiting response.  Compliance with these conditions will be addressed in a future update to this plan, upon completion of the Moorebank Avenue upgrade works, as per the proposing staging in Section 1.3 of the OTAMP.  As per the correspondence sent to DPIE (previously DP&E), titled 'Moorebank Precinct East Stage 1 (SSD 6766) – Interaction with Moorebank Precinct East Stage 2 (SS 7628) Conditions of Consent' on 21 February 2019, traffic signals would be located within land that is to be dedicated to RMS, as part of the dedication of Moorebank Avenue and to defer these works for MPE Stage 1 to after the completion of MPE Stage 2. This is requested in accordance with CoC G2 (of MPE Stage 1) which allows for the Secretary to alter timing of rectification works.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
F8	Prior To Operations	The Applicant shall create an easement within the site at the traffic signals to allow RMS to maintain traffic signal components, if required by the design and condition C24. If no easement is required, access to signals should be maintained for maintenance purposes at all times.	pre-operation	Not triggered	An Operational Traffic and Access Management Plan (OTAMP) has been prepared in consultation with the TfNSW and RMS. This was submitted to the DPIE for review and approval on 30/05/19 and resubmitted on 17/09/19. Awaiting response.  Compliance with these conditions will be addressed in a future update to this plan, upon completion of the Moorebank Avenue upgrade works, as per the proposing staging in Section 1.3 of the OTAMP.  As per the correspondence sent to DPIE (previously DP&E), titled 'Moorebank Precinct East Stage 1 (SSD 6766) – Interaction with Moorebank Precinct East Stage 2 (SS 7628) Conditions of Consent' on 21 February 2019, traffic signals would be located within land that is to be dedicated to RMS, as part of the dedication of Moorebank Avenue and to defer these works for MPE Stage 1 to after the completion of MPE Stage 2. This is requested in accordance with CoC G2 (of MPE Stage 1) which allows for the Secretary to alter timing of rectification works.	Not triggered	An Operational Traffic and Access Management Plan (OTAMP) has been prepared in consultation with the TfNSW and RMS. This was submitted to the DPIE for review and approval on 30/05/19 and resubmitted on 17/09/19. Awaiting response.  Compliance with these conditions will be addressed in a future update to this plan, upon completion of the Moorebank Avenue upgrade works, as per the proposing staging in Section 1.3 of the OTAMP.  As per the correspondence sent to DPIE (previously DP&E), titled 'Moorebank Precinct East Stage 1 (SSD 6766) – Interaction with Moorebank Precinct East Stage 2 (SS 7628) Conditions of Consent' on 21 February 2019, traffic signals would be located within land that is to be dedicated to RMS, as part of the dedication of Moorebank Avenue and to defer these works for MPE Stage 1 to after the completion of MPE Stage 2. This is requested in accordance with CoC G2 (of MPE Stage 1) which allows for the Secretary to alter timing of rectification works.	Monitor implementation access to traffic signals for maintenance during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
G1	During Operations	Within 6 weeks of commencement of operation, unless otherwise agreed by the Secretary, the Applicant shall undertake road pavement deflection testing of the truck routes as defined by Condition E34(a). If the deflection tests show an increase in deflection as a result of the truck routes associated with construction, the Applicant shall undertake pavement rehabilitation of the affected road pavements to achieve the pavement deflection that existing prior to the commencement of works.	operation	Not triggered	Not triggered - to be addressed upon commencement of operation.	Not triggered	Not triggered - to be addressed upon commencement of operation.	N/A
G2	During Operations	Within 3 months of commencement of operation, unless otherwise agreed by the Secretary, the Applicant shall carry out rectification work to the extent of the damage resulting from the construction works at the Applicant's expense and to the reasonable requirements of the owners.	operation	Not triggered	Not triggered - to be addressed upon commencement of operation.	Not triggered	Not triggered - to be addressed upon commencement of operation.	N/A
G3	During Operations	Within 3 months of commencement of operation, the Applicant shall provide to the Certifying Authority evidence that all easements required by this approval, and other licences, approvals and consents, have been lodged for registration or registered at the NSW Land and Property Information.	operation	Not triggered	Not triggered - to be addressed upon commencement of operation.	Not triggered	Not triggered - to be addressed upon commencement of operation.	N/A
G4	During Operations	Signage shall be installed in accordance with Drawing A3001 Issue C (Terminal – Signage Details) dated 14/04/2015, unless otherwise agreed by the Secretary.	pre-operation	Compliant	Addressed in Section 6.3 and Appendix C of the MPE S1 UDLP which was approved by DPIE on 14/2/18.	Compliant	Addressed in Section 6.3 and Appendix C of the MPE S1 UDLP which was approved by DPIE on 14/2/18.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
G5	During Operations	The quantities of Dangerous Goods present at any time on the site or transported from and to the terminal site shall be kept below the screening threshold quantities listed in the Hazardous and Offensive Development Guidelines Applying SEPP 33, (DPIE (previously DP&E) 2011). The screening threshold quantities for each Dangerous Goods shall be defined in accordance with Table 1: Screening Methods of Applying SEPP 33.	pre-operation	Not triggered	An Operational Traffic and Access Management Plan (OTAMP) has been prepared in consultation with the TfNSW and RMS. This was submitted to the DPIE for review and approval on 30/05/19 and resubmitted on 17/09/19. Awaiting response.	Not triggered	An Operational Traffic and Access Management Plan (OTAMP) has been prepared in consultation with the TfNSW and RMS. This was submitted to the DPIE for review and approval on 30/05/19 and resubmitted on 17/09/19. Awaiting response.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
G6	Operational Noise, Air Quality, Monitoring and Reporting	Port shuttle operations must use: a) Locomotives that incorporate available best practice noise and emission technologies. Prior to the construction of the rail link connecting to the site, the Applicant must submit a report to the Secretary for consideration and approval that has been prepared in consultation with TfNSW and the EPA that justifies the technology proposed and how it meets the objective of best practice noise and emission technologies; and b) Wagons that 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 including-as-a-minimum permanently coupled "multi-pack" steering wagons using Electronically Controlled Pneumatic (ECP) braking with a wire based distributed power system (or better practice technology). Prior to the commencement of operation, the Applicant must submit a report to the Secretary for consideration and approval that has been prepared in consultation with TfNSW and the EPA that justifies the technology proposed and how it meets the objective of best practice noise technologies.	pre-construction and pre-operation	Compliant	(a) The Locomotive Best Practice Review was developed in consultation with EPA and TfNSW and a final document has been issued, with confirmation from both parties that consultation comments have been closed out in the final report. This was approved by DPIE (previously DP&E) on 17/09/2017.  (b) The Moorebank Intermodal Terminal Project Best Practice Wagon Report was approved by DPIE on 16/08/2019.	Compliant	The Locomotive Best Practice Review was developed in consultation with EPA and TfNSW and a final document has been issued, with confirmation from both parties that consultation comments have been closed out in the final report. This was approved by DPIE (previously DP&E) on 17/09/2017.  The Moorebank Intermodal Terminal Project Best Practice Wagon Report (Condition G6 (b)) was approved by DPIE on 16/08/2019.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
G7	Operational Noise, Air Quality, Monitoring and Reporting	The Applicant shall <b>install and maintain a rail noise monitoring system</b> on the rail link at the commencement of operation to continuously monitor the noise from rail operations on the rail link. The system shall capture the noise from each individual train pass by 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 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 the Secretary. The results from the noise monitoring system shall be publicly accessible from a website maintained by the Applicant. The noise results from each train shall be available on the website ideally within 24 hours of it passing the monitor. The LAeq(15hour) and LAeq(9hr) results from each day shall be available on the website within 24 hours of the period ending.  Prior to the commencement of operation, the applicant shall submit for the approval of the Secretary, 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 rail noise monitoring system shall not operate until the Secretary has approved the proposed monitoring location.  The Applicant shall provide an annual report to the Secretary with the results of monitoring for a period of 5 years, or as otherwise agreed with the Secretary, from the commencement of operation of the IMEX terminal. The Secretary shall consider the need for further reporting following a review of the results for year 5.	pre-operation	Compliant	Addressed in Operational Noise and Vibration Management Plan (ONVMP) was submitted to the DPIE for review and approval on 7/06/19. Resubmitted on 10/07/19 addressing DPIE comments.  ONVMP approved by DPIE on 9/09/2019.  Functional and Performance Specification for Permanent Noise Monitor and Proposed Noise and AoA Monitoring Locations (Rail Noise Monitoring system documentation) has been developed by Renzo Tonin. Rail Noise Monitoring System and Wayside Angle of Attack Monitoring System is incorporated in this plan. This plan was approved by DPIE on 16/08/2019.	Compliant	Addressed in Operational Noise and Vibration Management Plan (ONVMP) was submitted to the DPIE for review and approval on 7/06/19. Resubmitted on 10/07/19 addressing DPIE comments.  ONVMP approved by DPIE on 9/09/2019.  Functional and Performance Specification for Permanent Noise Monitor and Proposed Noise and AoA Monitoring Locations (Rail Noise Monitoring system documentation) has been developed by Renzo Tonin. Rail Noise Monitoring System and Wayside Angle of Attack Monitoring System is incorporated in this plan. This plan was approved by DPIE on 16/08/2019.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.

No.	Part	Condition	Stage	MPE Stage 1, Package 1 (RALP)		MPE Stage 1, Package 2 (IMEX)		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
G7A	Operational Noise, Air Quality, Monitoring and Reporting	The applicant shall <b>install and maintain a wayside angle of attack monitoring system</b> on the rail link at the commencement of operation to continuously monitor the angle of attack to the rail of rolling stock wheels. The system shall capture the angle of attack from a wheel on each axle of every train, and include information to identify: a) Time and date of each axle pass by; and b) The identification number of each item of rolling stock. The results from the angle of attack monitoring system shall be: * accessible by train operators from a website maintained by the Applicant. Angle of attack results from each train shall be available on the website within 24 hours of it passing the monitor, unless unforeseen circumstances have occurred. * included in a six-monthly report to the Secretary. The report should at least identify the number of wagons with wheels that exceed the ASA standard angle of attack and the action taken by operators to improve steering performance.  Prior to the commencement of operation, the Applicant shall submit for the approval of the Secretary, justification supporting the appropriateness of the location for angle of attack monitoring, the format of the information to be accessible to operators and the format of the public report.  The angle of attack monitoring system shall not operate until the Secretary has approved the proposed monitoring location and reporting arrangements.	pre-operation	Compliant	Addressed in Operational Noise and Vibration Management Plan (ONVMP) was submitted to the DPIE for review and approval on 7/06/19. Resubmitted on 10/07/19 addressing DPIE comments.  ONVMP approved by DPIE on 9/09/2019.  Functional and Performance Specification for Permanent Noise Monitor and Proposed Noise and AoA Monitoring Locations (Rail Noise Monitoring system documentation) has been developed by Renzo Tonin. Wayside Angle of Attack Monitoring System is incorporated in this plan. This plan was approved by DPIE on 16/08/2019.	Compliant	Addressed in Operational Noise and Vibration Management Plan (ONVMP) was submitted to the DPIE for review and approval on 7/06/19. Resubmitted on 10/07/19 addressing DPIE comments.  ONVMP approved by DPIE on 9/09/2019.  Functional and Performance Specification for Permanent Noise Monitor and Proposed Noise and AoA Monitoring Locations (Rail Noise Monitoring system documentation) has been developed by Renzo Tonin. Wayside Angle of Attack Monitoring System is incorporated in this plan. This plan was approved by DPIE on 16/08/2019.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
G7B	Rail Link Noise Monitoring and Mitigation	The Applicant shall: (a) not less than three months and not more than twelve months from commencement of operation, engage an appropriately qualified and experienced acoustic engineer to undertake a night-time noise survey at Glenfield Farm (or an equivalent location if access is denied). (b) the noise survey shall be conducted in accordance with the EPA's Rail Infrastructure Noise Guideline 2013 to determine: (i) the contribution of any new rail traffic travelling to and from the development; and (ii) the increase in the total rail traffic noise level caused by any new rail traffic to and from the development. (c) the noise survey shall be conducted for not less than 12 contiguous days in the winter months (July, August or September). (d) if as a result of the noise survey there is a sustained increase in the total rail traffic noise level due to the noise level from rail traffic travelling to and from the development of more than 2dB(A) for more than 30% of nights surveyed, the Applicant shall within twelve months, construct a noise barrier along the relevant sections of rail link in accordance with the specifications provided by an appropriately qualified and experienced acoustic engineer so as to limit the increase in the total rail traffic noise level at Glenfield Farm caused by any new rail traffic to and from the development to not exceed 2dB(A). (e) the report of the noise survey including the results and recommendations shall be provided to the Secretary.	pre-operation	Compliant	Addressed in Operational Noise and Vibration Management Plan (ONVMP) was submitted to the DPIE for review and approval on 7/06/19. Resubmitted on 10/07/19 addressing DPIE comments.  ONVMP approved by DPIE on 9/09/2019.	Compliant	Addressed in Operational Noise and Vibration Management Plan (ONVMP) was submitted to the DPIE for review and approval on 7/06/19. Resubmitted on 10/07/19 addressing DPIE comments.  ONVMP approved by DPIE on 9/09/2019.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
G8	Rail Link Noise Monitoring and Mitigation	The following measures must be implemented during operation: a) The use of top of rail friction modifiers and automatic rail lubrication equipment in accordance with ASA Standard T HR TR 00111 ST Rail Lubrication, where required; and b) Measures to ensure the rail cross sectional profile is 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.	operation	Not triggered	a) Addressed in Section 3.5.2, Table 3-23; NV14 and NV21 of the ONVMP (Rev 9)  b) Addressed in Section 3.5.2, Table 3-23; NV15 of the ONVMP (Rev 9)  The application of such treatments and appropriate mitigation measures will be discussed in the RNMP, should the rail noise study identify rail noise as having a potentially significant impact on sensitive receivers. To date, the Brake Squeal Report, Functional Spec for Noise Monitoring System, Best Practice Wagon Report and Background Rail Noise Monitoring Report have not identified rail noise being a significant impact during operations and as such, does not justify the preparation of a RNMP.  ONVMP approved by DPIE on 9/09/19.	Not triggered	a) Addressed in Section 3.5.2, Table 3-23; NV14 and NV21 of the ONVMP (Rev 9)  b) Addressed in Section 3.5.2, Table 3-23; NV15 of the ONVMP (Rev 9)  The application of such treatments and appropriate mitigation measures will be discussed in the RNMP, should the rail noise study identify rail noise as having a potentially significant impact on sensitive receivers. To date, the Brake Squeal Report, Functional Spec for Noise Monitoring System, Best Practice Wagon Report and Background Rail Noise Monitoring Report have not identified rail noise being a significant impact during operations and as such, does not justify the preparation of a RNMP.  ONVMP approved by DPIE on 9/09/19.	N/A
G9	Rail Link Noise Monitoring and Mitigation	The transfer of containers between Port Botany and the IMEX terminal must not commence until the rail connection to the SSFL is operational.	pre-operation	Not triggered	Noted. Transfer of containers between Port Botany and the IMEX terminal will not commence until the rail connection to the SSFL is operational.	Not triggered	Noted.	Noted.
G10	Rail Link Noise Monitoring and Mitigation	Containers must be transferred between the site and Port Botany predominantly by rail, unless where unforeseen circumstances have occurred (e.g. an incident, breakdown, derailment or emergency maintenance on the rail line). The Secretary may at any time request the Applicant to demonstrate that the transport of containers between the site and Port Botany container terminals is by rail. This is to be demonstrated upon request by the Secretary for the prior 12 month period.	operation	Not triggered	Not triggered - to be addressed upon commencement of operation.	Not triggered	Not triggered - to be addressed upon commencement of operation.	N/A
G11	Rail Link Noise Monitoring and Mitigation	The Applicant shall prepare a six-monthly report to the Secretary with the results of container and vehicle monitoring for a period of 3 years, or as otherwise agreed with the Secretary, from the commencement of operation of the IMEX terminal. The Secretary shall consider the need for further reporting following a review of the results for year 3. The report shall include: a) The number of twenty foot equivalent units dispatched and received during the period; b) A record of heavy vehicle entry by date and approximate time; and c) The number of light vehicles turning right into the terminal site from Moorebank Avenue and turning left from the terminal site onto Moorebank Avenue for a representative day.	operation	Not triggered	Not triggered - to be addressed upon commencement of operation.	Not triggered	Not triggered - to be addressed upon commencement of operation.	Monitor implementation of the strategy during regular weekly inspections
G12	Rail Link Noise Monitoring and Mitigation	All containers handling equipment, purchased after 2019 must meet US EPA Tier 4 or EU Stage IV emission standard or achieve an equivalent emission control performance to those standards listed in this condition.	operation	Not triggered	Not triggered - to be addressed upon commencement of operation.	Not triggered	Not triggered - to be addressed upon commencement of operation.	Monitor implementation of the strategy during regular weekly inspections
G13	Rail Link Noise Monitoring and Mitigation	The Applicant must carry out any activity, or operate any plant, in or on the premises by such practicable means as may be necessary to prevent or minimise air pollution.	operation	Not triggered	Not triggered - to be addressed upon commencement of operation.	Not triggered	Not triggered - to be addressed upon commencement of operation.	Monitor implementation of the strategy during regular weekly inspections
G14	Rail Link Noise Monitoring and Mitigation	Heavy road freight vehicles are not permitted to use Moorebank Avenue south of the East Hills Railway corridor. A main gate monitoring system (e.g. CCTV) shall be installed to identify heavy vehicles turning left from the terminal site onto Moorebank Avenue, or turning right from Moorebank Avenue to the terminal site. The Secretary may at any time request the Applicant to provide a heavy vehicle monitoring report for the prior 12 month period.	operation	Not triggered	Not triggered - to be addressed upon commencement of operation.	Not triggered	Not triggered - to be addressed upon commencement of operation.	Monitor implementation of the strategy during regular weekly inspections
G15	Rail Link Noise Monitoring and Mitigation	Within 12 months of the commencement of operation of the project, or as otherwise agreed by the Secretary, the Applicant shall undertake operational noise monitoring to compare actual noise performance of the project against noise performance predicted in the review of noise mitigation measures predicted in documents specified under condition A1 of this approval, and prepare an Operational Noise Report to document this monitoring. The Report shall include, but not necessarily be limited to: a) noise monitoring to assess compliance with the operational noise levels predicted in documents specified under condition A1 of this approval; b) a review of the operational noise levels in terms of criteria and noise goals established in the NSW Road Noise Policy (EPA, 2011); c) sleep disturbance impacts compared to those determined in Condition E25; d) 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; e) 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; f) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and 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; and h) identification of additional feasible and reasonable measures to those predicted in the documents specified under condition A1 of this approval, that would be implemented with the objective of meeting the criteria outlined in the NSW Road Noise Policy (EPA, 2011), when these measures would be implemented and how their effectiveness would be measured and reported to the Secretary and the EPA. The Applicant shall provide the Secretary and the EPA with a copy of the Operational Noise Report within 60 days of completing the operational noise monitoring referred to in (a) above or as otherwise agreed by the Secretary.	operation	Not triggered	Not triggered - to be addressed upon commencement of operation.	Not triggered	Not triggered - to be addressed upon commencement of operation.	Monitor implementation of the strategy during regular weekly inspections
G16	Independent Environmental Audit	Within 60 days of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary and relevant public authorities, together with its response to any recommendations contained in the audit report. <b>The audit report and response to any recommendations shall be published on the Project website.</b>	operation	Not triggered	Not applicable to this reporting period	Not triggered	Not applicable to this reporting period	N/A

## **APPENDIX B COMPLIANCE TABLE – REVISED ENVIRONMENTAL MITIGATION MEASURES**

MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
0A	PCEMP	<p>A <b>Preliminary Construction Environmental Management Plan (PCEMP)</b> has been prepared for the Proposal. The purpose of this PCEMP is to provide the preliminary, overarching framework for the management of potential environmental impacts resulting from construction activities. A number of other construction related management plans have also been prepared for the Proposal, including:</p> <p><b>Preliminary Construction Traffic Management Plan (PCTMP)</b></p> <p><b>Air Quality Management Plan</b></p> <p><b>Erosion and Sediment Control Plans (ESCPs) and Bulk Earthworks Plans, within the Stormwater Drainage Design Drawings</b></p> <p><b>Riparian Vegetation Management Plan and Threatened Flora Species Management Plan.</b></p> <p>This PCEMP and these management plans will form the basis of the CEMP and associated plans to be prepared for the Proposal, prior to construction. In addition to the preliminary construction management plans, listed above, the following plans, or <b>Soil and Water Management Plan (SWMP)</b>, prepared in accordance with Managing Urban Stormwater, 4th Edition, Volume 1,(2004).</p> <p><b>Construction Noise and Vibration Management Plan (CNVMP)</b>, prepared in accordance with the Interim Construction Noise Guideline 2009 (ICNG)</p> <p><b>Contamination Management Plan (CMP)</b></p> <p><b>Flora and Fauna Management Plan (FFMP)</b></p> <p>Health and Safety Plan (HSP), including an Emergency Response Plan and a Risk Register.</p>	<p>Pre-construction</p> <p>Pre-construction</p> <p>Pre-construction</p> <p>Pre-construction</p> <p>Pre-construction</p> <p>Pre-construction</p> <p>Pre-construction</p> <p>Pre-construction</p> <p>Pre-construction</p> <p>Pre-construction</p>	<p>Compliant</p>	<p>The project developed a Preliminary Construction Environmental Management Plan and relevant sub plans for the proposal prior to issue of the project approval. This PCEMP was incorporated into the CEMP and provided to DPIE (previously DP&amp;E) on the 8/2/2017 for review.</p> <p>Approval was provided on 11/5/17.</p> <p>Pre-construction works are being undertaken in accordance with the EWMS.</p>	<p>Compliant</p>	<p>The CEMP and subplans were initially submitted to DPIE (previously DP&amp;E) for approval on 24 February 2017. Approval of the CEMP was issued by DPIE (previously DP&amp;E) on 9/5/17. Periodic minor update of plans are ongoing were required</p> <p>Pre-construction works are being undertaken in accordance with the EWMS.</p>	<p>Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.</p> <p>The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.</p>
0B	OEMP	<p>An <b>Operational Environmental Management Plan (OEMP)</b> will be prepared to provide the overarching framework for the management of all potential environmental impacts resulting from the operation of the Proposal.</p> <p>A number of operational related management plans have been prepared for the Proposal, including:</p> <p><b>Preliminary Operational Traffic Management Plan</b></p> <p><b>Air Quality Management Plan</b></p> <p><b>Stormwater Drainage Design Drawings</b></p> <p><b>Riparian Vegetation Management Plan and Threatened Flora Species Management Plan.</b></p> <p>The management plans, that will form the basis of the OEMP to be prepared for the Proposal will be based on the preliminary operation management plans listed above, and will include:</p> <p><b>Rail Noise Management Plan (RNMP)</b></p> <p><b>Flooding and Emergency Response Plan (FERP)</b></p> <p><b>Emergency Response Plan (ERP), including the Pollution Incident Response Management Plan (PIRMP)</b></p> <p><b>Operational Traffic Management Plan (OTMP)</b></p>	<p>Pre-operation</p>	<p>Compliant</p>	<p>An Operational Environmental Management Plan (OEMP) was submitted to DPIE for review and approval on 19/04/19. Resubmitted to DPIE on 6/06/19.</p> <p>OEMP approval received from DPIE on 9/09/2019.</p> <p>OAQMP approval received from DPIE on 9/09/2019.</p> <p>ONVMP approval received from DPIE on 9/09/2019.</p> <p>OFFMP approval received from DPIE on 9/09/2019.</p> <p>OWRMP approval received from DPIE on 9/09/2019.</p> <p>SIOMP approval received from DPIE on 9/09/2019.</p> <p>An OERP and OTAMP have been submitted to DPIE for review and approval.</p> <p>A Threatened Flora Species Management Plan was submitted as part of the Response to Submissions – Appendix J – Biodiversity Assessment Report. Threatened Flora Species Management Plan was approved by DoTEE on 28/8/2017 (submitted in accordance with EPBC Conditions of Consent).</p> <p>Operational rail noise and mitigation measures will be covered under the following suite of documents:</p> <ul style="list-style-type: none"> <li>• Brake Squeal Report (SSD 6766 CoC F5) - submitted to DPIE on 19/06/19. resubmitted to DPIE on 3/07/19.</li> <li>• Functional Spec for Noise Monitoring System and Appendices identifying preferred monitoring locations (SSD 6766 CoC G7 and G7A)</li> <li>• Best Practice Wagon Report (SSD 6766 CoC G6b) - approved on 16/08/19.</li> <li>• Background Rail Noise Monitoring Report (SSD 6766 FCMM Condition 3C), as required, upon completion of the rail noise study</li> </ul> <p>The above reports do not identify rail noise as being a significant impact during operations and as such, does not justify the preparation of a Rail Noise Management Plan (RNMP). A background rail noise study will be undertaken to establish the existing rail noise levels, in accordance with the NSW EPA Rail Infrastructure Noise Guideline 2013 (RING), to determine whether 'rail noise' will be a significant impact during operations. Should the results of the study identify rail noise as being a significant impact, a RNMP will be developed for operations</p>	<p>Compliant</p>	<p>An Operational Environmental Management Plan (OEMP) was submitted to DPIE for review and approval on 19/04/19. Resubmitted to DPIE on 6/06/19.</p> <p>OEMP approval received from DPIE on 9/09/2019.</p> <p>OAQMP approval received from DPIE on 9/09/2019.</p> <p>ONVMP approval received from DPIE on 9/09/2019.</p> <p>OFFMP approval received from DPIE on 9/09/2019.</p> <p>OWRMP approval received from DPIE on 9/09/2019.</p> <p>SIOMP approval received from DPIE on 9/09/2019.</p> <p>An OERP and OTAMP have been submitted to DPIE for review and approval.</p> <p>A Threatened Flora Species Management Plan was submitted as part of the Response to Submissions – Appendix J – Biodiversity Assessment Report. Threatened Flora Species Management Plan was approved by DoTEE on 28/8/2017 (submitted in accordance with EPBC Conditions of Consent).</p> <p>Operational rail noise and mitigation measures will be covered under the following suite of documents:</p> <ul style="list-style-type: none"> <li>• Brake Squeal Report (SSD 6766 CoC F5) - submitted to DPIE on 19/06/19. resubmitted to DPIE on 3/07/19.</li> <li>• Functional Spec for Noise Monitoring System and Appendices identifying preferred monitoring locations (SSD 6766 CoC G7 and G7A)</li> <li>• Best Practice Wagon Report (SSD 6766 CoC G6b) - approved on 16/08/19.</li> <li>• Background Rail Noise Monitoring Report (SSD 6766 FCMM Condition 3C), as required, upon completion of the rail noise study</li> </ul> <p>The above reports do not identify rail noise as being a significant impact during operations and as such, does not justify the preparation of a Rail Noise Management Plan (RNMP). A background rail noise study will be undertaken to establish the existing rail noise levels, in accordance with the NSW EPA Rail Infrastructure Noise Guideline 2013 (RING), to determine whether 'rail noise' will be a significant impact during operations. Should the results of the study identify rail noise as being a significant impact, a RNMP will be developed for operations</p>	<p>Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.</p>
0C	EPL	<p>An <b>Environmental Protection Licence</b> (under the POEO Act) will be obtained for the construction and operation of the Rail link (only) for the Proposal</p>	<p>Pre-construction</p>	<p>Compliant</p>	<p>An EPL application for the RALP 1 works has been submitted to the EPA for review and acceptance, however was placed on hold by the EPA on 1/2/2017 until all documentation has been provided in relation to construction activities through the GWS licenced premises. An EPL was subsequently re-submitted for all areas east of the Georges River.</p> <p>It was approved on 14/08/2017.</p> <p>Until an EPL is provided for GWS, any access and works within GWS are required to comply with GWS' EPL. An EPL for RALP (20966) has been issued for construction for the rail link.</p> <p>An EPL for operation is not required. 29 April 2019, Craig Flemming of the NSW EPA sent the enclosed email to Tactical Group which said that 'at this stage there is no role for the EPA in your project during the operating stage'. This suggests that the EPA is of the view that Qube does not require an EPL for the operation of MPE Stage 1. Legal advice provided by Allens Linklaters on behalf of Qube Holdings dated 6 August 2019 confirms this approach. This is provided in Appendix J of the approved OEMP.</p>	<p>Not triggered</p>	<p>Not applicable to this package of works. IMEX and MPE Stage 1 are subject to an alternative EPL (21054).</p>	<p>Monitor implementation of the Moorebank Precinct EPL (No. 21054) and RALP EPL (No. 20966) during regular weekly inspections</p>

MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
1A	Traffic and Transport	A <b>Road Safety Audit</b> will be undertaken of Moorebank Avenue and Cambridge Avenue to identify the traffic safety risks associated with construction vehicles using these roads and to determine the appropriate traffic controls to be implemented to mitigate any risks identified as part of the preparation of the Construction Traffic Management Plan (CTMP). The effectiveness of any measures implemented will be monitored during the construction phase.	Pre-construction	Compliant	A road safety audit was undertaken on 4/4/17 and consultation with LCC and TfNSW concluded on 15/5/17.	Compliant	A road safety audit was undertaken on the 11/5/17. Consultation was undertaken with LCC, CCC and TfNSW. Combined comments were received from TfNSW and RMS on 27 June 2017. A response was submitted to RMS and TfNSW on 11 August 2017. Consultation is now considered closed	N/A
1B	Traffic and Transport	A CTAMP will be developed by the construction contractor responsible for construction of the Proposal. The CTAMP will be developed in accordance with the Preliminary Construction Traffic Management Plan (PCTMP), and will include the following requirements, at a minimum: <ul style="list-style-type: none"> <li>- A traffic control mechanism will be located at each of the truck entry and exit points from the construction compounds to assist with vehicle movements and pedestrian/cyclist movements during construction, where necessary</li> <li>- In consultation with RMS, Liverpool City Council and Campbelltown City Council, general signposting of the access roads will be undertaken with appropriate heavy vehicle and construction warning signs</li> <li>- Installation of specific warning signs at entrances/exits to the construction site to warn existing road users of entering and exiting construction traffic will be undertaken</li> <li>- Speed limits will be developed so as to minimise the potential for fauna to be struck by a vehicle within the construction areas.</li> <li>- All vehicles and plant in operation during construction are to adhere to site rules relating to speed limits.</li> <li>- Pedestrian walking routes and crossing points will be established and clearly marked throughout the construction phase</li> <li>- Where required, appropriate traffic control and warning signs will be installed for areas identified where potential safety risk issues may exist, such as the Cambridge Avenue causeway</li> <li>- The promotion of carpooling for construction staff and other shared transport initiatives during the construction phase will be considered</li> <li>- Where reasonable and feasible, the transportation of construction materials will be managed to maximise vehicle loads and therefore minimise vehicle movements.</li> <li>- Site and /or activity specific Traffic Management Plans (TMPs) will be developed, where required by the contractor to allow safe work sites.</li> <li>- In the instance that Moorebank Avenue is to be temporarily closed, an activity specific TMP would be developed to include details on the methods for road diversions, detour routes and consulting with surrounding potentially affected landowners/residents.</li> </ul>	Pre-construction	Compliant	The project Construction Traffic & Access Management Plan (TAMP) was developed and in consultation with stakeholders as specified by this condition. Approval of CEMP provided by DPIE (previously DP&E) on 11/5/17 CTAMP Minor amendments have been approved by the ER as required.	Compliant	The CTAMP was submitted to DPIE (previously DP&E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CTAMP was issued by DPIE (previously DP&E) on 9/5/17.  Pre-construction works are being undertaken in accordance with the EWMS.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
1C	Traffic and Transport	An <b>Operational Traffic Management Plan (OTMP)</b> (or equivalent) will be developed for the operational phase of the Proposal, in accordance with the Preliminary Operational Traffic Management Plan (POTMP). The OTMP will include the following measures to manage potential traffic impacts, at a minimum: <ol style="list-style-type: none"> <li>1. Use of short-range radios, GPS and/or wireless communications to maximise the efficiency of access and circulation of vehicles within the Stage 1 site</li> <li>2. Provision of adequate truck holding capacity within the Stage 1 site</li> <li>3. Provision of an information dissemination system to exchange information with truck drivers on live traffic conditions on the external network.</li> <li>4. A driver code of conduct will be included to inform drivers of permissible access and egress routes to and from the Stage 1 site</li> <li>5. A survey of truck trip generate will be undertaken after 24 months of commencement of operation of the Proposal.</li> </ol>	Pre-operation	Not triggered	An Operational Traffic and Access Management Plan (OTAMP) has been prepared in consultation with the TfNSW and RMS. This was submitted to the DPIE for review and approval on 30/05/19 and resubmitted on 17/09/19. Awaiting response.	Not triggered	An Operational Traffic and Access Management Plan (OTAMP) has been prepared in consultation with the TfNSW and RMS. This was submitted to the DPIE for review and approval on 30/05/19 and resubmitted on 17/09/19. Awaiting response.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
1D	Traffic and Transport	Site entry and exit points to the Stage 1 site will be designed, to incorporate the following measures: <ol style="list-style-type: none"> <li>1. Design measures to minimise queuing on Moorebank Avenue during operation of the Proposal</li> <li>2. The signalised T-intersection that will be provided for employee/visitor access and will be designed to include integrated pedestrian crossing facilities, to provide safe pedestrian access to/from the Proposal.</li> <li>3. The truck entry and exit point will be a signalised intersection that will only allow for left in and right out movements. A "right turn ban" will apply on the Moorebank Avenue at this signalised intersection from south. A "No Left Turn" sign will be installed on the approach to the exit.</li> </ol> <p>The truck entry and exit point will be designed to accommodate Super B-Doubles entering/exiting into the Stage 1 site to provide for the future scenario that Super B-doubles are permitted within the existing Sydney road network</p>	Pre-construction	Not triggered	Condition not applicable to RALP 1	Compliant	The CTAMP was submitted to DPIE (previously DP&E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CTAMP was issued by DPIE (previously DP&E) on 9/5/17.  Pre-construction works are being undertaken in accordance with the EWMS.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
1E	Traffic and Transport	The Proponent will negotiate with relevant agencies and authorities regarding the funding apportionment of necessary road infrastructure upgrade works required to support the Proposal.	Pre-construction	Not triggered	Condition not applicable to RALP 1	Compliant	Consultation with RMS and TfNSW regarding of Moorebank Avenue Upgrade Works ongoing.	N/A
1F	Traffic and Transport	Design of new or modified traffic signals would be in accordance with Roads and Maritime Services requirements and would be undertaken by a suitably qualified person. Designs would be submitted to Roads and Maritime Services for review and approval prior to commencement of works impacting Roads and Maritime Services infrastructure.  Decommissioning, modification and construction of traffic signals, including public utility adjustments necessitated by the traffic signalling works, for the Proposal would be undertaken by SIMTA.	Pre-construction	Not triggered	Condition not applicable to RALP 1	Compliant	The design was submitted to the PCA on 31 March 2017.  Consultation with RMS and TfNSW regarding of Moorebank Avenue Upgrade Works ongoing	N/A
2A	Air Quality	The <b>Air Quality Management Plan (AQMP)</b> (or equivalent) will be further progressed and incorporated into the CEMP for the Proposal. In accordance with the AQMP, the following will be addressed in the CEMP: <ul style="list-style-type: none"> <li>- Procedures for controlling / managing dust</li> <li>- Roles, responsibilities and reporting requirements</li> <li>- Contingency measures for dust control where standard measures are deemed ineffective.</li> <li>- Specifically, the AQMP (or equivalent) will prescribe the use of water carts for dust suppression on unsealed travel routes and areas where scrapers and graders are operating</li> </ul>	Pre-construction	Compliant	The project Construction Air Quality Management Plan (AQMP) was developed and in consultation with stakeholders as specified by this condition. Approval of CEMP provided by DPIE (previously DP&E) on 11/5/17  ER will approval minor updates when required	Compliant	The CAQMP was submitted to DPIE (previously DP&E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CAQMP was issued by DPIE (previously DP&E) on 9/5/17.  Pre-construction works are being undertaken in accordance with the EWMS.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.

MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
2B	Air Quality	The AQMP will be further progressed and incorporated into the OEMP for the Proposal. In accordance with the AQMP, the following will be addressed in the OEMP: <ul style="list-style-type: none"> <li>Implementation and communication of anti-idling policy for trucks and locomotives</li> <li>Provision of a point of contact for complaints for the community to report on excessive idling and smoky vehicles used within the Stage 1 site</li> <li>Procedures to reject excessively smoky trucks visiting the site based on visual inspection.</li> </ul>	Pre-operation	Compliant	An Operational Air Quality Management Plan (OAQMP) has been submitted to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 24/06/19. Resubmitted on 30/06/19 addressing DPIE comments.  OAQMP approval received from DPIE on 9/09/2019.	Compliant	An Operational Air Quality Management Plan (OAQMP) has been submitted to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 24/06/19. Resubmitted on 30/06/19 addressing DPIE comments.  OAQMP approval received from DPIE on 9/09/2019.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
2C	Air Quality	The Proponent will undertake an air quality monitoring programme during the initial phases of both construction and operation of the Proposal including: <ul style="list-style-type: none"> <li>Nuisance dust</li> <li>Air Emissions – PM10 and Nitrogen dioxide</li> </ul>	Pre-construction and Pre-operation	Compliant	Monitoring has been undertaken in accordance with the project Construction Air Quality Management Plan. No exceedances have been recorded.  Addressed within the OAQMP which was approved by DPIE on 9/09/19.	Compliant	Monitoring has been undertaken in accordance with the project Construction Air Quality Management Plan. No exceedances have been recorded.  Addressed within the OAQMP which was approved by DPIE on 9/09/19.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
3A	Noise	A <b>Construction Noise and Vibration Management Plan (CNVMP)</b> (or equivalent) will be developed for the Proposal in accordance with the EPA's Interim Construction Noise Guidelines (ICNG). The following issues will be addressed within the plan: <ul style="list-style-type: none"> <li>Construction activities will have regard to the standard hours of 07:00 am to 18:00 pm Monday to Friday, and 08:00am to 13:00 pm Saturday. Any works undertaken outside of these hours will be undertaken in consultation with relevant authorities.</li> <li>Works outside these hours that may be permitted will include:  <ul style="list-style-type: none"> <li>Any works which do not cause noise emissions to be audible at any nearby sensitive receptors or comply with the 'Outside Standard Construction Hours' prescribed in Section 9.</li> <li>The delivery of materials which is required outside of these hours as requested by Police or other authorities for safety reasons.</li> <li>Emergency work to avoid the loss of lives, property and/or to prevent environmental harm.</li> <li>Works required to be undertaken during track possessions or road closures.</li> <li>Any other work as approved through the CNVMP Process.</li> <li>Selection of quiet plant and processes wherever feasible and retrofitting reversing alarms that are quieter and display less annoying characteristics. Such alarms could include "smart alarms" and "quacker alarms".</li> <li>Provision of training and awareness of administrative measures to reduce noise impacts, which will include the following:  <ul style="list-style-type: none"> <li>Site awareness training/environmental inductions to provide instruction on noise mitigation techniques/measures to be implemented during construction of the Proposal</li> <li>Working within approved hours</li> <li>Working with noisy equipment away from sensitive receivers</li> <li>Maintaining plant and equipment</li> <li>Turning off machinery when not in use</li> <li>Limiting the "clustering" of noisy plant / processes.</li> </ul> </li> </ul> </li> </ul>	Pre-construction	Compliant	The project Construction Noise & Vibration Management Plan (NVMP) was developed and in consultation with stakeholders as specified by this condition.  Approval of CEMP provided by DPIE (previously DP&E) on 11/5/17  The CNVMP has been update following the EDO court case conditions and was submitted to DPIE (previously DPIE (previously DP&E)) on 19/05/2018	Compliant	The project Construction Noise & Vibration Management Plan (NVMP) was developed and in consultation with stakeholders as specified by this condition.  Approval of CEMP provided by DPIE (previously DP&E) on 11/5/17  The CNVMP has been update following the EDO court case conditions and was submitted to DPIE (previously DPIE (previously DP&E)) on 19/05/2018	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
3B	Noise	Friction modifiers will be installed to sections of the Rail link where rail curve squeal is likely to occur. The effectiveness of their application will be confirmed with short-term noise monitoring during the first 3 months of operation.	Construction and Operation	Compliant	Addressed in Table 3-23; NV-21 and Table 4-1 of the ONVMP (Rev 10). Also refer to Brake Squeal Report.  Friction modifiers will be installed to sections of the Rail link where rail curve squeal is likely to occur.	Compliant	Addressed in Table 3-23; NV-21 and Table 4-1 of the ONVMP (Rev 10). Also refer to Brake Squeal Report.  Friction modifiers will be installed to sections of the Rail link where rail curve squeal is likely to occur.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
3C	Noise	A <b>Rail Noise Management Plan (RNMP)</b> (or equivalent) will be prepared prior to operation of the Proposal. The RNMP will include procedures for the application of friction modifiers to the Rail link and measurement and reporting of subsequent rail noise levels should be documented in a Rail Noise Management Plan (RNMP) (or equivalent) to be prepared prior to the operation of the Proposal. During preparation of the RNMP, background rail noise monitoring will be undertaken to establish existing levels of rail noise levels in accordance with the RING. The RNMP will prescribe mitigation measures where modelling predicts and /or operational monitoring shows an exceedance attributable to the Proposal that RING prescribes as a trigger level.	Pre-operation	Compliant	Operational rail noise and mitigation measures will be covered under the following suite of documents: <ul style="list-style-type: none"> <li>Brake Squeal Report (SSD 6766 CoC F5) - submitted to DPIE on 19/06/19. resubmitted to DPIE on 3/07/19.</li> <li>Functional Spec for Noise Monitoring System and Appendices identifying preferred monitoring locations (SSD 6766 CoC G7 and G7A)</li> <li>Best Practice Wagon Report (SSD 6766 CoC G6b) - approved on 16/08/19.</li> <li>Background Rail Noise Monitoring Report (SSD 6766 FCMM Condition 3C), as required, upon completion of the rail noise study</li> </ul> <p>The above reports do not identify rail noise as being a significant impact during operations and as such, does not justify the preparation of a Rail Noise Management Plan (RNMP). A background rail noise study will be undertaken to establish the existing rail noise levels, in accordance with the NSW EPA Rail Infrastructure Noise Guideline 2013 (RING), to determine whether 'rail noise' will be a significant impact during operations. Should the results of the study identify rail noise as being a significant impact, a RNMP will be developed for operations</p>	Compliant	Operational rail noise and mitigation measures will be covered under the following suite of documents: <ul style="list-style-type: none"> <li>Brake Squeal Report (SSD 6766 CoC F5) - submitted to DPIE on 19/06/19. resubmitted to DPIE on 3/07/19.</li> <li>Functional Spec for Noise Monitoring System and Appendices identifying preferred monitoring locations (SSD 6766 CoC G7 and G7A)</li> <li>Best Practice Wagon Report (SSD 6766 CoC G6b) - approved on 16/08/19.</li> <li>Background Rail Noise Monitoring Report (SSD 6766 FCMM Condition 3C), as required, upon completion of the rail noise study</li> </ul> <p>The above reports do not identify rail noise as being a significant impact during operations and as such, does not justify the preparation of a Rail Noise Management Plan (RNMP). A background rail noise study will be undertaken to establish the existing rail noise levels, in accordance with the NSW EPA Rail Infrastructure Noise Guideline 2013 (RING), to determine whether 'rail noise' will be a significant impact during operations. Should the results of the study identify rail noise as being a significant impact, a RNMP will be developed for operations</p>	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
3D	Noise	Rail grinding will be undertaken in accordance with TNSW's requirements on the Rail link, or where otherwise identified within the RNMP or other operational management plan for the Proposal.	Pre-operation	Compliant	Addressed in Section 3.4.5 and Table 3-23; NV-15 of the ONVMP (Rev 10).  The rail cross sectional profile will be maintained in accordance with ETN-01-02 Rail Grinding Manual for Plain Track and TNSW Requirements to ensure the correct wheel /rail contact position and to encourage proper rolling stock steering.	Compliant	Addressed in Section 3.4.5 and Table 3-23; NV-15 of the ONVMP (Rev 10).  The rail cross sectional profile will be maintained in accordance with ETN-01-02 Rail Grinding Manual for Plain Track and TNSW Requirements to ensure the correct wheel /rail contact position and to encourage proper rolling stock steering.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
4.1A	Air Quality Best Practice Review	The following control measures will be progressively implemented during operation of the IMT: <ul style="list-style-type: none"> <li>A vehicle booking system, truck marshalling lanes and rejection of trucks that arrive early will be implemented / provided to minimise wait times and queuing. This system will be implemented on commencement of operation.</li> <li>An electrified locomotive shifter will be installed to reduce the need for excessive locomotive idling. This control will be implemented on commencement of operation.</li> <li>Where new reach stackers are procured, these would be selected to achieve best practice emissions performance to meet US EPA Tier 3/ Euro Stage IIIA standards</li> <li>Electric gantry cranes to reduce use of diesel powered equipment. This control will be implemented within seven years of commencement of operation of the Proposal or on the Proposal achieving an annual throughput of 250,000 TEU, whichever is the latter.</li> </ul>	Operation	Compliant	An Operational Air Quality Management Plan (OAQMP) has been submitted to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 24/06/19. Resubmitted on 30/06/19 addressing DPIE comments.  OAQMP approved by DPIE on 9/09/19.	Compliant	An Operational Air Quality Management Plan (OAQMP) has been submitted to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 24/06/19. Resubmitted on 30/06/19 addressing DPIE comments.  OAQMP approved by DPIE on 9/09/19.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.

MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
4.1B	Air Quality Best Practice Review	The following policies and procedures will be developed and included within the OEMP for the Proposal: <ul style="list-style-type: none"> <li>An anti-idle policy will be developed and communicated to locomotive and truck operators to minimise unnecessary idling.</li> <li>Signs will be installed within the IMT to remind drivers of this policy and their obligations</li> <li>Maintenance plans will be updated to include a requirement to consider air emissions and where possible improve air emission performance at next overhaul/upgrade</li> <li>Training will be provided to locomotive drivers to maximise fuel efficiency</li> <li>Equipment with smoky exhausts (more than 10 seconds) should be stood down for maintenance based upon visual inspection</li> <li>Trucks with smoky exhausts (more than 10 seconds) shall be rejected from the site based upon visual inspection</li> <li>Loading and unloading will be coordinated where possible to minimise truck trip distances as they travel through Stage 1 site.</li> </ul>	Pre-operation	Compliant	An Operational Air Quality Management Plan (OAQMP) has been submitted to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 24/06/19. Resubmitted on 30/06/19 addressing DPIE comments.  OAQMP approved by DPIE on 9/09/19.	Compliant	An Operational Air Quality Management Plan (OAQMP) has been submitted to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 24/06/19. Resubmitted on 30/06/19 addressing DPIE comments.  OAQMP approved by DPIE on 9/09/19.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
4.2A	Noise Best Practice Review	The following policies and procedures will be developed and included within the OEMP for the Proposal: <ul style="list-style-type: none"> <li>Container handling equipment will be fitted with broadband 'quacker' reversing alarms.</li> </ul>	Pre-Operation	Compliant	Addressed in Operational Noise and Vibration Management Plan (ONVMP) was submitted to the DPIE for review and approval on 7/06/19. Resubmitted on 10/07/19 addressing DPIE comments.  ONVMP approved by DPIE on 9/09/19.	Compliant	Addressed in Operational Noise and Vibration Management Plan (ONVMP) was submitted to the DPIE for review and approval on 7/06/19. Resubmitted on 10/07/19 addressing DPIE comments.  ONVMP approved by DPIE on 9/09/19.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
5A	Hydrology	A <b>Soil and Water Management Plan (SWMP)</b> and <b>Erosion and Sediment Control Plan (ESCP)</b> , or equivalent, will be implemented, in accordance with the Preliminary Erosion and Sediment Control (PESCPs), included within the Stormwater and Flooding Environmental Assessment Report (Appendix P of this EIS). The following aspects will be addressed within the SWMP and ESCPs:  The guiding principles for erosion and sediment control within the Blue Book will be adopted in the SWMP and when planning construction works, being: <ul style="list-style-type: none"> <li>Minimise the area of soil disturbed and exposed to erosion at any one time.</li> <li>Priority should be given to management practices that minimise erosion, rather than to those that capture sediment downslope or at the catchment outlet</li> <li>Divert clean water around the construction site or control the flow of clean water at non-erodible velocities through the construction site</li> <li>Provision of boundary treatments around the perimeter of construction areas to minimise the migration of sediment offsite.</li> <li>Permanent or temporary drainage works will be installed as early as practical in the construction program to minimise uncontrolled drainage and associated erosion, including the onsite detention (OSD) and flood conveyance works</li> <li>Stockpiles will be located away from flow paths on appropriate impermeable surfaces, to minimise potential sediment transportation. Where practicable, stockpiles will be stabilised if in place for more than ten days and will be formed with sediment filters in place immediately downslope</li> <li>Existing catchments and sub-catchment boundaries will be maintained as far as practicable</li> <li>Site imperviousness and grades should be limited to the extent of existing imperviousness and grades under existing development conditions.</li> <li>Rehabilitate disturbed lands as soon as practicable</li> <li>The wheels of all vehicles will 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 will be undertaken when necessary.</li> <li>Inspection of all permanent and temporary erosion and sedimentation control works prior to and post rainfall events and prior to closure of the construction site.</li> <li>Erosion and sediment control structures to be cleaned repaired and augmented as required.</li> <li>Where required, construction sediment basins and their outlets will be designed to be stable in the peak flow from at least the 10-year 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. Sediment basins will be located clear of waterway bed and banks and no additional riparian vegetation will be cleared outside the 20 metre Rail link to accommodate sediment basins.</li> <li>Prior to discharge from sediment basins, water will be tested for the following parameters to identify construction impacts:  <ul style="list-style-type: none"> <li>pH</li> <li>Turbidity / Total Suspended Solids (TSS)</li> <li>Oil and grease.</li> </ul> </li> <li>An assessment of acid sulphate soils within the Georges River would be undertaken in accordance with the Acid Sulphate Soils Assessment Guideline (NSW Acid Sulphate Soils Management Advisory Committee, 1998) prior to commencement of works within the vicinity of the Georges River. Where acid sulphate soils are identified, an Acid Sulphate Soil Management Plan would be prepared in accordance with the guidelines.</li> </ul>	Pre-construction	Compliant	The project Construction Soil & Water Management Plan (SWMP) was developed and in consultation with stakeholders as specified by this condition.  Approval of CEMP provided by DPIE (previously DP&E) on 11/5/17  ER will approve minor updates when required  Each of these requirements are addressed in the CSWMP and progressive ErSED plans that are updated on a regular basis to meet to Blue Book requirements.  All captured water has to date been used on site  A combination of rumble grids and street sweeping is being carried out.  All water discharges compliant with criteria during Jan-June 2019.	Compliant	The CSWMP was submitted to DPIE (previously DP&E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CSWMP was issued by DPIE (previously DP&E) on 9/5/17.  Pre-construction works are being undertaken in accordance with the EWMS.  A combination of rumble grids and street sweeping is being carried out.  Exceedances of turbidity and TSS criteria at both upstream and downstream locations were recorded during the March 2019 water monitoring event. The downstream sampling location was later identified to be incorrect, with monitoring being undertaken at the basin overflow channel, likely causing the exceedances. The monitoring records show that 120mm of rain had occurred in the previous 2-3 days which could potentially also have caused the exceedances at the upstream monitoring site.  A non-conformance relating to the implementation the SWMP and ESCP was raised by the ER during an inspection on 7/4/19. Dirty construction water was not retained in OSD9 as specified in the approved ESCP and was pumped offsite to MPW stormwater structures (related to site water management in MPE Stage 2). These MPW structures were not approved to receive water from MPE Stage 1 or Stage 2.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
5B	Hydrology	During construction of the Georges River bridge the construction contractor will develop a Project Specific Procedure (PSP), or equivalent, in consultation with the NSW Office of Water and DPI (Fisheries), that will specify how works within and adjacent to the river will be managed to minimise environmental impacts. The methodology selected will seek to minimise the potential impacts/disturbance to the bed and banks of the river. The PSP will specify the following measures:  Should piling platforms be used for construction of the Georges River bridge, the size and formation of the piling platforms will be designed to accommodate flood events that are likely to occur during the works. Flows of the Georges River will be maintained at all times between the two piling platforms. The stream width will be maintained such that there will be minimal erosion of the working platforms from high velocity flows.  Works across the bed of the Georges River will be staged to minimise the total disturbance at any given time and to allow the full bypassing of stream flows around the works to maintain fish passage. In particular, consideration will be given to avoid bridge piling and construction of any temporary work platforms in the Georges River during winter when the Australian bass migrates	Pre-construction	Compliant	A project PSP for Georges River Bridge was submitted to the ER for information on Jan 2018. Consultation was undertaken with DPI Fisheries.  Works commenced 23/01/2018. PSP Finalised on the 25/01/2018.	Not triggered	Not applicable to the IMEX Project site. Applicable to RALP only.	N/A



MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
		<ul style="list-style-type: none"> <li>Scour protection works around piers, along creek banks and on bridge abutments should be installed as early as possible</li> <li>Measures to contain potential pollutants should be installed in-stream, such as silt curtains to contain sediment</li> <li>Material for the formation of piling platforms must be clean material with minimal fines</li> <li>Measures to manage runoff from the bridge approaches / abutments must be established as early as possible</li> <li>Management measures identified in the PSP will be developed to address the requirements for high erosion hazard sites, in accordance with the requirements of the Blue Book.</li> <li>Monitoring of water quality will be undertaken within the Georges River upstream and downstream of the proposed bridge prior to and during concreting works. Should pH levels outside the range prescribed by ANZECC for Lowland Rivers be detected, dosing or equivalent measures, will be implemented within the silt curtains to bring the pH level back within acceptable limits.</li> <li>A dewatering procedure to manage groundwater ingress during piling works for construction of the Georges River bridge. The procedure will be developed in consultation with NSW Office of Water and the need for a permit identified at this time. The dewatering procedure will specify testing of extracted groundwater quality prior to discharge to the Georges River, if appropriate quality is met, or treatment and/or offsite discharge if the water quality is insufficient to immediately return to the river.</li> </ul>	Pre-construction					
5C	Hydrology	<p>The following management measures will be implemented during works in and adjacent to Anzac Creek to mitigated potential impacts on water quality during construction:</p> <ul style="list-style-type: none"> <li>All reasonable efforts will be taken to program construction activities during those periods when flood flows and fish passage is not likely to occur. Any temporary side-track crossings will be constructed from clean fill (free of fines) and where required to maintain flows, will use appropriately sized pipe or box culvert cells, or a temporary bridge structure</li> <li>Temporary structures used for the construction of the culvert within Anzac Creek will be designed so that they can accommodate flows to minimise potential flooding impacts when prolonged or intense rainfalls are predicted. Any structures that impede flow will be readily removable or collapsible, to allow flood waters to flow within the channel, in the event of prolonged or intense rainfall.</li> <li>All temporary works, flow diversion barriers and in-stream sediment control barriers will be removed as soon as practicable and in a manner that does not promote future channel erosion</li> <li>The construction site will be left in a condition that promotes native revegetation</li> <li>The management principles outlined in Managing Urban Stormwater (Landcom 2004) for sites with high erosion potential will be implemented.</li> </ul>	Construction	Compliant	<p>Requirement detailed in the Project SWMP.</p> <p>In addition, a Project Specific Procedure / Environmental Work Method Statement for Anzac Creek has been developed to satisfy this requirement and for internal use only.</p>	Not triggered	Not applicable to the IMEX Project site. Applicable to RALP only.	Monitor implementation of the sub-plan during regular weekly inspections
5D	Hydrology	<p>The following principles will be adopted through the development of detailed design for the Proposal, to ensure the operation of the Proposal will not have an adverse impact on stormwater:</p> <ul style="list-style-type: none"> <li>Stormwater management measures will be designed and installed on site as presented in the Stormwater and Flooding Environmental Assessment &amp; Stormwater Drainage Design Drawings (Appendix P)</li> <li>Stormwater quality improvement devices will be designed to meet the performance targets identified in the Stormwater and Flooding Environmental Assessment &amp; Stormwater Drainage Design Drawings (Appendix P).</li> <li>The Rail link within the Glenfield Waste Facility will be designed to accommodate the Probable Maximum Flood (PMF).</li> </ul>	Pre-construction	Compliant	Addressed under Section 6 - Environmental Considerations of the Drainage Design Report.	Compliant	<p>Addressed within the IMEX Basis of Design Report (Rev 3 dated 22/2/18). The drainage design has been developed in accordance with the MPE Stage 1 Environmental Impact Statement (Hyder, May 2015), particularly Appendix P.</p> <p>The overall design approach to the drainage system has been based on the Hyder Concept Design drawings dated 13th May 2015. Alterations have been made to the network layout, conduit sizing and grades based on the development of the site earthworks and pavement designs. Stormwater management measures include provision for Gross Pollutant Traps and Bioswales.</p> <p>Note that the final dot point of this condition relates directly to the Rail Link and is not included within the PCCR.</p> <p>The eastern bioswale has been removed to accommodate the stormwater design of the adjacent MPE Stage 2 warehouse site which alters the surrounding catchment. The initial design of the eastern bioswale was required to redirect the flow of stormwater conveyed from the existing catchment (east of the IMEX terminal) around the IMEX terminal. This catchment is now the site of the approved MPE Stage 2 project which has been designed to include its own stormwater pits and pipes system. This design will convey stormwater from this catchment directly into the drainage pipes of the IMEX terminal and then into the western bioretention channel along Moorebank Avenue. As such, the need for an eastern bioswale is now redundant.</p> <p>This is also addressed within the MPE Stage 1 - Update to UDLP to Reflect IMEX Design Accordance Assessment (IMEX-AA-017) and UDLP (Rev 11) which were issued to DPIE for review and approval in August 2019. Once approved, the MPE Stage 1 UDLP will be updated accordingly.</p>	Monitor implementation of the sub-plan during regular weekly inspections.

MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
5E	Hydrology	To mitigate potential operational impacts on the flood regime as a result of the Georges River bridge the following design principles will be adopted during the design phase of the Georges River bridge: <ul style="list-style-type: none"> <li>The bridge design will comply with the requirements of Australian Standard 5100:2004 – Bridge Design</li> <li>The underside of the bridge deck height will be no lower than the height of the adjacent East Hills Rail Line bridge</li> <li>The bridge abutments are not to encroach on the existing waterway area of the Georges River waterway area</li> <li>The piers of the Georges River bridge structure are to be hydraulically efficient to cause the minimum disruption to the river flows. This includes piers that are: <ul style="list-style-type: none"> <li>Circular or semi-circular nosed, and</li> <li>Oriented parallel to the river flows (which vary in direction across the width of the river).</li> </ul> </li> <li>Light penetration under bridges to encourage fish passage will be maximised, where practicable</li> <li>Two dimensional modelling shall be undertaken to determine the optimum pier alignment and quantify bed scour protection Requirements</li> <li>Use and extent of those bed and bank erosion control measures that may reduce aquatic habitat values or inhibit the regrowth of natural in-stream and bank vegetation will be minimised.</li> </ul>	Pre-construction	Compliant	Addressed under Section 7 - Environmental Considerations of the Georges River Bridge Design Report	Not triggered	Not applicable to the IMEX Project site. Applicable to RALP only.	N/A
5F	Hydrology	The following design principles will be adopted for design and sizing of the culvert crossing across Anzac Creek: <ul style="list-style-type: none"> <li>Fish passage requirements will be considered when selecting the type of culvert</li> <li>Culverts will be aligned with the downstream channel to minimise bank erosion</li> <li>A multi-cell culvert design with a combination of elevated "dry" cells to encourage terrestrial movement, and recessed "wet" cells to facilitate fish passage</li> <li>Altering the channel's natural flow, width, roughness and base-flow water depth through the culvert's wet cells will be avoided where possible</li> <li>The culvert crossing will be designed to maximise the geometric similarities of the natural channel profile from the bed of the culvert</li> <li>Debris deflector walls may be used to reduce the impact of debris blockages on fish passage</li> <li>Rock protection and/or the formation of a stabilised energy dissipation pool at the outlet will be considered if necessary to assist in minimising erosion to avoid the formation of a perched culvert and damage to the stream bed and banks</li> <li>The design of the crossing will refer to the detailed engineering guidelines provided in Fairfull and Witheridge (2002).</li> </ul>	Detailed Design	Compliant	Addressed under Section 7 - Environmental Considerations of the Anzac Creek Culvert Design Report	Not triggered	Not applicable to the IMEX Project site. Applicable to RALP only.	N/A
5G	Hydrology	A <b>Flood Emergency Response Plan (FERP)</b> will be developed for the Stage 1 site. The FERP will take into consideration, site flooding and broader flood emergency response plans for the Georges River and Anzac Creek floodplains and Moorebank area. The FERP will also include the identification of an area of safe refuge within the SIMTA site that will allow people to wait until hazardous flows have receded and safe evacuation is possible.	Pre-construction	Compliant	The Flood Emergency Response Plan has been developed and addresses this requirement. Issued 17/02/2017.	Compliant	A Flood Emergency Response Plan has been prepared for the Project and appended to the CEMP. It was submitted to the DPIE (previously DP&E) for information purposes on 7 March 2017.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
5H	Hydrology	Maintenance of the bio-retention structures will be in accordance with the maintenance requirements set out in Gold Coast City Council's Water Sensitive Urban Design Guidelines, 2007, and included in the OEMP.	Operation	Compliant	Addressed in Section 3.3.2 and Table 3-6, SW01 to SW-06 of the SIOMP (Rev 5).  Maintenance guidelines used in the preparation of the SIOMP are listed in Section 2.1 of the SIOMP (Rev 5).	Compliant	Addressed in Section 3.3.2 and Table 3-6, SW01 to SW-06 of the SIOMP (Rev 5).  Maintenance guidelines used in the preparation of the SIOMP are listed in Section 2.1 of the SIOMP (Rev 5).  Relevant to IMEX western bioswale.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
6A	Geotechnical and soils	Prior to finalisation of detailed design of the Rail link through the Glenfield Waste Facility, further geotechnical investigations will be undertaken in the vicinity of the proposed Rail link to further determine the type and characteristics of soils. Additional mitigation measures will be included within the CEMP as relevant. A Project Specific Procedure would be developed in consultation with the EPA for works within the Glenfield Waste Facility that would detail: <ul style="list-style-type: none"> <li>The exact location of the Rail link in relation to landfill cells and activities.</li> <li>Identification of works areas and 'no go' areas to ensure that access to the landfill and monitoring and environmental controls is maintained.</li> <li>Details of material requirements for construction of the Rail link and how landfill levy issues will be managed when bringing construction material through the licensed landfill area.</li> </ul>	Pre-construction	Compliant	A PSP for Glenfield Waste (GWS) Facility has been developed to address the requirements of this condition. It was provided to DPIE (previously DP&E) on 10/02/2017.  No response was received from DPIE (previously DPIE (previously DP&E)) in relation to this PSP  PSP is to be updated following the completion of redesign through GWS and will be resubmitted to DPIE (previously DPIE (previously DP&E)) in accordance with this condition.	Not triggered	Not applicable to the IMEX Project site. Applicable to RALP only.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
6B	Geotechnical and soils	Excavated material will be reused on site where possible. Any excavated material that requires disposal will be subject to waste classification under the Waste Classification Guidelines 2014 (NSW EPA, 2014) and will be disposed of at an appropriate licensed facility.	Construction	Compliant	The project Waste Management Plan has been developed and prioritises maximum reuse of materials onsite with disposal as a last resort.  Any disposal will comply with the Waste Classification Guidelines 2014 (NSW EPA) and will be disposed of at an appropriately licenced facility.	Compliant	Addressed within the IMEX Construction Waste Management Plan (CWRMP). The key objective of this plan is to minimise waste generated and resources used as a result of the Project and to maximise recycling or reuse where this is unavoidable.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
6C	Geotechnical and soils	The construction contractor will progress the Bulk Earthworks strategy which will outline the volumes of imported and exported material, any buffer areas, temporary soil stockpiling areas and fencing of excavations, as required.	Pre-construction	Compliant	Strategy has been developed as part of the Construction Management Plan and details location for placement of temporary stockpiles.	Compliant	This has been undertaken by the Principal Contractor responsible for bulk earthworks. Management of imported and exported material is addressed within the SWMP (Rev 12).	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.

MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
7A	Contamination	All remediation works will be undertaken in accordance with the requirements of the Remediation Action Plan (RAP) (JBS&G, 2015a) and recommendations for additional sampling and remediation.	Construction	Compliant	Noted, the project Remediation Action Plan (RAP) was developed to comply with this requirement, consulted on with stakeholders and the site Auditor, and is to be implemented for the remediation of known contaminant locations as detailed in this plan.  The Remediation Action Plan was approved by the Site Auditor on 08/11/2017.  The JBS&G (2015a) RAP has been superseded by Coffey (2017) which was approved by the site auditor.	Compliant	Remediation works were undertaken after the completion of demolition on site.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
7B	Contamination	A Health and Safety Plan (HSP) and risk assessment will be developed and implemented prior to construction commencing and all construction workers and staff will be inducted into the plan.	Pre-construction	Compliant	The project Health & Safety Plan (HSP) has been developed for implementation throughout the project	Compliant	Each contractor will be responsible for the development of their own Health and Safety plan. All personnel attending site are required to be fully inducted prior to working on site. Liberty Industrial have prepared the HSP for their aspect of works as detailed within the main document.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
7C	Contamination	A Contamination Management Plan (CMP) will be developed for the Proposal, and included in the CEMP, that will contain detailed procedures on: <ul style="list-style-type: none"> <li>• Handling, stockpiling and assessing potentially contaminated materials encountered during the development works.</li> <li>• A management tracking system for excavated contaminated materials to ensure the proper management of the material movements at the site, particularly during excavation and bioremediation works.</li> <li>• Assessment, classification and disposal of waste in accordance with relevant legislation.</li> <li>• Specific contingency measures in the unlikely event that construction of the Rail link in the Glenfield Waste Facility results in the disturbance of existing landfill cells. Including:  <ul style="list-style-type: none"> <li>• Management of construction works in areas potentially impacted by asbestos via an Asbestos Management Plan</li> <li>• Management of excavation work to minimise the potential for surface or groundwater infiltration into the excavations, thereby potentially increasing the volume of leachate in the impacted cells. This will include the routine monitoring of leachate levels and groundwater surrounding the impacted areas using existing monitoring infrastructure.</li> <li>• Management of landfill gas via the implementation of field screening and personal monitoring programs targeting landfill gasses</li> <li>• Management of impacted soils using the Material Management Procedures</li> </ul> </li> <li>• Replacement or relocation of existing monitoring wells that may be impacted by the construction work. The impact to existing monitoring wells and the alternate locations of any replacement wells will be subject to negotiations with the proponents of the Glenfield Waste Facility and the NSW EPA to ensure that existing environmental protection licence requirements are satisfied.</li> <li>• Should future design iterations identify that landfill containment may be compromised, a specific work plan will be developed to address potential environmental and/or health and safety issues that may arise.</li> <li>• A contingency plan for unexpected contaminated materials, such as materials that are odorous, stained or containing anthropogenic materials, that may be encountered during construction.</li> </ul>	Pre-construction	Compliant	A Contamination Management Plan has been developed for the project and incorporated all requirements detailed in this mitigation measure. This was submitted to DPIE (previously DP&E) on 10/02/2017 for information.  Further testing (ammonia) within GWS will be undertaken. If updates are required, the Contamination Management Plan will be updated and re-submitted to DPIE (previously DP&E) for their information.	Compliant	A Contamination Management Plan has been developed and submitted to DPIE (previously DP&E) for information on 7 March 2017.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
7D	Contamination	Residual risk of contamination to soils and groundwater during operation of the Proposal will be mitigated through the implementation of the following mitigation measures, which will be included within the OEMP for the site: <ul style="list-style-type: none"> <li>- The proposed diesel tank (used for refuelling) will be self-bunded and compliant with AS - 1940-2004 The storage and handling of flammable and combustible liquids.</li> <li>- An Emergency Response Plan (including a Pollution Incident Response Management Plan) will be developed for operation of the Proposal. A spill kit will be provided within the Stage 1 site at all times.</li> <li>- A refuelling procedure will be developed and implemented for all refuelling activities undertaken and included in the site OEMP.</li> </ul>	Pre-operation	Compliant	An Emergency Response Plan (ERP) has been prepared and include the BEEP, BMP and FERP. Approval to combine the documents was granted by DPIE on 21/5/2019.  Submitted to DPIE (previously DP&E) for review and approval on 6/06/19. DPIE comments received on 15/07/10. Comments to be addressed and plan resubmitted on 6/09/19.	Compliant	An Emergency Response Plan (ERP) has been prepared and include the BEEP, BMP and FERP. Approval to combine the documents was granted by DPIE on 21/5/2019.  Submitted to DPIE (previously DP&E) for review and approval on 6/06/19. DPIE comments received on 15/07/10. Comments to be addressed and plan resubmitted on 6/09/19.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
8A	Biodiversity	A Flora and Fauna Management Plan will be prepared as part of the CEMP. Native vegetation clearing will not occur until the Flora and Fauna Management Plan is approved. The Flora and Fauna Management Plan will include the following measures as a minimum: <ul style="list-style-type: none"> <li>- Site inductions are to include a briefing regarding the local threatened flora and native fauna of the site and protocols to be undertaken if they are encountered</li> <li>- If any animal is injured, contact the relevant local wildlife rescue agency (e.g. WIRES) and/or veterinary surgery as soon as practical. Until the animal can be cared for by a suitably qualified animal handler, if possible minimise stress to the animal and reduce the risk of further injury by:  <ul style="list-style-type: none"> <li>- Handling fauna with care and as little as possible.</li> <li>- Covering larger animals with a towel or blanket and placing in a large cardboard box.</li> <li>- Placing small animals in a cotton bag, tied at the top.</li> <li>- Keeping the animal in a quiet, warm, ventilated and dark location.</li> </ul> </li> <li>- Flora and fauna surveys will be undertaken of the RailCorp land prior to commencement of construction in this area. If required, an addendum biodiversity report would be prepared, and the Biodiversity Offset Strategy and the Threatened Species Management Plan would be updated</li> <li>- Clearing of vegetation will be timed to avoid periods when rain is forecast in accordance with Chapter 4.4.2 of 'the Blue Book'</li> <li>- The extent of vegetation clearing is to be clearly identified on construction plans. Clearly identifying sensitive areas ('no-go areas') which cannot be impacted by construction and managing clearing such that clearing activities are constrained to these approved areas only. High visibility plastic fencing is to be installed to clearly define the limits of the works area within the Rail link specifically the Southern Boot Land, and works areas at the riparian corridor of the Georges River.</li> <li>- In circumstances where native vegetation or mature tree clearing is required outside of the biodiversity study area, an ecologist will inspect the proposed area and provide advice on the impact to flora and fauna and appropriate management.</li> </ul>	Pre-construction	Compliant	The project Construction Flora & Fauna Management Plan (FFMP) was developed and in consultation with stakeholders as specified by this condition.  Approval of CEMP provided by DPIE (previously DP&E) on 11/5/17.  ER will approve updates where required.  CFFMP was submitted to DPIE (previously DP&E) to address the updated EDO Court Case conditions on 19/05/2018.	Compliant	The CFFMP was submitted to DPIE (previously DP&E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CFFMP was issued by DPIE (previously DP&E) on 9/5/17.  Pre-construction works are being undertaken in accordance with the EWMS.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.

MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
		<ul style="list-style-type: none"> <li>Management of noxious weeds is to be undertaken in accordance with the Noxious Weeds Act 1993 and include details relating to the monitoring, management and where necessary eradication of weeds, disposal of green waste, and vehicle/plant weed wash down protocols if required.</li> <li>Equipment used for treating weed infestation(s) will be cleaned prior to moving to a new area within the Proposal site to minimise the likelihood of transferring any plant material and soil.</li> <li>Soil stripped and stockpiled from areas containing known weed infestations are to be stored on cleared land at least 40 m from native vegetation</li> <li>Water from the truck wash down in the Rail East Compound will be captured and disposed of offsite to prevent weed spread to adjoining native vegetation</li> <li>Works areas at each watercourse crossing will be clearly delineated prior to commencement of works</li> <li>Undertake a two-stage approach to clearing:</li> <li>Remove non-hollow bearing trees at least 48 hours before habitat trees are removed.</li> <li>Hollow bearing trees are to be knocked with an excavator bucket or other machinery to encourage fauna to evacuate the tree immediately prior to felling.</li> <li>Felled trees must be left for a short period of time on the ground to give any fauna trapped in the trees an opportunity to escape before further processing of the trees.</li> <li>Felled hollow bearing trees must be inspected by an ecologist as soon as possible (not longer than 2 hours after felling).</li> <li>Fauna microhabitat (such as hollow logs) should be removed from areas to be cleared and relocated to suitable nearby bushland areas in the presence of an ecologist</li> <li>Large woody debris will be retained in watercourses where possible. In the event large woody debris are to be impacted they will be relocated in consultation with an ecologist</li> <li>Instream works at Georges River and Anzac Creek will be minimised where possible, including disturbance to aquatic vegetation. Disturbed areas will be contained to the 20 m wide corridor</li> </ul>	Pre-construction					
8B	Biodiversity	Riparian vegetation within the Rail Link and adjoining areas of impact at Anzac Creek and the banks of the Georges River would be protected, rehabilitated and managed in accordance with the measures detailed in the Riparian Vegetation Management Plan.  Temporarily disturbed riparian areas in the Georges River will be revegetated with locally occurring native species as soon as practicable upon completion of bridge works.	Construction	Compliant	Revegetation has commenced on the eastern embankment of the Georges River in June 2019.	Not triggered	Not applicable to the IMEX Project site. Applicable to RALP only.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
8C	Biodiversity	A nest box management strategy will be prepared prior to clearing of hollow bearing trees. The strategy will inform the installation of nest boxes in retained native vegetation in the riparian corridor of the Georges River and the woodland in the Southern Boot Land and the on-going monitoring and maintenance of nest boxes through the construction and operational phases.	Pre-construction	Compliant	A Nest Box Strategy has been prepared and included in the project Flora & Fauna Management Plan. The Strategy details proposed locations for nest box installation and monitoring programme.  Nest boxes installed 29/03/17. Additional nest boxes will be installed upon completion of clearing, as detailed in CFFMP and NBMS.  Nest Box Strategy updated to address the updated EDO Court Case. Issued to DPIE (previously DPIE (previously DP&E)) on 19/05/2018.	Compliant	Hollow bearing trees have, to date, not been identified on the Project site. A nest box strategy has been included within the Stage 1 Package 1 CFFMP. Where hollow bearing trees are identified during pre-clearing surveys, the process outlined in Section 5.1 of the CFFMP will be followed and a nest box plan would be implemented under advice of an ecologist.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
8D	Biodiversity	An ecologist will undertake pre-clearance surveys to confirm the absence of Grey-headed Flying-fox roosting camps within the Rail link, no more than 48 hours prior to the clearance of vegetation. The DotEE will be notified in writing of the results of pre-clearance surveys. If the species is detected roosting on site, no native vegetation clearance will commence until any directions of the Minister have been complied with.	Pre-construction	Compliant	Mitigation measure has been included in the project Flora & Fauna Management Plan.	Compliant	A two-stage clearing process has been nominated within the CFFMP Section 5.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
8E	Biodiversity	Works within the Southern Boot Land, or in other areas, with the potential to impact on Persoonia nutans and Grevillea parviflora subsp. parviflora will be undertaken in accordance with the Threatened Flora Species Management Plan.	Construction	Compliant	Noted.  Requirement has been included in the project Flora & Fauna Management Plan .	Compliant	Works related to the removal of the disused rail spur within the southern extent of the project site (subject to RFMA 011 - approved on 22/5/19) will be undertaken in accordance with the CFFMP.	Monitor implementation of the sub-plan during regular weekly inspections
8F	Biodiversity	Water quality and macroinvertebrate monitoring would be undertaken up and downstream of works within the Georges River and Anzac Creek, pre, during and post construction, to determine impacts on aquatic communities as a result of the Proposal. The monitoring plan would be developed and implemented by an appropriately qualified aquatic ecologist.	Construction	Compliant	The Aquatic Ecology Monitoring Plan has been developed and is an appendix to the project Flora & Fauna Management Plan .  Pre-construction monitoring was undertaken by AMBS on 23 March 2017.  Completed November 2017 and May 2018	Compliant	Surface water sampling is undertaken monthly in Anzac Creek (upstream and downstream locations).  Exceedances of turbidity and TSS criteria at both upstream and downstream locations were recorded during the March 2019 water monitoring event. The downstream sampling location was later identified to be incorrect, with monitoring being undertaken at the basin overflow channel, likely causing the exceedances. The monitoring records show that 120mm of rain had occurred in the previous 2-3 days which could potentially also have caused the exceedances at the upstream monitoring site.	Monitoring is undertaken monthly in upstream and downstream locations of Anzac Creek.

MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
8G	Biodiversity	A visual inspection of the Georges River for dead or distressed fish (indicated by fish gasping at the water surface, or fish crowding at the creek's banks) is to be undertaken daily during the construction of the Georges River bridge. Observations of dead or distressed fish are to be immediately reported to DPI (Fisheries). In the event dead or distressed fish are found, all works are to cease until the issue is rectified and approval from DPI Fisheries is given to proceed.	Construction	Not triggered	Mitigation measure has been included in the project Flora & Fauna Management Plan . It has also been addressed in the PSP for Georges River Bridge works.  No works impacting the river have been completed to date  No distressed fish have been observed to date following daily inspections. Daily diary records fish inspections.	Not triggered	Not applicable to the IMEX Project site. Applicable to RALP only.	Monitor implementation of the sub-plan during regular weekly inspections
8H	Biodiversity	The corridor established for construction of the Rail link will be stabilised in a manner which would enable the fuel load to be maintained in a low state. Where appropriate it would be stabilised following construction with local topsoil with growth of groundcover encouraged. The corridor would be managed by removing weeds and reducing the fuel load.	Construction	Not triggered	Any cleared vegetation is mulched and kept away from fuel. Rubbish is collected and stored in accordance with BFMS. Smoking is not allowed on site.	Not triggered	Not applicable to the IMEX Project site. Applicable to RALP only.	Monitor implementation of the sub-plan during regular weekly inspections
9A	Aboriginal Heritage	Consultation will be maintained with the Aboriginal stakeholders during the finalisation of the Proposal in order to identify long-term curation and management of the Aboriginal objects recovered through the archaeological program (including open salvage excavation). Mitigation measures included in Section 9 of the draft Aboriginal Heritage Impact Assessment (AHMS, 2015) in relation to Aboriginal site, MA14 (artefact scatter and deposit) on the eastern bank of Georges River would be implemented during salvage works.	Construction	Compliant	A detailed Salvage Strategy has been developed in consultation with registered Aboriginal parties and OEH (Aboriginal heritage). This Strategy was prepared to the satisfaction of the Secretary as noted by DPIE (previously DP&E) approval on the 9/03/2017.  Salvage commenced on 20/3/17 and was completed on 28/04/2017.	Not triggered	Not applicable to the IMEX Project site. Applicable to RALP only.	Monitor implementation of the sub-plan during regular weekly inspections
9B	Aboriginal Heritage	All relevant personnel and contractors involved in the design of the Proposal will be advised of the relevant heritage considerations, legislative requirements and recommendations in the draft Aboriginal Heritage Impact Assessment (AHMS, 2015)	Detailed Design	Compliant	Due to proximity of known Aboriginal heritage locations on the project (east of Georges River) this requirement has been included in the Georges River Bridge Design Report as well as the Earthworks Design Report.	Compliant	No Aboriginal heritage has been identified within the MPE Stage 1 Package 2 project boundary.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
9C	Aboriginal Heritage	Management of Aboriginal heritage will be managed through the CEMP for the Proposal. The CEMP will include the following at a minimum:	Pre-construction	Compliant	The project Construction Heritage Management Plan (HMP) was developed and in consultation with stakeholders as specified by this condition.  Approval of CEMP provided by DPIE (previously DP&E) on 11/5/17	Compliant	The CHMP was submitted to DPIE (previously DP&E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CHMP was issued by DPIE (previously DP&E) on 9/5/17.  Pre-construction works are being undertaken in accordance with the EWMS.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
		· A summary of the findings of the draft Aboriginal Heritage Impact Assessment (AHMS, 2015)	Pre-construction					
		· Measures to be implemented in the event of an unexpected archaeological and cultural finds (including human remains)	Pre-construction					
		· All relevant personnel and contractors involved in the construction of the Proposal will be advised of the relevant heritage	Pre-construction					
		· considerations, legislative requirements and recommendations in the draft Aboriginal Heritage Impact Assessment (AHMS, 2015)	Pre-construction					
		· Installation of temporary fencing for the protection of the riparian corridor along the western bank of the Georges River	Pre-construction					
· Areas that have been subject to assessment in the draft Aboriginal Heritage Impact Assessment (AHMS, 2015) should be clearly identified on construction plans. Should construction activities be proposed to extend beyond this boundary, appropriate heritage investigations will be undertaken to identify and manage Aboriginal objects/ sites/ places that may be in the additional area(s).	Pre-construction							
10A	Non-indigenous Heritage	A full photographic record of the SIMTA site should be made prior to Stage 1 construction commencing. This will record the setting and context of the site as a whole prior to any impact on collective significance.	Pre-construction	Not triggered	Not Applicable to RALP 1 Works.	Compliant	Photographic archival recording was undertaken on the 18 and 19 January 2017. Archival reporting is currently being compiled to be submitted to DPIE (previously DP&E) in June 2017.	N/A
10B	Non-indigenous Heritage	A heritage interpretation strategy will be prepared, which could include interpretative mediums such as plaques and displays (subject to a suitable area being located) and online resources).	Pre-construction	Compliant	The Heritage Interpretation Strategy was submitted to DPIE (previously DP&E) on 13/3/17. This was approved on 11/4/17.	Compliant	The Heritage Interpretation Strategy was submitted to DPIE (previously DP&E) on 13/3/17. This was approved on 11/4/17.	N/A
10C	Non-indigenous Heritage	A Heritage Management Plan in adherence to NSW Heritage Council guidelines will be prepared as part of the CEMP for the Stage 1 Proposal. At a minimum the following measures will be included within the Heritage Management Plan: · Archaeological monitoring during construction will be conducted for a representative sample of the sites PADs F and G (to the south, and south west of Building No. 11, respectively) of former structures. Excavation of these sites will be directed by an Excavation Director, who is experienced in investigations of locally significant archaeology. · The archaeologist will assess the likely significance of any archaeological deposits encountered, and provide advice regarding appropriate further action. · If unexpected finds are located during works, an archaeological consultant will be engaged to assess the significance of the finds and the NSW Heritage Council notified. Further archaeological work or recording may be recommended.	Pre-construction	Compliant	The project Construction Heritage Management Plan (HMP) was developed and in consultation with stakeholders as specified by this condition.  Approval of CEMP provided by DPIE (previously DP&E) on 11/5/17	Compliant	The CHMP was submitted to DPIE (previously DP&E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CHMP was issued by DPIE (previously DP&E) on 9/5/17.  Pre-construction works are being undertaken in accordance with the EWMS.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
11A	Visual Amenity, Urban Design and Landscape	The following mitigation measures will be included within the CEMP to mitigate impacts on visual amenity during construction of the Proposal: · Existing vegetation around the perimeter of Proposal site will be retained where feasible and reasonable · The early implementation of landscape plantings will be investigated in order to provide visual screening along Moorebank Avenue · Elements within construction areas will be located to minimise visual impacts as far as feasible and reasonable, e.g. setting back large equipment from site boundaries · Design of site hoardings will consider the use of artwork or project information · Regular maintenance will be undertaken of site hoardings and/or fencing and perimeter areas including the prompt removal of graffiti. · Re-vegetation / landscaping would be undertaken progressively and with species local to the area. · Use of trees on the southern and western boundaries of the Stage 1 site, to provide a uniform canopy cover within vegetated areas and use of local species as understorey planting to support and enhance local habitat.	Pre-construction	Compliant	Visual amenity and landscaping is outlined within the Urban Design and Landscape Plan and Construction Soil and Water Management Plan and CEMP where relevant to RALP1.  GWS Design changes will require UDLP update	Compliant	Visual amenity and landscaping is outlined within the Urban Design and Landscape Plan and Construction Soil and Water Management Plan.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.

MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
12A	Hazard and Risk	A Health and Safety Plan (HSP) will be prepared for construction of the Proposal that will identify all responsibilities and requirements under the Work Health and Safety Act 2011. The HSP will include an Emergency Response Plan, for construction of the Proposal. These will be developed collaboratively with the construction contractor, in consultation with the NSW Police Force, NSW Fire Brigade, NSW Rural Fire Service and the Ambulance Service of NSW. The Emergency Response Plan will include the following: <ul style="list-style-type: none"> <li>Emergency response protocols and procedures for implementation in the event of a contaminant spill or leak</li> <li>Provision of spill kits</li> <li>Bushfire awareness included in staff induction and in toolbox talks pre-commencement.</li> </ul>	Pre-construction	Compliant	The project Health & Safety Plan (HSP) has been developed in line with these condition including consultation.	Compliant	Each contractor will be responsible for the development of their own Health and Safety plan. All personnel attending site are required to be fully inducted prior to working on site. Liberty Industrial have prepared the HSP for their aspect of works.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
12B	Hazard and Risk	With respect to asbestos management, the obligations, roles and responsibilities for personnel involved in the Stage 1 Proposal will be identified, documented and communicated. These responsibilities are identified in the Work Health and Safety Act 2011. Prior to commencement of construction an Asbestos Management Plan is to be developed in accordance with Code of Practice How to Manage and Control of Asbestos in the Workplace (WorkCover NSW, 2011a) for the Proposal. The Asbestos Management Plan will reference the asbestos register and risk assessment, which will also be prepared prior to construction being undertaken. The Asbestos Management Plan will address the following aspects, at a minimum: <ul style="list-style-type: none"> <li>Demolition of the three structures (Buildings 1, 2 and 20), will be undertaken in accordance with Code of Practice How to Safely Remove Asbestos (WorkCover NSW, 2011b)</li> <li>Asbestos removal work will be carried out by an asbestos removalist who is appropriately licensed to carry out the work.</li> </ul>	Pre-construction	Compliant	The project Asbestos Management Plan which forms part of the project Contamination Management Plan has been developed to comply with this mitigation measure and provided to DPIE (previously DP&E) on 10/02/2017.	Compliant	Liberty Industrial has prepared an Asbestos Management Plan.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
12C	Hazard and Risk	Hazards associated with operation of the Proposal will be identified and managed through a Hazard and Operability Study (HAZOP), which will be undertaken during design progression. The HAZOP will take into consideration the following standards and guidelines: <ul style="list-style-type: none"> <li>AS 2550.1 Cranes hoists and winches.</li> <li>Draft Code of Practice for Industrial Lift Trucks (Worksafe Australia, 2012).</li> <li>Work Cover NSW Bridge and Gantry Crane Drivers: A guide for power crane operators (1997).</li> <li>Work Cover NSW Dogging Guide (2003).</li> <li>Work Cover NSW Rigging Guide (1995).</li> </ul>	Operation	Compliant	A safety in design process has been undertaken with input from the superintendent (Tactical) and the client (Qube). Measures to incorporate safety so far as reasonable practical (as agreed with Qube) have been incorporated into the design.	Compliant	A safety in design process has been undertaken with input from the superintendent (Tactical) and the client (Qube). Measures to incorporate safety so far as reasonable practical (as agreed with Qube) have been incorporated into the design.	Monitor implementation of the sub-plan during regular weekly inspections
12D	Hazard and Risk	The OEMP will include the following procedures and controls with regards to handling of Dangerous Goods: <ul style="list-style-type: none"> <li>All dangerous goods to be imported through the Stage 1 site must be notified in advance.</li> <li>All Proposal staff handling dangerous goods will be required to have successfully completed dangerous goods training in accordance with International Maritime Dangerous Goods (IMDG) Code Chapter 1.3 (International Maritime Organization, 2012). Training provided must be commensurate with their roles and responsibilities and records of training must be maintained.</li> <li>Procedures to monitor the quantity of dangerous goods (classes 5.1, 5.2, 6.1 and/or 8) to be transported to, and or stored on site at any one time, to ensure that they are below the thresholds identified in Applying SEPP 33.</li> <li>Provision of spill kits on the Stage 1 site and a procedure for inspection and refilling A refuelling process.</li> </ul>	Pre-operation	Not triggered	The Operational Hazards and Risk Management Plan (OHRMP) has not yet been developed for the MLP as neither the IMEX or Warehouse 1 Facilities will be storing or transporting any hazardous/dangerous goods above threshold quantities.  The need for an OHRMP will need to be reassessed each time a new tenants are signed into agreement to use the MLP. If it is found that these tenants will store or transport hazardous/dangerous goods above threshold quantities, an OHRMP will be developed.	Not triggered	The Operational Hazards and Risk Management Plan (OHRMP) has not yet been developed for the MLP as neither the IMEX or Warehouse 1 Facilities will be storing or transporting any hazardous/dangerous goods above threshold quantities.  The need for an OHRMP will need to be reassessed each time a new tenants are signed into agreement to use the MLP. If it is found that these tenants will store or transport hazardous/dangerous goods above threshold quantities, an OHRMP will be developed.	N/A
12E	Hazard and Risk	The transport of dangerous goods by road and rail will comply with the Dangerous Goods (Road and Rail Transport) Act 2008 and the Dangerous Goods (Road and Rail Transport) Regulation 2014. Storage and handling of Dangerous Goods on the Stage 1 site will be in accordance with the requirements of the Australian Dangerous Goods code.	Operation	Not triggered	Storage and handling of dangerous goods will be comply with this requirement.	Not triggered	Storage and handling of dangerous goods will be comply with this requirement.	N/A
12F	Hazard and Risk	The diesel tank will be self-bunded and compliant with AS - 1940-2004 The storage and handling of flammable and combustible liquids. Diesel will be stored away from other flammable materials of class 3PGI, II or III.	Operation	Not triggered	The need for an OHRMP will need to be reassessed each time a new tenants are signed into agreement to use the MLP. If it is found that these tenants will store or transport hazardous/dangerous goods above threshold quantities, an OHRMP will be developed.	Not triggered	The need for an OHRMP will need to be reassessed each time a new tenants are signed into agreement to use the MLP. If it is found that these tenants will store or transport hazardous/dangerous goods above threshold quantities, an OHRMP will be developed.	N/A
12G	Hazard and Risk	An <b>Operational Hazard and Risk Management Plan</b> , including a risk register, will be developed for the Proposal site. This plan will be reviewed regularly and updated should goods entering the site change. The Operational Hazard and Risk Management Plan will be developed with consideration to the following standards and guidelines: <ul style="list-style-type: none"> <li>AS 2550.1 Cranes hoists and winches.</li> <li>Draft Code of Practice for Industrial Lift Trucks (Worksafe Australia, 2012).</li> <li>Work Cover NSW Bridge and Gantry Crane Drivers: A guide for power crane operators (1997).</li> <li>Work Cover NSW Dogging Guide (2003).</li> <li>Work Cover NSW Rigging Guide (1995).</li> </ul>	Pre-operation	Not triggered	The Operational Hazards and Risk Management Plan (OHRMP) has not yet been developed for the MLP as neither the IMEX or Warehouse 1 Facilities will be storing or transporting any hazardous/dangerous goods above threshold quantities.  The need for an OHRMP will need to be reassessed each time a new tenants are signed into agreement to use the MLP. If it is found that these tenants will store or transport hazardous/dangerous goods above threshold quantities, an OHRMP will be developed.	Not triggered	The Operational Hazards and Risk Management Plan (OHRMP) has not yet been developed for the MLP as neither the IMEX or Warehouse 1 Facilities will be storing or transporting any hazardous/dangerous goods above threshold quantities.  The need for an OHRMP will need to be reassessed each time a new tenants are signed into agreement to use the MLP. If it is found that these tenants will store or transport hazardous/dangerous goods above threshold quantities, an OHRMP will be developed.	N/A
12H	Hazard and Risk	The Stage 1 site will be protected from the impact of fires originating from off-site by a 35 m defensible space to the west across Moorebank Avenue, a 100 m defensible space to the south of the container handling area. The design and installation of on-site fire hydrants within the Stage 1 site will be in compliance with AS 2419.1-2005 Fire hydrant installations - System design, installation and commissioning.	Detailed Design	Not triggered	Not Applicable to RALP 1 Works.  Relates to IMEX terminal.	Compliant	Fire trails already exist to the south of the site, with no IMEX works scheduled to occur within this area.  Addressed within the IMEX Basis of Design Report (Rev 3 dated 22/2/18). The fire hydrant system has been designed to provide coverage of the IMEX site in compliance with the Fire Engineering Report and NSWFR operational specifications. b. Fire hydrant pumps have been designed to provide required pressures and flows for the IMEX site in compliance with the AS 2419.1 and AS 2941 requirements and in accordance with Fire Engineering Report and NSWFR operational specifications.	N/A

MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
12I	Hazard and Risk	An <b>Operational Emergency Response Plan</b> will be developed for the operational phase of the Proposal, collaboratively with the operator in consultation with the EPA, NSW police force, NSW Fire Brigade, NSW Rural Fire Service and the Ambulance Service of NSW. These will be prepared prior to operation of the Proposal. Emergency response and incident management protocols will cover the following types of emergency or incident: <ul style="list-style-type: none"> <li>• Workplace health and safety</li> <li>• On-site spills or leaks</li> <li>• Off-site discharges</li> <li>• Hazardous materials/dangerous goods</li> <li>• Flooding</li> <li>• Bushfire</li> <li>• Derailment</li> <li>• Container fall</li> <li>• Road incident on Moorebank Avenue adjacent to Stage 1 site entry / egress</li> <li>• Requirements of the Pollution Incident Response Management Plans, as prescribed under section 153C of the Protection of the Environment Operations Act 1997.</li> </ul>	Pre-operation	Compliant	An Emergency Response Plan (ERP) has been prepared and include the BEEP, BMP and FERP. Approval to combine the documents was granted by DPIE (previously DP&E) on 21/5/2019.  Submitted to the DPIE (previously DP&E) for review and approval on 6/6/19. Resubmitted on 6/09/2019.	Compliant	An Emergency Response Plan (ERP) has been prepared and include the BEEP, BMP and FERP. Approval to combine the documents was granted by DPIE (previously DP&E) on 21/5/2019.  Submitted to the DPIE (previously DP&E) for review and approval on 6/6/19. Resubmitted on 6/09/2019.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
13A	Waste	Measures to mitigate the effect of the construction waste streams will be incorporated into the Proposal's Construction Environmental Management Plan (CEMP). Waste management principles that will be incorporated into the CEMP relating to materials purchasing include: <ul style="list-style-type: none"> <li>• Avoidance and reuse of material will have priority over recycling</li> <li>• Recycling will have priority over disposal</li> <li>• Earth excavated from the site will be used for fill material and landscaping where feasible</li> <li>• If possible concrete components will be crushed and reused onsite, with the remainder sent to a recycling facility</li> <li>• Waste generation will be minimised by ordering the correct quantity of materials</li> <li>• Selection of materials which maximise recycled content, while having low embodied water and energy use</li> <li>• Selection of materials which maximise durability and lifespan.</li> </ul> The following procedures and protocols will be considered within the CEMP regarding waste management: <ul style="list-style-type: none"> <li>• Characterisation of construction waste streams</li> <li>• Management of any identified hazardous waste streams</li> <li>• Procedures to manage construction waste streams, including handling, storage, classification, quantification, identification and tracking</li> <li>• Mitigation measures for avoidance and minimisation of waste materials</li> <li>• Procedures and targets for reuse and recycling of waste materials.</li> <li>• Inclusion of the waste management strategies included in the Concept Plan Statement of Commitments for construction waste management.</li> </ul>	Pre-construction	Compliant	A project Waste Management Plan has been developed and provided to DPIE (previously DP&E) on 10/03/2017 that addresses and incorporates this mitigation measure.	Compliant	A Construction Waste and Resources Management Strategy has been developed to address waste and resource management throughout construction. This was initially submitted to DPIE (previously DP&E) for information on 28 March 2017.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
13D	Waste	Measures to mitigate the effect of waste arising during operation of the Proposal will be incorporated into the OEMP and will include measures to encourage recycling behaviour and increase the diversion of waste into recycling streams. These will include: <ul style="list-style-type: none"> <li>• Addressing waste management requirements and goals in staff inductions</li> <li>• Providing staff access to documentation outlining the facility's waste management requirements</li> <li>• Locating recycling bins in kitchen areas beside general waste bins to prevent contamination of recycling</li> <li>• Positioning paper recycling bins close to printer/photocopying equipment</li> <li>• Minimising general waste bins at desks but providing adequate container and paper recycling to encourage sorting of Recyclables</li> </ul>	Pre-operation	Compliant	An Operational Waste and Resources Management Plan (OWRMP) has been sent to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 8/06/19. Resubmitted on 11/07/19 addressing DPIE comments.  Approval to combine the waste and resource management plans was granted on 21/5/2019.  OWRMP approval received on 9/09/2019.	Compliant	An Operational Waste and Resources Management Plan (OWRMP) has been sent to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 8/06/19. Resubmitted on 11/07/19 addressing DPIE comments.  Approval to combine the waste and resource management plans was granted on 21/5/2019.  OWRMP approval received on 9/09/2019.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
13E	Waste	Waste arising from maintenance will be dealt in part by an asset management strategy and OEMP. Where feasible from a safety and cost perspective, assets will be refurbished, if a replacement is required the maintenance contractor will be responsible for ensuring any waste is recycled; if this is not possible arrangements for disposal at an appropriately licenced facility will be made.	Pre-operation	Compliant	An Operational Waste and Resources Management Plan (OWRMP) has been sent to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 8/06/19. Resubmitted on 11/07/19 addressing DPIE comments.  Approval to combine the waste and resource management plans was granted on 21/5/2019.  OWRMP approval received on 9/09/2019.	Compliant	An Operational Waste and Resources Management Plan (OWRMP) has been sent to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 8/06/19. Resubmitted on 11/07/19 addressing DPIE comments.  Approval to combine the waste and resource management plans was granted on 21/5/2019.  OWRMP approval received on 9/09/2019.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
14A	Bushfire	A bushfire management strategy, or equivalent, will be prepared as part of the CEMP for the construction phase. The strategy will include: <ul style="list-style-type: none"> <li>• Emergency response plans and procedures</li> <li>• Restrictions on activities (namely hot works) that cannot be undertaken on total fire ban days within areas of high Bushfire Hazard Rating, unless otherwise advised by the NSW Rural Fire Service.</li> <li>• All construction site offices and temporary buildings will be located outside buffer areas to ensure minimum setbacks of 10m.</li> <li>• All construction site offices will be accessible via access roads suitable for firefighting appliances similar to NSW Rural Fire Service category 1 tankers.</li> </ul>	Pre-construction	Compliant	A Bushfire Management Strategy was developed to comply with this requirement and incorporated into the project CEMP. The Strategy has been consulted on with the NSW Rural Fire Service and sent to DPIE (previously DP&E) for their information on the 10/02/2017.	Compliant	A Bushfire Management Strategy was submitted to DPIE (previously DP&E) for information on 7 March 2017.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
14D	Bushfire	A <b>bushfire management strategy</b> , or equivalent, will be prepared as part of the OEMP. The following measures will be included within the OEMP with regard to bushfire management: <ul style="list-style-type: none"> <li>• Management of the landscaped areas within the SIMTA Stage 1 site will be undertaken to maintain minimum dry fuels loads.</li> <li>• The Southern Boot Land will be managed by slashing vegetation to facilitate for a defensible space to the container storage area.</li> <li>• The corridor of the Rail link will be maintained in a low fuel state</li> <li>• Protocols will 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.</li> </ul>	Pre-operation	Not triggered	An Emergency Response Plan (ERP) has been prepared and include the BEEP, BMP and FERP. Approval to combine the documents was granted by DPIE on 21/5/2019.  Submitted to DPIE (previously DP&E) for review and approval on 6/06/19. DPIE comments received on 15/07/10. Comments addressed and plan resubmitted on 6/09/19.	Not triggered	An Emergency Response Plan (ERP) has been prepared and include the BEEP, BMP and FERP. Approval to combine the documents was granted by DPIE on 21/5/2019.  Submitted to DPIE (previously DP&E) for review and approval on 6/06/19. DPIE comments received on 15/07/10. Comments addressed and plan resubmitted on 6/09/19.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.

MPES1 FCMM - SSD 6766

Red text indicates wording revisions required to meet Land and Environment Court ruling (13 March 2018)

No.	Part	Condition	High Level Timing	Compliance Report - MPE Stage 1, Package 1 (RALP 1)		Compliance Report - MPE Stage 1, Package 2 IMEX		Monitoring Methodology
				Compliance Status	Evidence / Comments	Compliance Status	Evidence / Comments	
15A	Property and Infrastructure	Further assessment of services demand, infrastructure requirements and augmentation works, in consultation with relevant infrastructure and service providers will be undertaken during the progression of the design for the Proposal.	Detailed Design	Compliant	Addressed under Section 6 - Environmental Considerations of Services and Utilities Design Report.	Compliant	Connect Infrastructure has been engaged to consult with Endeavour Energy for electricity supply during detailed design.  RARI will be engaged to consult with Sydney Water for water and sewer.  Arcadis will consult directly with Telstra for telecommunications.	N/A
16A	Greenhouse Gas and Climate Change	A Greenhouse Gas Management Plan will be developed for the construction phase of the Proposal and included in the CEMP. Where appropriate, the mitigation measures, management strategies and abatement opportunities presented in the Greenhouse Gas and Climate Change Impact Assessment (Appendix X of this EIS) will be reviewed and considered for incorporation into the Construction Environmental Management Plan (CEMP) The Greenhouse Gas Management Plan will adopt the following measures: <ul style="list-style-type: none"> <li>Where possible locally sourced materials will be used to reduce GHG emissions associated with transport</li> <li>Construction and demolition waste will be recovered and recycled where possible, and vegetation waste will be composted</li> <li>Construction works will be planned to minimise double handling of materials</li> <li>Recycled materials will be reused where possible to reduce GHG emissions associated with embodied energy</li> <li>Construction/transport plans will be incorporated within the CEMP to minimise the use of fuel during construction</li> <li>Fuel efficiency of the construction plant/equipment will be assessed prior to selection, and where practical, equipment with the highest fuel efficiency and which uses lower GHG intensive fuel (e.g. biodiesel) will be used, where practicable</li> <li>On-site vehicles will be fitted with exhaust controls in accordance with the Protection of the Environment Operations (Clean Air) Regulation 2010 as required</li> <li>Regular maintenance of equipment will be undertaken to maintain good operations and fuel efficiency</li> <li>Where practicable trucks removing waste from the Proposal site or bringing materials to the Proposal site will be filled to the maximum amount allowable, depending on the truck size and load weight, to reduce the number of traffic movements required</li> <li>Consideration will be given to the embodied energy content of construction materials selected</li> </ul>	Pre-construction	Compliant	GHGMP developed in line with this condition.	Compliant	A Greenhouse Gas Management Plan was submitted to DPIE (previously DP&E) for information on 7 March 2017.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
16B	Greenhouse Gas and Climate Change	The mitigation measures, management strategies and abatement opportunities presented in the Greenhouse Gas and Climate Change Impact Assessment (Appendix X of this EIS) will be reviewed and considered where appropriate for incorporation into the operational Environmental Management Plan (OEMP). The following measures will be incorporated in to the OEMP for the Proposal: <ul style="list-style-type: none"> <li>Energy efficiency design aspects will be incorporated wherever possible to reduce energy demand</li> <li>The procurement of energy efficient equipment will be investigated for the Proposal</li> <li>Regular maintenance of equipment will be undertaken to maintain good operations and fuel efficiency</li> <li>Consideration will be given to undertake further investigation and implementation of cost negative abatement opportunities</li> <li>Further investigation of abatement opportunities will be considered once the facility transitions from the use of container handling equipment such as reach stackers and large forklifts to the operation of gantry cranes</li> </ul>	Pre-operation	Compliant	An Operational Waste and Resources Management Plan (OWRMP) has been sent to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 8/06/19. Resubmitted on 11/07/19 addressing DPIE comments.  Approval to combine the waste and resource management plans was granted on 21/5/2019.  OWRMP approval received by DPIE on 9/09/19.  The MPE Stage 1 UDLP (approved by DPIE on 14/2/19); Appendix D Lighting Plan and Lighting Layouts [SSS1-QPMS-EN-PLN- 00002] and MPE Stage 2 UDLP; Appendix A Lighting Plan [SSS2-QPMSEN- APP- 00034] address energy efficiency design aspects.	Compliant	An Operational Waste and Resources Management Plan (OWRMP) has been sent to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed on 8/06/19. Resubmitted on 11/07/19 addressing DPIE comments.  Approval to combine the waste and resource management plans was granted on 21/5/2019.  OWRMP approval received by DPIE on 9/09/19.  The MPE Stage 1 UDLP (approved by DPIE on 14/2/19); Appendix D Lighting Plan and Lighting Layouts [SSS1-QPMS-EN-PLN- 00002] and MPE Stage 2 UDLP; Appendix A Lighting Plan [SSS2-QPMSEN- APP- 00034] address energy efficiency design aspects.	Monitor implementation of the sub-plan during regular weekly inspections and ongoing compliance tracking and reporting managed by Qube's Site Safety, Health, Environment and Quality (SHEQ) Manager.
17A	Socio-economic	A community information and awareness strategy will be included in the CEMP and will outline measures to maintain communication with the community and all relevant stakeholders throughout the construction of the Proposal.	Pre-construction	Compliant	Elton Consulting has been appointed as the Community Consultant and manages all complaints and enquiries. Elton have prepared a Precinct wide Community Engagement Strategy (CES), whilst an MPE Stage 1 -specific Community Communication Strategy (CCS) has also been developed. Both strategies have been developed in line with the requirements of these conditions. Stakeholders have been identified and listed in section 4 of the CCS. The CCS was approved by the Secretary on 11/5/17.  Procedures and mechanisms used for distribution of project information include: SIMTA website, letterbox drops, newsletters, and media advertising. See CCS section 6.  A website, project email address and 1800 number have also been established.  Enquiries and complaints management are detailed in Section 7 of the CCS. Note that no third party disputes have occurred during this reporting period	Compliant	Elton Consulting has been appointed as the Community Consultant and manages all complaints and enquiries. Elton have prepared a Precinct wide Community Engagement Strategy (CES), whilst an MPE Stage 1 -specific Community Communication Strategy (CCS) has also been developed. Both strategies have been developed in line with the requirements of these conditions. Stakeholders have been identified and listed in section 4 of the CCS. The CCS was approved by the Secretary on 11/5/17.  Procedures and mechanisms used for distribution of project information include: SIMTA website, letterbox drops, newsletters, and media advertising. See CCS section 6.  A website, project email address and 1800 number have also been established.  Enquiries and complaints management are detailed in Section 7 of the CCS. Note that no third party disputes have occurred during this reporting period.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
17B	Socio-economic	The CEMP will prescribe measures to be implemented to minimise impacts on surrounding communities. These measures will include: <ul style="list-style-type: none"> <li>Work hours during construction will generally be limited to standard construction hours, unless otherwise authorised within the CEMP</li> <li>Ensuring land owners, within proximity of the Proposal site, are kept well informed about the Proposal, the construction hours and duration of the works.</li> <li>Land owners impacted by the construction works will be provided relevant contact details to address queries relating to the works.</li> </ul>	Pre-construction	Compliant	The project Construction Environment Management Plan has been developed and incorporates this requirement.  The CEMP was provided to DPIE (previously DP&E) for review and approval on the 08/02/2017 and approved on 11/5/17.  Land owners impacted by construction works are notified in accordance with the CCS	Compliant	Community impacts, mitigation and communication strategies are outlined within the Community Communication Strategy.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.
17C	Socio-economic	Written notification will be provided to likely and potentially affected and adjoining land owners receivers prior to commencement of Proposal's operations. This will include local residents, local businesses and relevant Authorities. The manner of notification will be confirmed in the final Operational Environmental Management Plan (OEMP) for the Proposal. The OEMP will also include measures to engage with stakeholders and to manage and respond to feedback received during operation of the Proposal.	Pre-operation	Compliant	Addressed in the Operational Community Communication Strategy (OCCS) which has been sent to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed 24/05/19.  Approval received from DPIE on 5/07/19.	Compliant	Addressed in the Operational Community Communication Strategy (OCCS) which has been sent to the DPIE for review and approval. DPIE (previously DP&E) comments received and addressed 24/05/19.  Approval received from DPIE on 5/07/19.	Monitor implementation of the sub-plan during regular weekly inspections, fortnightly ER inspections and ongoing compliance tracking and reporting.  The ER, contractors, environmental managers and project managers meet on a fortnightly basis to review construction progress.



