

# MOOREBANK LOGISTICS PARK

## Moorebank Precinct East: Six-Monthly Operations Compliance Report

Report: #3

Period: May 2021 – November 2021

20 DECEMBER 2021

# SYDNEY INTERMODAL TERMINAL ALLIANCE

May 2021 – November 2021

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## REVISIONS

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## KEY TERMS AND ACRONYMS

Acronym/Term	Meaning
CNBMP	Container Noise Barrier Management Plan
CoC	Conditions of Consent
DPIE	Department of Planning, Industry and Environment (previously Department of Planning and Environment)
DPI&E	Department of Planning, Industry and Environment
EPBC Act	Environmental Protection and Biodiversity Conservation Act 1999
ERP	Emergency Response Plan which includes the Bushfire Emergency and Evacuation Plan (BEEP), Bushfire Management Plan (BMP) and Flood Emergency Management Plan (FEMP)
IMEX	Import Export
MLP	Moorebank Logistics Park
OAQMP	Operational Air Quality Management Plan
OCR	Six Monthly Operational Compliance Report
OCCS	Operational Community Communication Strategy
OEMP	Operational Environmental Management Plan
ONVMP	Operational Noise and Vibration Management Plan
OTAMP	Operational Traffic and Access Management Plan
OWRMP	Operational Waste and Resource Management Plan
POCR	Pre-operations Compliance Report
POPD	Program for Operational Phase Delivery
SIOMP	Operational Stormwater Infrastructure and Operation and Maintenance Plan
SSD	State Significant Development
UDLP	Urban Design and Landscape Plan
WTP	Workplace Travel Plan
SSD 6766	Stage 1 of the MPE Concept Approval (MP 10_0193) as approved under SSD 6766. It involves the construction and operation of an IMEX terminal and associated Rail Link.
SSD 7628	Stage 2 of the MPE Concept Approval (MP 10_0193) as approved under SSD 7628. It involves the construction and operation of warehousing and distribution facilities on the MPE site and upgrades to approximately 1.5 kilometres of Moorebank Avenue from approximately 35 metres south of the northern boundary of the MPE site to approximately 185 metres south of the southern MPE site boundary.

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## 1 EXECUTIVE SUMMARY

In accordance with SSD 7628 Condition of Consent (CoC) C21(c)(iii), a Six-monthly operational compliance report (OCR) must be prepared.

The Department approved the Program for Operational Phase Delivery (POPD) on 21 May 2019 which outlined the staged submission of operational documents under condition A14 of SSD 7628. The Department also considered the combining of strategies, plans or programs to be acceptable, provided that all relevant conditions across both SSD 6766, and SSD 7628 are met.

Regular reviews of compliance against the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC 2011/6229) Conditions of Approval are undertaken but are not the subject of this compliance report.

This OCR has been prepared in accordance with the requirements of the *Compliance Reporting Post Approval Requirements (NSW DP&E, June 2018)* and has been prepared to outline the progress of compliance for all operational requirements against the Project Approvals from May 2021 – November 2021.

## 1 INTRODUCTION

### 1.1 Project Overview

Application Number	
<b>Project name:</b>	Moorebank Logistics Park – Operational Area 1 and 2
<b>Proponent</b>	Qube Holdings (Qube)
<b>Site Address</b>	MLP East Precinct site, Moorebank Avenue, Moorebank
<b>Project Phase</b>	Six Monthly Operation Compliance Report (OCR)
<b>Project Activity</b>	Operation of an import-export terminal, rail link and warehouse and distribution facilities and associated infrastructure.
<b>Report date</b>	Thursday, 23 December 2021

### 1.2 Project Approvals

Approval for the construction and operation of the MLP East Precinct was obtained progressively as follows:

- SIMTA Moorebank Intermodal Terminal Facility dated 6 March 2014 (EPBC 2011/6229)
- Moorebank Precinct East (MPE) Concept Approval – 10\_0193
- MPE Stage 1 – SSD 6766
- MPE Stage 2 – SSD 7628
- MPE Stage 2 – SSD 7628 – Subdivision partial development consent
- MPE Stage 2 – SSD 7628\_MOD 2 – Modification 2 boundary adjustment and basin 9 design adjustment
- MPE Stage 2 – SSD 7628\_MOD 3 – Modification 3
- MPE Stage 2 – SSD 7628\_MOD 3 – Modification 4

### 1.3 Scope and Purpose

In accordance with SSD 7628 Condition C21 (c) (iii), a Six-Monthly Operation Compliance Report (OCR) is required to outline progress of compliance for all operation requirements against the MPE Stage 1 and Stage 2 approval.

There is no specific requirement under SSD 6676 for the submission of an OCR, however this report has been prepared to address the operational requirements for both SSD 6766 and SSD 7628 and has been prepared in accordance with the requirements of the *Compliance Reporting Post Approval Requirements* (NSW DP&E, June 2018).





## 2.2 Scope of Works

The main features of the MLP East Precinct include:

- The Import Export (IMEX) Terminal. The IMEX Terminal comprises:
  - Truck processing, holding, and loading areas with an entrance and exit from Moorebank Avenue.
  - Rail loading and container storage areas serviced by container handling equipment
  - An Administration facility and associated car parking with light vehicle access from Moorebank Avenue.
- A Rail Link connecting the IMEX terminal and the Southern Sydney Freight Line (SSFL) traversing Moorebank Avenue, Anzac Creek and Georges River.
- Associated ancillary infrastructure including signage, lighting, landscaping, water management.
- Warehouse and distribution facilities including warehousing up to 21 m in height, typically ranging in size from 20,000 m<sup>2</sup> to 62,000 m<sup>2</sup>. Individual warehouses typically comprise the following:
  - Office and administration facilities
  - Amenities
  - Car parking
  - Truck loading/unloading docks
  - Internal parking for pick-up and delivery vehicles (PUD)
  - Specialised sortation and conveyor equipment
  - Hardstand areas that provide trailer parking spaces, external PUD parking spaces, vehicle manoeuvring areas and access to the main internal site road
  - Signage for business identification purposes, including backlit illuminated signage on each warehouse
  - Internal fit out, comprising racking and storage.
- A freight village including a mix of retail, commercial and light industrial spaces typically up to 15 m in height and varying in size and design.
- An internal road network to enable efficient movement of vehicles, dispatch of freight from the warehouses and transport of containers between the IMEX Terminal and warehouse and distribution facilities.
- Security and Administration offices and demountables.

## 2.3 Operational activities undertaken

Documents can be submitted in stages as permitted by CoC A14 and CoC A15. The application of the operational documents will be staged to take progressive effect across the MLP East Precinct site as construction is completed and operations commences was detailed in the POPD approved by the DPIE on 21 May 2019.

This OCR has been prepared in accordance with the requirements of the Compliance Tracking Program (CTP) to outline progress of compliance for all operation requirements against both SSD 6766 and SSD 7628. This OCR covers the period from May 2021 to November 2021.

The following works have been undertaken:

- Movement and storage of containers in and out of the terminal via rail
- Truck processing, holding, and loading areas.
- Primary and secondary container loading/ unloading areas.
- Transfer of containers between terminal and warehouses vis internal transfer vehicles
- Pickup and delivery of goods to warehouses via truck movements
- Warehouses 1, 3a, 3b, 4a, 4b and 5 are occupied and operational.

- Warehousing and Administrative Activities
- Security, maintenance and monitoring of all infrastructure and equipment related to the above activities.

### Project Compliance Summary

This OCR outlines the progress of compliance for all operational requirements against Project Approvals. Compliance against the project CoC and the Final Compilation of Mitigation Measures (FCMM) are outlined in SSD 6766 Conditions of Consent and SSD 7628 Conditions of Consent, Appendix A and B respectively.

A declaration of compliance is available in **Appendix G**.

## 2.4 Environmental Monitoring

In accordance with the CoC and OEMP, environmental monitoring activities are required to be undertaken for the operation phase of the MPE Stage 1 and Stage 2 project. These activities include air quality monitoring, noise monitoring, storm water infrastructure and water quality monitoring, Biodiversity Monitoring, and Biannual trip and origin destination reports. A summary of the monitoring results required for this reporting period is addressed in the following sections. The full reports for each of these monitoring requirements are available in the Appendices Section.

### 2.4.1 Air Quality Monitoring

Results during this reporting period are as follows:

The following summarises the monitoring results for this reporting period:

- No exceedances of the annual average criteria have occurred for PM2.5 or PM10.
- The annual average criteria for NO<sub>2</sub> (0.03 ppm) were exceeded from June 2021 to October 2021 (inclusive) at AQM03, which has resulted in a rolling 12-month annual average of 0.10 ppm for this monitor. The consistently high values at AQM03 have resulted in an annual average for NO<sub>2</sub> for all four monitors of 0.033 ppm, which is just above the annual average criteria of 0.03 ppm.
- There have been exceedances of the 1-hour average criteria for NO<sub>2</sub> (0.12 ppm) every day between 15 June 2021 and 31 October 2021
- It is noted that the AQM03 monitor was taken offsite in May 2021 for maintenance, which may have contributed to the exceedances measured since June 2021. None-the-less, it is recommended that the operation of the monitor is investigated as soon as possible to determine whether there is a malfunction, incorrect calibration, or isolated source of exceedance in proximity to the monitor.
- There were no exceedances of the CO criteria (9.0 ppm) at AQM02 and AQM04 during the six-monthly reporting period.
- The following exceedances of the 24-hour average criteria for PM2.5 and PM10 occurred during this reporting period occurred:
  - There were 12 exceedances (out of 184 days) of the PM2.5 24-hour average criteria during the reporting period (6.5%).
  - There were 35 exceedances (out of 184 days) of the PM10 24-hour average criteria during the reporting period (about 19%).
  - Most of the exceedances occurred in July 2021.
  - Hazard reduction burns occurred in the Sydney basin and surrounds around the start of May 2021 and during August 2021, impacting regional air quality. There were six days where 24-hour average exceedances occurred, which coincided with 'fair' to 'very poor' PM readings at the NSW government monitoring station at Liverpool. This may indicate regional sources

of air pollution on these days

- Only two exceedances corresponded to the times when trains were entering/exiting MLP Precinct East (02/10/2021 and 15/10/2021).
- The majority of the exceedances coincided with higher readings during the evening and early morning periods.
- Investigations at MLP Precinct East upon receipt of the exceedances has not identified significant dust or emissions issues from MLP Precinct East.
- Most exceedances were recorded at AQM03 which is the monitor located on the western boundary of the site. Exceedances at AQM03 predominantly occurred in July 2021. Causes of the recorded exceedances may be attributed to construction activities relating to MLP Precinct West. Out of hours deliveries for MPW Stage 2 have occurred during the reporting period in October on the following dates:
  - 11/10/2021 – 15/10/2021
  - 18/10/2021 – 22/10/2021
  - 25/10/2021 – 29/10/2021.
- One exceedance of the dust deposition (insoluble solids) 2 g/m<sup>2</sup>/month (incremental) or 4 g/m<sup>2</sup>/month (cumulative) criteria was observed during October 2021 (Stage 2 DDG 5 – 6.5)

The Six-Monthly Compliance Operational Air Quality reports completed during this period are available in **Appendix C** of this report. Actioning requirements and recommendations raised from the report are consistently being addressed as a part of daily operations.

## 2.4.2 Noise Monitoring

These measurements have been performed, consistent with the requirements of SSD 6766 and SSD 7628 and the Operational Noise and Vibration Management Plan. During this reporting period the following noise measurements were undertaken:

- Continuous Noise Monitoring
- 50% Warehouse Occupation Noise Report
- Angle of Attack Rail Noise Report

### Results during this reporting period:

In all cases, the measured noise levels were dominated by extraneous noise sources apart from the MLP operations. Noise sources from MLP operations were not audible during any of the measurement periods at all four representative measurement locations. Since MLP noise emissions were not audible, it was not possible to estimate the industrial noise contribution from the MLP facility.

Noise monitoring reports completed during this period are available in **Appendix D** of this report. Actioning requirements and recommendations raised from the report are consistently being addressed as a part of daily operations.

### 2.4.3 Storm Water Infrastructure and Water Quality Monitoring

The baseline monitoring forms the basis for the ongoing Biodiversity Monitoring Strategy (BMS) to assess stream health in accordance with CoC B106, to determine any change in stream health or water quality throughout the life of the Project and to ascertain whether these changes can be attributed to the Project works. The BMS outlines monitoring requirements and includes the Stormwater Monitoring Strategy required by CoC B43 and B44.

Summary of results:

- The condition of aquatic habitat within Anzac Creek appeared similar to that observed by previous surveys, in that the majority of the creek appeared stable and not subject to significant erosional processes.
- Alligator Weed (a noxious plant) continues to be abundant at the most upstream site (Site AQ1). The popular aquarium plant, *Egeria densa* (*Egeria*), observed in spring 2020, has not been observed in subsequent surveys.
- Concentrations of lead in sediments collected at Site AQ1 exceeded the guideline value (50 mg/kg) but not background concentrations (91 mg/kg).
- The AUSRIVAS (and SIGNAL results) are similar to past surveys. That is Observed to Expected ratio (OE50) Scores have been 0.30 and 0.30. Anzac Creek continues to have a low diversity of aquatic macroinvertebrates.
- Eight species of fish were collected from within the refuge pool confirming that the creek does provide some habitat for native species of fish
- PFOA (perfluoro-octanoic acid) and PFOS (perfluorooctance sulphonate) have been detected in water and sediment samples, but concentrations remain similar to baseline values and within the recommended Australian-derived guidelines for water and soil.

Water Quality results for samples collected at Site AQ12:

- Total nitrogen exceeded the upper default triggers values (DTV) (0.5 mg/L) at Site AQ12 at the time of Survey 1 (2.9 mg/L) but not Survey 2 (0.25 mg/L);
- Cadmium exceeded the DTV (0.4 µg/L) at Site AQ12 in autumn 2019 (Survey 1: 0.49 µg/L; Survey 2: 0.41 µg/L) and autumn 2021 Survey 1 (3.8 µg/L), but not during spring 2021 (Survey 1: <0.1 µg/L; Survey 2: <0.1 µg/L (Table 5);
- Chromium (<1 µg/L) and Zinc (8.3 and 12 µg/L) were within the recommended DTV's
- With the exception of copper in the water sample collected at Site AQ12, no dissolved metal or perfluorinated compounds exceeded the DTV's.
- For sediment samples collected at Site's AQ1, AQ4 and AQ14 in spring 2021, no dissolved metal or perfluorinated compounds exceeded the DTV's

Following the submission of the Autumn 2021 stormwater survey monitoring report, DPIE recommended additional observing to monitor environmental variances due to an increase in various chemical concentrations. DPIE recommendations were considered and addressed in below.

*The Department has reviewed and found that a significant increase in total nitrogen and Kjeldahl nitrogen was observed across each of the discharge points. This resulted in an exceedance of ANZECC guideline trigger values, most notably at discharge points 5 and 7. A similar trend was observed for total phosphorous in the samples across all discharge points. The Department notes that a significant rainfall event during the month prior to testing occurred may have had an effect regarding the concentrations of nitrogen and phosphorous within the drainage system. To ensure the increased levels of such nutrients*

are not persistent, it is recommended that each site be tested again and more frequently. It may also be advantageous to undertake visual inspection monitoring sites along the Anzac Creek corridor, and within the nearby confluences with the Georges River to identify if the increase in nutrient concentrations is contributing to algal blooms.

- No algal blooms were identified, otherwise Bioanalysis would have noted this in their report.
- With regards to total nitrogen and Kjeldahl nitrogen, the survey monitoring summary states that total nitrogen exceeded the upper default triggers values (DTV) (0.5 mg/L) at Site AQ12 at the time of Survey 1 (2.9 mg/L) which occurred on 21 September 2021, which would appear to coincide with results discussed above. It is however noted that for Survey 2 (0.25 mg/L) which occurred in November 2021, the DTV was not exceeded.
- Note also that the Kjeldahl nitrogen and phosphorus was not addressed in the executive summary but will obviously be addressed in the Final report.

*The Department also observed a spike in Cadmium, Chromium and Zinc at discharge points 5 & 7. Concentrations of each dissolved metal exceed ANZECC trigger values. Because of their high degree of toxicity, arsenic, cadmium, chromium, lead, and mercury rank among the priority metals that are of public health significance. It is recommended that this marginal increase in concentration for Cadmium, Chromium and Zinc be monitored closely over coming water quality monitoring events to determine if increased concentrations continue.*

- Cadmium did exceed the DTV in Autumn 2021 Survey 1 (28 April 2021 and 11 June 2021) but not in the spring survey (on either survey date). Note also that cadmium DTV was also exceeded in Autumn 2019, but at no other time.
- Chromium and Zinc were within the recommended DTVs for both surveys.

Water quality monitoring report and infrastructure inspection reports are available in **Appendix E** of this report. Actioning requirements and recommendations raised from the report are consistently being addressed as a part of daily operations.

## 2.4.4 Biodiversity Monitoring

The following Biodiversity Monitoring are required to be undertaken in Spring 2021.

- Monitoring of weed cover
- Monitoring of threatened species occurrence
- Monitoring of viability of native vegetation adjoining the rail easement
- Monitoring of feral fauna occurrence

### Results during this reporting period:

Spring/ Autumn biodiversity monitoring has been undertaken with reports due prior to the annual anniversary of operations in May 2022.

## 2.4.5 Biannual Trip and Origin Destination Report

The BTODR addresses the relevant requirements of the Project Approvals and other guidelines and standards applicable during operations of MPE. The BTODR is proposed to keep an accurate record of the shipping containers and vehicle arrivals / departures against approved volumes.

The data provided within this report has been collected in accordance with the BTODR Framework report and enables a comparative assessment of traffic accessing the Site and future growth in operational activities.

All data is a fair and accurate representation of the operational traffic for MPE and its surrounding road network. This data has been collected for the reporting period between 1 May 2021 and 31 October 2021.



The Biannual trip and origin destination report completed for this period, have been provided to Secretary for information in accordance with B28.

## 2.5 Previous Report Actions

The previous Six-Monthly Operational Compliance Report had no actions identified. Ongoing actions being tracked will be reported in the next Six-Monthly Operational Compliance Report.

## 2.6 Incidents

There were no operational incidents reported in MPE operations in the reporting period.

## 2.7 Complaints Management

No complaints were received relating to MPE operations in this period.

## **APPENDIX A - SSD 6766 CONDITIONS OF CONSENT**



COMPLIANCE REQUIREMENT	UNIQUE (ID)	COMPLIANCE REQUIREMENT	DEVELOPMENT PHASE	COMPLIANCE STATUS	EVIDENCE AND COMMENTS
SSD 6766	A1	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	Ongoing	To the extent it relates to MPE Stage 1.  All sources referred to are included in the project obligations register and OEMP.
SSD 6766	A2	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	Ongoing	
SSD 6766	A3	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	Ongoing	
SSD 6766	A4	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	
SSD 6766	A5	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	N/A	There have been no disputes within this reporting period.
SSD 6766	A6	Any advice or notice to the consent authority shall be served on the Secretary	All	N/A	There have been no notices or advice within this reporting period.
SSD 6766	A7	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	Ongoing	Required licences, permits, consents and approvals required prior to construction are being progressively obtained. E25 Report to be uploaded to Website once complete MP EPL to be uploaded to Website
SSD 6766	C19	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	Compliant	The OTAMP was approved 6/12/2019
SSD 6766	G1	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	Condition Superseded by email 22/2/2019
SSD 6766	G2	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	Condition Superseded by email 22/2/2019
SSD 6766	G3	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	No easements exist or are required under the MPE Stg 1 footprint. Easements will be required under MPE Stg 2 footprint (separate to this approval). This will not be triggered under MPE Stg 1.
SSD 6766	G4	Signage shall be installed in accordance with Drawing A3001 Issue C (Terminal – Signage Details) dated 14/04/2015, unless otherwise agreed by the Secretary.	operation	Compliant	Signages with the Terminal are per approved detailed design drawings

SSD 6766	G5	<p>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, (DP&amp;E 2011). The screening threshold quantities for each Dangerous Goods shall be defined in accordance with Table 1: Screening Methods of Applying SEPP 33.</p>	operation	Ongoing	No Dangerous Goods have been transported during this reporting period
SSD 6766	G7	<p>The Applicant shall install and maintain a rail noise monitoring system on the rail link at the commencement of operation to continuously monitor the noise from rail operations on the rail link. The system shall capture the noise from each individual train pass by noise generation event, and include information to identify:</p> <ul style="list-style-type: none"> <li>a) Time and date of freight train passbys;</li> <li>b) Imagery or video to enable identification of the rolling stock during day and night;</li> <li>c) LAeq(15hour) and LAeq(9hour) from rail operations; and</li> <li>d) LAF(max) and SEL of individual train passbys, measured in accordance with ISO3095; or</li> <li>e) Other alternative information as agreed with the Secretary.</li> </ul> <p>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.</p> <p>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.</p> <p>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.</p>	operation	Compliant	<p>Covered in Annual Noise Review Report</p> <p>Required in next annual review 2022</p>
SSD 6766	G7A	<p>The applicant shall install and maintain a wayside angle of attack monitoring system 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:</p> <ul style="list-style-type: none"> <li>a) Time and date of each axle pass by; and</li> <li>b) The identification number of each item of rolling stock.</li> </ul> <p>The results from the angle of attack monitoring system shall be:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul> <p>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.</p> <p>The angle of attack monitoring system shall not operate until the Secretary has approved the proposed monitoring location and reporting arrangements.</p>	operation	Compliant	Covered in Annual Noise Review Report.



SSD 6766	G7B	<p>The Applicant shall:</p> <p>(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).</p> <p>(b) the noise survey shall be conducted in accordance with the EPA's Rail Infrastructure Noise Guideline 2013 to determine:</p> <p>(i) the contribution of any new rail traffic travelling to and from the development; and,</p> <p>(ii) the increase in the total rail traffic noise level caused by any new rail traffic to and from the development.</p> <p>(c) the noise survey shall be conducted for not less than 12 contiguous days in the winter months (July, August or September).</p> <p>(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).</p> <p>(e) the report of the noise survey including the results and recommendations shall be provided to the Secretary.</p>	operation	Compliant	<p>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.</p> <p>This was approved by DP&amp;E on 17/09/2017</p> <p>The Moorebank Intermodal Terminal Project Best Practice Wagon Report (Condition G6B) was published on 16 April 2019 by Renzo Tonin and is currently in consultation with TfNSW</p> <p>Report submitted in 12 May 2021</p>
SSD 6766	G8	<p>The following measures must be implemented during operation:</p> <p>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</p> <p>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.</p>	operation	Ongoing	Use of Automatic Rail Lubrication Equipment / Maintain Rail Cross Sectional Profile
SSD 6766	G10	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	Ongoing	Containers are to be transferred by rail unless there is track maintenance or unforeseen circumstances
SSD 6766	G11	<p>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:</p> <p>a) The number of twenty foot equivalent units dispatched and received during the period;</p> <p>b) A record of heavy vehicle entry by date and approximate time; and</p> <p>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.</p>	operation	Compliant	<p>Part of BTODR</p> <p>Covered in BTODR report submission</p>
SSD 6766	G12	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	Ongoing	
SSD 6766	G13	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	Ongoing	Continuous air monitoring is ongoing
SSD 6766	G14	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	Compliant	No heavy road freight vehicle from the project has been identified using the East Hills Railway Corridor

SSD 6766	G15	<p>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:</p> <p>a) noise monitoring to assess compliance with the operational noise levels predicted in documents specified under condition A1 of this approval;</p> <p>b) a review of the operational noise levels in terms of criteria and noise goals established in the NSW Road Noise Policy (EPA, 2011);</p> <p>c) sleep disturbance impacts compared to those determined in Condition E25;</p> <p>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;</p> <p>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;</p> <p>f) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and proportions;</p> <p>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</p> <p>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.</p> <p>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.</p>	operation	Compliant	Covered in Annual Noise Review Report
SSD 6766	G16	<p>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. The audit report and response to any recommendations shall be published on the Project website.</p>	operation	Compliant	Undertaken on 10 May 2021. Report submitted 28/06/21

## **APPENDIX B - SSD 7628 CONDITIONS OF CONSENT**

COMPLIANCE REQUIREMENT	UNIQUE (ID)	COMPLIANCE REQUIREMENT	DEVELOPMENT PHASE	COMPLIANCE STATUS	EVIDENCE AND COMMENTS
SSD 7628	A1	In addition to meeting the specific performance measures and criteria established under this consent all reasonable measures must be implemented to prevent, and if prevention is not reasonable, minimise, any harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.	All	Ongoing	
SSD 7628	A2	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Secretary in relation to this consent; (c) in accordance with the EIS, Submissions Report, Consolidated assessment clarification responses, and updated Biodiversity Assessment Report; (d) in accordance with the amended Development Layout Plans and Design Plans, amended WSUD plans and amended architectural plans to be submitted for the Secretary's approval as part of this consent; and (e) in accordance with the management and mitigation measures at APPENDIX B of this consent.	All	Ongoing	
SSD 7628	A3	The Secretary may make written directions to the Applicant: (a) as a result of the Department's assessment of any strategy, plan, program, review, audit, notification, report or correspondence submitted under or in relation to this consent; (b) as a result of the Department's assessment of any review, report or audit undertaken or commissioned by the Department regarding compliance with this consent or in relation to an incident (whether notified to the Department or not); and (c) in relation to the implementation of any actions or measures contained in any of the documents listed in condition A2.	All	N/A	No written directions to the Applicant have been made by the secretary
SSD 7628	A4	The conditions of this consent and directions of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict. For the purpose of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Secretary and a document, if it is not possible to comply with both the condition or direction and the document.	All	N/A	No inconsistencies have been triggered.
SSD 7628	A8	The container freight road volume must not exceed 250,000 TEUs p.a., subject to the exception identified in condition A9, which may only be considered under condition A9 after the facility has been in operation.	Operation	Not triggered	
SSD 7628	A9	The movement of container freight by road may exceed the 250,000 TEU limit p.a. by up to a further 250,000 TEU p.a., if the Secretary is satisfied that traffic monitoring and modelling of the operation of the facility demonstrate that traffic movements resulting from the proposed increase in TEU will achieve the objective of not exceeding the capacity of the transport network.	Operation	Not triggered	
SSD 7628	A10	In determining the TEU limit, the Secretary may take account any roadworks or mitigation measures proposed under a Voluntary Planning Agreement to minimise traffic impacts.	All	Ongoing	
SSD 7628	A11	The maximum GFAs for the following uses apply: (a) 300,000m <sup>2</sup> for the warehousing and distribution facilities; and (b) 8,000m <sup>2</sup> for the freight village.	Operation	Not triggered	
SSD 7628	A12	The warehousing and distribution facilities must only be used for activities associated with freight using the MPE Stage 1 rail intermodal terminal.	Operation	Not triggered	



SSD 7628	A13	Freight village tenants and occupations are restricted to those activities that provide: (a) ancillary support for the development, its tenants, worker population and visitors; (b) a nexus with activities undertaken in relation to the warehouse, logistics functions of the IMT development and/ or; (c) provide aligned services to the intermodal functions. Prior to occupancy of any freight village tenancy, and every subsequent occupation of these tenancies, details of the tenant and occupation activity is to be submitted to the Secretary demonstrating that the proposed activity complies with this condition.	Operation	Not triggered	
SSD 7628	A14	With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a staged basis.	All	Compliant	The CTP (Rev 5) dated 24 May 2018, was approved by DP&E on 8/06/2018 Document Delivery Strategy (DDS)
SSD 7628	A15	If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program.	All	Compliant	The CTP (Rev 5) dated 24 May 2018, was approved by DP&E on 8/06/2018 Document Delivery Strategy (DDS)
SSD 7628	A16	With the approval of the Secretary, any strategy, plan or program required by this consent may be combined	All	Ongoing	CERSEDMP and SWMP
SSD 7628	A17	In seeking the Secretary's approval, a clear relationship must be demonstrated between the strategies, plans or programs that are proposed to be combined.	All	Ongoing	All plans
SSD 7628	A19	Where conditions of this consent require a document to be prepared in consultation with an identified party, the Applicant must: (a) consult with the relevant party prior to submitting the subject document to the Secretary for approval; (b) provide evidence that at least two weeks was provided for the relevant party to comment on the document; and (c) include in the document: (i) details of the consultation undertaken; (ii) a description of how matters raised by those consulted have been resolved to the satisfaction of both the Applicant and the party consulted; and	All	Compliant	Stakeholder consultation outcomes addressed within each management plan.
SSD 7628	A20	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits, approvals and consents.	All	Compliant	CEMP (Rev 4) dated 5 April 2018, approved by DP&E 8/06/2018 Specific licence/permit requirements are addressed in each subplan. Compliance Tracker.
SSD 7628	A30	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.	All	Not triggered	Records of damage or rectification required should activities cause damage to public infrastructure.
SSD 7628	A32	All plant and equipment used at the site or to monitor the performance of the development must be: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	All	Compliant	CEMP / Maintenance records
SSD 7628	B1	The Applicant must: (a) prepare each plan, program and other documents in consultation with the specified stakeholders; (b) not commence each phase of the project until the plans, programs and other documents required under this consent are approved by or, where not required to be approved, submitted to the Secretary specified within the timeframes; and (c) implement the most recent version of the required plans and programs approved by the Secretary for the duration of the development.	All	Compliant	Record of consultation included in all plans.

SSD 7628	B28	<p>The Applicant is to prepare a <b>Biannual Trip Origin and Destination Report</b> each six months following commencement of any operation (in a format agreed with TfNSW and RMS) that advises:</p> <p>(a) the number of actual and standard twenty foot equivalent shipping containers despatched and received during the period;</p> <p>(b) the number of days in the period that the truck gate was open for despatching trucks 24 hours a day, 7 days a week and detail any exceptions to this and advise actual hours of operation;</p> <p>(c) records of vehicle numbers accessing the site; and</p> <p>(d) representative vehicle origins and destinations, based on a cordon in the surrounding network.</p> <p>A framework for recording and reporting on the data required for the report, prepared to the satisfaction of TfNSW and RMS, is to be submitted to the Secretary three months prior to the commencement of operation.</p> <p>The report is to be submitted within one month of its preparation throughout operation of the project, starting six months from the commencement of operation, unless otherwise agreed by the Secretary, TfNSW and RMS.</p> <p>The cordon count at (d) above will:</p> <ul style="list-style-type: none"> <li>• apply to all classes of vehicles; and</li> <li>• cover the intermodal terminal, the warehousing facility and any other uses such as the freight village.</li> </ul>	Operation	Compliant	Next required November 2021 - for May - November 2021
SSD 7628	B30	The Applicant must ensure that the <b>Workplace Travel Plan</b> is implemented for the life of the development.	Operation	Ongoing	Approval of the WTP was received by DPIE on 6/12/2019
SSD 7628	B51	The annual independent audit must be undertaken by a suitably qualified WSUD professional. The audit is to verify the condition of the treatment system(s), verify and document that the system(s) is working as intended, verify the system(s) has been cleaned adequately, verify there is no excessive build-up of material in the system(s) and identify any issues with the treatment system(s) which require rectification for the system(s) to adequately perform its intended function.	Operation	Complaint	Independent WSUD Audit undertaken on 10 May 2021. Report to be provided to Secretary on 29/6/21 Required in May 2022
SSD 7628	B54	Best practice reactive and proactive management measures must be implemented to minimise dust generated during all works authorised by this consent.	All	Compliant	Monthly internal air quality reports prepared by Arcadis
SSD 7628	B55	Deposited dust must not exceed an increase of 2g/m2/month or maximum of 4g/m2/month at the closest off site sensitive receiver.	All	Compliant	Monthly internal air quality reports prepared by Arcadis
SSD 7628	B60	The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	All	Ongoing	CEMP/ OEMP
SSD 7628	B61	Equipment must be installed and operated in accordance with best practice to ensure that the development complies with all load limits, air quality criteria, air emission limits and air quality monitoring requirements as specified under this consent.	All	Ongoing	CEMP/ CAQMP
SSD 7628	B64	Continuous <b>noise monitoring</b> at sensitive receivers must be undertaken during early works, fill importation, construction and for at least 12 months following occupation of the entire site.	All	Complaint	continuous noise monitoring is ongoing
SSD 7628	B79	The permitted hours of warehouse and distribution operation are detailed in <b>Table 4</b> .	Operation	Compliant	OEMP
SSD 7628	B80	Noise generated by operation of the development inclusive of MPE Stage 1 operations must not exceed the noise limits in <b>Table 5</b> .	Operation	Ongoing	OEMP
SSD 7628	B85	The Applicant must carry out <b>noise monitoring of mechanical plant and other noisy equipment</b> for a minimum period of one week where valid data is collected following occupation of each warehouse. The monitoring program must be carried out by a suitably qualified and experienced person(s) and a Monitoring Report for Mechanical Plant must be submitted to the Secretary within two months of occupation or each tenancy to verify predicted mechanical plant and equipment noise levels.	Operation	Compliant	Next required WH6,7,8 and WH1 new tenant



SSD 7628	B86	<p>Within 12 months of occupation of the first warehouse, 50% occupation of the site and 100% occupation of the site, or as otherwise agreed by the Secretary, the Applicant must undertake <b>operational noise monitoring</b> to compare actual noise performance of the project against predicted noise performance, and prepare an <b>Operational Noise Report</b> to document this monitoring. The Report must include, but not necessarily be limited to:</p> <p>a) noise monitoring to assess compliance with the predicted operational noise levels and the noise limits specified in Table 5;</p> <p>b) a review of the operational noise levels in terms of criteria and noise goals established in the NSW RNP (EPA, 2011);</p> <p>c) sleep disturbance impacts compared to those determined in documents specified under condition A2;</p> <p>d) impacts associated with annoying characteristics such as prominent tonal components, impulsiveness, intermittency, irregularity and dominant low-frequency content;</p> <p>e) methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers;</p> <p>f) 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;</p> <p>g) any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and heavy vehicle proportions; and</p> <p>h) 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.</p>	Operation	Compliant	<p>Industrial noise assessment report completed as part of 50% occupation of the site submitted 8/6/21</p> <p>Next required 100% occupation</p>
SSD 7628	B87	The Applicant must 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	Compliant	50% - submitted on 8/6/21
SSD 7628	B88	<p>To ensure the operational noise impacts are appropriately managed, the following measures apply:</p> <p>a) use of best practice plant; and</p> <p>b) preparation of a risk assessment to determine if non-tonal reversing alarms can be fitted as a condition of site entry. Alternatively, site design may include traffic flow that does not require or precludes reversing of vehicles<sup>9</sup></p>	Operation	Not triggered	Not required unless identified by B85
SSD 7628	B89	For the duration of operation 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) must 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 <b>heavy vehicle monitoring report</b> for the prior 12 month period.	Operation	Compliant	No heavy road freight vehicle from the project have been identified using the East Hills Railway corridor
SSD 7628	B90	<p>For the duration of operation, the Applicant must:</p> <p>a) continue to implement all reasonable and feasible best practice noise mitigation measures;</p> <p>b) continue to investigate ways to reduce the noise generated by the development, including maximum noise levels which may result in sleep disturbance; and</p> <p>c) report on these investigations and the implementation and effectiveness of these measures in the Annual Review to the satisfaction of the Secretary.</p>	Operation	Compliant	Ongoing monitoring. To be reported in the Annual Review. Annual review to be submitted to Secretary
SSD 7628	B121	Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site or be deposited on or otherwise enter neighbouring public or private properties.	Operation	Compliant	No community waste complaints identified. Warehouse tenant have procured Waste Contractor to dispose any waste
SSD 7628	B122	All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.	All	Compliant	
SSD 7628	B123	The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's <i>Waste Classification Guidelines Part 1: Classifying Waste</i> (EPA, 2014).	All	Compliant	
SSD 7628	B124	Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal unless it satisfies these conditions.	All	Compliant	
SSD 7628	B125	The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.	All	Compliant	
SSD 7628	B126	The collection of waste generated during operation of the development must be undertaken between 7 am to 10 pm Monday to Friday	Operation	Compliant	Review of Warehouse Waste Registers
SSD 7628	B145	Public road access must comply with section 4.1.3(1) of <i>Planning for Bush Fire Protection 2006</i> except for the requirement for through-access.	All	Compliant	CTP/ BFMP
SSD 7628	B146	The provision of water, electricity and gas must comply with section 4.1.3 of <i>Planning for Bush Fire Protection 2006</i> .	All	Compliant	CTP/ BFMP

SSD 7628	B153	The Applicant must obtain a certificate from a suitable qualified tradesperson, certifying that kitchen, food storage and food preparation areas have been fitted in accordance with Australian Standard AS4674. The Applicant must provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to occupation.	Operation	Not triggered	No Warehouses contain any food storage or food preparation areas
SSD 7628	C5	Overall responsibility of the development, including the freight village environmental management during operation, must be by the entity responsible for the Precinct environmental management.	Operation	Not triggered	OEMP
SSD 7628	C7	<p>The Applicant must ensure that the environmental management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures/criteria; and</p> <p>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</p> <p>(c) a description of the management measures to be implemented to comply with the relevant statutory requirements, limits or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <p>(i) impacts and environmental performance of the development; and</p> <p>(ii) effectiveness of any management measures (see (c) above);</p> <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <p>(i) incidents and non-compliances;</p> <p>(ii) complaints;</p> <p>(iii) non-compliances with statutory requirements; and</p> <p>(h) a protocol for periodic review of the plan.</p> <p>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for a particular management plan.</p>	All	Ongoing	All management plans
SSD 7628	C9	<p>Within three months of:</p> <p>(a) the submission of an annual review under condition C10;</p> <p>(b) the submission of an incident or non-compliance notification under condition C13;</p> <p>(c) the submission of an audit under condition C18;</p> <p>(d) the approval of any modification of the conditions of this consent; or</p> <p>(e) the issue of a direction of the Secretary under condition A2;</p> <p>the strategies, plans and programs required under this consent must be reviewed, and if necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, must be revised, to the satisfaction of the Secretary. Where revisions are required, the revised document must be submitted to the Secretary for approval within six weeks of the review.</p> <p>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve the environmental performance of the development.</p>	All	Ongoing	CEMP



SSD 7628	C10	<p>Each year, the Applicant must submit a <b>review the environmental performance</b> of the development (including all tenants and occupants) to the to the Department. The review must:</p> <p>(a) describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the next year;</p> <p>(b) include a comprehensive review of the monitoring results and complaints records from the previous year, including a comparison of these against the:</p> <p>(i) the relevant statutory requirements, limits or performance measures/criteria;</p> <p>(ii) requirements of any plan or program required under this consent;</p> <p>(iii) the monitoring results of previous years; and</p> <p>(iv) the relevant predictions in the EIS, Submissions Report, Consolidated assessment clarification responses; Modification Assessment, or conditions of this consent;</p> <p>(c) identify any non-compliance over the previous year, and describe what actions were (or are being) taken to ensure compliance;</p> <p>(d) identify any trends in the monitoring data over the life of the development;</p> <p>(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and</p> <p>(f) describe what measures will be implemented over the next year to improve the environmental performance of the development.</p> <p>The Applicant must ensure that copies of the Annual Review are submitted to Council and are available to the CCC and any interested person upon request.</p>	All	Complaint	Covered in Aspect's Annual Review Report
SSD 7628	C11	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.	All	Ongoing	CEMP/OEMP
SSD 7628	C12	A written incident notification addressing all requirements for such notification set out in Appendix D of this consent, must also be emailed to the Department at the following address: <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within 7 days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition or, having given such notification, subsequently forms the view that an incident has not occurred.	All	Ongoing	CEMP/OEMP
SSD 7628	C13	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Secretary the Applicant must provide the Secretary and any relevant public authorities (as determined by the Secretary) with a detailed report on the incident addressing all requirements for such reporting set out in Appendix D of this consent, and such further reports as may be requested.	All	Ongoing	CEMP/OEMP
SSD 7628	C14	Any written requirements of the Secretary or relevant public authority (as determined by the Secretary) which may be given at any point in time, to address the cause or impact of an incident must be complied with and within any timeframe specified by the Secretary or relevant public authority.	All	Ongoing	CEMP/OEMP
SSD 7628	C15	If statutory notification is provided to EPA as required under the POEO Act in relation to the development, such notification must also be provided to the Secretary within 24 hours after the notification was provided to EPA.	All	Ongoing	CEMP/OEMP
SSD 7628	C16	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within 7 days after the Applicant becomes aware of any non-compliance.	All	Ongoing	CEMP/OEMP
SSD 7628	C17	The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply, the reasons for the non-compliance (if known), and what actions have been, or will be, undertaken to address the non-compliance.	All	Ongoing	CEMP/OEMP

SSD 7628	C18	<p>Within one year of the commencement of any development under this consent, and every three years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an <b>Independent Environmental Audit (Audit)</b> of the development. Audits must:</p> <p>(a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) be carried out in consultation with the relevant agencies and the CCC;</p> <p>(c) assess the environmental performance of the development (and tenancies) and assess whether it is complying with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and</p> <p>(d) review the adequacy of any approved strategy, plan or program required under this consent; and</p> <p>(e) recommend appropriate measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under this consent.</p>	All	Compliant	Undertaken on 10/5/21. Report submitted on 28/6/21
SSD 7628	C19	<p>Within three months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Secretary.</p>	All	Compliant	Undertaken on 10/5/21. Report submitted on 28/6/21
SSD 7628	C20	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, including demolition and remediation, the Applicant must:</p> <p>(a) make copies of the following publicly available on its website:</p> <p>(i) the documents referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</p> <p>(v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vi) a summary of the current stage and progress of the development;</p> <p>(vii) contact details to enquire about the development or make a complaint;</p> <p>(viii) a complaints register updated on a monthly basis;</p> <p>(ix) the Annual Reviews of the development;</p> <p>(x) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(xi) any other matter required by the Secretary; and</p> <p>(b) keep such information up to date, to the satisfaction of the Secretary.</p>	All	Compliant	The website is being progressively updated as documents are approved for each stage of the construction activities.

SSD 7628	C21	<p>The Proponent must prepare and implement a <b>Compliance Tracking Program</b> to track compliance with the requirements of this approval. The <b>Compliance Tracking Program</b> must be submitted to the Secretary for approval prior to the commencement of construction.</p> <p>The Compliance Tracking Program must include, but not be limited to:</p> <ul style="list-style-type: none"> <li>(a) provision for the notification of the Secretary prior to the commencement of construction and prior to the commencement of operation of the development (including prior to each stage, where works are being staged);</li> <li>(b) provision for periodic review of the compliance status of the development against the requirements of this approval and the environmental management measures committed to in the documents referred to in condition A2;</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 <b>Pre-Construction Compliance Report</b> prior to the commencement of construction,</li> <li>(ii) quarterly Construction Compliance Reports, for the duration of construction, and</li> <li>(iii) a <b>Pre-Operation Compliance Report</b> prior to the commencement of operation, and six monthly operational compliance reports;</li> </ul> </li> <li>(d) a program for independent environmental auditing;</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;</li> <li>(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.</li> </ul>	All	Compliant	This Report
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# **APPENDIX C –AIR QUALITY MONITORING COMPLIANCE REPORT**

## **APPENDIX D – ANGLE OF ATTACK RAIL REPORT**



# APPENDIX E - B106/B43 REPORT





# APPENDIX F – MPE OPERATIONS INCIDENT REGISTER



# APPENDIX G - COMPLIANCE REPORT DECLARATION FORM

## COMPLIANCE REPORT DECLARATION

<b>Project Name</b>	Moorebank Logistics Park (MLP) – East Precinct
<b>Project Application Number</b>	SSD 7628
<b>Description of Project</b>	Moorebank Logistics Park aims to streamline the freight logistics supply chain from port to store, deliver savings to businesses and consumers, and help service the rapidly growing demand for imported goods in south-west Sydney. It is located approximately 27 kilometres (km) south-west of the Sydney Central Business District and approximately 26 km west of Port Botany within the Liverpool Local Government Area. The MLP is divided into an East Precinct and a West Precinct, located east and west of Moorebank Avenue respectively. The East Precinct includes the 24/7 operation of an import-export terminal (IMEX), rail link connecting to the South Sydney Freight Line (SSFL), warehousing and distribution facilities and freight village.
<b>Project Address</b>	Moorebank Logistics Park, Moorebank, NSW, 2170
<b>Proponent</b>	Qube Holdings Limited (ACN: 149 723 053)
<b>Title of Compliance Report</b>	Moorebank Logistics Park East Precinct – Pre-operation Compliance Report
<b>Date</b>	Thursday, 23 December 2021

I declare that I have reviewed relevant evidence and prepared the contents of the attached Compliance Report and to the best of my knowledge:

- the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- the Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements;
- the findings of the Compliance Report are reported truthfully, accurately and completely;
- due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- the Compliance Report is an accurate summary of the compliance status of the development.

### Notes:

- Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years' imprisonment or 200 penalty units, or both).



<b>Name of Authorised Reporting Officer</b>	[REDACTED]
<b>Title</b>	MD Possum Environmental Consulting
<b>Signature</b>	[REDACTED]
<b>Qualification</b>	Bachelor of Science – Environmental Science
<b>Company</b>	Possum Environmental Consulting
<b>Company Address</b>	[REDACTED]