MOOREBANK PRECINCT WEST (SSD 5066)

Stage 1: Six-Monthly Compliance Report - #08

March 2021 – August 2021

14 OCTOBER 2021

Moorebank Precinct West (SSD 5066)

Stage 1: Construction Compliance Report – #08

March 2021 – August 2021

Author(s) [redacted]

Checker [redacted]

Approver [redacted]

[redacted]

Report No J001836211014.01

Date 14/10/2021

Revision Text 1

Version No.	Document No.	Description	Prepared by	Approved by	Date
001	001	Final	[redacted]	[redacted]	14/10/2021

Limitations on use and reliance

Aspect Environmental Pty Ltd has prepared this report solely for the use of the Client and those parties with whom a warranty / end user agreement or licence has been executed, or with whom an assignment has been agreed. Should any third party wish to use or rely upon the contents of the report, written approval must be sought from Aspect Environmental Pty Ltd; a charge may be levied against such approval.

Aspect Environmental Pty Ltd accepts no responsibility or liability for:

- *a) the consequences of this document being used for any purpose or project other than for which it was commissioned, and*
- *b) provision of, or subsequent reliance on, this document to any third party with whom an agreement has not been formally executed.*

The work undertaken to provide the basis of this report comprised a study of available documented information from a variety of sources (including the Client).

Should additional information become available which may affect the opinions expressed in this report, Aspect Environmental Pty Ltd reserves the right to review such information and, if warranted, to modify the opinions accordingly.

Table of Contents

Table of Contents 2
1. Introduction 4
1.1 Moorebank Logistics Park Overview 4
1.2 MPW Stage 1 Development 5
1.3 Site Location 5
1.4 Scope of Works 6
1.5 Works Undertaken March 2021 - August 2021 7
1.6 Scope and Purpose 7
1.7 Six-Monthly Compliance Report Structure 7
1.8 Methodology for Data Collection 8
2. Project Compliance 9
2.1 Previous Actions 9
2.2 Environmental Incidents 9
2.3 Conditions of Consent 9
2.4 Non- Compliances 9
2.5 Complaints Management 9
3. Compliance Summary 11
Compliance Report Declaration 12
Appendix A: Compliance tracking table – SSD 5066 development consent 14

Acronyms

Acronym	Meaning
AA	Accordance Assessment
CAR	Corrective Action Request
CEMP	Construction Environmental Management Plan
CoC	Conditions of Consent
CSWMP	Construction Soil and Water Management Plan
CTP	Compliance Tracking Program
DPIE	Department of Planning, Industry and Environment (formerly Department of Planning and Environment)
EPBC	Environment Protection and Biodiversity Act 1999
EPL	Environment Protection Licence
ER	Environmental Representative
MPE	Moorebank Precinct East
MPW	Moorebank Precinct West
PFAS	Per & Polyfluoroalkyl Substances
RfMA	Request for minor amendment – to a CEMP or sub-plan – which can be approved by the ER
REMMs	Revised Environmental Mitigation Measures
SIMTA	Sydney Intermodal Terminal Alliance
SSD	State significant development

1. Introduction

1.1 Moorebank Logistics Park 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 Logistics Park (MLP).

When completed, the MLP 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.

Figure 1-1 identifies the environmental management process flow across the MPE and MPW Projects implemented since January 2020.

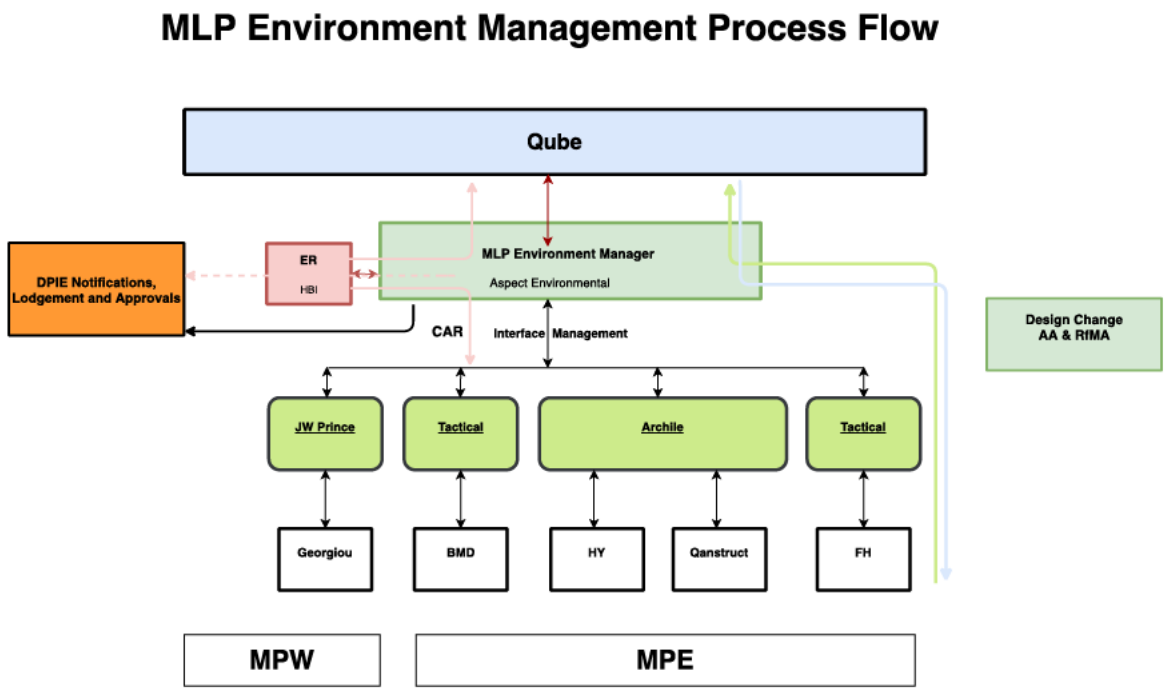

Figure 1-1 Environment management process flow across the MPE and MPW developments

1.2 MPW Stage 1 Development

The MPW Stage 1 (SSD 5066) development is the concept phase and early works of the MPW project. The scope of works for MPW Stage 1 is detailed in section 1.4. MPW Stage 1 is being delivered under the following approvals:

- State significant development consent (SSD 5066) granted by the (then) NSW Planning Assessment Commission on 3 June 2016 for the MPW Project Concept Plan and Stage 1 Early Works under Part 4, Division 4.1 (now Division 4.7 as of 1 March 2018) of the *Environmental Planning and Assessment Act* 1979
- EPBC Act Approval No. 2011/6086, approved on 27 September 2016 for the impact of the MPW Project on matters of national environmental significance and proposals involving the Commonwealth
- Planning Proposal for the rezoning of the MPW Site which was gazetted on 24 June 2016 for an amendment to the Liverpool Local Environmental Plan 2008.

A modification of the MPW Project Concept Plan and Stage 1 Early Works Development Consent (SSD 5066 MOD 1) was granted by the NSW Independent Planning Commission on 30 October 2019 and enabled importation of 1.6 million cubic meters of fill, transfer of containers to the MPE rail terminal and future subdivision. Further Modification of the MPW Project Concept Plan and Stage 1 Early Works Development Consent (SSD 5066 MOD 2) enabling an increase to building heights.

The other approved works to be undertaken within the Moorebank Precinct are being undertaken as part of separate approvals and subject to separate construction programs, including the MPE Stage 1 Development (SSD 6766), MPE Stage 2 Development (SSD 7628), MPW Stage 2 Development (SSD 7709), MPW Stage 3 Development (SSD 10431) and MPE EPBC Act Approval (No. 2011/6229) and are not the subject of this report.

1.3 Site Location

The MPW Stage 1 development is located on Moorebank Avenue, Moorebank in NSW. The site is situated within the Liverpool LGA 30 km south-west of the Sydney CBD and approximately 4 km south of Liverpool CBD.

The Site is land generally described as being located on the western side of Moorebank Avenue, between the M5 Motorway and the East Hills Rail Passenger line, Moorebank, comprising the following lots:

- Lot 1 DP 1197707
- Lot 100 DP 1049508
- Lot 101 DP 1049508
- Lot 2 DP 1197707.

1.4 Scope of Works

The MPW Project involves the development of an intermodal facility, including warehouse and distribution facilities, freight village (ancillary site and operational services), stormwater, landscaping, servicing and associated works on the western side of Moorebank Avenue, Moorebank.

The scope of early works includes the following activities that are not considered construction activities under SSD 5066:

- survey, acquisitions, building/road dilapidation surveys, fencing, investigative drilling, excavation or salvage
- establishment of site compounds and construction facilities
- installation of environmental mitigation measures
- utilities adjustment and relocation that do not present a significant risk to the environment, as determined by the Environmental Representative
- other activities determined by the Environmental Representative to have minimal environmental impact
- the demolition of existing buildings and structures
- services terminations, relocations and diversion
- removal of existing hardstand/roads/pavements and infrastructure associated with existing buildings
- rehabilitation of the excavation/earthmoving training area (i.e. 'dust bowl')
- remediation of contaminated land and hotspots, including areas known to contain asbestos, and the removal of
    - underground storage tanks
    - unexploded ordnance and explosive ordnance waste if found
    - asbestos contaminated buildings
- archaeological salvage of Indigenous and European heritage
- establishment of the conservation area along the Georges River
- establishment of construction facilities (which may include a construction laydown area, site offices, hygiene units, kitchen facilities, wheel wash and staff parking) and access, including site security
- vegetation removal, including the relocation of hollow-bearing trees, as required for remediation/demolition purposes.

The risks and mitigation measures associated with these activities are managed in accordance with the approved CEMP and associated sub-plans.

1.5 Works Undertaken March 2021 - August 2021

The physical works that have been undertaken during this reporting period are outlined below:

- remediation and validation of contaminated materials
- stockpiling and ongoing maintenance of asbestos contaminated material
- installation of communication services and utilities
- ongoing installation and maintenance of site environmental controls.

This scope of completed works is consistent with MPW Stage 1 activities outlined in the approved CEMP (Rev4).

1.6 Scope and Purpose

Compliance tracking and reporting requirements for MPW Stage 1 are specified in SSD 5066 Condition of Consent (CoC) A2 and are summarised in Table 1-1**Error! Reference source not found.**.

This report represents the eighth construction compliance report required under CoC A2 and documents compliance status against the relevant construction requirements outlined in the MPW Stage 1 CoCs for the period March 2021 – August 2021.

Table 1-1 Requirements for compliance reporting

CoC	Condition	Reference
A2	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 the Early Works stage.	The Compliance Tracking Program (CTP) was prepared by Liberty Industrial to satisfy this condition. CTP (Rev E) was approved by the Department of Planning and Environment (now the Department of Planning, Industry and Environment (DPIE)) on 21 February 2017 prior to the commencement of early works. A revised CTP was prepared by Aspect Environmental and submitted to DPIE for Approval on 24 September 2020 and is currently being implemented on site.
A2 (c)	Provision for periodic reporting of compliance status to the Secretary, including but not limited to: (ii) Six- monthly, or other timing as agreed by the Secretary, Early Works Compliance Reports, for the duration of Early works, ...	This six-monthly compliance report has been prepared to satisfy this condition and identifies the compliance status of the Project for the period March 2021 to August 2021 and will be provided to the Secretary for information.

1.7 Six-Monthly Compliance Report Structure

This compliance report has been prepared in accordance with the CTP (Aspect, 2020). The Compliance Reporting – Post Approval Requirements (CRPAR) (Department of Planning and

Environment, June 2018) and CRPAR 2020 (DPIE, 2020) have also been referenced in the preparation of this report, where they do not conflict with the CoCs. The structure of this compliance report is as follows:

- **Section 1 - Introduction:** Provides a brief overview of the MPW Project and the purpose of this report
- **Section 2 - Project Description:** Provides a brief summary of the MPW Stage 1 works and the works undertaken during the reporting period
- **Section 3 - Project Compliance:** This includes detail for any environmental incidents and non-compliances, internal and external audit results, progress against previous compliance report actions and response to any complaints or enquiries
- **Section 4 - Compliance Summary:** Provides a conclusion of the report.

Appendix A contains the compliance tracking table.

1.8 Methodology for Data Collection

This compliance report has been prepared with inputs from Arcadis, Tactical Group, JWP, Georgiou and SIMTA.

The report integrates information collated from regular compliance activities such as progress meetings, inspections, client surveillance and monitoring undertaken in accordance with the relevant Construction Environmental Management Plan (CEMP) and sub-plans.

2. Project Compliance

2.1 Previous Actions

One non-compliance was identified by the previous MPW Stage 1 Six-monthly Compliance Report #07 (September 2020 – Feburary 2021). The non-compliance related to out of hours works noise and was addressed and closed out during the previous reporting period.

2.2 Environmental Incidents

No reportable environmental incidents occurred during the reporting period.

2.3 Conditions of Consent

Compliance against the CoC is outlined in Appendix A. The status of each compliance requirement during the reporting period is recorded using the descriptors prescribed by the CRPAR (DPIE, 2020). These are provided in Table 2-1.

Table 2-1 Compliance status descriptors (CRPAR (DPE, 2020)

Status	Description
Compliant	The proponent has collected sufficient verifiable evidence to demonstrate all elements of the requirement have been complied with.
Non-compliant	The proponent has identified a non-compliance with one or more elements of the requirement.
Not triggered	A requirement has an activation or timing trigger that has not been met at the phase of the development when the compliance assessment is undertaken, therefore an assessment of compliance is not relevant.

2.4 Non- Compliances

No non-compliances were identified during the reporting period.

2.5 Complaints Management

Six community complaints were recorded during the reporting period. Complaints and enquiries are managed in accordance with Section 7.6 *Complaints and Enquiry Handling Flowchart* of the Community Communication Strategy (Elton Consulting, 2017).

The details of these complaints and enquires and the subsequent responses are recorded in a community complaints register, which is maintained across the entire Moorebank Precinct, including the MPW Stage 1 Site, and does not differentiate between development consents or work stages. Due to this, some complaints may be duplicated within the compliance reporting documentation across the MLP.

Table 2-2 summarises the nature of the complaints, the reporting mechanism, and the total number of complaints. All complaints have been closed out within this reporting period.

Table 2-2 Summary of complaints received during the reporting period

Date	Reporting Mechanism	Complaint Type	Summary	Response
15/03/2021	Webform	Driver Conduct	Road user complained of dangerous truck driver conduct on Moorebank Avenue.	The project team conducted targeted toolbox talks and reinforced driver safety in the project induction. Further, a traffic inspector will be stationed on Moorebank Avenue to monitor driver behaviour.
29/03/2021	Email	Traffic Signals	Road user complained about traffic signals at the intersection of Moorebank Avenue and Chatham Avenue are not working properly, causing delays.	The project team informed the road user that the traffic signals are controlled by TfNSW who has identified the signals are faulty and are working to fix the issue.
13/04/2021		Traffic Signals	Road user complained about traffic signals at the intersection of Moorebank Avenue and Chatham Avenue are not working properly, causing delays.	The project team informed the road user that the traffic signals are controlled by TfNSW who has identified the signals are faulty and are working to fix the issue.
14/05/2021	Email	Driver Conduct	Site neighbour advised that a vehicle leaving site failed to stop at a stop sign.	The project team conducted targeted toolbox talks and reinforced driver safety in the project induction.
13/05/2021	Email	Noise	Moorebank resident complained of loud hammering noise at night over the previous month.	The project team requested further information. Based on the information provided, the noise does not appear to be related to the Moorebank Logistics Park.
9/08/2021		Road Condition	Liverpool Council, on behalf of community members complained about the condition of Bapaume Road, Moorebank.	The project team will investigate following lifting of COVID restrictions for construction sites. Noting Bapaume Road is a council controlled road, the project team will make repairs where possible.

3. Compliance Summary

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

No non-compliances were recorded during this reporting period.

Periodic review of compliance against the CoC will continue to be undertaken in accordance with the MPW Stage 1 consent (SSD 5066) and the approved CTP.

Compliance Report Declaration

Project Name	Moorebank Logistics Park – MPW Stage 1
Project Application Number	SSD 5066
Description of Project	Development of an intermodal facility, including warehouse and distribution facilities, freight village (ancillary site and operational services), stormwater, landscaping, servicing and associated works on the eastern side of Moorebank Avenue, Moorebank.
Project Address	Moorebank Logistics Park
Proponent	Moorebank Intermodal Company
Title of Compliance Report	Six-monthly Construction Compliance
Date	14/10/2021

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).

Name of Authorised Reporting Officer	[redacted]
Title	Director
Signature	[redacted]
Qualification	BSc; Dip. Law
Company	Aspect Environmental
Company Address	[redacted]

Appendix A: Compliance tracking table – SSD 5066 development consent

Approval (ID)	Condition	Timing	Evidence and comments	Compliant	Non-compliant	Not triggered
Compliance Requirement						
Schedule 2 Terms of Approval						
	Development Description					
1	Except as amended by the conditions of this consent, development consent is granted only to the Concept Proposal and Early Works as described in Schedule 1 and the Environmental Impact Statement dated October 2014, as amended by the Response to Submissions, dated May 2015 (as further amended by the Supplementary Response to Submissions dated August 2015), **subsequent modifications as outlined in Condition 4 below** and the conditions contained in this development consent.	Early Works	All approved MPW Early Works plans and documents have been prepared in accordance with condition 4(a) to 4(d). All conditions and relevant Revised Environmental Mitigation Measures have been included and addressed within these documents. Early Works are being undertaken in accordance with the documents listed in Condition 1.			
	Determination of Future Applications					
2	In accordance with section **4.22** of the EP&A Act, all future development under the Concept Proposal (for the avoidance of doubt, excluding the Early Works) shall be the subject of future development application(s).	All Stages	This compliance report relates only to Early Works.			
3	The determination of the future development application(s) are to be generally consistent with the terms of this development consent as described in Schedule 1, and subject to the conditions in Schedule 4.	All Stages	This compliance report relates only to Early Works.			
	Development in Accordance with Plans and Documents					
4	The applicant shall carry out the development generally in accordance with the: a) Environmental Impact Statement titled Moorebank Intermodal Terminal Project Environmental Impact Statement, prepared by Parsons Brinckerhoff Australia Pty Limited, dated October 2014; b) Response to Submissions report titled, Moorebank Intermodal Terminal Response to Submissions Report, prepared by Parsons Brinckerhoff Australia Pty Limited, dated May 2015; c) Supplementary Submissions report titled, Moorebank Intermodal Terminal Supplementary Response to Submissions Report, prepared by Parsons Brinckerhoff Australia Pty Limited, dated August 2015; and **d) MOD 1 Report titled, Moorebank Precinct West Intermodal Terminal Facility Concept Plan Approval (SSD 5066) Modification, prepared by Arcadis, dated June 2016;** **e) MOD 1 Response to Submissions report titled, Moorebank Precinct West – Concept Modification Response to Submissions – SSD 5066 MOD 1, prepared by Arcadis, dated December 2016;** **f) MOD 1 Supplementary Response to Submission report titled, Moorebank Precinct West – Concept Modification Supplementary Response to Submissions – SSD 5066 MOD 1, prepared by Arcadis, dated August 2017; and** **g)** the conditions of this consent.	All Stages	All approved MPW Early Works plans and documents have been prepared in accordance with condition 4(a) to 4(g), where they relate to Early Works. All conditions and relevant Revised Environmental Mitigation Measures have been included and addressed within these documents. Ongoing compliance with these conditions is monitored in accordance with the Compliance Tracking Program, prepared, and detailed in the associated compliance reports.			

5	In the event of an inconsistency between: (a) the conditions of this approval and any document listed from condition 4(a) to 4**(f)** inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and (b) any document listed from condition 4(a) to 4**(f)** inclusive, and any other document listed from condition 4(a) to 4**(f)** inclusive, the most recent document shall prevail to the extent of the inconsistency.	All Stages	Where inconsistencies are identified, they will be reported through the compliance reports. No inconsistencies were identified during this reporting period.			
	Limits of Approval					
6	Projects carried out under this staged development consent are to be assessed with the objective of not exceeding the capacity of the transport network, including the local, regional and State road network.	All Stages	Works are being undertaken in line with the MPW Concept Plan and Stage 1 Early Works EIS traffic assessment ensuring the capacity of the road network is not exceeded. CTAMP was updated on 01/12/20 and road network capacity is considered.			
7	Concept approval is granted for **a** container freight throughput of up to 500,000 TEU p.a. **(excluding IMEX freight)**if the combined movement of container freight on the Subject Site does not exceed 1.05 million TEU p.a. The consent authority must also be satisfied that the Traffic Impact Assessment demonstrates that the **container throughput** would not exceed the capacity of the transport network with or without mitigation measures/upgrades.	Construction	This compliance report relates only to Early Works.			
8	For IMEX **freight**, concept approval is granted for **a** container freight **throughput**: a) initially, 250,000 TEU p.a. if the consent authority is satisfied that the Traffic Impact Assessment demonstrates the proposal would not exceed the capacity of the transport network with or without mitigation measures/upgrades; b) after the facility has been in operation, an increase of up to an additional 300,000 TEU p.a. if the consent authority is satisfied that monitoring and modelling of the operation of the **intermodal** terminal **facility** demonstrates that traffic movements resulting from the proposed increase in TEU will achieve the objective of not exceeding the capacity of the transport network. The combined movement of container freight on the Subject Site must not exceed 1.05 million TEU p.a.	Construction	This compliance report relates only to Early Works.			
9	Concept approval is granted for **an intermodal terminal facility** incorporating either: a) the rail link; or b) if a rail link is under construction or has been constructed associated with the SIMTA development as identified in development application MP10_0193, then only a short connection from the **intermodal terminal facility** to the SIMTA rail connection on the eastern side of the Georges River.	Construction/Design	This compliance report relates only to Early Works.			
10	Port shuttle operations must use: a) Locomotives that incorporate available best practice noise and emission technologies. Prior to construction of the rail link connecting to the site, the Applicant is to 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 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 is to submit a report to the Secretary for consideration and approval that has been prepared in consultation with TfNSW and EPA that justifies the technology proposed and how it meets the objective of best practice noise technologies.	Construction/Design	This compliance report relates only to Early Works.			

11	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. The system shall capture the noise from each individual train passby noise generation event, and include information to identify: a) Time and date of freight train passbys; b) Imagery or video to enable identification of the rolling stock during day and night; c) LAeq(15hour) and LAeq(9hour) from rail operations; and d) LAF(max) and SEL of individual train passbys, measured in accordance with ISO3095; or e) Other alternative information as agreed with, or required by, the 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 within 24 hours of it passing the monitor, unless unforeseen circumstances (ie a system malfunction) have occurred. 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 intermodal terminal facility**. The Secretary shall consider the need for further reporting following a review of the results for year 5.	Construction/Design	This compliance report relates only to Early Works.			
12	Prior to submitting any Development Application for **the intermodal terminal facility**, the Applicant shall convene a meeting with regard to proposed traffic assumptions and mitigation measures. The Applicant must: a) Invite SIMTA, TfNSW, RMS, Liverpool City Council and Campbelltown City Council. Each Council may also invite a maximum of two community representatives to attend. b) At the meeting, present the scope and assumptions of the mesoscopic/microsimulation traffic modelling, the draft Traffic Impact Assessment and any proposed mitigation measures including timing on the delivery of any proposed measures; c) Publish the meeting minutes and a schedule of action items arising from the meeting, including responsibilities and timeframes on its website; d) Prepare a written report responding to the action items and consult with RMS on the action items and final mitigation measures; and e) Provide details of the undertaking and outcomes of this condition in the EIS.	Construction/Design	This compliance report relates only to Early Works.			
13	Containers must be transferred from Port Botany to the site and from the site to Port Botany by rail, unless there is planned track maintenance or where unforeseen circumstances have occurred (eg 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.	Construction/Design	This compliance report relates only to Early Works.			
14	Operations on the Subject Site cannot commence until a rail connection to the SSFL is operational.	Construction/Design	This compliance report relates only to Early Works.			
15	The warehousing **and distribution facilities** must only be used for activities associated with freight using the **intermodal terminal facility** unless otherwise approved in a subsequent Development Application.	Construction/Design	This compliance report relates only to Early Works.			

15a	Warehousing associated with Stage 2 of the development is to be limited to the area identified in the plan titled 'Precinct Modificiation Plan — Proposed' (Drawing No JR-SK-A-0-9402, Revision G), prepared by Bell Architecture and dated 16 October 2020).	Construction/Design	This compliance report relates only to Early Works.			
16	Building heights are to be a maximum of 21 metres **above finished surface levels which must be in accordance with Condition 19B** and other structures are to be generally consistent with Appendix D Landscape and Visual Impact of the Response to Submissions dated May 2015, exccept where otherwise permitted under condition 16A.	Construction/Design	This compliance report relates only to Early Works.			
16a	Notwithstanding condition 16, the following maximum building heights are permitted for warehouse buildings in the following areas: (a) maximum 39 metres above finished surface levels in the shaded area marked warehouse 5 in the plan titled 'Precinct Modificiation Plan — Proposed' (Drawing No JR-SK-A-0-9402, Revision G), prepared by Bell Architecture and dated 16 October 2020). (b) maximum 43.25 metres above finished surface levels in the shaded area marked warehouse 6 in the plan titled 'Precinct Modificiation Plan — Proposed' (Drawing No JR-SK-A-0-9402, Revision G), prepared by Bell Architecture and dated 16 October 2020).	Construction/Design	This compliance report relates only to Early Works.			
17	Building setbacks are to be generally consistent with Appendix D Landscape and Visual Impact of the Response to Submissions dated May 2015 **and allow for stabilised fill batters.**	Construction/Design	This compliance report relates only to Early Works.			
17A	**The maximum GFAs for the following uses apply:** **(a) 300,000m2 for the warehousing and distribution facilities; and** **(b) 800m2 for the freight village.**	Construction/Design	This compliance report relates only to Early Works.			
18	The layout of the site shall not prevent a possible future pedestrian connection to Casula Railway Station **across the Georges River**.	Construction/Design	This compliance report relates only to Early Works.			
18A	**The layout of the site must not prevent the provision of vegetated wildlife corridors linking the Georges River riparian corridor and Moorebank offset area with the Wattle Grove offset area as shown in the Appendix.**	Construction/Design	This compliance report relates only to Early Works.			
18B	**The site must include provision of a riparian corridor, comprising the following:** **(i) a buffer zone to the most inland of:** **• 40 metres from the top of bank, as surveyed by a registered surveyor, or** **• the 1% AEP flood extent, excluding the localised depression at the existing major east-west drainage channel, and** **(ii) an additional 10 metre extension to the buffer zone established in (i) above, where native vegetation is located on or within 10 metres east of the buffer.**	Construction/Design	This compliance report relates only to Early Works.			
19	The layout of the site shall be designed to ensure heavy vehicles associated with the operation of the **intermodal terminal facility** 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.	Construction/Design	This compliance report relates only to Early Works.			
19A	**Only VENM, ENM, or other material approved in writing by the EPA is to be brought onto the site.**	Construction/Design	This compliance report relates only to Early Works.			
19B	**The total volume of uncompacted fill to be imported must not exceed 1,600,000 m3 unless it can be demonstrated in a future Development Application that the proposed finished surface level of any filled section of the site does not exceed 16.6 m AHD.**	Construction/Design	This compliance report relates only to Early Works.			
19C	**Clearing native vegetation and earthworks including fill importation and placement for a future Development Application must be undertaken in a phased manner to minimise dust and native fauna impacts, with no long term stockpiling of imported fill and no stockpiling of imported material for use as part of a subsequent future Development Application.**	Future stages	This compliance report relates only to Early Works.			

	Lapsing of Approval					
20	This approval will lapse ten years from the date of this approval unless works the subject of Early Works (Stage 1) or any related application are physically commenced, on or before that lapse date.	Construction/Design	Pre-construction works (as defined under the definition of construction) commenced on 26 August 2016 under an Environmental Works Method Statement, approved by the Environmental Representative. Construction works commenced 4 February 2017, following approval of the CEMP and sub-plans by DPE on 2 February 2017.			
	Secretary as Moderator					
21	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.	Construction/Design	There have been no disputes during this reporting period.			
	Legal Notices					
22	Any advice or notice to the consent authority shall be served on the Secretary.	Construction/Design	There have been no advice or notices during this reporting period.			

Approval (ID)	Condition	Timing	Evidence and comments	Compliant	Non-compliant	Not Triggered
Compliance Requirement						
Schedule 3 - Part A Administrative						
	Subject Land					
A1	The land subject to this part to the intermodal site (Lot 1 DP 1197707, Lot 100 DP 1049508, Lot 101 DP 1049508 and Lot 2 DP 1197707)	At all times	Construction works have been undertaken within the project boundaries relating to Lot 1 DP 1197707, Lot 100 DP 1049508, Lot 101 DP 1049508 and Lot 2 DP 1197707			
	Compliance Monitoring and Tracking					
A2	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 the Early Works stage. 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 Pre-Construction Compliance Report prior to the commencement of early works, (ii)Six-monthly, or other timing as agreed by the Secretary, Early Works Compliance Reports, for the duration of early works, and (iii)a Completion Compliance Report within one month of completion of the early works stage; (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 A3 and A4; (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.	Early Works	The Compliance Tracking Program (CTP), prepared by Aspect Environmental, was recently submitted to DPIE and was prepared to align with the updated CRPAR requirements (May, 2020). (a) provision for the notification - Section 2.1 of the CTP (b) provision for periodic review - Section 2.2 of the CTP (c) provision for periodic reporting - Section 4 of the CTP (i) a Pre-Construction Compliance Report was issued to DP E on 21 February 2017. (ii) the following six-monthly compliance reports (CR) have been submitted to date: - CR#00 (February - August 2017) (dated 5 October 2017) - CR#01 (September 2017 - February 2018) (dated 23 March 2018) - CR#02 (March - August 2018) (dated 12 November 2018) - CR#03 (September 2018 - February 2019) (dated 19 June 2019) - CR#04 (March - August 2019) (dated 28 November 2019) - CR#05 (September 2019 - February 2020) (dated 21 May 2020) - CR#06 (March 2020- August 2020) (dated 3 November 2020) (iii) the Completion Compliance Report and will be submitted within one month of the completion of Early Works. (d) program for Auditing (Section 2.4 of the CTP and Section 9 of CEMP) (e) mechanism for recording environmental incidents (Section 2.5 and Appendix C of CTP) (f) provision for reporting incidents (Section 2 5 and Appendix C of the CTP) (g) procedures for rectifying non-compliances (Section 2.6 of the CTP) (h) provision for ensuring employee training and awareness (2.7 refers to section 7 of CEMP) This report, CR#08, covers the compliance period from March 2021 to August 2021**.**			
	Incident Reporting					
A3	The Applicant shall notify the Secretary and relevant public authorities of any incident with actual or potential significant on-site or offsite 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.	Early Works.	No reportable incidents occurred during this reporting period in accordance with Section 10 of the CEMP.			
A4	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 A3, within such period as the Secretary may require.	Early Works	No incidents with actual or potential impacts. No reporting triggered.			

Approval (ID)	Condition	Timing	Evidence and comments	Compliant	Non-compliant	Not Triggered
Compliance Requirement						
Schedule 3 - Part B - Prior to Construction						
	Demolition					
B1	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.	Early works	Section 3.5 of the CEMP identifies that all demolition work will be carried out in accordance with the Australian Standard.			
	Contamination					
B2	The approved works (including any excavation required for remediation) must not occur below 5 metres AHD and lower the water table below 1m AHD on adjacent class 1, 2, 3, 4 land in accordance with the Liverpool Local Environmental Plan 2008.	Early works	No excavation has occurred below 5 metres AHD during the reporting period. All works have been undertaken in accordance with the approval site remediation plan, which is verified by the site auditor.			
B3	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 inves igations must be approved by he site auditor, in consultation with the EPA. Within 3 mon hs 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 – Remedia ion 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 Environment Protection Authority. Any conditions recorded on the Site Audit Statement are to be complied with.	Early works	All remediation is carried out in accordance with the approved Remedial Action Plan. Works under the RAP are progressive and signed off by the site auditor progressively. A notice of completion dated 25/01/2019 has been issued by the Contractor. The Site Valida ion Report (ref: 600099_0301-1613-7) and Site Audit Statement (ref: 0301-1613-7) were issued on 18 September 2020 by he Site Auditor.			
	Soil, Water Quality and Hydrology					
B4	The Early Works shall be undertaken to comply with section 120 of the *Protection of the Environment Operations Act 1997* , which prohibits the pollution of waters.	Early works	This is identified in Section 2.6 of the Construction Soil and Water Management Plan (CSWMP - revision SIMTA.004, dated 5 November 2019). No environmental incidents relating to the pollu ion of waters has occurred during his reporting period.			
B5	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.	Early works	This requirement is identified in Section 4.2 of the CSWMP (revision SIMTA.004, dated 5 November 2019). No works have taken place in on or under waterfront land within the reporting period.			
	Heritage					
B6	The Applicant shall not harm, modify or otherwise impact any heritage items outside the subject site.	All stages	No works have occurred outside of the subject site. All works have occurred in the approved MPW site footprint.			

B7	Prior to the commencement of Early Works affecting Aboriginal sites MA1, MA2, MA3, MA4, MA5 and MA9, the Applicant shall: (a) develop a detailed salvage strategy, prepared in consulta ion wi h the OEH (Aboriginal heritage) and the Aboriginal stakeholders. The investigation program shall be prepared to the sa isfaction of the Secretary; and (b) undertake any further archaeological excavation works recommended by the results of the Aboriginal archaeological investigation program. Within twelve mon hs of comple ing the above work, unless o herwise 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 satisfac ion of the Secretary.	Pre-construction	Aboriginal Heritage Salvage Strategy, prepared by Biosis (dated 4 July 2017) in consultation with OEH and the Registered Aboriginal Parties (RAPs). Section 1.3 of the Aboriginal Heritage Salvage Strategy details consultation undertaken with OEH and RAPs. The Aboriginal Heritage Salvage Strategy was approved by the Secretary on 15 June 2017. Surface salvage at MA1, MA2, MA3, MA4, and MA5, and subsurface salvage at MA5 and MA9 were undertaken in accordance with the approved salvage methodology. The relevant ASIR are available in Appendix 6 of the Archaeological Salvage Report, and this report fulfils the reporting requirements of the works. Salvage of MA1-MA5, and MA9 on MPW has been completed in accordance with the Aboriginal Cultural Heritage Salvage Strategy.			
B8	Prior to the commencement of Early Works affecting non-Aboriginal sites MHPAD1 and MHPAD2, the Applicant shall undertake any further archaeological excavation works recommended by he results of the non-Aboriginal archaeological investigation program. Within 12 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 he iden ifica ion of a final repository for finds, prepared in consultation with the OEH (Heritage branch) and to the satisfaction of the Secretary.	Pre-construction	Non-Aboriginal Salvage Strategy, prepared by Biosis (dated 9 August 2016) in consultation with OEH.			
B9	Prior to the commencement of Early Works affecting the CUST Hut, RAAF STRARCH Hangar, the Dog Cemetery and Commemora ive Gardens, the Applicant shall prepare a report in consultation with the Heritage Council of NSW, the local Council and the local Historical Society which considers the options for mitigation of these items. In relation to the Dog Cemetery, consultation should also occur with the School of Military Engineering's Explosive Detec ion Dog's Unit. The report shall include the archival recordings and the historical research, where required, to the Secretary, the Heritage Council of NSW, the local Council and the local Historical Society.	Pre-construction	Heritage advice has been prepared relating to the CUST Hut, STRARCH Hangar, B99 Transport Workshop, MH1 Dog Cemetery, RAE Chapel and Commemorative Garden. The outcomes of this advice has concluded that the CUST Hut and STRARCH Hanger be demolished wi h components being salvaged for use as part of he Heritage Interpretation Strategy. The B99 Transport Compound and RAE Chapel require no further works. The MH1 Dog Cemetery is to be subject to a program of excavation to identify and retrieve canine remains. Addressed in Options for Mitigation Report, prepared by Biosis (dated 8 December 2016).			

	Dangerous Goods					
B10	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.	All stages	Appendix D of CEMP (approved 3 February 2017) details the site Hazardous and contaminated materials management strategy. The revised CEMP (Rev SIMTA.004, dated 19 November 2020) is currently being implemented on site. This recognises that; As per CoC B10, dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled stric ly 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 Au horised 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. Storage of dangerous goods are routinely inspected during weekly environmental inspec ions and ER inspections.			
B11	The Applicant shall carry out all feasible and reasonable measures to minimise dust generated by the Development.	All stages	Dust Mitigation Measures are implemented on site in accordance with the Construction Air Quality Management Plan, which was approved by DPIE on 3 February 2017. The revised CAQMP (Rev SIMTA.003, dated 1 December 2020) is currently being implemented on site. The implementation of mitigation measures are confirmed during weekly inspections and fortnightly ER inspections.			
B12	The Applicant shall carry out all feasible and reasonable measures to minimise dust generated by the Development during Early Works, the Applicant shall ensure that: a) all vehicles on site do not exceed a speed limit of 30 kilometres per hour; and b) 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 hey leave the site, to avoid tracking these materials on public roads.	All stages	Section 5.1 of the CAQMP (Rev SIMTA 003, dated 1 December 2020) identifies mitigation measures to minimise dust generated by truck and equipment movements. Dust mitigation measures are routinely checked as part of environmental inspections. Mitiga ion measures implemented onsite include sign posted speed limit, water cart, stabilised access points, polymer, street sweepers and a wheel wash at the site exit.			
	Waste Management					
B13	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 offsite.	All stages	Appendix D of the CEMP (approved 3/02/2017) details the waste management strategy. The revised CEMP (Rev SIMTA.004, dated 19 November 2020) is currently being implemented on site. The Waste Management Strategy identifies opportunities for the reuse and recycling of materials to minimise resource consumption.			

B14	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).	All stages	Appendix D of the CEMP (approved 3/02/2017) details the waste management strategy which recognises that: all liquid and/or non-liquid waste generated on the site will be assessed and classified in accordance with Waste Classification Guidelines (Department of Environment, Climate Change and Water 2009). The revised CEMP (Rev S MTA.004, dated 19 November 2020) is currently being implemented on site.			
B15	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.	All stages	Appendix D of the CEMP (approved 3/02/2017) details the waste management strategy which recognises that : All waste materials removed from the subject site will only be directed to a waste management facility or premises lawfully permitted to accept the materials. The revised CEMP (Rev S MTA.004, dated 19 November 2020) is curren ly being implemented on site.			
	Utilities and Services					
B16	Utilities, services and other infrastructure potentially affected by construc ion and opera ion shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consulta ion wi h the relevant owner and/or provider of services that are likely to be affected by the Early Works 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.	All stages	As described in previous compliance reporting, he Project contractor (Liberty) liaised with the relevant utility services providers prior to decommissioning activities across he site, which are now complete. No utilities works were undertaken during this reporting period.			
B17	The Applicant shall prepare dilapidation surveys and reports on the condi ion of local roads, footpaths, services and utilities affected by Early Works. The Applicant shall carry out rectification work at the Applicant's expense and to the reasonable requirements of the owners for damage resulting from the completion of Early Works.	All stages	A Dilapidation Report was prepared by Craigmar Consulting (dated 26 July 2016). Early works activities are ongoing and, accordingly, no rectification is required at this stage.			
B18	The Applicant shall ensure that he construction and operation of the proposed development will not prevent he existing use of Moorebank Avenue as a public road to a standard commensurate to its current use prior to the development.	All stages	No works have been undertaken on Moorebank Avenue for MPW (SSD 5066) to date. Access to he site is via the existing Chatham Avenue entrance, a signalised access point with a dedicated right turn lane into site. Resident access has not been affected during works. Construction heavy vehicle access to and from the site via Moorebank Avenue (south) / Cambridge Avenue during Early Works is not permitted. Site traffic is managed in accordance with Construction Traffic and Access Management Plan (Rev SIMTA.005, dated 1 December 2020). Early Works are wholly contained within the project boundary and no works are scheduled to occur along Moorebank Avenue. Should he need arise for works to be undertaken which may involve traffic changes, affected stakeholders would be provided with 48 hours notice in line with the Community Communication Strategy. Further measures are included within the CTAMP section 6 and appendices A and B.			

Approval (ID)	Condition	Timing	Evidence and comments	Compliance	Non Compliance	Not Triggered
Compliance Requirement						
Part C - Community Information and Reporting						
	Community Communication Strategy					
C1	Prior to the commencement of Early Works, 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)), he Environmental Representative (see condition D1), the relevant Council and community stakeholders (particularly adjoining landowners) on the design and construction environmental management of the Early Works. The Strategy shall include, but not be limited to: (a) iden ifica ion 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 Representa ive 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 he 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	Liberty Industrial Stakeholder and Community Liaison Plan, Sydney Intermodal Terminal Alliance Rev (v3, dated 21 December 2016). This plan was superseded. Community Communication Strategy, prepared by KJA (v4, dated 1 February 2017), was approved by DPIE on 21 February 2017. The Strategy includes: - Identification of stakeholders to be consulted (Section 4) - Procedures and mechanisms for information distribution to stakeholders (Section 6) - Mechanisms for discussion and feedback (Section 7.1) - Procedures for enquiry and feedback response (Section 7.2) - Procedures for dispute and issue resolution (Section 7.4)			
	Complaints and Enquiries Procedure					
C2	Prior to the commencement of Early Works, 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 Early Works: (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 enquires 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 he website (or dedicated pages) required by his approval.	Pre-construction	Community Communication Strategy, prepared by KJA (v4, dated 1 February 2017) includes the following, in accordance with the requirements of the condition: (a) 24 hour phone line : 1800 986 465 (b) Postal Address: PO Box 1488 Bondi Junction NSW 2022 (c) An email address: simta@elton.com.au (d) Mediation system for unresolved complaints Contact Information available on website (www.simta.com.au) A SIMTA community update newsletter was distributed to 10,000 residents in July, September and November 2016 outlining the current status of the Moorebank Precinct. The newsletters included project contact details.			
C3	Prior to the commencement of Early Works, 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 satisfac ion – Guidelines for complaints handling in organisations (ISO 10002:2004, MOD) and maintain the System for the duration of Early Works and up to 12 months following completion of his stage. 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 he construction compliance reports required by his approval. The informa ion contained within he System shall be made available to the Secretary on request.	Pre-construction	The Community Communication Strategy was approved on 21 February 2017. Section 7 of CCS relates to a consistent Construction Complaints Management System. A complaints register is maintained in accordance with this System.			

	Provision of Electronic Information					
C4	Prior to commencement of the Early Works, 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 Early Works. 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 he current implementation status of the SSD; (b) a copy of the documents listed in condition 4, and any documentation supporting modification to this approval and any future modifications of this approval (c) a copy of this approval and any future modification to this approval (d) a copy of each relevant environment approval, licence or permit required and obtained in relation to the SSD; (e) a copy of each current report, plan, or other document required under this approval (f) the outcomes of compliance tracking in accordance with condition A2 of this approval; and (g) details of contact point(s) to which community complaints and enquires may be directed, including a telephone number, a postal address and email address	Pre-construction	www.simta.com.au Website contains: - Current Implementation Status of SSD - a copy of the documents listed in condition 4, and any documentation supporting modification to this approval and any future modifications of this approval - Copy of Approval - Reports - Compliance Reports - Contact Points			

Approval (ID)	Condition	Timing	Evidence and comments	Compliant	Non-compliant	Not Triggered
Compliance Requirement						
Part D - Construction Environmental Management, Reporting and Auditing						
	Environmental Representative					
D1	Prior to the commencement of Early Works, 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, (a) be the principal point of advice in relation to the environmental performance of the Early Works; (b) monitor the implementation of environmental management plans and monitoring programs required under this approval and advise the Applicant upon the programs required under this approval and advise the Applicant upon the achievement of these plans/programs; (c) have respons bility 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 the Early Works; (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 the Early Works where the resolution of points of conflict between the Applicant and the community is required.	Pre-construction	The nominated Environmnetal Representative (ER) and alternative ER were approved by the DPIE on 19 July 2016. The ER continues to discharge their role on the Project in accordance with this condition and DPIE's ER Protocol.			
D2	The Environmental Representative shall prepare and submit to the Secretary a three monthly report on the Environmental Representative's actions and decision on matters specified in condition D1 for the preceding month. The reports shall be submitted within seven (7) days for the end of each month for the duration of Early Works, 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.	All stages	The ERs quarterly report for the period 1 June 2021 - 31 August 2021 (ER Report #20 ref:160409MPWDPE20) was submitted to the Secretary 7 September 2021. The ERs quarterly report for the period 1 March 2021 - 31 May 2021 (ER Report #19 ref:160409MPWS1DPE19) was submitted to the Secretary 7 June 2021.			
	Construction Soil and Water Management					

D3	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 Early Works to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.	All stages	The CSWMP was originally approved by the Department on 3 February 2017 and received CPESC endorsement identifying its consistency with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004). The revised CSWMP (SIMTA.004, dated 5 November 2019) is currently being implemented on			

	Bunding					
D4	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.	All stages	Requirements for storage are detailed in the Hazardous and Contaminated Materials Management Strategy and Waste Management Strategy (Appendix D of CEMP (Rev SIMTA.004, dated 19 November 2020). Storage of dangerous goods is included in the weekly environmental inspections undertaken by the Contractor and ER inspections.			
	Construction Hours					
D5	Early works 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	All stages	Section 3.1 of the CEMP (Rev SIMTA.004, dated 19 November 2020) identifies standard work hours. Standard construction hours have been adhered to, except in accordance with Out-Of-Hours Work Protocol detailed in Section 5.12 of the CNVMP (SIMTA.005, dated 1 December 2020).			
D6	Activities resulting in impulsive or tonal noise emissions 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. Notwithstanding conditions D5 and D6, works may be undertaken outside the hours specified under those conditions in the following circumstances: (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).	All stages	Section 3.1 of the CEMP (Rev SIMTA.004, dated 19 November 2020) and Section 1.1 of the CNVMP (SIMTA.005, dated 1 December 2020) identify that activities resulting in impulsive or tonal hours should only be undertaken in the hours identified in this condition.			

D7	Notwithstanding conditions D5 and D6, 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 V bration Management Plan required by condition D21(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	All stages	Section 3.1 of the CEMP (Rev SIMTA.004, dated 19 November 2020) identifies that works may be undertaken outside the hours specified in CoCs D5 and D6. Section 5.12 of the CNVMP (SIMTA.005, dated 1 December 2021) describes the out-of hours works (OOHW) protocol, and an example OOHW form is included as Appendix B of the CNVMP.			

	Construction Noise and Vibration					
D8	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 V bration- 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 D22(b).	All stages	The CNVMP (SIMTA.005, dated 1 December 2021) identifies all feasible and reasonable mitigation measures for MPW Stage 1 Early Works. (a) Section 3.2 of CNVMP identifies the construction noise management levels for Early Works using the Interim Construction Noise Guideline. (b) Section 3.4 of CNVMP identifies vibration criteria under Assessing Vibration: a Technical Guide (DECC, 2006). (c) Section 3.3 of CNVMP identifies vibration limits using German Standard DIN 4150-3: Structural Vibration.			
	Construction Traffic Noise					
D9	The Applicant is to ensure that construction vehicle contractors operate so as to minimise any construction noise impacts from the subject 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.	All stages	Section 5.8 of CNVMP (SIMTA.005, dated 1 December 2021) identifies measures to minimise noise generated from construction vehicles. Site inductions, toolbox talks and Driver's codes of conduct include the need to minimise construction noise impacts.			
D10	No use of compression brakes shall be permitted for construction vehicles associated with the Early Works in the vicinity of the subject site.	All stages	Section 5.8 of CNVMP (SIMTA.005, dated 1 December 2021) states that : For the duration of activity associated with the Early Works, use of compression braking shall not be permitted on the site or nearby the site, such as on access roads within close proximity to residential premises. Site inductions, toolbox talks and Driver's codes of conduct include the need to minimise construction noise impacts.			
	Transport and Access					
D11	Construction heavy vehicle access to and from the site via Moorebank Avenue (south) / Cambridge Avenue during Early Works is not permitted, with the exception of heavy vehicles travelling to and from the Glenfield Waste Facility.	All stages	Section 4.4 of the Construction Traffic and Access Management Plan (CTAMP) (SIMTA.005, dated 1 December 2021) states: 'Construction heavy vehicle access to and from the site via Moorebank Avenue (south) / Cambridge Avenue during Early Works is not permitted.' This is reaffirmed in pre-start meetings, along with signage restricting turns out of site at the site entrance(s).			

D12	The Early Works shall be carried out, where feas ble 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.	All stages	Haulage routes that minimise the use of local roads are detailed in Section 4.3 of the CTAMP (SIMTA.005, dated 1 December 2020). Early Works traffic is monitored in accordance with Section 5.1 of the CTAMP (SIMTA.005, dated 1 December 2020). No complaints have been received to date regarding the use of local roads by heavy vehicles. This requirement is reiterated in pre-starts.			
D13	Construction vehicles (including staff vehicles) associated with the Early Works 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 D22(a); and (d) ensure access and egress from construction compounds is undertaken in a safe and lawful manner.	All stages	Early Works traffic is monitored in accordance with Section 5.1 of the CTAMP (SIMTA.005, dated 1 December 2020). No complaints have been received to date regarding construction vehicles in relation to parking, queuing, haulage routes or access and egress. This requirement is reiterated in pre-starts.			
D14	Safe pedestrian and cyclist access through or around worksites shall be maintained during early works. 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 permanent footpaths where pedestrian access is reliant on grassed verges.	All stages	Early Works will take place within the project boundary, as identified in the CEMP (SIMTA.004, dated 19 November 2020). No work is scheduled to occur along Moorebank Avenue or Bapaume Road as part of Early Works. No works have been undertaken, which would impact on pedestrians or cyclists.			
D15	Access to all properties affected by the carrying out of Early Works shall be maintained, where feas ble and reasonable, unless otherwise agreed by the relevant property owner or occupier. Any access physically affected by the carrying out of Early Works shall be reinstated to at least an equivalent standard, unless agreed with by the property owner.	All stages	No property access is affected during the Early Works.			

D16	Upon determining the haulage route(s) for construction vehicles associated with subject site, and prior to Early Works, a suitably qualified and experienced independent expert shall prepare a Road Dilapidation Report. The Report shall assess the current condition of roads and describe mechanisms to restore any damage that may result due to its use by traffic and transport related to the Early Works. The Report shall be submitted to the Secretary for information and the relevant Council for review prior to the commencement of haulage. Following completion of Early Works, a subsequent Report shall be prepared to assess any damage to the road that may have resulted. Measures undertaken to restore or reinstate roads affected by the Early Works shall be undertaken in a timely manner, in accordance with the reasonable requirements of the relevant Council, and at the full expense of the Applicant.	All stages	A Dilapidation Report was prepared by Craigmar Consulting (dated 26 July 2016). Early works activities are ongoing and, accordingly, no rectification is required at this stage.			

	Biodiversity					
D17	Within 12 months of the commencement of Early Works, the Applicant shall develop and implement a Biodiversity Offset Package for the approval 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 methodology 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. 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	All stages	MPW Concept and Stage 1 Early Works (SSD 5066) Biodiversity Offset Package (BOP) (Rev.C, dated 8 February 2018). The initial BOP (Rev C) states that no native vegetation will be impacted as part of Early Works due to the absence of a biobanking agreement to effect credit retirement. A Biobanking Agreement for retirement of EEC credits was executed between the Commonwealth and OEH on 4 February 2019. MPW Stage 2 SSD 7709 was approved on 11 November 2019. Conditions B157 identified credit retirement requirements for the MPW site, with reference to credits being able to be retired for other MPW developments (Condition B158). All MPW credits were retired on 26 November 2019. Certificate transaction number 201911-RT-485. Copy provided to ER.			
D18	Subject to future Development Applications, no threatened species or communities can be cleared other than that required for Early Works. Any hollow bearing trees shall be relocated to areas to be determined by a suitably qualified ecologist in areas identified for conservation.	All stages	Section 5.1.2 of the Construction Flora and Fauna Management Plan (CFFMP) (SIMTA.004, dated 19 November 2020) outlines the process for the loss of hollow-bearing trees. A nest box plan (Biosis, 2016) is included as Appendix A of the CFFMP. A habitat assessment was completed by Biosis in October 2019 to assess the proposed removal of hollow bearing trees and the required nest boxes to be installed.			

D19	The Applicant shall prepare and implement a 'Threatened Dragonfly Species Survey Plan' 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 Early Works. 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).	All stages	A Threatened Dragonfly Species Survey Plan, prepared by Arcadis Consulting (Rev.1, dated 26 September 2016) was accepted by DPI Fisheries as satisfactory on 10 October 2016.			

	Construction Environmental Management Plan					
D20	Prior to the commencement of Early Works, or as otherwise agreed by the Secretary the applicant shall prepare and implement a **Construction Environmental Management Plan (CEMP)**. The CEMP is to be prepared in consultation with the EPA, OEH, DPI Water DPI Fisheries, and the relevant Council, for 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 prepared in accordance with the *Guideline for the preparation of Environmental Management Plans* (Department of Infrastructure, Planning and Natural Resources, 2004) The CEMP shall include, but not necessarily be limited to: (a) a description of activities to be undertaken during the Early Works (b) Statutory and other obligations that the applicant is required to fulfil during Early Works, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and policies (c) A description of the roles and responsibilities for relevant employees, including contractors and sub-contractors, are aware of their environmental and compliance obligations under these conditions of approval. (d) An environmental risk analysis to identify the key environmental performance issues associated with the early works; and (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. (i) Measures to monitor and manage dust emissions including dust from stockpiles, traffic on unsealed roads and materials tracking from construction sites onto public roads	Pre-construction	Construction Environmental Management Plan (CEMP), prepared on behalf of Liberty Industrial (Rev.I, dated 13 December 2016) was approved by DPIE on 3 February 2017. The revised CEMP (SIMTA.004, dated 19 November 2020) is currently being implemented on site.			
	(ii) Measures for the handling, treatment and management of hazardous and contaminated materials (including asbestos) (iii) Measure and monitor and manage waste generated during construction but not necessarily limited to: general procedures for waste classification, handling reuse, disposal; use of secondary waste material in construction wherever feas ble and reasonable; procedures or dealings 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) (iv) Measure and monitor and manage hazards and risks (v) Measure and monitor and rectify any impacts to third party property and infrastructure, including details of the process of rectification or compensation processes and (vi) The issues identified in Condition D21					

	Construction Environmental Management Plan - Sub Plans					
D21	As part of the CEMP for the SSD, the Applicant shall prepare and implement a Construction Traffic and Access Management Plan 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: (a) (i) identification of construction traffic routes and construction traffic volumes (including heavy vehicle/spoil haulage) on these routes; (ii) details of vehicle movements for construction sites and ancillary facilities including parking, dedicated vehicle turning areas, and ingress and egress points; (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 oversize load movements, and the nature and duration of those impacts; (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; (v) details of measures to prevent construction heavy vehicles from using Moorebank Avenue south and Anzac Road, with the exception of heavy vehicles travelling to and from the Glenfield Waste Facility; (vi) details of measures to maintain or provide alternative safe and access ble routes for pedestrians throughout the duration of construction; (vii) details of measures to maintain connectivity for cyclists, with particular emphasis on providing adequate access between key existing cycle routes for commuter cyclists;	Pre-construction	Construction Traffic and Access Management Plan (CTAMP), prepared on behalf of L berty Industrial (Rev.2, dated 15 November 2016) was approved by DPIE on 3 February 2017. The revised CTAMP (SIMTA.005, dated 1 December 2020) is currently being implemented on site.			

	(b) a Construction Noise and Vibration Management Plan 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: (i) identification of the work areas, site compounds and access points; (ii) identification of sensitive receivers and relevant construction noise and vibration goals applicable to the SSD and stipulated in the conditions above; iii) details of Early Works 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; (iv) an Out-of-Hours Work Protocol for the assessment, management and approval of works outside of standard construction hours as defined in condition D5 of this approval, for the Secretary's approval. The Out-of-Hours Work Protocol must detail: a) assessment of out-of-hours works against the relevant noise and vibration criteria; b) detailed mitigation measures for any residual impacts (that is, additional to general mitigation measures), including extent of at receiver treatments; and c) proposed notification arrangements. (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; (vi) identification of feasible and reasonable procedures and mitigation measures to ensure relevant vibration criteria are achieved, including applicable buffer distances for v bration		Construction Noise and Vibration Management Plan (CNVMP), prepared on behalf of L berty Industrial (Rev.F, dated 24 January 2017) was approved by DPIE on 3 February 2017. The revised CNVMP (SIMTA.005, dated 1 December 2020) is currently being implemented on site.			

	(c) a Construction Heritage Management Plan 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: (i) in relation to Aboriginal Heritage: 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; 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 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 recommencing any works in the area unless authorised by the OEH and/or the NSW Police Force; 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 e) procedures for ongoing Aboriginal consultation and involvement for the duration of the Early Works; and (ii) in relation to non-Aboriginal Heritage:		Construction Heritage Management Plan (CHMP), prepared by Biosis (Rev.08, dated 22 February 2017) was approved by the Department on 29/05/2017. The revised CHMP (SIMTA.004, dated 1 December 2020) is currently being implemented on site.			

	(d) a Construction Flora and Fauna Management Plan to detail how impacts on ecology 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: (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 preclearing surveys to confirm the location of threatened flora and fauna species and associated habitat features; (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: a)clearing minimisation procedures (including fencing), b)clearing procedures (including nest box plan), c)removal and relocation of fauna during clearing, d)habitat tree management, and e) construction worker education;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); d) details of monitoring and reporting requirements for impacts on heritage items; 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 f) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions and obligations under this approval including site		The Construction Flora and Fauna Management Plan (CFFMP), prepared by Biosis (Rev.6, dated 19 January 2017) was approved by DPIE on 3 February 2017. The revised CFFMP (SIMTA.004, dated 19 November 2020) is currently being implemented on site.			

(iii) rehabilitation details, including identification of flora species and sources, and measures for the management and maintenance of rehabilitated areas; (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); (v) a description of how the effectiveness of these management measures would be monitored; (vi) a procedure for dealing with unexpected EEC/ threatened species identified during construction, including cessation of work and notification to 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 (vii) mechanisms for the monitoring, review and amendment of this plan.						
(e) a Construction Air Quality Management Plan to detail how impacts on local air quality will be minimise and managed. The Plan shall be developed in consultation with the EPA, and shall include, but not necessarily be limited to: (i) identification of sources (including stockpiles and open work areas) and quantification of airborne pollutants; (ii) key performance indicators for local air quality during construction; (iii) details of monitoring methods, including location, frequency and duration of monitoring; (iv) mitigation measures to minimise impacts on local air quality; (v) procedures for record keeping and reporting against key performance indicators; (vi) provisions for implementation of additional mitigation measures in response to issues identified during monitoring and reporting; and (vii) mechanisms for the monitoring, review and amendment of this plan.		The Construction Air Quality Management Plan (CAQMP) prepared on behalf of Liberty Industrial (Rev.E, dated 5 January 2017), was approved by DPIE on 3 February 2017. The revised CAQMP (SIMTA.004, dated 1 November 2020) is currently being implemented on site.			

	(f) a Construction Soil and Water Management Plan to manage surface and groundwater impacts during Early Works. The plan shall be developed in consultation with, EPA, DPI Water, DPI Fisheries, and relevant Councils, and include, but not necessarily be limited to:(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; (ii) potential impacts on watercourse bank stability and the development of appropriate mitigation measures as required; (iii) 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 the project impact on acid sulphate soils; (iv) 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 non-compliance can be rectified; and (v) mechanisms for the monitoring, review and amendment of this plan.		The Construction Soil and Water Management Plan (CSWMP), prepared on behalf of L berty Industrial (Rev.H, dated 18 January 2017), was approved by DPIE on 3 February 2017. The revised CSWMP (SIMTA.004, dated 5 November 2019) is currently being implemented on site.			

Approval (ID)	Condition	Timing	Evidence and comments	Compliance	Non Compliance	Not Triggered
Compliance Requirement						
Part E - Conditions to be met in Future Development Applications						
	Operational Noise and Vibration					
E1	To ensure the operational noise impacts are appropriately managed, the following measures must be considered in future Development Applications: (a) Best practice plant for both the **intermodal** terminal **facility**, including electronic automated container handling equipment or equipment with equivalent sound power levels; (b) The use of automatic rail lubrication equipment in accordance with ASA Standard T Hr TR 00111 ST Rail Lubrication and top of rail friction modifiers; (c) Measures to ensure the rail lubrication equipment 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; (d) A noise barrier on the western side of the haul road; (e) A detailed assessment of sleep disturbance impacts, including: how often noise events occur; the time of day when the occur, and whether there are any times of day when there is a clear change in the noise environment; and (f) 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.	Future stages	This compliance report relates only to Early Works.			
E2	Development Applications for both the **intermodal** terminal **facility** shall include a report to identify: (a) The extent of wheel squeal 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 show designs and compounds; and (d) Any monitoring system proposed to capture brake squeal.	Future stages	This compliance report relates only to Early Works.			
	Locomotives					
E3	Development Applications for either the **intermodal** terminal **facility** shall detail how the expected port shuttle locomotives incorporate available best practice technologies>	Future stages	This compliance report relates only to Early			
E4	Development Applications for either the **intermodal** terminal **facility** shall consider the effect of headlight glare on surrounding sensitive receivers.	Future stages	This compliance report relates only to Early Works.			
	Rail Link					
E5	Any development Application comprising the rail link must consider maximising curve radii of the rail connection, particularly the southern tie-in to the SSFL, to minimise the potential for wheel squeal.	Future stages	This compliance report relates only to Early Works.			
E6	Any Development Application comprising the rail link shall ensure the width of the rail link corridor is no greater than 20 metres in the Riparian Corridor.	Future stages	This compliance report relates only to Early Works.			
E7	Any Development Application comprising the rail link shall consider fauna movement in the bridge design.	Future stages	This compliance report relates only to Early Works.			
E8	Any Development Application comprising the rail link shall consider minimising potential impacts to the aquatic environment, aquatic habitats and fish passage, both in the design and construction of the bridge.	Future stages	This compliance report relates only to Early Works.			

E9	Any Development Application comprising the rail link shall include an assessment of the impacts of the rail link on the Glenfield Waste Facility, including: (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/reinstallation 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 rail link. (h) Details of any other expected or potential impacts to the licensed 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.	Future stages	This compliance report relates only to Early Works.			
	Traffic					
E10	Development Applications for **the intermodal** terminal **facility** shall include documentation demonstrating how Condition 14 of this approval has been satisfied.	Future stages	This compliance report relates only to Early			
E11	All future Development Applications shall include a Traffic Impact Assessment based on background growth models developed by RMS for the Liverpool/Moorebank area(if applicable).	Future stages	This compliance report relates only to Early Works.			
E11A	**All future Development Applications must assess traffic impacts associated with fill importation and identify management measures.**	Future stages	This compliance report relates only to Early Works.			
E12	**All future Development Applications must include adequate measures to prevent heavy vehicles associated with the construction or operation of the facility from using Cambridge Avenue.**	Future stages	This compliance report relates only to Early Works.			
	Infrastructure Contributions					
E13	All future Development Application shall include: (a) an assessment of the impacts of the project on local infrastructure, having regard to any relevant Council's Developer Contributions Plan (or equivalent document requiring developer contributions); (b) a commitment to pay developer contributions to the relevant consent authority or undertake works in kind towards the provision or improvement of public amenities and services. Note: This requirement may be satisfied subject tot he terms of any applicable Voluntary Planning Agreement; and (c) A commitment to undertake vehicle monitoring on Cambridge Avenue. Should any monitoring reveal the need for improvement works within the Campbelltown LGA as a result of the proposal, the Applicant may be required to contribute towards local road maintenance or upgrades.	Future stages	This compliance report relates only to Early Works.			
	Public Transport					

E14	All future Development Applications shall consider the need for a bus stop on Moorebank Avenue (including direct pedestrian access from the warehousing to the bus stop), and associated turnaround facility suitable for a 14.5 metre long non-rear steer bus.	Future stages	This compliance report relates only to Early Works.			
	Biodiversity					
E15	All future Development Applications shall consider measures to improve the condition of the riparian corridor along the western bank of the Georges River (known as the 'hourglass land').	Future stages	This compliance report relates only to Early Works.			
E16	All future Development Applications shall include the following **vegetated** riparian corridor widths (measured **landward** from the top of bank) **and provide detailed drawings demonstrating compliance with this requirement**: (a) a minimum of 50 metres wide associated with the rail corridor; (b) a minimum of 40 metres wide along the terminal site**; and** **(c) compliance with condition 18B.**	Future stages	This compliance report relates only to Early Works.			
E16A	**All future Development Applications must demonstrate that onsite detention basins are located outside the riparian corridor and the outlets have been designed to minimise impacts on the riparian corridor.**	Future stages	This compliance report relates only to Early Works.			
E16B	**All future Development Applications must include an assessment of the impact of the development on core Koala habitat and provide a detailed assessment of options to manage and minimise impacts.**	Future stages	This compliance report relates only to Early Works.			
	Visual Amenity, Urban Design and Landscaping					
E17	All future Development Applications for new built form must include detailed landscape plans identifying the vegetation to be removed or relocated and the location of replacement and additional landscaping.	Future stages	This compliance report relates only to Early Works.			
E17A	**All future Development Applications must include:** **a) an assessment of the visual impact of the raised landform, built form (materials and finishes) and urban design (height, bulk and scale) including lighting and signage when viewed from residential areas; and** **b) details of measures to mitigate impacts.**	Future stages	This compliance report relates only to Early Works.			
E17B	**All future Development Applications must present designs that incorporate the principles of:** **a) Water Sensitive Urban Design (WSUD) and Urban Heat Island Mitigation (UHIM); and**	Future stages	This compliance report relates only to Early Works.			
E18	All future Development Applications shall include detailed landscape plans including relevant details of the species to be used in the various landscaped areas (preferably species indigenous to the area), including details of the informal native and cultural avenue plantings, and other soft and hard landscape treatments, including any pavement areas and furniture.	Future stages	This compliance report relates only to Early Works.			
	Heritage					
E19	All future Development Applications relevant to MA6 and MA7 (Scarred Trees) shall include a consideration of the Aboriginal cultural value of the trees and options for avoiding impacts and ongoing conservation measures, including evidence of consultation with Aboriginal community representatives.	Future stages	This compliance report relates only to Early Works.			

E20	All future Development Application shall assess heritage impacts of the proposal. The assessment shall: (a) consider impacts to Aboriginal heritage (including cultural and archaeological significance), in particular impacts to Aboriginal heritage sites identified within or near the project should be assessed. Where impacts are identified, the assessment shall demonstrate effective consultation with Aboriginal communities in determining and assessing impacts and developing and selecting options and mitigation measures (including the final proposed measures); (b) consider impacts to historic heritage. For any identified impacts, the assessment shall: (i) outline the proposed mitigation and management measures (including measures to avoid significant impacts and an evaluation of the effectiveness of the measures). Mitigation measures should include (but not be limited to) photographic archival recording and adaptive re-use of buildings or building elements on site); (ii) be undertaken by a suitably qualified heritage consultant(s); and (iii) include a statement of heritage impact.	Future stages	This compliance report relates only to Early Works.			
	Soil and Water					
E21	All future Development Application shall include an assessment of soil and water impacts. The assessment shall (where relevant): (a) assess impacts on surface and groundwater flows, quality and quantity, with particular reference to any likely impacts on Georges River and Anzac Creek; (b) assess flooding impacts and characteristics, to and from the project (including rail link), with an assessment of the potential changes to flooding behaviour (levels, velocities and direction) and impacts on bed and bank stability, through flood modelling, including: (i) hydraulic modelling for a range of flood events; (ii)description, justification and assessment of design objectives (including bridge, culvert and embankment design); (iii) an assessment of afflux and flood duration (inundation period) on property; and frequency and/or intensity, including an assessment of the capacity of stormwater drainage structures. (c) identify and assess the soil characteristics and properties that may impact or be impacted by the project, including acid sulfate soils; (d) include a contamination assessment in accordance with the guidelines made under the Contaminated Land Management Act 1997 and in consultation with the EPA for the subject site including the Glenfield Waste Facility.	Future stages	This compliance report relates only to Early Works.			
E22	All future Development Application which includes construction in the vicinity of Amiens Wetland shall include advice form an independent wetland expert to determine whether it is artificial or a natural lake basin, its significance, and any recommendations on mitigation measures (if appropriate).	Future stages	This compliance report relates only to Early Works.			
E22A	**All future Development Applications must demonstrate that the proposed development, including the importation and placement of fill, will not adversely impact on or be adversely impacted by long term management or monitoring of remediation required under the Stage 1 Early Works in relation to contaminated land management.**	Future stages	This compliance report relates only to Early Works.			
	Hazards and Risks					

E23	All future Development Application shall be accompanied by a preliminary risk screening completed in accordance with State Environmental Planning Policy No. 33 - Hazardous and Offensive Development and Applying SEPP 33 (DoP 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the proposal. Should preliminary screening indicate that the proposal is 'potentially hazardous', a Preliminary Hazard Analysis (PHA) must be prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis (DoP 2011) and Multi-Level Risk Assessment (DoP 2011). The PHA should: (a) Estimate the risks from the facility; (b) Be set in the context of the existing risk profiles for the intermodal facility and demonstrate that the proposal does not increase the overall risk of the area to unacceptable levels; and (c) Demonstrate that the proposal complies with the criteria set out in the Hazardous Industry Planning Advisory Paper No. 4 - Risk Criteria for Land Use Safety Planning.	Future stages	This compliance report relates only to Early Works.			
	Bushfire Management					
E24	All future Development Application shall be accompanied by an assessment against the Planning for Bushfire 2006 (NSW Rural Fire Service).	Future stages	This compliance report relates only to Early Works.			
E24A	**All future Development Applications must demonstrate that bushfire asset protection zones do not impact on biodiversity offset areas and the Georges River riparian corridor.**	Future stages	This compliance report relates only to Early Works.			
	Building Code of Australia					
E25	All future Development Applications shall demonstrate compliance with the Building Code of Australia, as relevant.	Future stages	This compliance report relates only to Early Works.			
	Subdivision					
E26	**Any future Development Application for subdivision must:** **a) demonstrate compliance with the minimum lot size specified in the Liverpool Local Environmental Plan;** **b) demonstrate compliance with Condition 15 of this consent;** **c) include a subdivision plan showing completed estate works including but not limited to site services, internal roads, maintenance access roads, pedestrian paths, landscaping, lighting of common areas, provision for emergency services including for firefighting, onsite detention basins and stormwater treatment systems;** **d) include a detailed management and maintenance program for estate infrastructure; and** **e) nominate a single entity responsible for implementation of the management and maintenance program.**	Future stages	This compliance report relates only to Early Works.			
	Staging					

E27	**Any future Development Applications that propose staging of construction must provide details of staging which:** **a) describes how the development will relate to other future development stages including those on the MPE site;** **b) describes how estate infrastructure will be delivered in conjunction with warehouse construction;** **c) includes an indicative construction program for both MPW and MPE;** **d) documents how compliance with the requirements of conditions in this Schedule (Schedule 4) will be achieved; and** **e) demonstrates that estate infrastructure will be delivered prior to operation of the intermodal terminal facility, warehousing delivered in each stage, and the freight village.**	Future stages	This compliance report relates only to Early Works.			
	Cumulative Impacts					
E28	**All future Development Applications must provide the timing for construction and operation on both the MPW and MPE sites and provide cumulative assessments for construction and operation on the MPW and MPE sites including, but not limited to:** **a) traffic and access impacts;** **b) noise and vibration impacts;** **c) air quality impacts;** **d) stormwater drainage impacts;** **e) ecological impacts.**	Future stages	This compliance report relates only to Early Works.			
	Interaction between MPW and MPE sites					
E29	**Any future Development Application that proposes the use of infrastructure on the MPE site or integration of operations across the MPW and MPE sites must:** **a) demonstrate that there will be no overall increase in cumulative construction and operational environmental impacts;** **b) describe the relationship between similar facilities on each site such as the intermodal terminal facilities and freight villages;** **c) provide a mechanism to record the TEUs supplied and received at each of the MPW and MPE intermodal terminal facilities to demonstrate compliance with condition 7 and 8 of this consent and conditions 1.6 and 1.7 of the MPE Concept Plan (MP 10_0193) approval;** **d) provide an overall Precinct (MPW+MPE) layout and design drawings, including for:** **(i) access to the Precinct,** **(ii) internal access and connections for pedestrians and vehicles including for the transfer of containers between intermodal terminal facilities and warehouses,** **(iii) public access including vehicle access between Anzac Road and Cambridge Avenue, public transport and pedestrian/cyclist connections,** **(iv) stormwater infrastructure including stormwater treatment and detention, and** **(v) landscaping and directional signage; and** **e) outline management and maintenance arrangements for the use of infrastructure on the other site.**	Future stages	This compliance report relates only to Early Works.			