MOOREBANK PRECINCT EAST (SSD 6766)

Stage 1: Six-Monthly Compliance Report - #08

January – June 2021

20 AUGUST 2021

Moorebank Precinct East (SSD 6766)

Stage 2: Construction Compliance Report - #8

January 2021 – June 2021

Author	[redacted]
Checker	
Approver	

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Acronyms

Acronym	Meaning
CAR	Corrective Action Request
CoC	Conditions of Consent
CRPAR	Compliance Reporting Post Approval Requirements 2018
CTP	Compliance Tracking Program
DPIE	Department of Planning, Industry and Environment (formerly Department of Planning and Environment)
ER	Environmental Representative
MLP	Moorebank Logistics Park
MPE	Moorebank Precinct East
MPW	Moorebank Precinct West
REMMs	Revised Environmental Mitigation Measures
SIMTA	Sydney Intermodal Terminal Alliance
SSD	State significant development

1. Introduction

The six-monthly compliance report for the Moorebank Precinct East (MPE) Stage 1 development, as required by Condition of Consent (CoC) C4 of the MPE Stage 1 (SSD 6766) development consent, has been prepared on behalf of Sydney Intermodal Terminal Alliance (SIMTA) for the compliance reporting period January to June 2021.

1.1 Moorebank Logistics Park overview

SIMTA and Moorebank Intermodal Company have entered into an agreement to develop the MPE Project and Moorebank Precinct West (MPW) Project into the Moorebank Logistics Park (MLP).

When completed, the MLP will move 1.55 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.

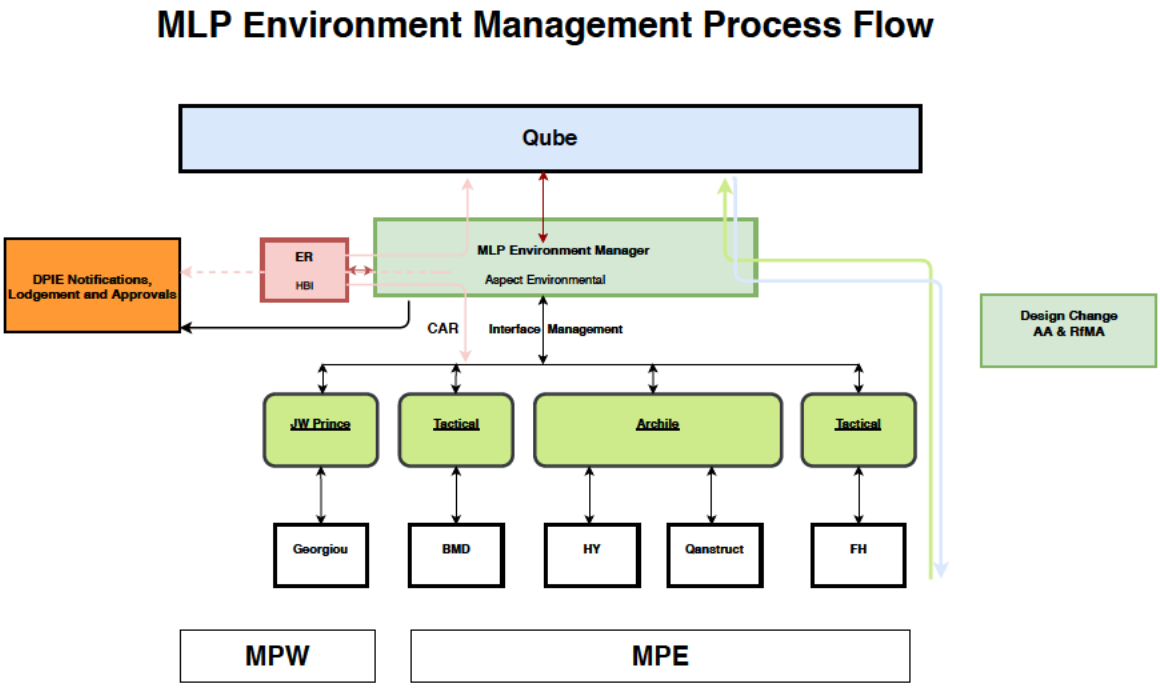

Figure 1-1 Environment management process flow across the MPE and MPW developments

1.2 MPE Stage 1 development

The MPE Stage 1 (SSD 6766) development generally involves the construction and operation of an intermodal terminal facility including truck processing and loading areas, rail loading and container storage areas, and an administration facility and associated carparking, a rail link connecting the southern end of the site to the Southern Sydney Freight Line, and associated works including rail

sidings, vegetation clearing, remediation and levelling works, and drainage and utilities installation; and is being delivered under the following approvals:

- State significant development consent (SSD 6766) granted by the (then) NSW Planning Assessment Commission on 12 December 2016 for the first stage of the MPE development under Part 4, Division 4.1 (now Division 4.7 as of 1 March 2018) of the *Environmental Planning and Assessment Act* 1979
- *Environment Protection and Biodiversity Act* 1999 (EPBC Act) Approval No. 2011/6229, granted 6 March 2014 for the construction and operation of SIMTA Moorebank Intermodal Terminal Facility and associated rail infrastructure including a rail link to the Southern Sydney Freight Line.

The MPE Stage 1 Development Consent (SSD 6766) was amended by the NSW Land and Environment Court on the 13 March 2018.

The Department of Planning, Industry and Environment (DPIE) was notified on 18 June 2019, that SIMTA intended to commence the staged operation of the MLP East Precinct in Area 1, which includes the IMEX Terminal and rail link, on 15 July 2019.

The progression of operations is further described in the Operational Environment Management Plan and associated sub-plans, and is reported on as part of the operational compliance reporting requirements.

The other approved works to be undertaken within the Moorebank precinct will be undertaken as part of separate approvals and subject to separate construction programs, including the MPE Stage 2 Development (SSD 7628), MPW Stage 1 Development (SSD 5066) and MPW Stage 2 Development (SSD 7709), and are not the subject of this report.

1.3 Site Location

The MPE Stage 1 development (SSD 6766) is located on Moorebank Avenue, Moorebank in NSW. The site is situated within the Liverpool Local Government Area, approximately 30 km south-west of the Sydney CBD and approximately 4 km south of Liverpool CBD.

The site is generally described as the land immediately to the east of Moorebank Avenue and to the north of the East Hills Passenger Line. The site comprises the following lots:

- Lot 2 DP 1197707
- Lot 4 DP 1197707
- Lot 1 DP 825352
- Lot 2 DP 825348
- Lot 1 DP 1061150
- Lot 6 DP 833516
- Lot 7 DP 833516
- Lot 1 DP 712701
- Lot 1 DP 1197707
- Lot 91 DP 1155962
- Lot 5 DP833516
- Georges River
- Lot 103 DP 1143827
- Lot 104 DP 1143827
- Lot 52 DP 517310
- Lot 51 DP 515696
- Lot 4 DP 1130937
- Lot 101 DP 1143827
- Lot 102 DP 1143827
- Lot 1 DP 1130937
- Lot 4 DP 1186349
- Crown Road
- Public road reserve of Moorebank Avenue to the north of Anzac Road

1.4 Scope of works

The MPE Project involves the development of an intermodal terminal facility, including an intermodal rail terminal – the IMEX Terminal, rail link connection to Southern Sydney Freight Line (SSFL), warehouse and distribution facilities, freight village (ancillary site and operational services), stormwater, landscaping, servicing and associated works on the eastern site of Moorebank Avenue, Moorebank.

The MPE Stage 1 development has been delivered in two construction packages, the key components of each are outlined below.

Package 1: The Rail Access Land Preparation (RALP No.1) includes the following components:

- A northbound connection and a southbound connection to the Southern Sydney Freight Line (SSFL)
- A bridge over the Georges River
- A culvert crossing over Anzac Creek
- New Moorebank Avenue overbridge
- Signalling systems
- Security fencing.

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

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

These scopes of work are substantially complete and there are limited construction activities taking place as part of the MPE Stage 1 development.

1.5 Works undertaken January- June 2021

Construction activities that have been undertaken during this reporting period are outlined below:

- IMEX east interface works
- Installation of chain wire fencing, gates and electrical equipment.

1.6 Scope and purpose

This six-monthly compliance report, as required by Condition of Consent (CoC) C4, has been prepared for the compliance reporting period January 2021 to June 2021. The report outlines the compliance status of the MPE Stage 1 project against the CoC (SSD 6766), as required by CoC C4 (c)(ii). Additionally, the Revised Environmental Mitigation Measures (REMMs) are addressed by exception. The information provided within this Construction Compliance Report (CCR) relates only to the completion of IMEX activities under MPE S1. Activities under the RALP package have been completed.

Table 1-1 Requirements for compliance reporting

CoC	Condition	Reference
C4	The App cant sha prepare and mp ement a Comp ance Track ng Program, to track comp ance w th the requ rements of th s approva . The Program sha be subm tted to the Secretary for approva pr or to the commencement of construct on and operate for the durat on of construct on.	The Comp ance Track ng Program (CTP) was prepared by Aspect Env ronmenta to sat sfy th s cond t on. CTP (Rev E) was approved by the Department of P ann ng and Env ronment (now the Department of P ann ng, Industry and Env ronment (DPIE)) on 21 February 2017 pr or to the commencement of ear y works. Rev 5 of the CTP (dated 24 September 2020) s current y be ng mp emented.
C4(c)	Prov s on for per od c report ng of comp ance status to the Secretary, nc ud ng but not m ted to: ( ) S x-month y, or other t m ng as agreed by the Secretary, Construct on Comp ance Reports, for the durat on of construct on.	Th s s x-month y comp ance report has been prepared to sat sfy th s cond t on and dent f es the comp ance status of the Project for the per od January 2021 to Ju y 2021 and w be prov ded to the Secretary for nformat on.

1.7 Six-monthly compliance report structure

This compliance report has been prepared in accordance with the CTP (SIMTA, 2020). The Compliance Reporting Post Approval Requirements (CRPAR) (Department of Planning, Industry and Environment, May 2020) have also been referenced in the preparation of this report. The structure of the compliance report is as follows:

- **Section 1 - Introduction**: Provides a brief summary of the MPE Stage 1 development, scope of works and the works undertaken during the reporting period.
- **Section 2 - Project Compliance:** This includes detail of progress against previous compliance report actions, including internal and external audit results, any environmental incidents and non-compliances, and details of community complaints and responses.
- **Section 3 - Compliance Summary:** Provides a review of the compliance status of the development.

Appendix A contains the compliance tracking table for the SSD 6766 conditions of consent.

1.8 Methodology for data collection

This compliance report has been prepared in accordance with the CTP requirements.

This 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 and sub-plans.

2. Project compliance

2.1 Previous actions and independent audits

An independent environmental audit for construction was not undertaken during the reporting period, as had been discussed with the independent auditor, following the receipt of Practical Completion Certification for construction from the Principal Certifying Authority.

The forthcoming commencement of rehabilitation of the disused railspur, and the respective approval of the revised management plans, is the reasonable trigger for the next construction independent environmental audit. The audit would be undertaken following the commencement of the rehabilitation of the southern extent of the disused rail spur in accordance with Condition C23B of the MPE Stage 1 development consent.

2.2 Environmental incidents

No environmental incidents occurred within 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 (DPE, 2020). These are provided in Table 2-1.

Table 2-1 Compliance status descriptors (CRPAR 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 element 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-compliance

No non-compliances were recorded during the reporting period.

2.5 Complaints management

Nine complaints were received from seven sources for the MLP during the reporting period. The processes for managing complaints and enquiries are outlined in the Community Communication Strategy.

The details of these complaints and enquires, and the subsequent responses are recorded in a community complaints register. The community complaints register, which is available in full on the SIMTA website (www.simta.com.au), is maintained across the entire MLP, including the MPE Stage 1 Site, and does not differentiate between development consents or work stages. As a result, a number of complaints may be duplicated within the compliance reporting documentation across the MLP.

None of the complaints received during the reporting period are directly related to the MPE Stage 1 development, with the majority primarily concerning noise the MPW Site or not relevant to the development entirely.

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 Construction Environmental Management Plan and sub-plans.

Periodic review of compliance against the CoC will continue to be undertaken, along with the ER reports.

Compliance report declaration

Project Name	Moorebank Logistics Park – MPE Stage 1
Project Application Number	SSD 6766
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 Report #08
Date	20/08/2021

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	[redacted]
Signature	[redacted]
Qualification	[redacted]
Company	Aspect Environmental Pty Limited
Company Address	[redacted]

Appendix A – SSD 6766 Compliance Tracking Table

	Condition	Timing	Monitoring Methodology	Evidence and Comments	Compliance Status
Compliance Requirement					**Compliant**
Part A Administrative					**Non-Compliant**
	Development in Accordance with Plans and Documents				**Not Triggered**
A1	The Applicant shall carry out the development generally in accordance with the: a)State Significant Development Application SSD 6766; b)SMITA Intermodal Terminal Facility – Stage 1 – Environmental Impact Statement (Hyder Consulting Pty Ltd, May 2014); c)SIMTA Intermodal Terminal Facility – Stage 1 – Response to Submissions (Hyder Consulting Pty Ltd, September 2015); and d)The conditions of this consent.	At All Times	Records of audit results. Completed compliance monitoring / tracking programs and completed Compliance Reports.	References to all items detailed in condition A1 are referenced within the Compliance Tracking Program (SIMTA, rev 3, 5 May 2017). **RALP** All sources referred to are included in the project obligations register and CEMP (CPB, rev 6, 1 May 2019). **IMEX** All sources referred to are included in the project obligations register and CEMP (SIMTA, rev 17, 16 January 2020).	
A2	In the event of an inconsistency between: (a)the conditions of this approval and any document listed from condition A1(a) to A1(c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and (b)any document listed from condition A1(a) to A1(c) inclusive, and any other document listed from condition A1(a) to A1(c) inclusive, the most recent document shall prevail to the extent of the inconsistency.	At All Times	For reference / consideration.	Noted.	
A3	The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Department s assessment of: (a)any reports, plans or correspondence that are submitted in accordance with this consent; and (b)the implementation of any actions or measures contained within these documents.	At All Times	For reference / consideration.	Noted. No requests made during the reporting period.	
	Lapsing of approval				
A4	This approval will lapse ten years from the date of this approval unless works the subject of this approval are physically commenced, on or before that lapse date.	At All Times	Record date of commencement of works on site.	MPE Stage 1 Approval (SSD 7677) dated 12 December 2016. Works commenced on RALP on 10/7/2018 and IMEX on the 26 June 2017. Approval has not lapsed.	
	Secretary as Moderator				
A5	In the event of a dispute between the Applicant and a public authority, in relation to this approval, either party may refer the matter to the Secretary for resolution. The Secretary s resolution of the matter shall be binding on the parties.	At All Times	For reference.	No disputes to date.	
	Legal notices				
A6	Any advice or notice to the consent authority shall be served on the Secretary.	At All Times	For reference.	No notices or advice during this reporting period.	
	Statutory Requirements				
A7	The applicant shall ensure that all licences, permits, consents and approvals are obtained and maintained as required throughout the life of the development. No condition of this consent removes the obligation of the Applicant to obtain, renew or comply with such licences, permits or approvals. The Applicant shall ensure that a copy of this consent and all relevant environmental licences, permits, consents and approvals are available on the site that all times during the development and made available on the Project Website.	At All Times	Updated legal requirements register applicable to the site and phase of works (i.e. construction/operation). Records / copies of relevant licenses, permits, approvals etc.	Required licences, permits, consents and approvals required prior to construction are being progressively obtained and uploaded on the website on a regular basis. The review of Operational Sleep Disturbance Impacts (Wilkinson Murray, March 2018) has been uploaded to the project website under IMEX post approval documents. The site-wide EPL has been uploaded to the Site Website.	

*Writing in red font represents additions and changes made to the conditions due to the Land and Environment court decision dated 13 March 2018.

Approval (ID)	Condition	Timing	Monitoring Methodology	Evidence and Comments	Compliance Status
Compliance Requirement					**Compliant**
Part B - Prior to Issue of Construction Certificate					**Non-Compliant**
	Disabled Access				**Not Triggered**
B1	Access for people with disabilities shall be provided for offices and amenities for the development in accordance with the Disability Discrimination Act 1992 (Commonwealth). Prior to the issue of a Construction Certificate, verification of compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority.	Prior to Construction Certificate	Copy of Verification. Copy of Verifier's Qualifications. Copy of Submission to Certifying Authority.	**RALP- N/A** **IMEX** The IMEX facility has been designed in accordance with the BCA and Disability Discrimination Act 1992. In particular, disabled parking bays and toilets have been included within the design, and the administration building is a one level building only. Drawings were issued to the PCA on 12/5/17 and construction certificate for demolition issued 16/5/17. IMEX earthworks CC issued on 28/07/17. Final CC (remainder of scope) to be issued to satisfy this condition. The Final Construction Certificate for the admin building was issued on 23 February 2018.	
	Compliance with the Building Code of Australia (BCA)				
B2	Details shall be provided to the satisfaction of the Certifying Authority, with the application for a Construction Certificate, which demonstrate that the proposal complies with the prescribed conditions of approval under Clause 98 of the Environmental Planning and Assessment Regulation in relation to the requirements of the Building Code of Australia (BCA).	When Applying for Construction Certificate	Copy of correspondence with Certifying Authority. Copy of correspondence confirming Certifying Authority's satisfaction of BCA details. Copy of the certified plans.	A BCA report and Deemed to Satisfy report has been obtained stating that the building design (Administration Building, Switch room & Pump house) is compliant with BCA requirements. The assessment was undertaken by AED Group. CC 17-124050-1 for demolition issued 16/5/17. IMEX earthworks CC 17-124050-4 issued on 28/07/17. Civil works and pavements CC17-124050-5 issued on 16/11/17. Admin building CC 18-124050-6 issued 23/2/18.	
	Development Contributions				
B3	Prior to the issue of a Construction Certificate, the Applicant shall pay a monetary levy of $643,027.27 to Liverpool City Council for transport, drainage, community facilities, administration and professional and legal fees pursuant to section 94B(2) of the Environmental Planning and Assessment Act 1979.	Prior to Issue of Construction Certificate	Copy of receipt of levy to Liverpool City Council.	QUBE issued a cheque to LCC on 15/5/17. Construction certificate for demolition, tree clearing, and site establishment was issued by PCA on 16/5/17. IMEX Demolition Certificate (17/124050-1) issued 16/5/17	
	Site Layout and Access				
B4	The design of the main access gate shall preclude heavy road freight vehicles from using Moorebank Avenue south (no left turn from the terminal site onto Moorebank Avenue, and no right turn from Moorebank Avenue into the terminal site). Detailed plans are to be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	Prior to Issue of Construction Certificate	Copy of plans. Copy of submission to the Certifying Authority. Copy of receipt and satisfaction from Certifying Authority. Copy of submission to Planning Secretary.	Drawings issued to PCA on 12/5/17 and approved on 26/5/17. Plans forwarded to DPIE (previously DP&E) for information on 9/6/17.	

B5	The Applicant shall ensure that: a)internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the Development are constructed and maintained in accordance with the latest versions of AS 2890.1 – 2004, AS 2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage; b)the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, is in accordance with AUSTROADS; c)The layout of the site shall be designed to ensure heavy vehicles associated with the operation of the intermodal terminal can be accommodated on site in the event of an incident blocking access to the M5 Motorway/ Moorebank Avenue to avoid queuing on public roads. d)The layout of the site shall be designed to minimise heavy vehicles reversing are not required to select reverse gear. e)heavy vehicles and bins associated with the SSD do not park or stand on local roads or footpaths in the vicinity of the site; f)all vehicles are wholly contained on site before being required to stop; g)all loading and unloading of materials is carried out on site; and h)the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times. Detailed plans demonstrating compliance with a)-h) shall be prepared in consultation with RMS and to the satisfaction of the Certifying Authority.	Prior to Issue of Construction Certificate	Approved Traffic and Access Impact Assessment. Copy of RMS Consultation. Copy of submission of plans to Certifying Authority. Copy of receipt and satisfaction of plans from Certifying Authority.	**RALP- N/A** **IMEX** Addressed in detailed design. Drawings and Basis of Design Report were approved by the Principal Certifying Authority (PCA) on 23/2/2018. Submission of B5 application to Certifying Authority on 18/9/17. Submission of drawings to RMS 18/12/17. McKenzie Group letter of 17/08/2018 confirming condition B5 has been satisfied.	
B6	The Applicant shall include provision for emergency access to the site. Plans demonstrating compliance shall be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	Prior to Issue of Construction Certificate	Approved Traffic and Access Impact Assessment. Copy of submission of plans to Certifying Authority. Copy of receipt and satisfaction of plans from Certifying Authority. Copy of submission of plan to Secretary.	**RALP** Information provided to Certifying Authority and approval provided on 13/6/17. Forwarded to DPIE (previously DP&E) for information via email on 15/5/17. **IMEX** Plans submitted to Certifying Authority for approval on 12/5/17 and approved on 26/5/17. Plans forwarded to DPIE (previously DP&E) for information on 10/6/17.	
	Lighting Plan				
B7	A detailed plan prepared by a suitably qualified lighting engineer must be submitted to the Certifying Authority for approval prior the issue of a Construction Certificate, and include, but not be limited to: a)Adequate lighting of pedestrian thoroughfares; b)All lighting in public domain areas is to comply with the relevant Council requirements and Australian Standard AS1158 for Street Lighting Applications; c)The lighting plan should include lighting designs, supported by luminance calculations and luminance plots, and is to be of a high standard and Energy Australia compatible; and d)All outdoor lighting (excluding street lighting) shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.	Prior to Issue of Construction Certificate	Copy of Lighting Engineer's qualifications. Copy of approved design plans. Copy of submission to the Certifying Authority. Copy of approval from the Certifying Authority. Compliance report to verify compliance with standards.	**RALP- NA** **IMEX** Addressed within the IMEX Basis of Design Report (Rev 3 dated 22/2/18). Section 16 and Appendix F details the lighting design. The IMEX Basis of Design Report was issued to the PCA on 12/5/17 and construction certificate issued 5/6/17.	
	Public Transport				
B8	The SSD shall be designed to ensure a bus stop on Moorebank Avenue (including direct pedestrian access from the terminal site to the bus stop), and associated turnaround facility suitable for a 14.5 metre long non-rear steer bus is not precluded.	Prior to Issue of Construction Certificate	Copy of SSD.	**RALP- NA** **IMEX** The MPE Stage 1 design has not precluded the ability to install a bus stop and associated turnaround facility in the future. Consultation with relevant bus provider(s) and Transport for NSW (TfNSW) will be undertaken with regards to the potential to extend the 901 bus service (limited bus service along Moorebank Avenue), particularly along Moorebank Avenue fronting the site, and additional bus stops to ensure adequate accessibility to and within the site.	

*Writing in red font represents additions and changes made to the conditions due to the Land and Environment court decision dated 13 March 2018.

Approval (ID)	Condition	Timing	Monitoring Methodology	Evidence and Comments	Compliance Status
Compliance Requirement					**Compliant**
Part C - Prior to Construction					**Non-Compliant**
	Commencement of Works				**Not Triggered**
C1	Demolition, excavation, clearing (other than minor clearing), construction, subdivision or associated activities must not commence until a Construction Certificate has been issued for the project pursuant to the Environmental Planning and Assessment Act 1979.	Prior to Construction Certificate	Copy of dated Construction Certificate. Date of commencement of associated activities.	**RALP** It was agreed with the PCA that a staged Construction Certificate (CC) would be issued for demolition, excavation, clearing and construction. The CC's were issued as follows: - RALP demolition, tree clearing and site establishment CC issued on 16 May 2017 - RALP earthworks and structures CC was issued by the PCA on 6 July 2017 - RALP rail corridor design change dated 10/10/2018 **IMEX** It was agreed with the PCA that a staged Construction Certificate (CC) would be issued for demolition, earthworks and remaining scope items as follows: - IMEX Demolition CC - issued 16/5/17 - IMEX Earthworks and structures CC issued on 28/07/17 - IMEX Services CC issued on 16/11/17. - IMEX Admin building CC issued 23/2/18.	
	Demolition				
C2	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.	Prior to Demolition	Work plans and requisite safety statements. Record of qualifications of person(s) providing the safety statements. Statement of compliance against standard.	**RALP- N/A** **IMEX** Demolition specification has been developed in accordance with the AS2601:2001: The Demolition of Structures. The standards are referenced in Liberty Industrial's Asbestos Removal Control Plan for IMEX No 1- EW (April 2017).	
	Urban Design and Landscaping				
C3	The Applicant shall prepare and implement an Urban Design and Landscape Plan (UDLP) for the project. The Plan shall present an integrated urban design for the project. The Plan shall include, but not necessarily be limited to: a)final design details of the proposed external materials and finishes; b)location of existing vegetation and proposed landscaping (including use of indigenous and endemic species where possible) and design features; c)strategies for progressive landscaping of other environmental controls such as erosion and sedimentation controls, drainage and noise mitigation; and d)location and design treatments for any associated footpaths and cyclist elements, and other features such as seating, lighting (in accordance with AS 4282-1997 Control of the Obtrusive Effect of Outdoor Lighting), fencing, and signs; The Plan shall be submitted for the approval of the Secretary prior to the commencement of permanent built works and/ or landscaping, unless otherwise agreed by the Secretary.	Prior to Construction	Copy of approved UDLP. Copy of dated submission of UDLP to Secretary. Correspondence with Secretary containing approval.	Conditional approval of MPE Stage 1 UDLP was granted on 26/07/17, allowing the commencement of works. The UDLP was approved on 14/2/2018. Revision 11 of the UDLP (SIMTA, 29/08/19) was submitted to DPIE on 30 March 2020 and was approved by the Planning Secretary on 24 April 2020.	
	Compliance Monitoring and Tracking				

C4	The Applicant shall prepare and implement a Compliance Tracking Program, to track compliance with the requirements of this approval. The Program shall be submitted to the Secretary for approval prior to the commencement of construction and operate for the duration of construction. The Program shall include, but not be limited to: a)provision for the notification to the Secretary prior to the commencement of construction; b)provision for periodic review of the compliance status of the SSD against the requirements of this approval; c)provision for periodic reporting of compliance status to the Secretary, including but not limited to: (i)a Pre-Construction Compliance Report prior to the commencement of construction, (ii)Six-monthly, or other timing as agreed by the Secretary, Construction Compliance Reports, for the duration of construction, and (iii)a Completion Compliance Report within one month of completion of the construction; d)a program for independent environmental auditing in accordance with AS/NZS ISO 19011:2014 - Guidelines for Auditing Management Systems; e)mechanisms for recording environmental incidents during construction and actions taken in response to those incidents; f)provision for reporting environmental incidents to the Secretary during construction, in accordance with conditions C6 and C7; g)procedures for rectifying any non-compliance identified during environmental auditing, review of compliance or incident management; and h)provision for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.	Prior to Construction	Copy of Compliance Tracking Program. Copy of submission to Secretary. Copy of approval from Secretary.	The Compliance Tracking Program (SIMTA, Rev 3, 5 May 2017) was approved by DPIE on the 4 May 2017. - CCR 01 June- December 2017 (Arcadis, Rev 004, 8 February 2018) - CCR 02 December- June 2018 (Arcadis, Rev 002, 1 August 2018) - CCR 03 July - December 2018 (Arcadis, Rev 02, 1 March 2019) - CCR 04 January- June 2019 (Arcadis, Rev 03, 25 September 2019) - CCR 05 July- December 2019 (SIMTA, Rev 002, 18 March 2020) - CCR 06 January- June 2020 (SIMTA, Rev 001, 11 September 2020) - CCR 07 July- December 2020 (SIMTA, Rev 001, 25 February 2020) - CCR 08 January- June 2021 (SIMTA, Rev 001, 20 August 2021) RALP - PCCR, dated 5 January 2018. IMEX -PCCR, dated 5 September 2017.	
	Contamination				
C5	Prior to the commencement of construction of the rail link within the Glenfield Waste Facility licenced premises, the Applicant shall prepare an assessment report of the proposed impacts of construction on the Glenfield Waste Facility licenced premises. The assessment must address: a)Targeted intrusive investigations to determine contamination pathways and to develop mitigation, management and/or remediation options based on those investigations; b)details of the quantity of landfilled waste to be removed, the location from where it will be removed, the methodology to be utilised and the estimated timeframe for the removal and reburial; c)proposed measures to mitigate odour impacts on sensitive receivers, including an undertaking to apply daily cover to any exposed waste in accordance with benchmark technique 33 of the document Environmental Guidelines: Solid Waste Landfills, NSW EPA 1996; d)details of impacts on pollution control and monitoring systems including existing groundwater and landfill gas bores and their subsequent repair/ replacement; e)the methodology proposed to ensure that the landfill barrier system disturbed in the removal process is replaced/ repaired to ensure its ongoing performance. The Applicant shall detail matters such as sub grade preparation and specifications, liner installation/ 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 project, and operation and maintenance 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 (e.g. subsidence or gas issues). The Applicant must provide the assessment report to the EPA for review and approval at least 6 weeks prior to the commencement of construction. A copy must also be submitted to the Secretary for information. No works are permitted to commence within the Glenfield Waste Facility licenced premises without the EPA s written approval, unless otherwise agreed by the Secretary.	Prior to Construction	Copy of assessment report addressing these requirements. Copy of submission of report to Environment Protection Authority (EPA). Copy of written approval from EPA. Copy of submission to the Secretary.	**RALP** Correspondence relating to GWS early works was sent to DPIE (previously DP&E) on 18/04/2018. DPE approval received on 3/10/2018 noting EPA s granting of satisfaction through issue of the EPL for the works. The EPL was granted on 18/8/17. It is a staged licence allowing certain areas to be accessed and closed out in conjunction with GWF works to proceed. **IMEX- N/A**	

C6	The Applicant shall prepare construction design plans for the section of the rail link within the Glenfield Waste Facility licenced premises in consultation with the EPA, and submit for the approval of the Certifying Authority prior to the commencement of construction, unless otherwise agreed by the Secretary. A copy must be provided to the Secretary for information.	Prior to Construction	Copy of design plans. Copy of consultation with EPA. Copy of submission to Certifying Authority. Copy of approval by Certifying Authority. Copy of submission to Secretary.	**RALP** EPL Granted 24/09/2018. Certifying Authority issued updated CC on 10/10/18 indicating satisfaction. **IMEX- N/A**	
C7	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.	Prior to Construction	Copy of design plans. Copy of approval by Certifying Authority.	No works have occurred in the reporting period below 5 metres AHD.	
C8	The subject site is to be remediated in accordance with: a)The approved Remedial Action Plan; b)State Environmental Planning Policy No. 55 – Remediation of Land; and c)The guidelines in force under the Contaminated Land Management Act. Amendments to the approved Remedial Action Plan required as a result of further site investigations must be approved by the site auditor, in consultation with the EPA. Within 3 months after the completion of the remediation works, a notice of completion, including a validation and/or monitoring report is to be provided to the Secretary. This notice must be consistent with State Environmental Planning Policy No. 55 – Remediation of Land. The validation and/or monitoring report is to be independently audited and a Site Audit Statement Issued. The audit is to be carried out by an independent auditor accredited by the EPA. Any conditions recorded on the Site Audit Statement are to be complied with.	Prior to Construction	Copy of Remedial Action Plan. Copy of Site Auditor's approval of amendments. Copy of submission of notice of completion to Secretary. Copy of Site Audit Statement.	**RALP** - Site Audit Statement 13/08/2019 **IMEX** - Site Audit Statement 15/08/2019 No remediation is being undertaken during pre-construction works. However, the project Remediation Action Plan (RAP) was developed in compliance with this condition, consulted on with stakeholders and provided to the site Auditor on 10/4/17. The Remediation Action Plan was approved by the Site Auditor on 08/11/2017. RAP is being updated for GWS works due to design changes. Remediation of disused fuelling area under Site Audit Statement Part B for 12 month monitoring (Hydrocarbons). Part A Site Audit Statement issued post 12 month monitoring period. Remediation completed 17/10/17.	
	Soil, Water Quality and Hydrology				
C9	The design of any new stormwater outlets to the Georges River or Anzac Creek must include scour protection works.	Prior to Construction	Copy of Stormwater Management Plan.	**RALP** Section 6 of the Drainage Design Report outlines environmental considerations and requirements for the project design including this condition. Table 6.1 specifies that "all drainage outlets have been provided with scour protection designed for the 50 year ARI". RALP design change in GWS is captured in updated Design Report, dated 06/09/18. Scour protection is included. **IMEX-N/A**	
	Fish Migration, Passage and Health				
C10	Prior to the commencement of construction the Applicant shall consider the staging of in-water works for the bridge construction across the Georges River to avoid the impact on the migration season of Australian Bass.	Prior to Construction	Copy of construction staging program.	**RALP** Appendix D of CEMP and PCCR state that a single causeway has been designed to be constructed from the eastern embankment of Georges River so as to facilitate the migration of Australian Bass. **IMEX- N/A**	
C11	Prior to the commencement of the bridge construction works across the Georges River, the Applicant must consider if possible, restricting the use of the temporary platform to only one, and be designed to maintain fish passage. The Applicant must consult with DPI Fisheries with regard to the platform and its design prior to constructing the platform in the Georges River.	Prior to Construction	Copy of design plans. Copy of approval by Certifying Authority.	**RALP** The PSP for Georges River was consulted on with DPI Fisheries and this plan contained the platform and its design as per the condition. The crossing has been constructed as per design with minor changes to landscaping which were considered consistent with the approved project by the ecologist and ER. **IMEX- N/A**	

C12	The Applicant is to ensure that a daily visual inspection for dead or distressed fish in the Georges River is undertaken. Fish distress is indicated by fish gasping at the water surface, or crowding at the creek s banks. Should dead or distressed fish be observed, all works are to cease and DPI Fisheries is to be contacted immediately. Works can proceed following approval by DPI Fisheries.	Prior to Construction	Records of daily visual inspections.	Noted, monitoring for dead or distressed fish is detailed in the Monitoring section of the PSP - Georges River Bridge. Condition is only applicable to RALP works on Georges River, which were completed in the reporting period July- December 2019. **IMEX- N/A**	
	Heritage				
C13	Prior to the commencement of construction activities affecting the WWII store buildings, the Applicant shall complete all archival recordings. This work shall be undertaken by an experienced heritage consultant, in accordance with the guidelines issued by the Heritage Council of NSW. Within 6 months of completing this work, the Applicant shall submit a report containing archival recordings to the Secretary, Certifying Authority, the Heritage Council of NSW, Liverpool Council and the local Historical Society.	Prior to Construction	Copy of archival recordings. Copy of heritage consultant's qualifications. Copy of dated submission of report containing archival recordings to the Secretary, Certifying Authority, the Heritage Council of NSW, Liverpool Council and the local Historical Society.	**RALP- N/A** **IMEX** Photographic archival recording was undertaken on the 18 and 19 January 2017. Archival reporting submitted to stakeholders 5/07/2017.	
C14	Prior to the commencement of construction activities affecting the WWII store buildings, the Applicant shall prepare a Heritage Interpretation Strategy, in consultation with the Heritage Division. The Strategy shall be submitted for the approval of the Secretary with a copy provided to the Certifying Authority.	Prior to Construction	Copy of Heritage Interpretation Strategy. Copy of consultation with Heritage Division. Copy of submission to the Secretary and Certifying Authority. Copy of approval from Secretary.	The Heritage Interpretation Strategy (Biosis, Rev 3, 20 February 2017) was approved by DPIE (previously DP&E) on 10/3/17.	
C15	Prior to the commencement of pre construction and construction activities affecting Aboriginal site MA14, the Applicant shall: a)develop a detailed salvage strategy, prepared in consultation with OEH (Aboriginal heritage) and the Aboriginal stakeholders. The investigation program shall be prepared to the satisfaction of the Secretary; and b)undertake any further archaeological excavation works recommended by the results of the Aboriginal archaeological investigation program. Within twelve months of completing the above work, unless otherwise agreed by the Secretary, the Applicant shall submit a report containing the findings of the excavations, including artefact analysis and Aboriginal Site Impacts Recording Forms (ASIR), and the identification of final storage location for all Aboriginal objects recovered (testing and salvage), prepared in consultation with the Aboriginal stakeholders, the OEH (Aboriginal heritage) and to the satisfaction of the Secretary. Note: where archaeological testing has occurred as part of the Environmental Assessment and the results are included in the documents listed in condition A1 the sites tested must still form part of the final report prepared under C15(b).	Prior to Construction	Copy of Salvage Strategy. Copy of consultation with OEH and the Aboriginal Stakeholders regarding Salvage Strategy. Copy of correspondence with Secretary affirming satisfaction of investigation program. Copy of Report 12 months after works completed satisfying the requirements. Copy of consultation with OEH and the Aboriginal Stakeholders regarding 12 month report. Copy of correspondence with Secretary affirming satisfaction of 12 month report.	**RALP** Salvage Strategy developed in consultation with registered Aboriginal parties and OEH (Aboriginal heritage). This Strategy was prepared to the satisfaction of the Secretary as noted by DPIE (previously DP&E) approval on the 9/03/2017. Salvage commenced on 20/3/17 and was completed on 28/03/2017. On 28/04/18 SIMTA provided DPIE with a Findings Report, prepared in consultation with Aboriginal stakeholders. On 03/12/18 SIMTA submitted an updated Findings Report, addressing comments received from DPIE. **IMEX- N/A**	
	Utilities and Services				
C16	Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the construction shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Applicant, or as otherwise agreed between the parties.	Prior to Construction	Copy of consultation record. This should include identification from the owner/provider whether a dilapidation report is required or not, in order to support validating any subsequent absence of a dilapidation report.	Dilapidation surveys have been undertaken by CPB. The reports have been submitted to the PCA on 6 April 2017 and approved by the PCA on 11 April 2017. Dilapidation reports completed for E28: E30 - Moorebank Avenue Glenfield - Cambridge Avenue Glenfield - Cambridge Avenue and Causeway Glenfield - Roundabout and Roadways at Glenfield The reports have been submitted to RMS, the Secretary, LCC and CCC on 16/5/17.	
	Pre-Construction Dilapidation Report				

C17	The Applicant shall engage a suitably qualified person to prepare a pre-construction dilapidation report prior to the commencement of construction. This report to ascertain the structural condition of: a)local public roads likely to be used by the project s construction traffic identified in the Construction Traffic and Access Management Sub-plan required under condition E35(a). b)local public roads, cycleways, footpaths and other utilities identified in the Construction Traffic and Access Management Sub-Plan required under condition E35(a). c)The report shall be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS and the Secretary.	Prior to Construction	Copy of Pre-construction dilapidation report. Copy of submission of Pre-construction dilapidation report to Campbelltown City Council, Liverpool City Council, RMS and the Planning Secretary.	Dilapidation surveys have been undertaken by CPB. The reports have been submitted to the PCA on 6 April 2017 and approved by the PCA on 11 April 2017. Dilapidation reports completed for: - Moorebank Avenue Glenfield - Cambridge Avenue Glenfield - Cambridge Avenue and Causeway Glenfield - Roundabout and Roadways at Glenfield. The reports have been submitted to RMS, the Secretary, LCC and CCC on 16/5/17.	
C18	The Applicant shall undertake road pavement deflection testing of the construction truck routes at 20 metre intervals along all wheel paths where feasible and reasonable to the extent required by Condition E34(a), prior to commencement of construction.	Prior to Construction	Copy of results.	**RALP** Road Pavement Deflecting Testing was undertaken on 29-30 April 2017. **IMEX** Road Pavement Deflection testing was completed by CPB on 7 April 2017.	
C19	The Applicant shall ensure that the construction and operation of the proposed development will not prevent the existing use of Moorebank Avenue as a public road to a standard commensurate to its current use prior to the development.	Prior to Construction	Copy of approved CTAMP.	**RALP** Addressed within the CTAMP (CPB, rev 07, 8 January 2019). CTAMP Approved by DPIE (previously DP&E) 11/5/2017. CTAMP outlines commitment to ensure Moorebank Ave can be used as a public road. **IMEX** Table 11, TR4 and TR8 of the CTAMP addresses this condition. The CTAMP (SIMTA, rev 14, 7/11/2019) was submitted to DPIE (previously DP&E) on 24/03/2017 and approved on 9/05/17	
	Biodiversity				
C20	The Applicant shall ensure the width of the rail link corridor is no greater than 20 metres in the Riparian corridor of the Georges River and Anzac Creek.	Prior to Construction	Copy of certified design plans.	**RALP** Section 7 of both the Georges River Bridge Design Report and Anzac Creek Culvert Design report had outlined all environmental considerations relating to the project and requirements for design consideration including this condition. **IMEX- NA**	
C21	The Georges River Bridge shall be designed to ensure fauna movement within the riparian corridor is maintained. The bridge shall be designed in consultation with DPI Water and DPI Fisheries and approved by the Certifying Authority. A copy of the final design shall be submitted to the Secretary for information and made available on the website.	Prior to Construction	Copy of design plans. Copy of consultation with DPI Water and DPI Fisheries. Copy of submission and approval by the Certifying Authority. Copy of submission to the Secretary.	**RALP** The Georges River Bridge Design and PSP for Georges River Bridge were both consulted on with DPI Water and DPI Fisheries on 31/1/17. Comments have been received from both agencies and project documents updated where required as detailed in relevant comment sheets inserted in the appendices of both documents. The Certifying Authority advised on 29/3/17 that the condition had been satisfied. The design was submitted to DPIE (previously DP&E) for information on 6/4/17. **IMEX- N/A**	
C22	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 construction. On implementing the plan, the survey results are to be forwarded onto DPI Fisheries. Should threatened dragonfly species be found at this site, DPI Fisheries should be contacted to agree on possible mitigation measures to avoid impacts in accordance with NSW DPI Policy and Guidelines for Fish Habitat Conservation and Management (2013).	Prior to Construction	Copy of Threatened Dragonfly Species Survey Plan. Copy of consultation with DPI Fisheries. Copy of submission of survey results to DPI Fisheries.	**RALP** A Threatened Dragonfly Species Survey Plan (TDSSP) was completed on 26/09/2016 as part of Condition D19 of SSD 5066 for Moorebank Precinct West. DPI Fisheries approved the TDSSP on 10 October 2016. Subsequent correspondence with DPI Fisheries confirms that this TDSSP also applies to Condition C22 for SSD 6766 Moorebank Precinct East. The TDSSP is included within Appendix B to the CFFMP. **IMEX- N/A**	

C23	Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant must prepare and implement a Hibbertia Species Survey Plan to determine the number of individual plants of each Hibbertia species present within the corridor and confirm that the required quantum of biodiversity offset credits needed to provide an offset for the surveyed number of individual plants of each Hibbertia species can be achieved. The survey plan, including the survey method, must be prepared in consultation with OEH to the satisfaction of the Secretary. Results of the survey must be included in the Biodiversity Offset Package required by C23A.	Prior to Construction	Copy of Hibbertia Species Survey Plan. Copy of satisfaction of HSSP by Secretary.	**RALP** Hibbertia Species Survey Plan and technical review memo issued to DPIE (previously DP&E) 14/04/2018. HSSP Approved 08/06/2018. Preclearance survey report dated 01/08/18, OEH consultation included. **IMEX- N/A**	
C23A	Prior to the commencement of clearing within the railway corridor between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge, the Applicant shall develop and implement a Biodiversity Offset Package to the satisfaction of the Secretary. The Package shall detail how the ecological values lost as a result of the SSD will be offset. The Package shall be consistent with the NSW Biodiversity Offsets Policy for Major Projects (OEH 2014), unless otherwise agreed by the Secretary. The Package shall include, but not necessarily be limited to: (a) the identification of the extent and types of habitat that would be lost or degraded as a result of the final design of the SSD; (b) the objectives and biodiversity outcomes to be achieved; (c) the final suite of the biodiversity offset measures selected and secured in consultation with OEH; (d) the management and monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure the outcomes of the package are achieved, including: (e) the monitoring of the condition of species and ecological communities at offset (including translocation) locations; (f) the method for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites; (g) provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the OEH; and (h) timing and responsibilities for the implementation of the provisions of the Package The Approved Biodiversity Offset Package shall be published on the Project Website within 7 days of its approval. Where land offsets cannot solely achieve compensation for the loss of habitat, additional measures shall be provided to collectively deliver an improved or maintained biodiversity outcome for the region. Where monitoring referred to in (e) above indicates that biodiversity outcomes are not being achieved, remedial actions shall be undertaken to ensure that the objectives of the Biodiversity Offset Package are achieved to the satisfaction of the Secretary. Such remedial actions shall be documented under an addendum to the Biodiversity Offset Package and the addendum be submitted to the satisfaction of the Secretary, prior to the implementation of that addendum. If the applicant can demonstrate to the satisfaction of the Secretary that the proposed offset land for between the southern boundary of the terminal site and the eastern side of the approved Moorebank Avenue Bridge has been secured, the Applicant shall within 12 months of the commencement of construction develop and implement the Biodiversity Offset Package to the satisfaction of the Secretary in accordance with	Prior to Construction	An approved Biodiversity Offset Package. Copy of satisfaction of Biodiversity Offset Package by Secretary.	A hold point has been inserted into the Permit to Clear Land or Vegetation (Attachment H of CFFMP) stating clearing is not to commence in this area until the biodiversity offset package has been accepted to the satisfaction of the Secretary. A report titled "Securing Biodiversity Offset Land" has been submitted to and approved by the Secretary on 14 December 2017. The report outlines how biodiversity offset lands have been secured and that the Biodiversity Offset Strategy will be submitted to DPIE (previously DP&E) within 12 months from the commencement of construction. Letter of approval from DPIE (previously DP&E) to commence clearing was received on 14 December 2017. HSSP Approved 08/06/2018 and included in Appendix B of the MPE Stage 1 BOP (dated 19/11/18).	
C23B	The Applicant shall: (a) remove the disused rail spur traversing the Southern Boot Land and remediate and rehabilitate the land containing the disused rail spur traversing the Southern Boot Land, which is identified in blue dotted outline on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area"; and (b) once remediation of the disused rail spur is complete, apply within 2 months of completion of the remediation to amend the biobanking agreement to incorporate the land shaded yellow on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area"; and (c) apply within 2 months of the issue of the biobanking agreement to amend the biobanking agreement to incorporate the land shaded red on Attachment A to these conditions titled "Figure 1 – Wattle Grove Offset Area". Nothing in this condition requires the Applicant to amend the biobanking agreement application lodged with OEH in February 2017.	Prior to Construction	An approved Biodiversity Offset Package.	Requirements of C23A satisfied. The BOP has been prepared to address the requirements of condition C23, C23A and E31A of the revised Conditions of Consent. Northern rail spur removal approved was ER (through IMEX approval on 19 May 2019) was undertaken in accordance with the revised IMEX CEMP and sub-plans. The IMEX CEMP and sub-plans have been updated to include the removal of the southern rail spur and were submitted to DPIE on 7 July 2021 and approved on 3 August 2021. Removal of southern rail spur has not yet commenced.	

	Transport and Access				
C24	Prior to the commencement of construction, the Applicant shall undertake a Road Safety Audit in consultation with TfNSW and the relevant Council for the proposed construction vehicle access points on public roads. The audit shall be undertaken by an independent TfNSW accredited road safety auditor in accordance with the relevant Austroads guidelines to identify any safety issues for the proposed construction vehicle access. The audit shall recommend corrective actions for any identified safety issues and propose appropriate traffic management measures (i.e. temporary traffic signals).	Prior to Construction	Copy of Road Safety Audit. Copy of road safety auditors independent TfNSW accreditation.	**RALP** A road safety audit was undertaken on 4/4/17 and consultation with LCC and TfNSW concluded on 15/5/17. A subsequent RSA is being undertaken in the Moorebank Ave Rail Bridge and shoulder widening. **IMEX** A road safety audit was undertaken on 11/5/17. Consultation was undertaken with LCC, CCC and TfNSW. Combined comments were received from TfNSW and RMS on 27 June 2017. A response was submitted to RMS and TfNSW on 11 August 2017. Consultation is now considered closed.	
C25	The design of new traffic signals (including modification of existing traffic signals) along Moorebank Avenue shall be designed to meet RMS requirements, Austroads Guide to Road Design and relevant RMS supplements (available on www.rms.nsw.gov.au). Plans shall be prepared in consultation with RMS, be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information.	Prior to Construction	Copy of design plans. Copy of consultation with RMS. Copy of submission to Certifying Authority and Secretary. Copy of correspondence with Certifying Authority affirming satisfaction of design plans.	The design was submitted to the PCA on 31 March 2017. Detailed design ongoing, and will be finalised prior to the issue of the WAD for the Moorebank Avenue Upgrade Works. The Major Works Authorisation Deed for MAUW was executed on 25 May 2020.	
NOTE THIS IS A DUPLICATE OF C25	The design of new traffic signals (including modification of existing traffic signals) along Moorebank Avenue shall be designed to meet RMS requirements, Austroads Guide to Road Design and relevant RMS supplements (available on www.rms.nsw.gov.au). Plans shall be and prepared in consultation with RMS, be submitted to the satisfaction of the Certifying Authority and provided to the Secretary for information	Prior to Construction	Copy of design plans. Copy of consultation with RMS. Copy of submission to Certifying Authority and Secretary. Copy of correspondence with Certifying Authority affirming satisfaction of design plans.	As above.	
	Rail Link Noise Barrier Design Contingency				
C27	The Applicant shall design the rail link to accommodate the installation of trackside noise barriers for the full length of the rail link in the event they may be required at some future time to comply with the project specific noise levels.	Prior to Construction	Copy of design plans. Copy of consultation with RMS. Copy of submission to Certifying Authority and Secretary. Copy of correspondence with Certifying Authority affirming satisfaction of design plans.	**RALP** Noise walls has been incorporated into the design along the entirety of the Rail Link Addressed in Appendix H - Rail Link Earthworks drawings of the MPE Stage 1 UDLP which indicate areas set aside for the provision of future trackside noise barriers. Also addressed in Section 7.5 of the MPE Stage 1 UDLP. Sighted GWF rail redesign drawings and report detailing requirement to consider noise walls, dated 23/05/2018. Section 4.1 of the CNVMP identifies that this condition will be managed through advice from a noise specialist. Updated design drawings catered for noise barriers along the rail link. **IMEX- N/A**	

*Writing in red font represents additions and changes made to the conditions due to the Land and Environment court decision dated 13 March 2018.

Approval (ID)	Condition	Timing	Monitoring Methodology	Evidence and Comments	Compliance Status
Compliance Requirement					**Compliant**
Part D- Community Information and Reporting					**Non-Compliant**
	Community Communication Strategy				**Not Triggered**
D1	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Community Communication Strategy (CCS) to the satisfaction of the Secretary. The Strategy shall provide mechanisms to facilitate communication between the Applicant (and its contractor(s)), the Environmental Representative (see condition E4), the relevant Council and community stakeholders (particularly adjoining landowners) on the design and environmental management of construction. The Strategy shall include, but not be limited to a)identification of stakeholders to be consulted as part of the Strategy, including affected and adjoining landowners, key community and business groups, and community and social service organisations; b)procedures and mechanisms for the regular distribution of accessible information to community stakeholders on construction progress and matters associated with environmental management, including provision of information in appropriate community languages; c)procedures and mechanisms through which the community stakeholders can discuss or provide feedback to the Applicant and/or Environmental Representative in relation to the environmental management and delivery of the SSD; d)procedures and mechanisms through which the Applicant can respond to enquiries or feedback from the community stakeholders in relation to the environmental management and delivery of the SSD; and e)procedures and mechanisms that would be implemented to resolve issues/ disputes that may arise between parties on the matters relating to environmental management and the delivery of the SSD, including but not limited to disputes regarding rectification or compensation for impacts to third party property and infrastructure. These procedures and mechanisms may include the use of a suitably qualified and experienced	Prior to Construction	Copy of approved Community Communication Strategy (CCS). Copy of the submission correspondence of the CCS to the Secretary. Copy of correspondence from the Secretary identifying approval of the CCS.	**RALP** Elton Consulting has been appointed as the Community Consultant and manages all complaints and enquiries. Elton have prepared a Precinct wide Community Engagement Strategy (CES), whilst an MPE Stage 1 -specific Community Communication Strategy (CCS) has also been developed. Both strategies have been developed in line with the requirements of these conditions. Stakeholders have been identified and listed in section 4 of the CCS. The CCS was approved by the Secretary on 11/5/17. An updated CCS was submitted on 19/02/2018 to DPIE (previously DP&E) Procedures and mechanisms used for distribution of project information include SIMTA website, letterbox drops, newsletters, and media advertising. See CCS section 6. A website, project email address and 1800 number have also been established. Enquiries and complaints management are detailed in Section 7 of the CCS. Note that no third party disputes have occurred during this reporting period. **IMEX** Community Communication Strategy, addressing the requirements of this condition was approved by DPIE on 11/5/17, and was updated on	
	Complaints and Enquiries Procedure				
D2	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall ensure that the following are available for community enquiries and complaints for the duration of construction a)a 24 hour telephone number(s) on which complaints and enquiries about the SSD may be registered; b)a postal address to which written complaints and 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 the website (or dedicated pages) required by this approval.	Prior and During Construction	Copy of published telephone number, postal address and email address in newspapers and on the website.	Elton Consulting has been appointed as the Community Consultant and handles all complaints and enquiries. 24hr info line 1800 986 465 www.simta.com.au simta@elton.com.au PO Box 1488 Bondi Junction NSW 2022 **IMEX** A SIMTA community update newsletter was distributed to 10000 residents in July, September and November 2016 outlining the current status of the Moorebank Precinct. The newsletters include project contact details. The SIMTA Communications and Engagement Strategy and Consultation Manager Section 8.16, Liberty Industrial CCS Section 7 detail management procedures for enquiries and complaints.	
D3	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall prepare and implement a Construction Complaints Management System consistent with AS ISO 10002-2006 Customer satisfaction – Guidelines for complaints handling in organisations (ISO 10002 2004, MOD) and maintain the System for the duration of construction and up to 12 months following completion of construction. Information on all complaints received, including the means by which they were addressed and whether resolution was reached, with or without mediation, shall be maintained in a complaints register and included in the construction compliance reports required by this approval. The information contained within the System shall be made available to the Secretary on request.	Prior to Construction	Copy of Construction Complaints Management System. Copy of complaints register.	The CCS (Section 7) outlines the complaints handling process and 'Consultation Manager database' has been adopted as the complaints management system for the recording of all communication including complaints from stakeholders for the duration of project construction works. All complaints and enquiries are managed by Elton Consulting in line with Section 8.16 of the Communications and Engagement Strategy and Section 7 of the CCS.	
	Provision of Electronic Information				

D4	Prior to commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall establish and maintain a new website, or dedicated pages within an existing website, for the provision of electronic information associated with the SSD, for the duration of construction. The Applicant shall, subject to confidentiality, publish and maintain up-to-date information on the website or dedicated pages including, but not necessarily limited to a)information on the current implementation status of the SSD; b)a copy of the documents listed in condition A1, and any documentation supporting modifications to this approval that may be granted from time to time; c)a copy of this approval and any future modification to this approval; d)a copy of each relevant environmental approval, licence or permit required and obtained in relation to the SSD; e)the outcomes of compliance tracking in accordance with condition C4 of this approval; and f)details of contact point(s) to which community complaints and enquiries may be directed, including a telephone number, a postal address and an email address real time noise, dust and water data, where such data is collected under this consent.	Prior to Construction	Copy of website/pages that includes information associated with the SSD.	SIMTA have a dedicated webpage which will be used to store all relevant publicly available documentation.	

*Writing in red font represents additions and changes made to the conditions due to the Land and Environment court decision dated 13 March 2018.

Approval (ID)	Condition	Timing	Monitoring Methodology	Evidence and Comments	Compliance Status
Compliance Requirement					**Compliant**
Part E- Construction Environmental Management					**Non-Compliant**
	Approved Plans to Be on Site				**Not Triggered**
E1	A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, relevant Council or the Certifying Authority.	During Construction	Access to approved and certified plans, specifications and documents.	A copy of all plans, specifications and documents referred to by this condition shall be kept on site and readily available to those as outlined in this condition.	
	Site Notice				
E2	A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Contractor, Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements: a)Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size; b)The notice is to be durable and weatherproof and is to be displayed throughout the works period; c)The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and d)The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.	During Construction	Copy of site notice displayed at boundaries.	Site notice erected at site gate.	
	Contact Telephone Number				
E3	The Applicant shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.	During Construction	Copy of the complaints register.	A single project information line will be utilised for the project (including all subcontractors) - 1800 986 465.This project line will be managed by the SIMTA and information filtered down to contractor(s) as relevant. Detailed within CCS.	
	Environmental Representative				
E4	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Applicant shall appoint a suitably qualified and experienced Environmental Representative(s) that is independent of the design and construction personnel, and that has been approved by the Secretary. The Applicant shall employ the Environmental Representative(s) (ER) for the duration of construction of this stage, or as otherwise agreed by the Secretary. The Environment Representative(s) shall: a)be the principal point of advice in relation to the environmental performance of construction; b)monitor the implementation of environmental management plans and monitoring programs required under this approval and advise the Applicant upon the achievement of these plans/programs; c)have responsibility for considering, and advising the Applicant on, matters specified in the conditions of this approval, and other licences and approvals related to the environmental performance and impacts of construction; d)ensure that environmental auditing is undertaken in accordance with the Applicant s Environmental Management System(s); e)be given the authority to approve/reject minor amendments to the Construction Environment Management Plan. What constitutes a “minor” amendment shall be clearly explained in the Construction Environment Management Plan; f)be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts; and g)be consulted in responding to the community concerning the environmental performance of construction where the resolution of points of conflict between the Applicant and the community is required.	Prior to Construction	Copy of Environmental Representative's qualifications. Copy of ER approval from Secretary.	The appointment of the nominated Environmental Representative was accepted by DPIE (previously DP&E) on 21/12/2016.	

E5	The Environmental Representative shall prepare and submit to the Secretary a quarterly report on the Environmental Representative s actions and decisions on matters specified in condition E4. The reports shall be submitted within seven (7) days for the end of each quarter for the duration of construction, or as otherwise agreed by the Secretary. Notwithstanding, the Environmental Representative shall be given the independence to report to the Secretary at any time and/or at the request of the Secretary.	During Construction	Copy of quarterly reports. Copy of dated submission of quarterly reports.	Quarterly ER reports were submitted to DPIE (previously DP&E) in: - March 2018 - June 2018 - September 2018 - December 2018 -March 2019 - June 2019 - September 2019 - December 2019 - June 2020 - December 2020 - March 2021 - June 2021	
	Construction Soil and Water Management				
E6	Soil and water management measures consistent with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004) shall be employed during construction to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.	During Construction	Copy of Soil & Water Management Plan. Copies of inspections and audit reports.	The Managing Urban Stormwater - Soils and Construction Vols 1 & 2, 4th Edition (Landcom, 2004) (Bluebook) has been integrated into the project Construction Soil & Water Management Plan (CSWMP) as a mitigation measure for managing site activities. In addition, progressive sediment & erosion control plans (PESCP) are developed to comply with the Bluebook and is the primary project tool to be implemented on site to minimise runoff of sediment and other pollutants offsite. A Soil and Water Management Plan (SWMP) was submitted to DPIE (previously DP&E) on 9/2/17. The SWMP outlines the management measures for erosion and sediment control in line with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004).	
E7	Construction shall be undertaken to comply with section 120 of the Protection of the Environment Operations Act 1997, which prohibits the pollution of waters.	During Construction	Copies of inspections and audit reports.	The construction of the rail link was undertaken in accordance with the Environmental Protection Licence (EPL) 21054. Rail link construction is complete and EPL 21054 has been surrendered. Further, a Soil and Water Management Plan (SWMP) was submitted to DPIE (previously DP&E). The SWMP outlines the management measures for erosion and sediment control in line with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004) including measures to minimise the potential for pollution of controlled waters. Construction works to have an implemented PESCP to comply with this condition. Pre-construction works (salvage) have been undertaken in compliance with this condition. A Soil and Water Management Plan (SWMP) was submitted to DPIE (previously DP&E) on 9/2/17. The SWMP outlines the management measures for erosion and sediment control in line with Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition (Landcom, 2004).	
	Bunding				

E8	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.	During Construction	Copies of inspections and audit reports.	The requirements for chemical storage is detailed in the project CSWMP and is to be provided in accordance with this condition. All hazardous materials are to be appropriately stored within chemical containers and sheds, or on bunding with 110% of the capacity of the largest container. The requirements are detailed in section 5.4 of the CSWMP.	
	Riparian Corridor Works				
E9	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.	During Construction	Copies of inspections and audit reports.	Design consists of a bridge over Georges River and culvert over Anzac Creek in line with the requirements of the Guideline as required by Section 6 of the Drainage Design Report and discharge restrictions from site in Riparian zones to be managed by the site PESCPs. Guidelines and measures are outlined within section 5.5 and 7.8 of the Soil and Water Management Plan.	
	Incident Reporting				
E10	The Applicant shall notify the Secretary and relevant public authorities of any incident with actual or potential significant on-site or off-site impacts on human health or the biophysical environment within 24 hours of becoming aware of the incident. The Applicant shall provide full written details of the incident to the Secretary within seven days of the date on which the incident occurred. Note: Where an incident also requires reporting to the EPA and/or OEH, the incident report prepared for the purposes of notifying the EPA and/or OEH would meet this requirement.	During Construction	Copy of any notifications to the Secretary and relevant public authorities. Copy of Incident Register	This requirement has been addressed in the CEMP and reproduced into the project's Incident & Emergency Management Plan for implementation as required. No incidents have occurred within this reporting period. Should an incident occur, it will be managed as outlined within the CEMP Sections 8 and 9 (SIMTA, rev 017, 16 January 2020).	
E11	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 E10, within such period as the Secretary may require.	During Construction	Copy of Incident Register.	No reportable incidents have occurred during the reporting period.	
	Heritage				
E12	The Applicant shall not harm, modify or otherwise impact any heritage items outside the subject site.	During Construction	Copy of approved Heritage Management Plan. Copies of inspections and audit reports. Copies of incident and NCR reports. Copy of the complaints register.	This requirement has been added as a mitigation measure in the project Heritage Management Plan and their locations in proximity to the project are shown on sensitive area maps as 'no go zones' to construction personnel and requirement included in the project induction. No works have occurred outside of the project boundary. No works outside of the construction boundary have been undertaken during this reporting period.	
	Dangerous Goods				
E13	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.	During Construction	Copies of Dangerous Good Licenses & Manifests (if applicable). Copies of inspections and audit reports. Copies of incident and NCR reports. Copy of the complaints register.	This condition has been included in the CEMP for implementation during construction. Any dangerous goods to be stored on the project will be reviewed against the requirements of this condition. All hazardous materials will be stored in accordance with the relevant codes, standards and legislation. No hazardous goods have been stored on site to date. The requirements are detailed in the CSWMP.	
	Dust Management				

E14	The Applicant shall carry out all feasible and reasonable measures to minimise dust generated by the Development.	During Construction	Copy of approved CEMP.	The project Air Quality Management Plan (AQMP) identifies the potential for dust generation from construction activities and outlines a set of measures to be implemented during construction activities to minimise dust generation onto nearby sensitive receivers. No dust generating activities have occurred on site during this reporting period. However, management of dust activities is outlined in Section 5 of the CAQMP.	
E15	During construction, the Applicant shall ensure that all loaded vehicles entering or leaving the site have their loads covered; and all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads.	During Construction	Copy of an approved CEMP detailing controls. Copies of inspections and audit reports. Copies of incident and NCR reports. Copy of the complaints register.	Requirement has been included in the project AQMP for implementation during construction. Enforcement will be monitored during site inspections. This has been managed as per the CEMP.	
	Waste Management				
E16	The reuse and/or recycling of waste materials generated on site shall be maximised as far as practicable, to minimise the need for treatment or disposal of those materials off site.	During Construction	Copy of an approved Waste Management Plan.	A project Waste Management Plan (WMP) has been developed to manage project construction waste and this condition has been addressed in this plan. Reuse and recycling of construction waste will be undertaken as per the Project EPL.	
E17	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).	During Construction	Records/Copies of Waste Classifications.	A project Waste Management Plan (WMP) has been developed to manage project construction waste and this condition has been addressed in this plan. All material is pre-classified under the Waste Classification Guidelines. Project maintains a waste register that tracks construction waste, recyclables (glass, paper, plastic etc.), total waste to landfill, total recycled.	
E18	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.	During Construction	Copy of an approved Waste Management Plan.	A project Waste Management Plan (WMP) has been developed to manage project construction waste and this condition has been addressed in this plan. All material is pre-classified under the Waste Classification Guidelines.	
	Construction Hours				
E19	Construction shall be undertaken during the following standard construction hours: a)7:00am to 6 00pm Mondays to Fridays, inclusive; and b)8:00am to 1 00pm Saturdays; c)at no time on Sundays or public holidays.	During Construction	Copy of an approved CEMP. Copy of induction documentation. Work start and finish logs.	The project Construction Noise & Vibration Management Plans (NVMP) (RALP- CPB, rev 06, 28 March 2019)(IMEX- SIMTA, rev 15, 22 October 2019) have been developed to manage this condition. Approved construction hours are being communicated to construction personnel via the project Induction, construction work packs, and sensitive area plans.	
E20	Activities resulting in a high noise impact shall only be undertaken: a)between the hours of 8 00 am to 5:00 pm Monday to Friday; b)between the hours of 8 00 am to 1:00 pm Saturday; and c)in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. For the purposes of this condition, continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this condition.	During Construction	An approved CEMP. Copy of induction documentation. Work start and finish logs.	The project Construction Noise & Vibration Management Plans (NVMP) (RALP- CPB, rev 06, 28 March 2019)(IMEX- SIMTA, rev 15, 22 October 2019) have been developed to manage this condition. Approved construction hours are being communicated to construction personnel via the project Induction, construction work packs, and sensitive area plans. No works requiring noise monitoring were undertaken during the reporting period.	

E21	Notwithstanding conditions E19 and E20, works may be undertaken outside the hours specified under those conditions in the following circumstances: a)construction works that cause LAeq (15 minute) noise levels that are: (i)No more than 5 dB above rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and (ii)No more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses; or b)for the delivery of materials required by the police or other authorities for safety reasons; or c)where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or d)construction works approved through an Out-Of-Hours Work Protocol prepared as part of the Construction Noise and Vibration Management Plan required by condition E34(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.	During Construction	Copy of an approved CEMP. Copy of induction documentation. Work start and finish logs.	An out of hours works protocol has been developed and included in the project CNVMP (RALP- CPB, rev 06, 28 March 2019)(IMEX- SIMTA, rev 15, 22 October 2019) for the review and approval of any proposed activities carried outside of construction hours in accordance with this condition. No notifiable OOHW took place during the reporting period.	
	Construction Noise and Vibration				
E22	The Applicant shall implement all feasible and reasonable noise mitigation measures with the aim of achieving the following construction noise management levels and vibration criteria: a)construction noise management levels established using the Interim Construction Noise Guideline (DECC 2009); b)vibration criteria established using the Assessing Vibration: a Technical Guide (DECC 2006) (for human exposure); and c)the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures (for structural damage). Any construction activities identified as exceeding the construction noise management levels and/or vibration criteria shall be managed in accordance with the Construction Noise and Vibration Management Plan required by condition E34(b). Note: The Interim Construction Noise Guideline identifies particularly annoying activities that require the addition of 5dB(A) to the predicted level before comparing to the construction Noise Management Level.	During Construction	Copy of Construction Noise and Vibration Management Plan (CNVMP).	The project Construction Noise & Vibration Management Plans (CNVMP)(RALP- CPB, rev 06, 28 March 2019)(IMEX- SIMTA, rev 15, 22 October 2019) have been developed to manage this condition.	
	Construction Traffic Noise				
E23	The Applicant is to ensure that construction vehicles operate so as to minimise any construction noise impacts from the construction site. Measures that could be used include toolbox talks, contracts that include provisions to deal with unsatisfactory noise performance for the vehicle and/or the operator, and specifying non-tonal movement alarms in place of reversing beepers or alternatives such as reversing cameras and proximity alarms, or a combination of these, where tonal alarms are not mandated by legislation.	During Construction	A copy of Construction Traffic and Access Management Plan (CTAMP). A copy of CNVMP. Copies of Toolbox Talks. Copies of Contracts. Copies of inspections and audit reports.	Mitigation measures to address this condition have been included in the CNVMP (RALP- CPB, rev 06, 28 March 2019)(IMEX- SIMTA, rev 15, 22 October 2019) for implementation during construction activities. All site personnel have been advised of noise requirements during pre-start meetings and induction.	
E24	No use of compression brakes shall be permitted for construction vehicles associated with construction in the vicinity of the subject site.	During Construction	Copies of contracts. Copies of inspection and audit reports.	Restriction on compression braking has been included in the CNVMP (RALP- CPB, rev 06, 28 March 2019)(IMEX- SIMTA, rev 15, 22 October 2019) so as to comply with this condition. Truck drivers have been advised of noise requirements during pre-start meetings and induction, including drivers code of conduct.	
	Review of Operational Sleep Disturbance Impacts				
E25	The Applicant shall prepare a review of sleep disturbance impacts based on detailed design, including: a)An assessment of how often noise events occur, the time of day they occur and whether there are any times of day when there is a clear change in the noise environment; b)Confirm the operational sleep disturbance predictions identified in the documents listed under Condition A1; and c)Consider appropriate noise mitigation measures where required. The report shall be prepared in consultation with the EPA and be submitted to the satisfaction of the	During Construction	Copy of consultation with the EPA. Copy of operational sleep disturbance report.	RALP- N/A IMEX Review of Operational Sleep Disturbance Impacts (Wilkinson Murray, rev H, dated May 2018) approved by DPIE on 13/7/18.	
	Transport and Access				

E26	A Road Occupancy Licence (ROL) must be obtained from the Transport Management Centre (TMC) for any activity likely to impact on the operational efficiency of the road network, allowing the use of specified public road space at approved times. The Applicant must allow a minimum of 10 working days for processing from date of receipt and include a Traffic Control Plan with any application.	During Construction	Copy of Road Occupancy Licence. Copy of dated receipt of Road Occupancy Licence. Copy of CTAMP.	Road Occupancy Licence not required.	
E27	Construction shall be carried out, where feasible and reasonable, to avoid the use of local roads (through residential streets) by heavy vehicles to gain access to the site and/or ancillary facilities.	During Construction	Copy of CTAMP.	Requirement has been included in the CTAMP (7.4.6) and shown on the Heavy Vehicle Route map to be included on Site Environmental Plans attached to Construction Work Plans. Truck drivers have been advised of noise requirements during pre-start meetings and induction.	
E28	Construction vehicles (including staff vehicles) shall be managed to: a)minimise parking or queuing on public roads; b)minimise idling and queuing in local residential streets where practicable; c)adhere to the nominated haulage routes identified in the Construction Traffic and Access Management Plan required under condition E35(a); and d)ensure access and egress from construction compounds is undertaken in a safe and lawful manner.	During Construction	Copy of CTAMP.	Requirement has been included in the CTAMP. Drivers have been advised of noise requirements during pre-start meetings and induction. **RALP** CTAMP (CPB, rev 07, 8/01/2019) **IMEX** CTAMP (SIMTA, rev 14, 7/11/2019)	
E29	Safe pedestrian and cyclist access through or around worksites shall be maintained during construction. In circumstances where pedestrian and cyclist access is restricted due to construction activities, a satisfactory alternate route shall be provided and signposted, including provision of temporary footpaths where pedestrian access is reliant on grassed verges.	During Construction	Copy of approved CTAMP.	Safe access is maintained for pedestrians and cyclists along Moorebank Ave. Internal site movements are maintained following and internal Vehicle Management Plan (VMP). **RALP** No properties other than the GWF affected by the works. The access to GWF is now provided by CPB specific secured gate at the back entrance. CTAMP (CPB, rev 07, 8 January 2019). **IMEX** IMEX No 1 works do not currently extend onto public roads to the extent where pedestrian and cycle access would be restricted. Access remains generally the same as prior to works. CTAMP (SIMTA, rev 14, 7/11/2019).	
E30	Access to all properties affected by the carrying out of construction shall be maintained, where feasible and reasonable, unless otherwise agreed by the relevant property owner or occupier. Any access physically affected by construction shall be reinstated to at least an equivalent standard, unless agreed with by the property owner.	During Construction	Copy of approved CTAMP.	**RALP** Requirement has been included in the CTAMP (6.5) (CPB, rev 07, 8 January 2019). **IMEX** Works do not impact other private properties. This requirement has been included in the CTAMP (4.1.7) (SIMTA, rev 14, 7/11/2019).	
	Biodiversity				
E31	No threatened species or communities can be cleared other than that required for construction.	During Construction	Copy of approved Construction Flora and Fauna Management Plan (CFFMP).	**RALP** Defined in FFMP (CPB, rev 07, 21 May 2019) and Project induction and MPE site specific induction book. They cover parking, protecting threatened species. Sighted: - Pre-clearing survey for Georges Rover Bridge western abutment September 2018, includes clearance boundaries - Preclearance survey for the Butchers Knife July 2018 - Pre-clearance survey, permit and signed authorisation 28/06/18 - Exclusion fencing and no go area signage in the field 10/12/18. **IMEX** Not applicable to IMEX, no threatened species. Threatened native vegetation is outside IMEX site, 'no go' flagging and fencing in place.	

E31A	Where any threatened flora species are to be cleared, individual plants of species suitable for translocation shall be considered for translocation into areas that have been identified as requiring rehabilitation within the Biodiversity Offset Package.	Prior to Construction	An approved Biodiversity Offset Package.	**RALP** Addressed in Section 3.5 and Appendix C - Condition of Consent E31A Translocation Advice of the MPE Stage 1 Biodiversity Offset Package. Translocation memo dated 08/06/18, outlining suitability / viability of translocations. Translocation works for target Hibbertia completed prior to clearing. **IMEX- N/A**	
E32	The existing mature trees located on the eastern side of Moorebank Avenue shown on Drawing LA01 (Landscape Masterplan) dated 30.3.2015 shall be retained, unless where required to be removed for construction of a permanent access point to the terminal site. Trees to be retained shall be protected and maintained during pre-construction and construction activities in accordance with AS4970-2009 Protection of trees on development sites. Details of tree protection must be provided to the Certifying Authority prior to the commencement of construction.	During Construction	Copy of approved CFFMP.	**RALP- N/A** **IMEX** Tree protection Report issued to PCA on 11/5/17 defining the type of tree protection that will be implemented. The trees on Moorebank Ave required for permanent access to site have been removed in April 2018. The approved trees aligned with the approved Landscape Master Plan of the MPE Stage 1 UDLP.	
	Construction Environmental Management Plan				
E33	Prior to the commencement of construction, 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 the approval of the Secretary. The CEMP shall outline the environmental management practices and procedures that are to be followed during construction. The CEMP is to be prepared in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). . The CEMP shall include, but not necessarily be limited to: a)a description of activities to be undertaken during construction; b)statutory and other obligations that the Applicant is required to fulfil during construction, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and policies; c)a description of the roles and responsibilities for relevant employees involved in construction, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors, are aware of their environmental and compliance obligations under these conditions of approval; d)an environmental risk analysis to identify the key environmental performance issues associated with construction; 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 internal roads and materials tracking from construction sites onto public roads; (ii)measures for the handling, treatment and management of hazardous and contaminated materials (including asbestos); (iii)measures to monitor and manage waste generated during construction including but not necessarily limited to: general procedures for waste classification, handling, reuse, and disposal; use of secondary waste material in construction wherever feasible and reasonable; procedures or dealing with green waste including timber and mulch from clearing activities; and measures for reducing demand on water resources (including potential for reuse of treated water from sediment control basins); (iv)measures to monitor and manage hazard and risks; (v)measures to monitor and rectify any impacts to third party property and infrastructure, including details of the process for rectification or compensation of affected landowners, and timeframes for rectification works or compensation processes; and (vi)the issues identified in condition E34. The CEMP shall include procedures for its periodic review and update (including the sub-plans required under condition E34, as necessary (including where minor changes can be approved by the Environmental Representative). The CEMP shall be submitted for the approval of the Secretary no later than one month prior to the commencement of construction, or as otherwise agreed by the Secretary. The CEMP may be prepared in	Prior to Construction	Copy of approved CEMP. Copy of consultation with the EPA, OEH, DPI Water, DPI Fisheries and the relevant council. Copy of approval from the Secretary.	**RALP** The project Construction Environment Management Plan (CEMP) (CPB, rev 06, 1 May 2019) and all sub-plans required by Condition E34 was developed in consultation with stakeholders as specified by this condition. CEMP was sent to DPIE (previously DP&E) on the 9/02/2017 for review and approval. Approval of CEMP provided by DPIE (previously DP&E) on 11/5/17. The RALP CEMP, FFMP, NVMP, CTAMP were all updated following Court decision and approved 12/06/18. All works associated with the rail access link, and being undertaken in accordance with the CPB CEMP have ceased. The CPB CEMP is no longer implemented on site and is not referenced further in this construction compliance report. **IMEX** CEMP (SIMTA, rev 017, 16 January 2020) was submitted to DPIE (previously DP&E) for approval on 24 February 2017. Approval of the CEMP was issued by DPIE (previously DP&E) on 09/05/17. The CEMP has been updated following the EDO Court Case and approved by DPIE (previously DP&E) on 18/06/2018. The SIMTA CEMP has been updated to include the removal of the southern extent of the disused rail spur, as required by Condition C23B of this consent, and submitted to DPIE.	
	Construction Environmental Management Plan — Sub Plans				

E34	As part of the CEMP for the SSD, the Applicant shall prepare and implement: a)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: (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 maintain or provide alternative safe and accessible routes for pedestrians throughout the duration of construction; (vi)details of measures to maintain connectivity for cyclists, with particular emphasis on providing adequate access between key existing cycle routes for commuter cyclists; (vii)details of measures to manage traffic movements, parking, loading and unloading at ancillary facilities during out-of-hours work; (viii)details of methods to be used to communicate proposed future traffic changes to affected road users, pedestrians and cyclists, consistent with the Community Communication Strategy required under condition D1; (ix)an adaptive response plan which sets out a process for response to any traffic, construction or other incident; and (x)mechanisms for the monitoring, review and amendment of this plan. 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 construction activities and an indicative schedule for works, including the identification of key noise and/or vibration generating construction activities (based on representative construction scenarios, including at ancillary facilities) that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers, particularly residential areas; (iv)an Out-of-Hours Work Protocol for the assessment, management and approval of works outside of standard construction hours as defined in condition E19 of this approval, for the Secretary's approval. The Out-of- Hours Work Protocol must detail: 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 vibration intensive works, use of low-vibration generating equipment/ vibration dampeners or alternative construction methodology, and pre- and post-construction dilapidation surveys of sensitive structures where blasting and/ or vibration is likely to result in damage to buildings and structures (including surveys being undertaken immediately following a monitored exceedance of the criteria); (vii)a description of how the effectiveness of mitigation and management measures would be monitored during construction, clearly indicating how often this monitoring would be conducted, the locations where monitoring would take place, how the results of this monitoring would be recorded and reported, and, if any exceedance is detected how any noncompliance would be rectified and	At All Times	Copy of CEMP. Copy of Construction Traffic and Access Management Plan (CTAMP). Construction Noise and Vibration Management Plan (CNVMP). Construction Heritage Management Plan (CHMP). Construction Flora and Fauna Management Plan (CFFMP). Construction Air Quality Management Plan (CAQMP). Construction Soil and Water Management Plan (CSWMP).	The SIMTA CTAMP was submitted to DPIE (previously DP&E) for approval on 24 February 2017. Approval of the CTAMP was issued by DPIE (previously DP&E) on 09/05/17. CTAMP been updated and approved by DPIE (previously DP&E) on 18/06/2018. The SIMTA CTAMP has been updated to include the removal of the southern extent of the disused rail spur, as required by Condition C23B of this consent, and submitted to DPIE. The project Construction Noise & Vibration Management Plan (CNVMP) was developed in consultation with stakeholders as specified by this condition. Approval of CNVMP provided by DPIE (previously DP&E) on 11/5/17 The SIMTA CNVMP has been updated to include the removal of the southern extent of the disused rail spur, as required by Condition C23B of this consent, and submitted to DPIE. CHMP was submitted to DPIE (previously DP&E) for approval on 24 February 2017. Comments have been received and addressed. Approval of the CHMP was issued by DPIE (previously DP&E) on 09/05/17. The SIMTA CHMP has been updated to include the removal of the southern extent of the disused rail spur, as required by Condition C23B of this consent, and submitted to DPIE.	

	(viii)mechanisms for the monitoring, review and amendment of this plan. 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 construction; and (ii)in relation to non-Aboriginal Heritage: a)identification of heritage items directly and indirectly affected by construction; b)consideration of methods to prevent damage to any retained heritage items, including: I.procedures for identifying minimum working distances to retained heritage items (including, at minimum, vibration testing and monitoring), II.detailed options for alteration of construction methodology should preferred values for vibration be exceeded, and III.commitment to implementing those options if preferred values for vibration are likely to be exceeded. 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 identification, protection and conservation of non-Aboriginal cultural heritage; and (iii)mechanisms for the monitoring, review and amendment of this plan. d)a Construction Flora and Fauna Management Plan to detail how impacts on ecology (as detailed in the most recent mapping endorsed by OEH) will be minimised and managed. The Plan shall be developed by a suitably qualified and experienced ecologist and in consultation with the OEH, and shall include, but not necessarily be limited to: (i)plans for impacted and adjoining areas showing vegetation communities; important flora and fauna habitat areas; areas of conservation value; locations where threatened species, populations or ecological communities have been recorded; including pre-clearing surveys to confirm the location of threatened flora and fauna species and associated habitat features; (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; e)construction worker education; and			The project Construction Flora & Fauna Management Plan (FFMP) was developed and in consultation with stakeholders as specified by this condition. CFFMP was sent to DPIE (previously DP&E)on the 9/02/2017 for review and approval. Comments were provided by DPIE (previously DP&E) on 17/3/17. Approval of CFFMP provided by DPIE (previously DP&E) on 11/5/17. **(CPB, rev 07, 21 May 2019)** **(SIMTA, rev 16, 28 October 2019)** The SIMTA CFFMP has been updated to include the removal of the southern extent of the disused rail spur, as required by Condition C23B of this consent, and submitted to DPIE. The Air Quality Management Plan approval from DPE granted 11/5/17 (via approval of CEMP). (**CPB, rev 06, 28 March 2019)** **(SIMTA, rev 12, 29 November 2019)** The SIMTA CAQMP has been updated to include the removal of the southern extent of the disused rail spur, as required by Condition C23B of this consent, and submitted to DPIE. The Soil and Water Management Plan approval from DPE granted 11/5/17 (via approval of CEMP). **(CPB, rev 06, 28 March 2019)** **(SIMTA, rev 13, 22 October 2019)** The SIMTA CSWMP has been updated to include the removal of the southern extent of the disused rail spur, as required by Condition C23B of this consent, and submitted to DPIE.	

*Writing in red font represents additions and changes made to the conditions due to the Land and Environment court decision dated 13 March 2018.

Approval (ID)	Condition	Timing	Monitoring Methodology	Evidence and Comments	Compliance Status
Compliance Requirement					**Compliant**
Part F- Prior to Operations					**Non-Compliant**
	Post- Construction Dilapidation Report				**Not Triggered**
F1	The Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works a)This report is to ascertain whether the construction works created any structural damage to footpaths, roads, buildings and other utilities in the vicinity of the development. b)The report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Certifying Authority must (i)compare the post-construction dilapidation report with the pre-construction dilapidation report ; and (ii)have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads as a result of construction. c)The report shall be submitted to the satisfaction of the Certifying Authority and a copy is to be forwarded to Campbelltown City Council, Liverpool City Council, RMS and the Secretary.	Prior to Operations	Copy of post-construction dilapidation report author's qualifications. Copy of post-construction dilapidation report. Copy of submission to Certifying Authority. Coy of submission to Certifying Authority, Campbelltown City Council, Liverpool City Council, RMS and the Secretary. Copy of correspondence with Certifying Authority affirming satisfaction of post-construction dilapidation report.	A number of pre-construction dilapidation reports have been completed for both RALP and IMEX - Cambridge Ave and Causeway at Glenfield (4/4/17) - Moorebank Ave Glenfield (4/4/17) - Cambridge Ave Glenfield (4/4/17) - Roundabout and Roadways at Glenfield (4/4/17). Post-dilapidation reports submitted to certifying authority for review and approval on 12/07/19.	
	Easements				
F2	Prior to the commencement of operation, the Applicant shall submit the final draft section 88B instrument, if relevant to the Certifying Authority and the Secretary for information.	Prior to Operations	Copy of section 88B instrument. Copy of submission of the instrument to Certifying Authority and Secretary.	Relevant 88B's have been submitted to DPIE for information on 3/3/19. These instruments were not provided to the Certifying Authority as it is considered that the instrument is not relevant to their jurisdiction.	
	External Lighting				
F3	External Lighting shall comply with AS4282 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to the Certifying Authority, in consultation with the relevant Council and RMS, evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.	Prior to Operations	Copy of compliance reporting submission to the Certifying Authority. Copy of consultation with the relevant council and RMS. Copy of independent practioner's qualifications.	**RALP- NA** **IMEX** Lighting requirements are addressed within Section 6.7 of the MPES1 UDLP (approved by DPIE on 14/2/18). There are no lighting provisions for the rail corridor. Northrop (Independent Certifier) verified that the lighting design and installation are in accordance with the requirements of AS/NZS 4282 1997 Control of Obtrusive Effects of Outdoor Lighting on 28/06/19. The report was sent to the Certifying Authority via email on 3/7/19 after the close out of consultation with LCC and RMS.	
	Operational Management Plan				
F4	The Applicant shall prepare and implement (following approval) an Operation Environmental Management Plan (OEMP). The Plan shall outline the environmental management practices and procedures that are to be followed during operation, and shall be prepared in consultation with relevant agencies and in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to a)a description of activities to be undertaken during operation (including staging and scheduling); b)statutory and other obligations that the Applicant is required to fulfil during operation, including approvals, consultations and agreements required from authorities and other stakeholders under key legislation and polices; c)overall environmental policies, guidelines and principles to be applied to the operation of the project; d)a description of the roles and responsibilities for relevant employees involved in the operation of the project, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under these conditions of approval; e)an environmental risk analysis to identify the key environmental performance issues associated with the operation phase; f)details of management and monitoring of environmental performance, including the actions to be taken to address identified potential adverse environmental impacts (and any impacts arising from staging of the project construction). In particular, the following environmental performance issues shall be addressed in the Plan (i)noise emissions including measures for regular performance monitoring of noise generated by the project and measures to proactively respond to and deal with noise complaints; (ii)a description of the proposed and/or implemented measures to minimise visual impact project components, such as landscaping and design considerations; (iii)procedures for the monitoring and maintenance of the watercourse crossings to achieve stable creek bed and banks; and (iv) air emissions including measures for regular performance monitoring of air quality generated by the Project and measures to proactively respond to and deal with air quality complaints.	Prior to Operations	An approved OEMP. Copy of submission of OEMP to the Secretary. Copy of OEMP approval from Secretary.	An Operational Environmental Management Plan (OEMP) was submitted to DPIE for review and approval on 19/04/19. Resubmitted to DPIE on 6/06/19. OEMP approval received from DPIE on 9/09/2019. OAQMP (SIMTA, rev 11, 27/03/2020) approval received from DPIE on 9/09/2019. ONVMP (SIMTA, rev 12, 27/03/2020) approval received from DPIE on 9/09/2019. OFFMP (SIMTA, rev 08, 27/03/2020) approval received from DPIE on 9/09/2019. OWRMP (SIMTA, rev 10, 27/03/2020) approval received from DPIE on 9/09/2019. SIOMP (SITMA, rev 07, 26/03/2020) approval received from DPIE on 9/09/2019.	
	Operational Noise				

F5	Prior to the commencement of operation, the Applicant shall prepare a Brake Squeal Report on brake squeal identifying the following a)The extent of brake 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 shoe designs and compounds; and d)Any monitoring system proposed to capture brake squeal.	Prior to Operations	Copy of Brake Squeal Report.	Addressed in Operational Noise and Vibration Management Plan (ONVMP) (SIMTA, rev 012, 27 March 2020) which was submitted to the DPIE for review and approval on 28/6/19. Resubmitted to DPIE on 10/07/19 addressing comments. ONVMP approved by DPIE on 9/09/2019. Brake Squeal Report submitted to DPIE for information on 30/06/19. Resubmitted to DPIE on 3/07/19 addressing TfNSW comments.	
F5A	The Applicant shall prepare and implement (following approval) a Container Noise Barrier Management Plan (CNBMP). The plan shall be prepared by a suitably experienced and qualified acoustics consultant and shall outline the management practices and procedures that are to be followed during night-time operation of the site and for the stacking of containers to be used as noise barriers. The plan shall include, but not necessarily be limited to a) the preparation of a specification for the stacking of containers to achieve the required level of noise reduction so as to comply with the project specific noise levels** and the sleep disturbance trigger levels*** for the night-time period* at the nearest affected residential receivers and which is to include such details as the minimum numbers of containers, their locations, stacking heights, orientation and maximum gap between containers. The Plan shall include any restrictions on stacking of containers above two high if this is found necessary. b) the measurement of noise from operation of the site and an assessment of compliance with the project specific noise levels and the sleep disturbance trigger levels at the nearest affected residential receivers at the following times i. not less than 3 months and not more than 6 months after commencement of operation, noise surveys shall be conducted on three separate nights for a period of not less than 2 hours whilst train wagons are being loaded with containers; ii. thereafter for 6 months on one night per month for a period of not less than 2 hours whilst train wagons are being loaded with containers. Noise measurements shall be conducted in accordance with the EPA's Industrial Noise Policy. c) the details of each noise survey shall be documented in a report with a drawing showing the observed location of containers which are subject to the Plan, the measurement equipment used, its calibration status, environmental conditions, receiver locations, methodology, a detailed description of the activities on site, the results obtained and whether or not compliance has been achieved with the project specific noise levels and the sleep disturbance trigger levels at the nearest affected residential receivers. d) if the report concludes that the project specific noise levels and the sleep disturbance trigger levels for the night-time period at the nearest affected residential receivers are not being complied with, then recommendations shall be made by the acoustic consultant to amend the Plan accordingly and the Applicant shall implement those recommendations as soon as practical provided they are feasible and reasonable. e) the Plan shall include a description of the roles and responsibilities for relevant employees involved in the operation of the CNBMP, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under the Plan. The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation. Copies of the detailed reports and the Plan (as amended) shall be provided to the Secretary and made available on the Project Website.	Prior to Operations	An approved Container Noise Barrier Management Plan (CNBMP).	Addressed in Container Noise Barrier Management Plan (CNBMP) (SIMTA, rev 06, 19 March 2020) which was submitted to the DPIE for review and approval on 24/04/19. Resubmitted to DPIE on 30/05/19 addressing comments. CNBMP approved by DPIE on 16/08/2019.	
F5B	Industrial noise (excluding activities covered by the NSW Rail Infrastructure Noise Guideline) generated by the development is to be measured and evaluated for compliance generally in accordance with the relevant requirements of the NSW Industrial Noise Policy (as may be updated from time to time). Table A See table in Conditions doc for Noise Criteria. Note References to sensitive receivers should be read in conjunction with the description of sensitive receivers in the EIS noting that Casula includes Glenfield Farm.	During Operations	An approved Container Noise Barrier Management Plan (CNBMP).	Not triggered. This Compliance Report relates to construction only.	
F5C	The noise criteria in Table A of condition F5B are to apply under all meteorological conditions except the following a) wind speeds greater than 3 m/s at 10 metres above ground level; or b) stability category F temperature inversion conditions and wind speeds greater than 2 m/s at 10 m above ground level; or c) stability category G temperature inversion conditions.	During Operations	An approved Container Noise Barrier Management Plan (CNBMP).	Not triggered. This Compliance Report relates to construction only.	
	Traffic Management				
F6	The Applicant shall prepare and implement (following approval) an Operational Traffic Management Plan to for the proposed vehicle booking system. The plan shall be prepared in consultation with the Cargo Movement Coordination Centre and include details on container turnaround times and interoperable technology (such as Port Botany RFID tags). The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation, or as otherwise agreed by the Secretary.	Prior to Operations	An approved Operational Traffic Management Plan. Copy of consultation with Cargo Movement Coordination Centre. Copy of submission to the Secretary	Operational Traffic and Access Management Plan (OTAMP) approved by DPIE on 6/12/2019.	

F7	The Applicant shall undertake signal decommissioning (where required) in consultation with RMS prior to the commencement of operation. The Applicant shall bear the full cost associated with the decommissioning/removal/disposal of the traffic signals and associated equipment.	Prior to Operations	Copy of consultation with RMS. Copy of receipt of payment for the decommissioning/removal/disposal of the traffic signals and associated equipment.	Operational Traffic and Access Management Plan (OTAMP) approved by DPIE on 6/12/2019. Staged OTAMP and WTP (IMEX/RALP, Area 1, Area 2) was approved on 28/4/20. Compliance with these conditions will be addressed in a future update to this plan, upon completion of the Moorebank Avenue upgrade works, as per the proposing staging in Section 1.3 of the OTAMP. As per the correspondence sent to DPIE (previously DP&E), titled 'Moorebank Precinct East Stage 1 (SSD 6766) – Interaction with Moorebank Precinct East Stage 2 (SS 7628) Conditions of Consent' on 21 February 2019, traffic signals would be located within land that is to be dedicated to RMS, as part of the dedication of Moorebank Avenue and to defer these works for MPE Stage 1 until after the completion of MPE Stage 2. This is requested in accordance with CoC G2 (of MPE Stage 1) which allows for the Secretary to alter timing of rectification works.	
F8	The Applicant shall create an easement within the site at the traffic signals to allow RMS to maintain traffic signal components, if required by the design and condition C24. If no easement is required, access to signals should be maintained for maintenance purposes at all times.	Prior to Operations	Copy of certified design plans.	Operational Traffic and Access Management Plan (OTAMP) approved by DPIE on 6/12/2019. Staged OTAMP and WTP (IMEX/RALP, Area 1, Area 2) was approved on 28/4/20. Compliance with these conditions will be addressed in a future update to this plan, upon completion of the Moorebank Avenue upgrade works, as per the proposing staging in Section 1.3 of the OTAMP. As per the correspondence sent to DPIE (previously DP&E), titled 'Moorebank Precinct East Stage 1 (SSD 6766) – Interaction with Moorebank Precinct East Stage 2 (SS 7628) Conditions of Consent' on 21 February 2019, traffic signals would be located within land that is to be dedicated to RMS, as part of the dedication of Moorebank Avenue and to defer these works for MPE Stage 1 to after the completion of MPE Stage 2. This is requested in accordance with CoC G2 (of MPE Stage 1) which allows for the Secretary to alter timing of rectification works.	

*Writing in red font represents additions and changes made to the conditions due to the Land and Environment court decision dated 13 March 2018.

Approval (ID)	Condition	Timing	Monitoring Methodology	Evidence and Comments	Compliance Status
Compliance Requirement					**Compliant**
Part G- During Operations					**Non-Compliant**
	Damage Rectification				**Not Triggered**
G1	Within 6 weeks of commencement of operation, unless otherwise agreed by the Secretary, the Applicant shall undertake road pavement deflection testing of the truck routes as defined by Condition E34(a). If the deflection tests show an increase in defection as a result of the truck routes associated with construction, the Applicant shall undertake pavement rehabilitation of the affected road pavements to achieve the pavement deflection that existing prior to the commencement of works.	During Operation	Road pavement deflection testing results.	Not triggered. This Compliance Report relates to construction only.	
G2	Within 3 months of commencement of operation, unless otherwise agreed by the Secretary, the Applicant shall carry out rectification work to the extent of the damage resulting from the construction works at the Applicant's expense and to the reasonable requirements of the owners.	During Operation	Records of repair work having being carried out.	Not triggered. This Compliance Report relates to construction only.	
	Registration of Easements				
G3	Within 3 months of commencement of operation, the Applicant shall provide to the Certifying Authority evidence that all easements required by this approval, and other licences, approvals and consents, have been lodged for registration or registered at the NSW Land and Property Information.	During Operation	Copy of lodgement to NSW Land and Property Information of all easements.	Not triggered. This Compliance Report relates to construction only.	
	Signage				
G4	Signage shall be installed in accordance with Drawing A3001 Issue C (Terminal – Signage Details) dated 14/04/2015, unless otherwise agreed by the Secretary.	During Operation	Copy of inspection and compliance reports.	Not triggered. This Compliance Report relates to construction only.	
	Dangerous Goods				
G5	The quantities of Dangerous Goods present at any time on the site or transported from and to the terminal site shall be kept below the screening threshold quantities listed in the Hazardous and Offensive Development Guidelines Applying SEPP 33, (DP&E 2011). The screening threshold quantities for each Dangerous Goods shall be defined in accordance with Table 1 Screening Methods of Applying SEPP 33.	During Operation	Copy of Warehouse Operational Environment Management Plan(s) (WOEMP) or other operational documentation that detail screening threshold quantities of Dangerous Goods. If appropriate, copies of Dangerous Goods Registers and Manifests detailing quantities.	Not triggered. This Compliance Report relates to construction only.	
	Operational Noise, Air Quality, Monitoring and Reporting				
G6	Port shuttle operations must use a)Locomotives that incorporate available best practice noise and emission technologies. Prior to the construction of the rail link connecting to the site, the Applicant must submit a report to the Secretary for consideration and approval that has been prepared in consultation with TfNSW and the EPA that justifies the technology proposed and how it meets the objective of best practice noise and emission technologies; and b)b) Wagons that incorporate available best practice noise technologies such as "one-piece" freight bogies or three-piece freight bogies fitted with cross-bracing or steering arms; and including as a minimum permanently coupled 'multi-pack' steering wagons using Electronically Controlled Pneumatic (ECP) braking with a wire based distributed power system (or better practice technology).	Prior to the commencement of construction of the Rail Link	Copy of OEMP. Compliance reports.	Not triggered. This Compliance Report relates to construction only.	
G7	The Applicant shall install and maintain a rail noise monitoring system on the rail link at the commencement of operation to continuously monitor the noise from rail operations on the rail link. The system shall capture the noise from each individual train 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 (i.e. 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.	Commencement of Operation	Records of installation / maintenance of rail noise monitoring equipment. Records /copies of upload of results / live data on website. Compliance reports.	Not triggered. This Compliance Report relates to construction only.	

G7A	The applicant shall install and maintain a wayside angle of attack monitoring system on the rail link at the commencement of operation to continuously monitor the angle of attack to the rail of rolling stock wheels. The system shall capture the angle of attack from a wheel on each axle of every train, and include information to identify a) Time and date of each axle passby; and b) The identification number of each item of rolling stock. The results from the angle of attack monitoring system shall be • accessible by train operators from a website maintained by the Applicant. Angle of attack results from each train shall be available on the website within 24 hours of it passing the monitor, unless unforeseen circumstances have occurred. • included in a six-monthly report to the Secretary. The report should at least identify the number of wagons with wheels that exceed the ASA standard angle of attack and the action taken by operators to improve steering performance. Prior to the commencement of operation, the Applicant shall submit for the approval of the Secretary, justification supporting the appropriateness of the location for angle of attack monitoring, the format of the information to be accessible to operators and the format of	Prior to the commencement of operation	An approved Operational Noise and Vibration Management Plan (ONVMP).	Not triggered. This Compliance Report relates to construction only.	
	Rail Link Noise Monitoring and Mitigation				
G7B	The Applicant shall (a) not less than three months and not more than twelve months from commencement of operation, engage an appropriately qualified and experienced acoustic engineer to undertake a night-time noise survey at Glenfield Farm (or an equivalent location if access is denied). (b) the noise survey shall be conducted in accordance with the EPA's Rail Infrastructure Noise Guideline 2013 to determine (i) the contribution of any new rail traffic travelling to and from the development; and, (ii) the increase in the total rail traffic noise level caused by any new rail traffic to and from the development. (c) the noise survey shall be conducted for not less than 12 contiguous days in the winter months (July, August or September). (d) if as a result of the noise survey there is a sustained increase in the total rail traffic noise level due to the noise level from rail traffic travelling to and from the development of more than 2dB(A) for more than 30% of nights surveyed, the Applicant shall within twelve months, construct a noise barrier along the relevant sections of rail link in accordance with the specifications provided by an appropriately qualified and experienced acoustic engineer so as to limit the increase in the total rail traffic noise level at Glenfield Farm caused by any new rail traffic to and from the development to not exceed 2dB(A).	Prior to the commencement of operation	An approved Operational Noise and Vibration Management Plan (ONVMP).	Not triggered. This Compliance Report relates to construction only.	
G8	The following measures must be implemented during operation a)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, where required; and b)Measures to ensure the rail cross sectional profile is maintained in accordance with ETN–01-02 Rail Grinding Manual for Plain Track to ensure the correct wheel / rail contact position and hence to encourage proper rolling stock steering.	During Operation	Records of installation / maintenance of rail noise monitoring equipment.	Not triggered. This Compliance Report relates to construction only.	
G9	The transfer of containers between Port Botany and the IMEX terminal must not commence until the rail connection to the SSFL is operational.	During Operation	For reference.	Not triggered. This Compliance Report relates to construction only.	
G10	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 (e.g. an incident, breakdown, derailment or emergency maintenance on the rail line). The Secretary may at any time request the Applicant to demonstrate that the transport of containers between the site and Port Botany container terminals is by rail. This is to be demonstrated upon request by the Secretary for the prior 12 month period.	During Operation	Copy of container transport documentation.	Not triggered. This Compliance Report relates to construction only.	
G11	The Applicant shall prepare a six-monthly report to the Secretary with the results of container and vehicle monitoring for a period of 3 years, or as otherwise agreed with the Secretary, from the commencement of operation of the IMEX terminal. The Secretary shall consider the need for further reporting following a review of the results for year 3. The report shall include a)The number of twenty foot equivalent units dispatched and received during the period; b)A record of heavy vehicle entry by date and approximate time; and c)The number of light vehicles turning right into the terminal site from Moorebank Avenue and turning left from the terminal site onto Moorebank Avenue for a representative day.	During Operation	Copy of report.	Not triggered. This Compliance Report relates to construction only.	

G12	All container handling equipment, purchased after 2019 must meet US EPA Tier 4 or EU Stage IV emission standard or achieve an equivalent emission control performance to those standards listed in this condition.	During Operation	Copy of equipment design specifications.	Not triggered. This Compliance Report relates to construction only.	
G13	The Applicant must carry out any activity, or operate any plant, in or on the premises by such practicable means as may be necessary to prevent or minimise air pollution.	During Operation	Copy of CNVMP. Copy of Operational Noise Report.	Not triggered. This Compliance Report relates to construction only.	
G14	Heavy road freight vehicles are not permitted to use Moorebank Avenue south of the East Hills Railway corridor. A main gate monitoring system (e.g. CCTV) shall be installed to identify heavy vehicles turning left from the terminal site onto Moorebank Avenue, or turning right from Moorebank Avenue to the terminal site. The Secretary may at any time request the Applicant to provide a heavy vehicle monitoring report for the prior 12 month period.	During Operation	Copy of installation of main gate monitoring system. Copy of heavy vehicle monitoring data for previous 12 months.	Not triggered. This Compliance Report relates to construction only.	
G15	Within 12 months of the commencement of operation of the project, or as otherwise agreed by the Secretary, the Applicant shall undertake operational noise monitoring to compare actual noise performance of the project against noise performance predicted in the review of noise mitigation measures predicted in documents specified under condition A1 of this approval, and prepare an Operational Noise Report to document this monitoring. The Report shall include, but not necessarily be limited to a)noise monitoring to assess compliance with the operational noise levels predicted in documents specified under condition A1 of this approval; b)a review of the operational noise levels in terms of criteria and noise goals established in the NSW Road Noise Policy (EPA, 2011); c)sleep disturbance impacts compared to those determined in Condition E25; d)methodology, location and frequency of noise monitoring undertaken, including monitoring sites at which project noise levels are ascertained, with specific reference to locations indicative of impacts on sensitive receivers; e)details of any complaints and enquiries received in relation to operational noise generated by the project between the date of commencement of operation and the date the report was prepared; f)any required recalibrations of the noise model taking into consideration factors such as actual traffic numbers and proportions; g)an assessment of the performance and effectiveness of applied noise mitigation measures together with a review and if necessary, reassessment of all feasible and reasonable mitigation measures; and h)identification of additional feasible and reasonable measures to those predicted in the documents specified under condition A1 of this approval, that would be	During Operation	Copy of Operational Noise Report. Copy of submission of report to the Secretary.	Not triggered. This Compliance Report relates to construction only.	
	Independent Environmental Audit				
G16	Within 12 months of the commencement of operation, and thereafter at any other stage bi-annually if required by the Secretary, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the SSD. This audit shall a)be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; b)include consultation with the relevant agencies and local Councils; c)assess the environmental performance of the SSD and assess whether it is complying with the requirements in this approval, and any other relevant approvals (including any assessment, plan or program required under these approvals); d)review the accuracy of predicted environmental outcomes discussed in the documents listed in condition A1; e)review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and f)recommend measures or actions to improve the environmental performance of the SSD, and/or any strategy, plan or program required under these approvals. Within 60 days of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary and relevant public authorities, together with its response to any recommendations contained in the audit report. The audit report and response to any recommendations shall be	Within 12 months of the commencement of operation.	Copy of audit. Receipt of payment for audit. Copy of submission of the report to the Secretary and relevant public authorities.	Not triggered. This Compliance Report relates to construction only.	

*Writing in red font represents additions and changes made to the conditions due to the Land and Environment court decision dated 13 March 2018.